



3D VIEW - CNR CAMERON AVE EDMONSTONE PL



SOUTH ELEVATION



EAST ELEVATION



3D VIEW - CNR CHANDLER ST CAMERON AVE

From: [Elizabeth Slapp](#)
To: [Ramesh. Meena](#)
Subject: Blocks 8 and 9 Section 48 Belconnen - Hotel - Section 197 Application
Date: Wednesday, 1 November 2017 9:03:04 AM
Attachments: [DA-A101 Ground Floor Plan Rev B.pdf](#)
[DA-A201 West Elevation Rev B.pdf](#)

Hi Meena,

Please note the following comments in relation to your queries regarding the Section 197 Application for Blocks 8 and 9 Section 48 Belconnen.

■ **Tenancy 3 - changed from shop to restaurant - where is the kitchen exhaust?**

This is now a retail tenancy, we have removed reference to a kitchen from the plans. See attached.

■ **Depth & height of awning changed - what is the depth (dimension not shown) & height (3.6m?) now?**

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■ **Confirm that the proposed new façade treatment for the podium carpark is wholly contained within the subject block boundaries.**

The corner feature columns and precast façade are set back 50mm from the boundaries and the main carpark façade is set back 300mm.

Please do not hesitate to contact me should you need to discuss the above further.

Ta.

-E

<p>CTP Logo</p> 	<p>Elizabeth Slapp Associate Director</p> <p>2/20 Challis Street, Dickson 2602 Mobile 0457 786 776 Elizabeth@canplan.com.au canberratownplanning.com.au</p>
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From: [Ramesh, Meena](#)
To: ["admin@canberratownplanning.com.au"](mailto:admin@canberratownplanning.com.au)
Subject: Blocks 8 & 9 Sec 48 Belconnen - Hotel [SEC=UNCLASSIFIED]
Date: Wednesday, 25 October 2017 12:10:00 PM

Good afternoon Elizabeth,

I refer to the S197B amendment DA you have submitted in relation to this block. I have done an assessment and need the following clarification.

- Tenancy 3 – changed from shop to restaurant – where is the kitchen exhaust?
- Depth & height of awning changed – what is the depth (dimension not shown) & height (3.6m?) now?
- BOH commercial – reduced in area & annotated as commercial store – Considering it is a hotel and 3 restaurants, please clarify why it has been reduced.
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- Confirm that the proposed new façade treatment for the podium carpark is wholly contained within the subject block boundaries.

You may email the above information to me directly.

The DA will be referred to relevant entities now. I will let you if they raise any issues as the comments come in. However, it should be noted that TCCS on other DAs have not supported door encroachments over adjoining public footpaths.

Happy to discuss.

Regards

[Meena Ramesh](#)

(Mon- Fri - 9am -3pm)

Senior Assessment Officer | Merit Assessment - Commercial Team

Phone 02 62076174 | Fax 02 62071856 |

Planning Delivery Division | ACTPLA | Environment, Planning & Sustainable Development Directorate |
ACT Government

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

www.environment.act.gov.au

From: [Elizabeth Slapp](#)
To: [Ramesh, Meena](#)
Subject: FW: Blocks 8 and 9 Section 48 Belconnen - Hotel - Section 197 Application [SEC=UNCLASSIFIED]
Date: Wednesday, 1 November 2017 1:23:17 PM
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[DA-A101 Ground Floor Plan Rev C.pdf](#)
[DA-A102-01 Level 1 Carpark South Floor Plan Rev B.pdf](#)

Hi Meena,

Please note the following email from the Architect in relation to your latest queries. Note that he has updated that plans slightly (see attached).

Give me a call should you need to discuss the above further.

Ta.


-E

CTP Logo 

Elizabeth Slapp
Associate Director

Mobile 0457 786 776 

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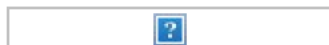
From: 
Sent: Wednesday, 1 November 2017 1:06 PM
To: Elizabeth Slapp <Elizabeth@CanberraTownPlanning.com.au>
Subject: RE: Blocks 8 and 9 Section 48 Belconnen - Hotel - Section 197 Application [SEC=UNCLASSIFIED]

Elizabeth revised drawings attached.

The change to the North Elevation was a minor change to the precast where the ground floor door adjacent to Grid 3 was set back slightly into a shallow alcove. This change affected the profile of the precast, if you compare it to the original you will see a couple of extra lines.

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may + russell architects Pty Ltd abn 69 087 172 718
primary nominee: peter may ACT reg no. 704, NSW reg no. 5231

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From: Elizabeth Slapp [<mailto:Elizabeth@CanberraTownPlanning.com.au>]
Sent: Wednesday, 1 November 2017 10:50 AM
To: [REDACTED]
Subject: FW: Blocks 8 and 9 Section 48 Belconnen - Hotel - Section 197 Application
[SEC=UNCLASSIFIED]

Hi [REDACTED]

Please note the comments in blue from the assessment officer regarding the S197 Application.
Can you please address as required?

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Elizabeth Slapp
Associate Director

Mobile 0457 786 776



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From: Ramesh, Meena [<mailto:Meena.Ramesh@act.gov.au>]
Sent: Wednesday, 1 November 2017 10:34 AM
To: Elizabeth Slapp <Elizabeth@CanberraTownPlanning.com.au>
Subject: FW: Blocks 8 and 9 Section 48 Belconnen - Hotel - Section 197 Application
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Also please confirm what the change is on the West Elevation.

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(Mon- Fri - 9am -3pm)
Senior Assessment Officer | Merit Assessment - Commercial Team
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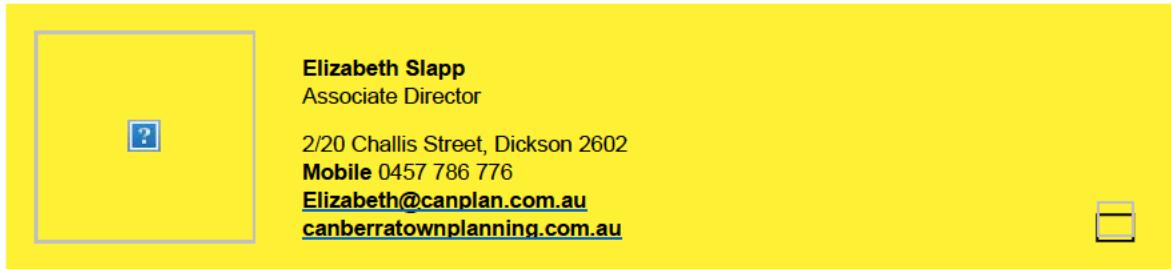
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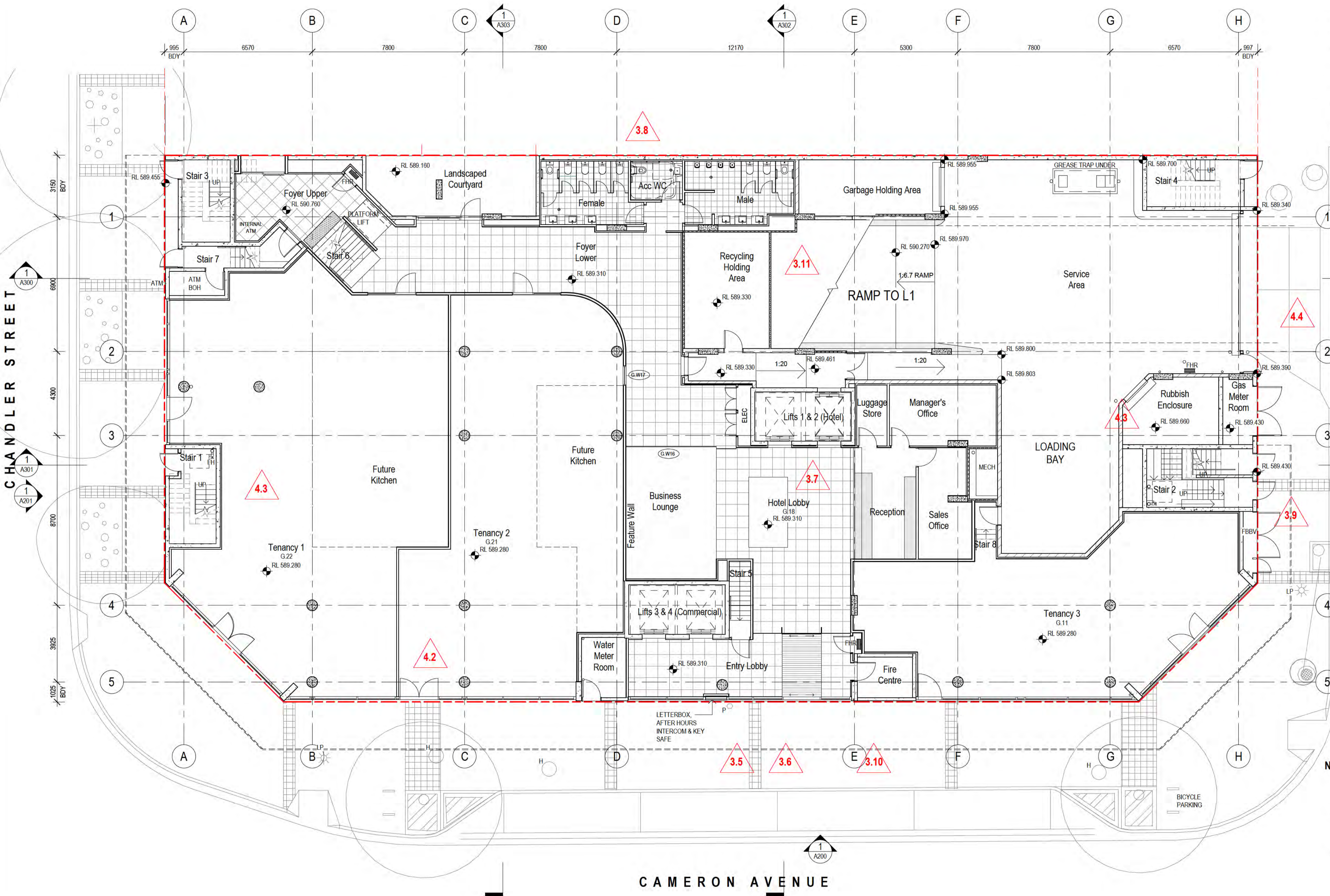
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REVISION LEGEND

- 3.5 Ground Floor Level - Commercial and Hotel Lobbies have been combined to create a single-entry lobby and new street frontage arrangement
- 3.6 Ground Floor Level - Commercial and Hotel entry frontage includes Hotel letterbox and afterhours intercom.
- 3.7 Ground Floor Level - Hotel Reception, Luggage Store, Hotel Offices, and Tenancy No. 3 have been replanned to achieve greater efficiency.
- 3.8 Ground Floor Level - Amenities area increased to meet BCA requirements.
- 3.9 Ground Floor Level - Sprinkler Valve Room deleted, FBBV and Gas Meter Room replanned to improve service reticulation.
- 3.10 Ground Floor Level - Fire Centre external door deleted (not required by ACT Fire).
- 3.11 Waste Centre Expanded due to change to Tenancy 3 change from shop to cafe
- 4.2 Ground Floor Level - door from Cameron Avenue to Tenancy No. 2 has been relocated so as to meet AS1428 requirements.
- 4.3 Ground Floor Level and Levels 1 - 3 - Stair Nos. 1 - 2 added.
- 4.4 Ground Floor Level - New door added from Service Area along Edmondstone Place to meet fire egress requirements.



NOTE:

- 1. EGRESS DOORS TO STAIR 1,2,3,4 AND SERVICE AREA - THE DOOR LEAF IN THE OPEN POSITION IS OVER THE SITE BOUNDARY.
- 2. EXTERNAL DOORS TO TENANCY 1,2 AND 3 (PIVOT DOORS) - DOOR LEAF IN THE OPEN POSITION IS OVER THE SITE BOUNDARY.
- 3. EXTERNAL DOORS OF SERVICES (WATER METER ROOM, FBBV AND GAS METER ROOM) - THE DOOR LEAFS IN THE OPEN POSITION IS OVER THE SITE BOUNDARY.

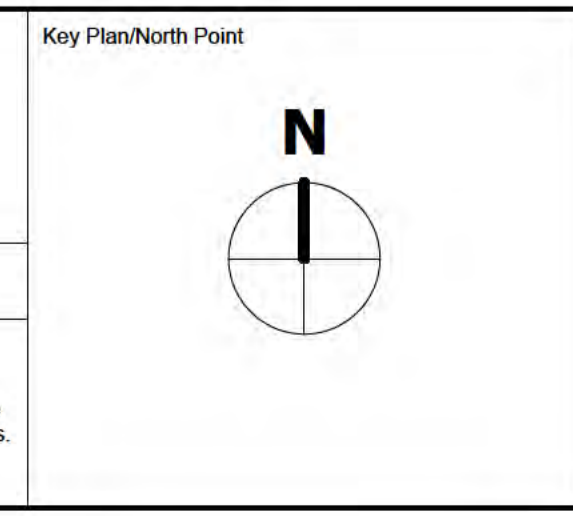
Date	Rev.	Status or Amendment
28/08/17	A	Issue for DA Amendment
26/10/17	B	Issue for DA Amendment
01/11/17	C	Issue for DA

Design Review	C/C: Checker	APP: Approver
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File name:
 C:\Users\j.parker\Documents\Central\Belconnen Hotel\Document\185 CLC.BEL
 CENTRAL_j.parker@mayrussell.com.au

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NOTE
 Contractor must verify all dimensions on the job before commencing any work or drawing of any shop drawings.
 Do not scale drawings.



Project Manager

DOWSE PROJECTS PTY LTD



Consultants

Architect - May + Russell Architects	Envirolinks
Landscape - Sellick Consultants	Structure - Sellick Consultants
Civil - Sellick Consultants	Shoobridge
Traffic - Sellick Consultants	Electrical - NDI
Mechanical - NDI	Hydraulic - THCS
Fire Safety - NDI	

Architect

may + russell

may + russell architects pty ltd abn 69 087 172 718

Unit 5, 7 Napier Close, Deakin ACT 2600
 PO Box 268, Deakin West 2600
 p 02 6285 3077 f 02 62813340
 e pmpr@mayrussell.com.au

architects

Project		
Canberra Labor Club Belconnen Hotel		
Blocks	Section	Division
8+9	48	Belconnen
Drawing Title		
Ground Floor Plan		
Job No.	Drawing No.	Scale
16_35	DA-A101	1:100@A1
Rev.		
C		

From: [Elizabeth Slapp](#)
To: [Ramesh, Meena](#)
Subject: RE: Blocks 8 and 9 Section 48 Belconnen - Hotel - Section 197 Application [SEC=UNCLASSIFIED]
Date: Wednesday, 1 November 2017 2:58:08 PM
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)

Hi Meena,

As per our previous discussion, please note that we authorise you to annotate 'retail' for Tenancy 3 on the ground floor plan.

Please call should you need anything further.

Ta.

-E

CTP Logo 

Elizabeth Slapp
Associate Director

Mobile 0457 786 776 

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From: Elizabeth Slapp
Sent: Wednesday, 1 November 2017 1:23 PM
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primary nominee: peter may ACT reg no. 704, NSW reg no. 5231

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Sent: Wednesday, 1 November 2017 10:50 AM
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The commercial store will not be used by the either the hotel or the GF retail tenancies and has been reduced in line with the current leasing strategy. - **OK noted - we have had issues lately with restaurants wanting to convert their car spaces to storage due to insufficient provision of storage.**

▪ **Northern façade -Condition All (a)(i) of the decision on the original DA required the Northern façade to have an appropriate treatment (articulation by material & colour) to minimise its visual impact. It is not clear what treatment is proposed for this façade in the S197B DA. While it is acknowledged the Labour Club has plans to build the adjoining carpark, we have no current or approved DA for it. In the event, it is delayed or does not go ahead, Condition All(a)(i) needs to be met. In light of this, can you please provide an alternative Northern elevation showing what the façade treatment would be if the adjoining Labour Club carpark is delayed or does not proceed.**

The revised DA application for the Hotel Development will be dependent on the North Carpark being built in tandem with the Hotel, as the two buildings are fully integrated between levels 2 and 4. If we remove the North Carpark graphic shading as suggested from the drawing DA-A202, then there will be no façade indicated below Level 5.

If the North Carpark does not go ahead then there will have to be a redesign of the hotel development, including redrawing of the floor plans, sections and elevations showing reduced building height, removing Stairs 3 and 4, reducing services and redesigning the affected floor plates.

While we appreciate the need to address Condition A11(a)(i) of the original DA, we believe that we have considered the treatment of the north façade of the Hotel development with the integration of the North Carpark over the club. - I have discussed this further with my Manager Chris Gell. We will accept the façade as shown for the purposes of this DA. IF in the future the Labour Club Car park does not proceed or is delayed, we expect an amendment that addresses Condition A11(a)(i) of the decision on the original DA

- **Confirm that the proposed new façade treatment for the podium carpark is wholly contained within the subject block boundaries.**

The corner feature columns and precast façade are set back 50mm from the boundaries and the main carpark façade is set back 300mm. - noted that there will be no façade encroachment over unleased land. Only encroachment identified is the awning.

Please do not hesitate to contact me should you need to discuss the above further.

Ta.

-E

<p>CTP Logo</p> 	<p>Elizabeth Slapp Associate Director</p> <p>2/20 Challis Street, Dickson 2602 Mobile 0457 786 776 Elizabeth@canplan.com.au canberratownplanning.com.au</p>	
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Please consider the environment before printing this email.

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1.1

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1 A300

2

3

1 A301

4

5

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NOTE
Contractor must verify all dimensions on the job before commencing any work or drawing of any shop drawings. Do not scale drawings.

Date	Rev.	Status or Amendment
28/08/17	A	Issue for DA Amendment
28/10/17	B	Issue for DA Amendment

Finishes Legend DA Amendment	
AW1	Powdercoated window frame - Type 1
AW2	Powdercoated window frame - Type 2
AW5	Powdercoated window frame - Type 5
AW6	Powdercoated window frame - Type 6
BAL1	Balcony Balustrade Type 1
BAL2	Balcony Balustrade Type 2
CO	Custom Orb (Vertical direction)
CON	Off-form Concrete
CP1	Composite Aluminium Panel
CP2	Composite Aluminium Infill Panel
CP3	Composite Aluminium Panel
G1	Double Glazed Window
G2	Single Glazed (Glazed Door)
G3	Double Glazed Window
G4	Double Glazed Window (colour back glass)
G5	Single Glazed Louvre
L1	Powdercoated Louvre - Type 1
L2	Powdercoated Louvre - Type 2
L3	Glazed Louvre
M1	Powdercoated Aluminium Fin (Window system)
M2	Powdercoated Aluminium Fin (Cladding)
M3	Powdercoated Aluminium Infill panel
M4	Powdercoated Carpark Frame
M5	Powdercoated Carpark Screen
PC1	Precast Panel
PC2	Precast Panel (Colour)
PS	Privacy Screen

REVISION LEGEND

- 1.1 Level 12 slab has been deleted and replaced with a steel roof. The overall height has reduced - Level 11 previous was RL634.300 and now RL632.130. Basement Level also lowered from RL 585.90 to RL 585.830
- 2.1 Ground Floor Level - Street frontage modified and includes high level windows and louvres
- 2.3 Ground Floor level - Awning fascia depth and height above pavement level amended.
- 2.4 Levels 1 - 4 - Screening around the podium level car parking has been redesigned and precast blades added to improve the visual interest of the façade.
- 2.5 Level 5 - Podium introduced with courtyard spaces. Perimeter condition resulting in a concrete upstand with metal balustrade.
- 2.6 Levels 6 - 8 - Balconies added to the northern façade.
- 2.7 No operable windows.
- 2.8 Level 5 to Roof (all elevations)- Building envelope redesigned (including window fenestration and precast extent) to ensure a cohesive architectural language between the carpark, hotel and office floors.
- 2.9 Roof changed to a metal deck roof with a centre ridge to address waterproofing concerns.

SITE BOUNDARY

SITE BOUNDARY



ADJACENT SITE (BLOCK 13, SECTION 48) SUBJECT TO SEPERATE DEVELOPMENT APPLICATION

EXISTING LABOUR CLUB BUILDING

CAMERON AVENUE

Design Review

DRN: Author C/C: Checker APP: Approver

File name: \\maysrussell\local\Users\j\Redirection\Folders\j\my Documents\1635 CLCBEL CENTRAL_j\quike@maysrussell.com.au.rvt

Contractor



Project Manager

DOWSE PROJECTS PTY LTD

Client



Consultants

- Architect - May + Russell Architects
- Landscapes - Envirolinks
- Structure - Setlick Consultants
- Civil - Setlick Consultants
- Traffic - Shoobridge
- S&B - S&B
- Electrical - NDY
- Mechanical - THCS
- Hydraulic - THCS
- Fire Safety - NDY

Architect

may + russell
 may + russell architects pty ltd abn 69 087 172 718
 Unit 5, 7 Napier Close, Deakin ACT 2600
 PO Box 268, Deakin West 2600
 p 02 6285 3077 f 02 62813340
 e pmpr@maysrussell.com.au
architects

Project

Canberra Labor Club Belconnen Hotel		
Blocks 8+9	Section 48	Division Belconnen

Drawing Title

West Elevation

Job No. Drawing No. Scale Rev.

16_35 DA-A201 1:100@A1 B

From: [Ramesh, Meena](#)
To: [EPD, Customer Services](#)
Subject: DA201630289-S197B -8 & 9/48 BELCONNEN [SEC=UNCLASSIFIED]
Date: Tuesday, 24 October 2017 3:39:00 PM
Attachments: [ObjRef.obr](#)

Hi

Can you please refer this DA to TCCS, ESA, JEMENA, ICON & ACTEW ASAP.

In the referral to TCCS, please include the following note.

Please note proposed amendments include the following.

- Changes to awning (encroachment) depth and height above public footpath
- roller door to basement entry at Edmondstone Place
- Service cupboards, stairs and Tenancy 1 door over boundary.
- Tenancy 3 changed from retail to restaurant – waste enclosure slightly increased

Thanks

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

From: [Elizabeth Slapp](#)
To: [Ramesh, Meena](#)
Subject: RE: COMM-TCCS-201630289-S197B-8/48 BELCONNEN-01 [SEC=UNCLASSIFIED]
Date: Monday, 20 November 2017 1:40:13 PM
Attachments: [DA-A101 - Ground Floor Plan Revised20171120.pdf](#)

Hi Meena,

Please find attached a copy of the revised plan as requested. Note that the plan has been revised so that the Stair 2 door swings as per all the others at the ground floor level. The reference to 'retail' has also been added to Tenancy 3.

Let me know if there is anything else you need.

Ta.

-E

CTP Logo



Elizabeth Slapp
Associate Director

Mobile 0457 786 776



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

From: Ramesh, Meena [mailto:Meena.Ramesh@act.gov.au]
Sent: Monday, 20 November 2017 11:40 AM
To: Elizabeth Slapp <Elizabeth@CanberraTownPlanning.com.au>
Subject: RE: COMM-TCCS-201630289-S197B-8/48 BELCONNEN-01 [SEC=UNCLASSIFIED]

Hi Elizabeth

I have spoken to the TCCS officer this morning and he is ok for me to approve the DA if you provide the revised plan showing Stair 2 door swing contained within the subject block boundaries.

This is the only outstanding item. So please email the revised plan directly to me and I can approve the DA. [Can you also have the plan annotate retail against Tenancy 3 as previously agreed.](#)

Regards
Meena

From: Ramesh, Meena
Sent: Friday, 17 November 2017 4:35 PM
To: 'Elizabeth Slapp' <Elizabeth@CanberraTownPlanning.com.au>
Subject: FW: COMM-TCCS-201630289-S197B-8/48 BELCONNEN-01 [SEC=UNCLASSIFIED]

Elizabeth

FYI and follow up.

TCCS has not supported the DA & need the following information.

- 1. The entry door to the stair 2 on the Edmondstone Place must be amended to open inside the block.**
- 2. The applicant must submit a revised drawing.**

Regards

Meena

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.

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To: ["Elizabeth Slapp"](#)
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Meena

ASSESSMENT REPORT
Zone - CZ2 Business Zone

ASSESSMENT OFFICER: Meena Ramesh
 APPLICATION NUMBER: 201630289/B
 BLOCKS: 8 & 9 SECTION: 48
 DIVISION: BELCONNEN

PROPOSAL: As described on approved plans

ORIGINAL APPROVAL DATE: **13/12/2016**

Territory Plan Codes - Commercial Zones Development Code

The Planning and Development Act 2007

This document provides analysis of a development proposal to amend an approval in the [Merit Track](#) in relation to the legislated requirements of the Planning and Development Act 2007 (the Act), specifically Section 198.

List of Proposed Amendments

As described on approved plans

Planning and Development Act 2007 - Section 198

In deciding whether to amend a development approval in accordance with an application under section 197, the planning and land authority must consider the application, and take action in relation to the application, as if the development originally approved had been completed and the application for amendment were an application for approval of a development proposal to change the completed development to give effect to the amendment.

S198 (5)(a) &(b)	<u>Comments</u>
The planning and land authority must refuse to amend the development approval if the changed development proposal and the original development proposal would be in different tracks	The amended approval will not result in the track being changed.

<p>S198(5)(c)(i) The planning and land authority must refuse to amend the development approval if the changed development proposal would be in breach of a condition on the approval-</p> <p>Imposed (rather than confirmed or varied) by a court or tribunal.</p>	<p>The approval is not subject to a condition/s imposed by a court or tribunal.</p>
<p>S198(5)(c)(ii) The planning and land authority must refuse to amend the development approval if the changed development proposal would be in breach of a condition on the approval-</p> <p>Relating to a conditional environmental significance opinion.</p>	<p>The original application was not subject to an Environmental Significance Opinion (ESO).</p>
<p>S198(5)(d) The planning and land authority must refuse to amend the development approval if the original development approval included an offset condition-</p> <p>The offset condition on the approval as amended would not provide an offset at least equivalent to the offset provided by the original approval.</p>	<p>N/A</p>
<p>S198 (6) Also, the planning and land authority must refuse to amend the development approval unless satisfied that, after the amendment, the development approved will be substantially the same as the development for which approval was originally given</p>	<p><u>DA officer's assessment</u> The approval when amended is determined to be substantially the same as the original approval.</p>

Additional Comments

General Comments	<ul style="list-style-type: none"> - Changes to awning (encroachment) depth & height above public footpath - roller door to basement entry at Edmondstone Place - Service cupboards, stairs and Tenancy 1 door over boundary. - Tenancy 3 change- retail to restaurant – waste enclosure slightly increased <ul style="list-style-type: none"> • <u>PARKING</u> -Car parking reduced from 132 (including 8 accessible spaces) to 117(including 5 accessible & 9 small cars) Original DA required 94 spaces including 4 for the 148sqm retail space. Retail changed to restaurant which requires 1 space / 10 restaurant seats (100 seats) – for 148sqm 15 required minus retail 4 = 11 additional required. Therefore total required = 101 – 117 proposed complies. • 2.2.4 Percentages of parking spaces for people with disabilities – minimum parking provision rate (excluding residential zones) Requirement = min of 3% (rounded up to the nearest whole number) of the total number of parking spaces required = 3% of 101 = 3 spaces required – complies • 2.7 Small car spaces Up to 10% of parking spaces may be provided for small cars in any development. – 10% of 101 = 10 spaces – 9 proposed – complies <ul style="list-style-type: none"> • Bicycle & motorcycle parking – adequate • Lease – complies • Cond A15 -Wind assessment – confirms no mitigation required • <u>Clarification required from applicant</u> - Tenancy 3 – change to restaurant – where is the kitchen exhaust? – CHANGED BACK TO RETAIL - Depth & height (lowered) of awning changed – what is it now? - adequate - BOH commercial – reduced – justification required – provided – discussed with Chris - ok - Cond A11 (a)(i) -Northern façade treatment – <i>an appropriate treatment (articulation by material & colour) to the proposed northern facade of the car park structure to minimise its visual impact</i> - what is the interim proposal for this façade? what happens if they do not proceed with the Labour Club DA for car park?– Applicant advised that if the Labour Club Carpark does not go ahead then there will have to be a redesign of the hotel development which will then address the northern façade condition – Discussed with Chris - Ok - Also, confirm that the new façade treatment for the podium carpark is wholly contained within the subject block boundaries - confirmed.
------------------	---

Representations	Pursuant to S198B of the <i>Planning and Development Act 2007</i> , the Authority waived the requirement to publicly notify the amendment of the development approval.
Entity Comments (General)	<p>The decision is not inconsistent with any advice given by an entity.</p> <ul style="list-style-type: none"> • <u>Strategic planning</u> – design changes supported • <u>TCCS</u> – Not referred – needs referral – request sent to Customer services 24/10 – NOT SUPPORTED – REFERRED TO APPLICANT <p>Ok to approve - revised ground floor plan was provided showing the door swing to Stair 2 within the block.</p> <ul style="list-style-type: none"> • <u>ACTEW, ICON, JEMENA & ESA</u> – minor changes to service locations – Not referred – needs referral – request sent to Customer services 24/10 – SUPPORTED BY ALL THESE ENTITIES

**ASSESSMENT
REPORT**

ASSESSMENT OFFICER: Meena Ramesh

**Zone - CZ2 Business
Zone**

APPLICATION NUMBER: 201630289/D

BLOCKS: 8 & 9 SECTION: 48

DIVISION: BELCONNEN

PROPOSAL: Amendments to internal building programming and building façades - As described in the cover letter and shown on approved plans

ORIGINAL APPROVAL DATE: **13/12/2016****Territory Plan Codes - Commercial Zones Development Code**

The Planning and Development Act 2007

This document provides analysis of a development proposal to amend an approval in the [Merit Track](#) in relation to the legislated requirements of the Planning and Development Act 2007 (the Act), specifically Section 198.

List of Proposed Amendments

As described on approved plans

Planning and Development Act 2007 - Section 198

In deciding whether to amend a development approval in accordance with an application under section 197, the planning and land authority must consider the application, and take action in relation to the application, as if the development originally approved had been completed and the application for amendment were an application for approval of a development proposal to change the completed development to give effect to the amendment.

S198 (5)(a) &(b)	<u>Comments</u>
The planning and land authority must refuse to amend the development approval if the changed development proposal and the original development proposal would be in different tracks	The amended approval will not result in the track being changed.

<p>S198(5)(c)(i) The planning and land authority must refuse to amend the development approval if the changed development proposal would be in breach of a condition on the approval-</p> <p>Imposed (rather than confirmed or varied) by a court or tribunal.</p>	<p>The approval is not subject to a condition/s imposed by a court or tribunal.</p>
<p>S198(5)(c)(ii) The planning and land authority must refuse to amend the development approval if the changed development proposal would be in breach of a condition on the approval-</p> <p>Relating to a conditional environmental significance opinion.</p>	<p>The original application was not subject to an Environmental Significance Opinion (ESO).</p>
<p>S198(5)(d) The planning and land authority must refuse to amend the development approval if the original development approval included an offset condition-</p> <p>The offset condition on the approval as amended would not provide an offset at least equivalent to the offset provided by the original approval.</p>	<p>N/A</p>
<p>S198 (6) Also, the planning and land authority must refuse to amend the development approval unless satisfied that, after the amendment, the development approved will be substantially the same as the development for which approval was originally given</p>	<p><u>DA officer's assessment</u> The approval when amended is determined to be substantially the same as the original approval.</p>

Additional Comments

<p>General Comments</p>	<p>Please note that there is a notation on Drawing No. DA-A-101 Rev. F, which states the following:</p> <ol style="list-style-type: none"> 1. Egress doors to stair 1, 2, 3, 4 and service area - the door leaf in the open position is over the site boundary. 2. External doors to Tenancy 1, 2 and 3 (pivot doors) - the door leaf in the open position is over the site boundary. 3. External doors of services (water meter room, FBBV and gas meter room) - the door leaf in the open position is over the site boundary. <p>The doors extending over the site boundary whilst in the open position is not an amendment. This arrangement was previously approved under S197 DA201630289/B. In some instances (i.e. Stair No. 1 and Stair No. 2) the encroachment of the door in the open position is less than that previously approved.</p> <ul style="list-style-type: none"> ○ TCCS has advised - EPSD to ensure that there are no new ground floor level encroachments over unleased Territory land. – Confirmed no new encroachments • External colour plan provided – but no amendments proposed • No increase in GFA • As per the original approval, a total of 18 hotel suites were approved on Levels 5 – 9. With reference to the revised hotel floor plans (Drawing Nos. DA-A-104.01 – 03 Rev. C), a total of 25 rooms are proposed per floor. As seven (7) of these rooms (per floor) are proposed to be dual-key rooms, the total number of hotel rooms is considered to be similar to that previously approved. • Approved development <u>S197B - PARKING</u> - total required = 101 – 117 proposed there was excess of 7, so any slight increase in demand where dual key are used a single rooms can be managed by the hotel. It is also located next to bus interchange and taxi ranks & within walking distance to facilities sin the town centre.
<p>Representations</p>	<p>Pursuant to S198B of the <i>Planning and Development Act 2007</i>, the Authority waived the requirement to publicly notify the amendment of the development approval.</p>
<p>Entity Comments (General)</p>	<p>The decision is not inconsistent with any advice given by an entity.</p>

Block/s:	20 (8 and 9)	DA number:	201630289
Section:	48	Date lodged:	Click here to enter a date.
Suburb:	Belconnen	Due date:	
Zone/s:	CZ2	Unit Number (if applicable)	
Proposal:	Approved multi storey development for hotel, car parking and commercial spaces.		
Proposed Use:	Amendments to increase the number of suites in Commercial accommodation Units and other amendments		

STAGE 1 – PRE-ASSESSMENT APPRAISAL

Is the notification wording appropriate (if applicable):	Choose an item. <input type="text" value="Not applicable the amendmenets were not notified"/>
Have all Entities been referred to (if applicable)?	Choose an item. <input type="text" value="Not referred"/>
197 NOD outline saved into Objective	Choose an item. <input type="text" value="Saved already"/>

Notes for the assessment officers / Key issues identified:

- [Click here to enter text.](#)

OUTCOME

- Can proceed to next stage
- Issue identified that may result in a refusal, subject to further assessment and entity advice

Assessment officer:	Name Thara	Click or tap to enter a date.
---------------------	------------	---

STAGE 2 – INFORMATION COLLECTION (ENTITIES – including EPSDD DA Leasing)

- Pursuant to S198A of the Planning and Development Act 2007, the Authority waived the requirement to refer the amendment of the development approval to agencies.

Completion

<input checked="" type="radio"/> Stage 2 assessment has been completed with no issues identified.		
<input type="radio"/> Stage 2 assessment has been completed with the following issues noted:		
Other - discuss		
<input type="radio"/> Stage 2 has identified issues that prevent further assessment, specifically (insert below)		
<div style="border: 1px solid black; height: 30px; width: 100%;"></div>		
Email has been sent to the DA Coordinator to advance DA to the next stage – DATE - Click or tap to enter a date.		
Assessment officer:	Name Thara	Date: Click or tap to enter a date.

STAGE 3 – ISSUES CONSIDERATION (REPRESENTATIONS)

- Pursuant to S198B of the Planning and Development Act 2007, the Authority waived the requirement to publicly notify the amendment of the development approval.

Stage 3 has been completed with no issues identified.

Stage 3 has been completed with the following issues noted:

Choose an item.

Stage 3 has identified issues that prevent further assessment, specifically (insert below)

Email has been sent to the DA Coordinator to advance DA to the next stage – DATE Click or tap to enter a date.

STAGE 4 – ASSESSMENT

Proposed Use	Is the proposed use allowable in the applicable zone/s? Yes
--------------	--

Does the proposal trigger referral to the MPRG at this phase:	MPRG: No
Does the proposal trigger referral to the LRP at this stage:	LRP: No

S198 (5)(a) &(b) The planning and land authority must refuse to amend the development approval if the changed development proposal and the original development proposal would be in different tracks	The amended approval will not result in the track being changed.
S198(5)(c)(i) The planning and land authority must refuse to amend the development approval if the changed development proposal would be in breach of a condition on the approval- Imposed (rather than confirmed or varied) by a court or tribunal.	The approval is not subject to a condition/s imposed by a court or tribunal.
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S198 (6) Also, the planning and land authority must refuse to amend the development approval unless satisfied that, after the amendment, the development approved will be substantially the same as the development for which approval was originally given	The approval when amended is determined to be substantially the same as the original approval.

Territory Plan assessment	
Codes of the Territory Plan considered include: Please only assess what has been amended	<input type="checkbox"/> Belconnen Precinct Map & Code: <input type="checkbox"/> Commercial Zones development Code <input type="checkbox"/> Parking & Vehicular Access General Code

Does the amended application meet all relevant mandatory rules:	Yes																									
The assessing officer undertook an assessment of the proposal and found that the following KEY rules and criteria warrant further discussion. <i>Note: Further issues may have been identified in a plan based assessment that have not necessarily been included in this or is of a significance that did not warrant particular discussion.</i>																										
Code	Rule / Criteria	Assessment/Discussion																								
		<p>Amendment: Ground floor courtyard removed by adding foyer and store. The void on the first floor is converted into store.</p> <p>Comment: A gross floor area of 64sqm (32 + 32) is increased to the approved GFA. There is no Gfa restriction in Commercial zones dev code or in the lease for the block however the enclosure may impact on the adjoining building opening. The adjoining block is identified for redevelopment.</p>																								
		<p>Amendment: Communication room added and size increased on level 4</p> <p>Comment: GFA increased further by 41sqm. No changes to the external façade or form of the building.</p> <p>Total gfa from the original approval 15367sqm New GFA 15367+ 32+32+41 ==15472SQM</p>																								
		<p>Amendment: Number of interconnecting doors (dual key) are reduced to 4 (for 8 suites) from 7 (for 14 suites) on each floor increasing the total number of suites that could be operated individually.</p> <p>Comment: Internal changes to increase the number of suites. No impact other than increase in the number of car parking spaces used.</p> <p>There are 117 carparking spaces on site approved.</p> <p>Requirement</p> <p><u>Hotel -calculated for maximum 125 suites)</u></p> <table data-bbox="564 1285 1145 1496"> <tr> <td>25 spaces for <36 units -----</td> <td>=25</td> </tr> <tr> <td>0.3 spaces/guest room (>36 units) for 89 units</td> <td>=27</td> </tr> <tr> <td></td> <td style="text-align: right;">-----</td> </tr> <tr> <td></td> <td style="text-align: right;">52</td> </tr> <tr> <td>5 spaces / 100m2 bars / function rooms (160m2)</td> <td>=8</td> </tr> <tr> <td>1 space / 10 restaurant seats (100 seats)</td> <td>=10</td> </tr> <tr> <td>2 spaces / 100 m2 retail space (148 m2)</td> <td>=4</td> </tr> <tr> <td></td> <td style="text-align: right;">-----</td> </tr> <tr> <td>Hotel</td> <td style="text-align: right;">Total 74</td> </tr> <tr> <td><u>Commercial Offices</u></td> <td></td> </tr> <tr> <td>1 space / 100 m2 GFA (2000 m2)</td> <td>=20</td> </tr> <tr> <td>Development</td> <td style="text-align: right;">Total 94</td> </tr> </table> <p>(refer Traffic impact report - original submission and the assessment report).</p> <p>Due to the changes in s197b to convert the retail space to restaurant space, the car parking spaces required were 25+27+8+10+15+ 20=105. The approved 117 spaces catered for the required 105 spaces.</p> <p>S197e seeks to decrease the dual key rooms from 7 to 4 per floor increasing the use of the rooms being operated individually. This increase does not change the car parking requirements as the parking spaces for the hotel is calculated for 125 rooms.</p>	25 spaces for <36 units -----	=25	0.3 spaces/guest room (>36 units) for 89 units	=27		-----		52	5 spaces / 100m2 bars / function rooms (160m2)	=8	1 space / 10 restaurant seats (100 seats)	=10	2 spaces / 100 m2 retail space (148 m2)	=4		-----	Hotel	Total 74	<u>Commercial Offices</u>		1 space / 100 m2 GFA (2000 m2)	=20	Development	Total 94
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1 space / 100 m2 GFA (2000 m2)	=20																									
Development	Total 94																									
		<p>Amendment: Hotel room internal layout revised</p> <p>Comment:</p>																								

		To create an accessible suite.
		Amendment: Maintenance access provided to level 5 terraces. Comment: Access to southern terrace is from one of the suites. Management issue Noted. Consistent.
		Amendment: Louvre material revised from composite aluminium panels to aluminium panels of same colour and texture. The change is to reflect the industry standards. Comment: Consistent. No significant change to approved elevations

Further assessment documents, if any, can be found in the assessment file in Objective. Choose an item.

Is the proposal consistent with the relevant zone objectives: (s.120(a))	<input checked="" type="radio"/> Yes <input type="text"/> <input type="radio"/> No - Note: Please discuss with Senior Manager <input type="text"/>
Is the proposal considered suitable for the land on which it is to take place: (s.120(b))	Yes – Based on relevant legislation and the Territory Plan assessment, the proposal is considered suitable for the land
Is an environmental significance opinion in force & relevant: (s.120(c))	No known ESO applies
What is the probable impact of the proposed development (including nature, extent and significance of probable environmental impacts): (s.120(g))	<input checked="" type="radio"/> No probable impacts identified that require amendment or refusal of the proposed development OR <input type="radio"/> Condition(s) of approval have been imposed to address probable impacts OR <input type="radio"/> Impacts identified require amendment of the proposal OR <input type="radio"/> Impacts identified require refusal of the proposal Comments for discuss: <input type="text"/>
Is a public land management plan in force over the land, (s.120(f))	NO

Additional Information

Is further information required at this phase: (s.141 or s.144)	No No Note: Further Information should not be requested if the DA is to be refused
List of additional items	

Was a site inspection undertaken in the assessment stage:	No
Have any issues been identified that would result in a refusal:	No
Conditions required from initial review of application or Territory Plan assessment:	No special conditions required Other/Discuss/Advice:

Completion

Stage 4 has been completed with no issues identified.
 Stage 4 has been completed with the following issues noted:
 Choose an item.
 Stage 4 has identified issues that prevent further assessment, specifically (insert below)

Email has been sent to the DA Coordinator to advance DA to the next stage – DATE - Click or tap to enter a date.

Assessment officer: Name Thara Click or tap to enter a date.

STAGE 5 – PRELIMINARY DECISION MAKING Including MPRG / LRP

Have all previous Stages (1-4) been completed?	Yes
Is a site inspection required to make a decision?	No Aerial view and street view were considered sufficient
Are there any Stage 1-4 reasons for referral to LRP, MPRG, Other?	No - Delete all cells below in this stage other than sign off

Is further information required at this stage. (s.141 or s.144)	No	
List items if required		

The findings of Stages 1-4 have been reviewed and the application should be:	<input checked="" type="radio"/> Approved <input type="radio"/> Approved with Conditions <input type="radio"/> Partially approved/ refused (provide details below): <input type="text"/> <input type="radio"/> Refused
--	--

Assessment officer: Name Thara **Date:** Click or tap to enter a date.

Email sent to the DA Coordinator to advance DA to the next stage – DATE - Click or tap to enter a date.

STAGE 6 – RECOMMENDED DETERMINATION OF PROPOSAL

Have all previous Stages (1-4) been signed off recommending approval?	Yes <input type="text"/>
Was the DA referred to LRP or MPRG	No
Has the leasing manager requested to be referred during the decision stage (see stage 3 assessment)	No
Has leasing advice been incorporated into the decision:	Not Applicable
Is a site inspection required to make a decision:	No
Has the Notice of Decision been finalised:	Recommended reasons for decision: Yes
	Recommended conditions: No
	Entity advice: No
	Representations: No
	Checked third party appeal rights: No
The application is to be:	<input checked="" type="radio"/> Approved <input type="radio"/> Approved with conditions <input type="radio"/> Partially Approved/ Refused. Details below: <input type="text"/> <input type="radio"/> Refused

Has a conflict of interest been declared? – <i>If Yes, the proposal must be Peer Reviewed by Stage 6 officer (without potential conflict) and Signed/determined by a Senior manager</i>	No
Does the determining officer have the correct classification to make the decision? <i>Refer to Classification Matrix</i>	Yes

Peer review <i>To be completed ONLY IF the delegate (determining officer) undertook another stage in the assessment.</i>					
Reviewing officer name:	<input type="text"/>	Classification:	<input type="text"/>	Date:	Click or tap to enter a date.
Has the Notice of Decision been scanned and sent to customer services? PLEASE NOTE: THE SUBJECT OF THE SCANNED DOCUMENT TO CS SHOULD INCLUDE THE DA NUMBER					Yes

An email been sent to the DA Coordinator indicate completion of DA – Yes if yes: DATE – 31/05/2019

Sign Off

Determination:	In my findings, I have considered the advice and recommendations received by the officers who undertook stages 1-5 in this assessment document and determine that the application is to be: <input checked="" type="radio"/> Approved <input type="radio"/> Approved subject to conditions consistent with the above assessment <input type="radio"/> Refused consistent with the above assessment OTHER/COMMENTS:	Date: 30/05/2019
Determining officer & Delegate:	Name: Thara	Date 30/05/2019

Post Determination

Can stamped plans be released with decision? yES

Yes - Stage 6 officer to Stamp Plans and email Customer Services to Dispatch

No - select below:

S165 Conditions required to be satisfied - Stage 6 to organise Stamped Plans once endorsed

Leasing conditions to be satisfied - Once satisfied Plans to be Stamped and dispatched by Stage 6

3rd party appeals - Set reminder date in calendar when plans can be Stamped and promptly dispatched

Other (specify below)

ATTACHMENT 1 - ADMINISTRATIVE INFORMATION RELATING TO NOTICE OF DECISION.

Submission of revised drawings or 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 must be made by completing an application in e-development.

DATE THAT THIS APPROVAL TAKES EFFECT

Unless a condition of approval provides for otherwise this approval takes effect 20 working days after the day this notice of decision is given to every person who made a representation on the application. The effective date for development applications approved subject conditions could also be adjusted if the approval is reconsidered by the planning and land authority or if an application is made to the ACT Civil and Administrative Tribunal.

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

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

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

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

Reconsideration of the Decision

If the applicant is not satisfied with the decision made by the planning and land authority, they are entitled to apply to the planning and land authority for reconsideration within 20 working days of being told of this decision under section 191 of the *Planning and Development Act 2007*. A longer timeframe may apply only if granted in writing by the planning and land authority under section 184 of the *Planning and Development Act 2007*.

Other approvals

A notice of decision grants development approval only. Other approvals may be required, including:

1. Building Approval

Most building work requires building approval to ensure it complies with building laws such as the Building Code of Australia. The lessee should engage a private building certifier to determine whether building approval is required and assess and approve

the building plans before construction commences. A list of certifiers can be obtained from the [Environment, Planning and Sustainable Development Directorate](#).

2. Tree damaging activity approval

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

3. Use of verges or other unleased Territory Land

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

4. Works on unleased Territory Land

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

- (a) a certificate of design acceptance prior to the commencement of any work; and
- (b) a certificate of operational acceptance on completion of all works to be handed over to TCCS.

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

Review by the ACT Civil and Administrative Tribunal (ACAT)

1. Decisions that are reviewable by the ACAT are identified in Schedule 1 of the *Planning and Development Act 2007*, except for matters that are exempted under Schedule 3 of the *Planning and Development Regulations 2008* (matters exempt from third party review).
2. The notice of decision and this advice has been sent to all people who made a representation in relation to the application.
3. The ACAT is an independent body. It can review a large number of decisions made by ACT Government ministers, officials and statutory authorities on their merits. 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.

4. If you think you have a right of appeal, you may apply for a review. Application forms can be obtained from the ACAT. You can also download the form from the ACT Legislation Register.
5. 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.
6. 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*).
7. 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 Director General, Justice and Community Safety Directorate, GPO Box 158, CANBERRA ACT 2601. Ask the ACAT for more details.
8. 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.
9. The following organisations may be able provide you with advice and assistance if you are eligible:
 - ACT Attorney-General, write to the Director General, Justice and Community Safety Directorate, GPO Box 158, CANBERRA, ACT, 2601
 - the ACT Legal Aid Office, telephone 1300 654 314
 - ACT Council of the Ageing, telephone 02 6154 9740
 - Welfare Rights Centre, telephone 1800 226 028
 - Environmental Defender's Office (ACT), telephone 02 6243 3460.
10. 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.
11. 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.

12. 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.

Contact details for relevant agencies

ACT Civil and Administrative Tribunal Level 4, 1 Moore Street CANBERRA CITY ACT 2601 GPO Box 370, CANBERRA, ACT, 2601	www.acat.act.gov.au tribunal@act.gov.au 02 6207 1740 02 6205 4855
Health Directorate	www.health.act.gov.au 02 6205 1700
Environment, Planning and Sustainable Development Directorate <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	www.planning.act.gov.au 02 6207 1923 www.environment.act.gov.au 02 6207 6251 www.environment.act.gov.au 02 6207 1911
Transport Canberra and City Services - tree damaging activity approval - use of verges or other unleased Territory land - works on unleased Territory land - design acceptance - damage to public assets	www.tccs.gov.au 132 281 02 6207 7480 (asset acceptance)
Utilities - Telstra (networks) - TransACT (networks) - Icon Water - Electricity reticulation	02 8576 9799 02 6229 8000 02 6248 3111 02 6293 5738

Translation and interpretation services

The ACT Government's translation and interpreter service runs 24 hours a day, every day of the week by calling 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	

From: [Hurst, Jackie](#)
To: [Valuations](#)
Subject: ACTVO REFERRAL - INITIAL & NOD - 8 & 9/48 BELCONNEN - 201630289 [SEC=UNCLASSIFIED]
Date: Tuesday, 17 January 2017 3:05:00 PM

Dear ACTVO,

Blocks 8 & 9 Section 48 Suburb of BELCONNEN
DA Number: 201630289

The Environment, Planning, Sustainable Development Directorate has received the above development application. Attached for your information and comments is a copy of the development application, valuation report and certificate, Crown leases, AVCL, and Notice of Decision.

Please commence the preparation of a full valuation report in accordance with the requirements of the Planning and Development Act 2007.

Residential:

Please provide a comprehensive valuation report as per the Chief Planning Executive of ACT Planning and Land Authorities letter of 3 June 2010.

Non-residential:

Please provide your report as previously requested. If you do not agree with the valuation report provided by the applicant, would you please provide information on your recommended values and your calculation methodology. Please also provide sales evidence supporting your before and after values.

If you require any further information please contact Development Assessment Leasing on telephone 6207 5963 or via email actpladaleasing@act.gov.au.

Kind Regards,

Jackie Hurst | DA Leasing |
Phone 02 6207 5963 | jackie.hurst@act.gov.au |
Planning Delivery Division | Environment, Planning and Sustainable Development Directorate | **ACT Government** |
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au |

 *Please consider the environment before printing this e-mail*

Please Cc all emails/replies through actpladaleasing@act.gov.au. This will ensure that matters are dealt with promptly in the event of any particular officer's absence.

REAR LIFT COLLECTION

VEHICLE SPECIFICATIONS

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

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



SITA's full range of collection services include:

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

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CONTACT YOUR LOCAL
SITA CUSTOMER SERVICE
CENTRE ON 13 13 35**

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THE LEADER IN RESOURCE RECOVERY



REAR LIFT COLLECTION

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



CONTAINER SPECIFICATIONS

Plastic (polyethelene)

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

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



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

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

OVERVIEW

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

CONTAINER OPTIONS AND ACCESSORIES

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



THE LEADER IN RESOURCE RECOVERY



From: [Ramesh, Meena](#)
To: ["Elizabeth Slapp"](#)
Subject: RE: Condition A11 DA201630289 [SEC=UNCLASSIFIED]
Date: Monday, 6 March 2017 1:46:00 PM

Hi Elizabeth

I refer to your email below regarding changing the approved MC1 & MC2 Aluminium composite cladding to precast concrete panels of the same colour.

I have checked this with my Manager and wish to advise you that we have no issues with the proposed change in materials.

Regards

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

From: Elizabeth Slapp [mailto:Elizabeth@CanberraTownPlanning.com.au]
Sent: Monday, 6 March 2017 1:13 PM
To: Ramesh, Meena
Subject: Condition A11 DA201630289

Hi Meena,

As per our discussion last week, could you please confirm if we can change the MC1 and MC2 Aluminium composite cladding (as approved on the Colour Sample Schedule) to precast concrete panels of the same colour? We have received advice that the use of the aluminium composite cladding will not be suitable from a 'structural' point view. The elevations as approved (i.e. Appendix A of the NOD) are not intended to change as the colour will remain the same.

If you agree, we would like to proceed with this change as per Condition A11 (a) (i) of the NOD.

Please do not hesitate to contact me should you need to discuss this further.

Ta.

-E

<p>CTP Logo</p> 	<p>Elizabeth Slapp Town Planner 2/20 Challis Street, Dickson 2602 Mobile 0457 786 776 elizabeth@canplan.com.au canberratownplanning.com.au</p>	
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DA Number: 201630289 Block(s): 9 Section: 48 District/Division: BELCONNEN

Case Officer: MEENA Contact Number: 76174 Decision Date: 13/12/16

Application Type: **MERIT TRACK DA**

Dispatch Plans: **NO** Dispatch by: **AS PER DA FORM**

Plans have been moved to the sub-folder in the approved plans folder however have not been stamped as relevant conditions are yet to be satisfied. The plans are not to be dispatched.

Dispatch Entity Referral Advice: **YES**

An Objective alias for the relevant mandatory entity referral advice received from ActewAGL, Actew Corporation, Environment Protection Agency and/or Asset Acceptance, as per S149 of the *Planning and Development Act 2007*, has been moved to the approved plans folder.

Type of Decision: **APPROVED WITH CONDITIONS** Decision By:
DELEGATE OF THE AUTHORITY

Representations: **NO**

Appeal Rights

Applicant: **YES** Person who made Representation: **NOT APPLICABLE**

Encroachment

Is an application for encroachment (minor) to be dispatched to the applicant? **YES**
(If yes, create application for encroachment (minor) document from Intelledox and attach to Notice of decision)

Draft crown leases/Instruments of Variations

Does the NOD require the draft crown leases or Instruments of Variation put with the NOD?

YES added to NOD

(If yes, DA officer to include any attachments with the NOD where the DA includes a Lease Variation)

Entities to be advisedReferral Required: **YES**

NB: Section 174 of the Act states that "The planning and land authority must give a copy of the decision on the development application to each entity to which the application was referred".

<input checked="" type="checkbox"/>	DA Leasing Referral Required
<input type="checkbox"/>	Deed Mgt. Referral Required
<input type="checkbox"/>	Land Reg. Referral Required
<input type="checkbox"/>	Action Buses (refer to Asset Acceptance)
<input checked="" type="checkbox"/>	ICON Water (formerly ActewAGL Water)
<input checked="" type="checkbox"/>	ActewAGL (All other entities)
<input checked="" type="checkbox"/>	ACT Health
<input type="checkbox"/>	ACT Heritage Council
<input type="checkbox"/>	ACT Valuation Office
<input checked="" type="checkbox"/>	Asset Acceptance
<input type="checkbox"/>	Australian Communications and Media Authority
<input type="checkbox"/>	Australian National University
<input type="checkbox"/>	Conservator of Flora and Fauna (Referred under S147A or S148)
<input type="checkbox"/>	Commonwealth Department of the Environment (Only Applicable to Impact Track Applications Referred Under S127A.
<input type="checkbox"/>	Custodian of the land -
<input checked="" type="checkbox"/>	Emergency Services (Fire or Ambulance)
<input checked="" type="checkbox"/>	Environment Protection Agency
<input type="checkbox"/>	Gambling and Racing Commission
<input type="checkbox"/>	Heritage
<input type="checkbox"/>	Housing and Community Services
<input type="checkbox"/>	Land Development Agency
<input type="checkbox"/>	Land and Property Services
<input checked="" type="checkbox"/>	Leasing – General Leasing Encroachments and Licences
<input type="checkbox"/>	Office of Regulatory Services - All Multi-Dwelling decisions and any that relate to permanent structures, on unleased Territory land, associated with permits for outdoor eating.
<input type="checkbox"/>	Owners Corporation Lease variation for single units – please use relevant letter template
<input type="checkbox"/>	National Capital Authority
<input type="checkbox"/>	Police
<input type="checkbox"/>	Queanbeyan City Council
<input type="checkbox"/>	Register General's Office
<input type="checkbox"/>	Surveying and Spatial Data
<input type="checkbox"/>	Territory Plan Variation Unit
<input checked="" type="checkbox"/>	Transport Planning
<input type="checkbox"/>	Tree Protection
<input type="checkbox"/>	WorkCover
<input type="checkbox"/>	Yass City Council
<input type="checkbox"/>	ACT Place Names - Placenames@act.gov.au
<input checked="" type="checkbox"/>	Other – EPD Strategic Planning

Comments

From: [EPD, Customer Services](#)
To: [ACTPLA DA Leasing](#); "[developmentapplications@iconwater.com.au](#)"; "[devapp@actewagl.com.au](#)"; HPS; [TCCS SPATAS DA](#); [ACTPLA Leasing](#); [EPD Strategic Planning Referrals](#)
Subject: NOTICE OF DECISION-201630289-8 & 9/48 BELCONNEN [SEC=UNCLASSIFIED]
Date: Thursday, 15 December 2016 9:45:00 AM
Attachments: [NOTICE OF DECISION-201630289-SIGNED#2.pdf](#)
[image001.jpg](#)
[NOTICE OF DECISION-201630289-SIGNED.obr](#)
[DISPATCHADVICECHECKLIST-201630289-01.doc](#)
[DISPATCHADVICECHECKLIST-201630289-01.obr](#)

Good Morning,

Please see attached Notice of Decision for Block 8 & 9 Section 48 Suburb BELCONNEN
Development Application No: 201630289

Kind regards,

Customer Services

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

161024_AccessCbr_moving_SigBlock



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



Checklist

DA Assessment and Decision Peer Review

ASSESSMENT OFFICER: Meena Ramesh

REVIEWING OFFICER: Phab Vetsavong

APPLICATION NUMBER: DA201630418

BLOCKS: 8 & 9 SECTION:48

DIVISION: Belconnen

1 Purpose

The purpose of this checklist is to assist an Environmental and Sustainable Development Directorate (ESDD) Officer to undertake the correct process for undertaking a peer review for a DA assessment and Notice of Decision. The peer review is not a re-assessment of the development application.

2 Checklist

Item	Completed (Yes / No / Not Applicable)	Comment
Conflict of Interest declared	NO	
Legislated requirements Assessment	YES	
Territory Plan Assessment (justification provided were necessary against relevant Rules and Criterion)	YES	

Checklist
DA Assessment and Decision
Peer Review

Item	Completed (Yes / No / Not Applicable)	Comment
Internal Referral to MPRG, EPC, DAP	yes	Supported by MPRG
Entity advice recorded and addressed in NoD	yes	
Written Representations recorded and addressed in NoD	N/A	None received
Leasing input provided for NoD	yes	
Key assessment issues have been addressed in the NoD	yes	
Correct classification to make the decision	yes	
Is there any suggestion of an improper influence on the assessment or decision making for the DA	No	



Phab Vetsavong
Reviewing Officer

13/12/2016

3 Record of Peer Review

When completed, the Case Officer shall scan and save this checklist in the Objective assessment folder for the Development Application.

**ACT**
GovernmentEnvironment, Planning and
Sustainable Development

Ms Elizabeth Slapp
Town Planner
Canberra Town Planning Pty Ltd
2/20 Challis Street
DICKSON ACT 2602

Dear Ms Slapp

**Block 8 & 9 Section 48 Division of Belconnen
Development Application No 201630289**

Please find enclosed:

1. a letter to the Mortgagee to aid in production of the Certificate of Title.
2. a copy of the new Crown lease documents that have been executed by the Delegate of the ACT Planning and Land Authority ("the Authority");

Before lodgement with Land Titles Office a Seller and Buyer Verification must be completed. This will require you to complete a Seller and Buyer Verification Declaration online with Access Canberra, please go to the websites noted on page 2 & 3. DA Leasing require the 'Submission Date' and 'Reference Code' for both the Seller and Buyer Verification, for example you will need to provide two dates and two reference codes before we're able to lodge the documents with the Land Titles Office.

As there is a mortgage over the property the lessee will need to make arrangements with the financial institution to produce the Certificate of Title at LTO for a 'DCL', 'ADP' and 'ACL', prior to scheduling an appointment to lodge the documents (see document 1 to 3 above).

After the Buyer/Seller Verification Declarations are made and production is organised please email DA Leasing at ACTPLADALEasing@act.gov.au to arrange a meeting at the Land Titles Office (LTO) Access Canberra. DA Leasing attends the LTO regularly on Tuesdays from 2:30pm or Thursdays from 10.00am for pre-booked lodgement appointments only. Alternative arrangements can be made to meet at the LTO on another day, however, a fee will be payable for this service, see the DA Leasing Attendance Fees on page 3.

Please be aware that you will be required to pay for the lodgement of the following documents:

- Surrender of blocks (DCL);
- Deposited Plan for the Block (ADP); and
- New Crown lease (ACL).

The Land Titles Office is located at Access Canberra, 16 Challis Street Dickson ACT. Office hours are 9.00am to 4.30pm weekdays. For lodgement and registration fee information, contact them on (02) 6207 0491 or see website:

- https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/2108/~/land-title-lodgements%2C-registrations-and-searches#!tabs-4.

The Authority must lodge all documents with the LTO. All expenses associated with the lodgement and registration of the documents is the Lessee's responsibility.

Yours sincerely



Kobee McLeod
DA Leasing
Planning Delivery
22 May 2018

Seller and Buyer Verification – Access Canberra

This process must be undertaken for all Development Applications that change block numbers, for example a consolidation or subdivision of existing blocks. The 'Determination/surrender of a Crown lease (DCL)' and 'Application Form to Register the new Crown lease (ACL)' forms require the completion of the Seller or Buyer Verification 'Submission Date' and 'Reference Code'. If you don't have access to a computer with an internet connection or require personal assistance please attend the Access Canberra Shopfront, 16 Challis Street Dickson. Access Canberra can be contacted by calling 13 22 81.

These declarations can only be made online at the following websites;

- Online Seller Verification Declaration forms see <https://form.act.gov.au/smartforms/landing.htm?formCode=1323>, and
- Online Buyer Verification Declaration forms see <https://form.act.gov.au/smartforms/landing.htm?formCode=1325>.

Alternatively the websites can be accessed by following these steps;

- Navigate to <https://www.accesscanberra.act.gov.au>,
- Then access the following:
 - Land, Planning, Building and Housing
 - Buying and Selling
 - Land titles lodgements, registrations and searches.
- At the top of the 'Land titles lodgements, registrations and searches' page you will find the:
 - Online Seller Verification Declaration forms see <https://form.act.gov.au/smartforms/landing.htm?formCode=1323>, and
 - Online Buyer Verification Declaration form <https://form.act.gov.au/smartforms/landing.htm?formCode=1325>.

Please click the appropriate button and complete the online questions. Once you have completed the online form you will receive an email detailing your 'Submission Date' and 'Reference Code'. Please either forward this email to DA Leasing (actpladaleaisng@act.gov.au) or bring it with you to the lodgement meeting. Until this information is available the lodgement of the new Crown lease for registration at the Land Titles Office cannot occur.

DA Leasing Attendance Fees

(Attendance Fees Only – Not Land Titles Office fees)

Should your registration be urgent EPSDD can attend LTO outside the normal Thursday scheduled weekly time, however an attendance fee \$392.00 is payable for this service. Please note that the first attendance for registration at the Land Titles Office (LTO) is free. However, subsequent attendances are subject to fees as follows:

Second attendance	\$241.00
Third attendance	\$279.00
Forth and subsequent attendance	\$372.00

If the above fees apply, the fee must be paid prior to the scheduling a further meeting at the LTO.

Payment Options for (Attendance Fees Only – Not Land Titles Office fees)



In Person (Cash, Cheque, EFTPOS, Bankcard, MasterCard and Visa)

Environment, Planning and Sustainable Development Directorate Customer Service Centre –
Office Hours 8.30am to 4.30pm Monday to Friday 16 Challis Street Dickson ACT 2602



By Post (Cheque made payable to ACT Government)

Environment, Planning and Sustainable Development Directorate GPO Box 158 Canberra
ACT 2601



By Phone (Bankcard, MasterCard and Visa).

Contact Environment, Planning and Sustainable Development Directorate during business
hours on telephone (02) 6207 1923.

EPSDD CASHLINK CODE: 34/1511

TO THE MORTGAGEE – CERTIFICATE OF TITLE PRODUCTION

**BLOCK 8 & 9 SECTION 48 DIVISION OF BELCONNEN
LESSEE: CANBERRA LABOUR CLUB LIMITED**

I am the lessee of the above properties over which your institution holds a mortgage.

I submitted a Development Application (No. 201630289) to the Environment, Planning and Sustainable Development Directorate to Consolidate the blocks. The application has been approved subject to the surrender and re-grant of Crown leases.

To enable the surrender and re-grant to be registered I am required to produce my copy of the Certificates of Title (CT) for each block at the Land Titles Office (LTO) in Canberra. As the CTs are held in your trust, I would be grateful if you could produce them on my behalf.

The CTs should be produced for the surrender of the existing Crown leases and the registration of a new Crown lease and a Deposited Plan (please use codes DCL, ACL and ADP on the production form).

Please note, once the variation has been processed at the LTO, the updated CT will be sent back to the entity who produced the title.

Should you require any further information on this matter please ring DA Leasing, EPSDD on (02) 6207 5403 or email ACTPLADALeasing@act.gov.au.

.....
Name in full

.....
Position (if Company)

.....
Signature

.....
Date

COLLECTION OF DOCUMENTS

Block 8+9 Section 48 Division of Belconnen

Documents: Leases and Surrender Instrument

Name of Person Advised: Elizabeth Slapp


Company of Person: Canberra Town Planning

Telephone Number: 0409 550 596

Officer Name: Kobee McLeod

Officer Number: 620 7 5403

Date: 22-5-2018.

Signature 

Document(s) collected by ELIZABETH SLAPP (Name of Person)

of CANBERRA TOWN PLANNING (Name of Firm etc.)

Date collected 22 05/ 2018



**Access
Canberra.**

LAND TITLES
ACCESS CANBERRA
Chief Minister, Treasury and Economic Development Directorate

COMPANY EXECUTION PANEL

Form 089 - CEP

Land Titles Act 1925

IMPORTANT INFORMATION

This form is to be used to lodge a company execution panel under the *Land Titles Act 1925* (the Act). You can access the Act at www.legislation.act.gov.au. You may also obtain further information and forms at 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

- This form should be used as a company execution panel in support of other land titles forms.
- 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.
- Execution by:
 - a) **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).
 - b) **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).

LODGEMENT AND CONTACT INFORMATION

Email:

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

COMPANY EXECUTION PANEL

Form 089 - CEP

Land Titles Act 1925

TITLE AND LAND DETAILS				
Volume & Folio	District/Division	Section	Block	Unit
1963:3	Belconnen	48	8	
2055:3	Belconnen	48	9	

ANNEXURE TO MEMORANDUM OF (Insert Instrument/dealing type)	DATE OF DOCUMENT (Insert the date of the document annexed to)
DCL	

EXECUTED BY (Insert full name of company including the ACN)
Canberra Labor Club Limited A.C.N. 008 546 030

EXECUTION BY A COMPANY WITHOUT USING A COMMON SEAL	
Signature	Signature
Full Name (Block Letters) ANTHONY LUCHESSI	Full Name (Block Letters) ARTHUR ROJFOGANS
Address 53 CHANDLER ST BELCONNEN	Address 53 CHANDLER ST BELCONNEN
Office Held (Director / Sole Director/ Secretary) DIRECTOR	Office Held (Director / Sole Director/ Secretary) COMPANY SECRETARY

EXECUTION BY A COMPANY USING A COMMON SEAL (The Common Seal was affixed in the presence of)	
Signature	Signature
Full Name (Block Letters)	Full Name (Block Letters)
Address	Address
Office Held (Director / Sole Director/ Secretary)	Office Held (Director / Sole Director/ Secretary)

COMMON SEAL OF COMPANY (Seal must be affixed if Execution is by using Common Seal)



DETERMINATION/SURRENDER OF A CROWN LEASE

Form 057 - DCL

Land Titles Act 1925

LODGING PARTY DETAILS

Name	Email Address	Contact Telephone Number

TITLE AND LAND DETAILS

Volume & Folio	District/Division	Section	Block
1963:3	Belconnen	48	8
2055:3	Belconnen	48	9

REPRESENTING SOLICITOR DETAILS FOR SELLER (Complete if applicable – otherwise state below "Not Applicable")

Name of Firm	Solicitor Email Address	Solicitor Name
N/A		

THE SELLER VERIFICATION DECLARATION HAS BEEN SUBMITTED (must be completed prior to lodgement of this document)

Yes – (provide date and reference number, if there are multiple submissions provide details for all)
Submission Date: 25/05/2018 Reference Code: MQ8XSR

FULL NAME AND ADDRESS OF REGISTERED PROPRIETOR/LESSEE (Surname Last) (ACN required for all Companies)

Canberra Labor Club Limited A.C.N. 008 546 030 of 55 Chandler Street Belconnen ACT 2617

CONSIDERATION (Please provide monetary sum and/or reason for surrender)

Grant of a new Crown lease

DEVELOPMENT STATUS (Tick the appropriate box – one box must be completed)

Land Only or Incomplete Building or Building Completed

LAND USE (Tick the appropriate box – one box must be completed)

Residential or Commercial or Rural

DETERMINATION/SURRENDER OF A CROWN LEASE

Form 057 - DCL

Land Titles Act 1925

IMPORTANT INFORMATION

This form is to be used to lodge a determination/surrender of a crown lease under the *Land Titles Act 1925* (the Act). You can access the Act at www.legislation.act.gov.au. You may also obtain further information and forms at www.act.gov.au/accesscbr.

PRIVACY INFORMATION

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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 Seller Verification Declaration must be completed prior to lodgement of this form. The submission date and reference number must be recorded on this form.
- 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.
- The first named buyer on this form will be the primary contact for ACT Revenue Office purposes.
- 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; orWhere 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).

LODGEMENT AND CONTACT INFORMATION

Website:
www.accesscanberra.act.gov.au

General Enquiries:
13 22 81

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*)

CONSENTING PARTY – SUPPORTING DOCUMENTATION

(One form required for each party required to consent)

 Please complete and attach – **Form 042 – C – Consent****DATE**

10-July-2018

LESSEE/S EXECUTION

Print full name of Lessee

See CEP form

Signature or common seal of Lessee

Print full name and address of witness

See CEP form

Signature of witness

LESSOR'S EXECUTION

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

Irma SareSenior Officer Grade: *C*Position Number: *B612 . D*

Signature of authorised person

Print full name and address of witness

*Kobee Tetley*Environment, Planning and Sustainable Development
Directorate
16 Challis Street
Dickson ACT 2602

Signature of witness

OFFICE USE ONLY

Lodged by		Certificate of title lodged	
Data entered by		Certificates attached to title	
Registered by		Attachments / Annexures	
Registration date		Vol & Folio of further lease	



**Access
Canberra.**

LAND TITLES
ACCESS CANBERRA

Chief Minister, Treasury and Economic Development Directorate

COMPANY EXECUTION PANEL

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.....(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).
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**Access
Canberra.**

LAND TITLES
ACCESS CANBERRA
Chief Minister, Treasury and Economic Development Directorate

COMPANY EXECUTION PANEL



Form 089 - CEP

Land Titles Act 1925

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ANNEXURE TO MEMORANDUM OF (Insert Instrument/dealing type)	DATE OF DOCUMENT (Insert the date of the document annexed to)
DCL	

EXECUTED BY (Insert full name of company including the ACN)
Canberra Labor Club Limited A.C.N. 008 546 030

EXECUTION BY A COMPANY WITHOUT USING A COMMON SEAL	
Signature 	Signature 
Full Name (Block Letters) ANTHONY LUCHETTI	Full Name (Block Letters) ARTHUR ROJFOGALIS
Address 53 CHANDLER ST BELCONNEN	Address 53 CHANDLER ST BELCONNEN
Office Held (Director / Sole Director/ Secretary) DIRECTOR	Office Held (Director / Sole Director/ Secretary) COMPANY SECRETARY

EXECUTION BY A COMPANY USING A COMMON SEAL (The Common Seal was affixed in the presence of)	
Signature	Signature
Full Name (Block Letters)	Full Name (Block Letters)
Address	Address
Office Held (Director / Sole Director/ Secretary)	Office Held (Director / Sole Director/ Secretary)

COMMON SEAL OF COMPANY (Seal must be affixed if Execution is by using Common Seal)

**ACT**
GovernmentEnvironment, Planning and
Sustainable Development

Ms Elizabeth Slapp
Town Planner
Canberra Town Planning Pty Ltd
2/20 Challis Street
DICKSON ACT 2602

Dear Ms Slapp

**Block 20 Section 48 Division of Belconnen (formerly Blocks 8 & 9)
Development Application No 201630289**

Please find enclosed a letter to the Mortgagee to aid in production of the Certificate of Title.

If there is a mortgage over the property the lessee will need to make arrangements with the financial institution to produce the Certificate of Title at LTO for a 'DCL', 'ADP' and 'ACL', prior to scheduling an appointment to lodge the documents.

Please email DA Leasing at ACTPLADALEasing@act.gov.au to arrange a meeting at the Land Titles Office (LTO) Access Canberra. DA Leasing attends the LTO regularly on Tuesdays from 2:30pm or Thursdays from 10.00am for pre-booked lodgement appointments only. A lodgement fee of \$145 is payable. Alternative arrangements can be made to meet at the LTO on another day, however, a fee will be payable for this service, see the DA Leasing Attendance Fees on page 3.

Please be aware that you will be required to pay for the lodgement of the following documents:

- Surrender of blocks (DCL);
- Deposited Plan for the Block (ADP); and
- New Crown lease (ACL).

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- https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/2108/~//land-title-lodgements%2C-registrations-and-searches#!tabs-4.

The Authority must lodge all documents with the LTO. All expenses associated with the lodgement and registration of the documents is the Lessee's responsibility.

Yours sincerely


Kobee Tetley
DA Leasing
Planning Delivery
10 July 2018

DA Leasing Attendance Fees

(Attendance Fees Only – Not Land Titles Office fees)

Should your registration be urgent EPSDD can attend LTO outside the normal Thursday scheduled weekly time, however an attendance fee \$402.00 is payable for this service. Please note that the first attendance for registration at the Land Titles Office (LTO) is free. However, subsequent attendances are subject to fees as follows:

Second attendance	\$247.00
Third attendance	\$286.00
Forth and subsequent attendance	\$381.00

If the above fees apply, the fee must be paid prior to the scheduling a further meeting at the LTO.

Payment Options for (Attendance Fees Only – Not Land Titles Office fees)



In Person (Cash, Cheque, EFTPOS, Bankcard, MasterCard and Visa)

Environment, Planning and Sustainable Development Directorate Customer Service Centre –
Office Hours 8.30am to 4.30pm Monday to Friday 16 Challis Street Dickson ACT 2602



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ACT 2601



By Phone (Bankcard, MasterCard and Visa).

Contact Environment, Planning and Sustainable Development Directorate during business
hours on telephone (02) 6207 1923.

EPSDD CASHLINK CODE: 34/1511

TO THE MORTGAGEE – CERTIFICATE OF TITLE PRODUCTION

BLOCK 8 & 9 SECTION 48 DIVISION OF BELCONNEN

LESSEE: CANBERRA LABOR CLUB LIMITED

I am the lessee of the above properties over which your institution holds a mortgage.

I submitted a Development Application (No. 201630289) to the Environment, Planning and Sustainable Development Directorate to Consolidate the blocks. The application has been approved subject to the surrender and re-grant of Crown leases.

To enable the surrender and re-grant to be registered I am required to produce my copy of the Certificates of Title (CT) for each block at the Land Titles Office (LTO) in Canberra. As the CTs are held in your trust, I would be grateful if you could produce them on my behalf.

The CTs should be produced for the surrender of the existing Crown leases and the registration of a new Crown lease and a Deposited Plan (please use codes DCL, ACL and ADP on the production form).

Please note, once the variation has been processed at the LTO, the updated CT will be sent back to the entity who produced the title.

Should you require any further information on this matter please ring DA Leasing, EPSDD on (02) 6207 5403 or email ACTPLADALeasing@act.gov.au.

.....
Name in full

.....
Position (if Company)

.....
Signature

.....
Date

From: [Deb Barnes](#)
To: [ACTPLA DA Leasing](#)
Cc: [Walker, Karen](#); [Darke, Ed](#)
Subject: DA201630289
Date: Friday, 20 July 2018 5:03:31 PM
Importance: High

Hi

The CTs for Blocks 8 & 9 Section 48 Belconnen have been produced for DCL/ACL/ADP and the production should be registered by Monday. The client's are waiting very anxiously for this lodgement, so as soon as production is visible please proceed. I've attached payment authorities for the lodgement and for attendance.

Your advice on when lodgement occurs would be appreciated. Thank you.

Regards

Deb

Deb Barnes
Director
Capital Crown Leasing Pty Limited
Contact: 0407 278 947
PO Box 7336
WATSON ACT 2602

This message and any attachments may be privileged, confidential or proprietary. If you are not the intended recipient of this email or believe that you have received this correspondence in error, please contact the sender through the information provided above and permanently delete this message. You should not copy or use it for any purpose, nor disclose its contents to any other person.

From: [ACTPLA DA Leasing](#)
To: "Deb Barnes"
Subject: Survey Fee - 8 & 9/48 Belconnen (new Blk 20) DA-201630289 [SEC=UNCLASSIFIED]
Date: Monday, 23 July 2018 9:59:00 AM
Attachments: [image002.jpg](#)

Hi Deb,

Survey Fee - 8 & 9/48 Belconnen (new Blk 20) DA-201630289

I have everything ready to go. Just missing payment or a receipt for payment of the Survey Examination Fees.

A Survey Examination Fee of \$1,339.00 must be paid before lodgement (Fee Code: 341525). This can be paid over the phone with a credit card by calling (02) 6207 1923. Please ask for the representative to email me a copy of the receipt, ACTPLADALEasing@act.gov.au.

Kind Regards

Ed Darke | Graduate Surveyor & DA Leasing Officer

02 620 75403 | ACTPLADALEasing@act.gov.au

DA Leasing | Planning Support | 1st Floor South

Dame Pattie Menzies House, 16 Challis Street Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au

ACTGov_EPSD_inline_black (2)



From: Deb Barnes [mailto:deb@capitalcrownleasing.com.au]
Sent: Friday, 20 July 2018 5:03 PM
To: ACTPLA DA Leasing <ACTPLADALEasing@act.gov.au>
Cc: Walker, Karen <Karen.Walker@act.gov.au>; Darke, Ed <Ed.Darke@act.gov.au>
Subject: DA201630289
Importance: High

Hi

The CTs for Blocks 8 & 9 Section 48 Belconnen have been produced for DCL/ACL/ADP and the production should be registered by Monday. The client's are waiting very anxiously for this lodgement, so as soon as production is visible please proceed. I've attached payment authorities for the lodgement and for attendance.

Your advice on when lodgement occurs would be appreciated. Thank you.

Regards

Deb

Deb Barnes

Director

Capital Crown Leasing Pty Limited

Contact: 0407 278 947

PO Box 7336

WATSON ACT 2602

This message and any attachments may be privileged, confidential or proprietary. If you are not the intended recipient of this email or believe that you have received this correspondence in error, please contact the sender through the information provided above and permanently delete this message. You should not copy or use it for any purpose, nor disclose its contents to any other person.

From: [ACTPLA DA Leasing](#)
To: "Deb Barnes"
Subject: Lodged - 8 & 9/48 Belconnen (new Blk 20) DA-201630289 [SEC=UNCLASSIFIED]
Date: Tuesday, 24 July 2018 3:01:00 PM
Attachments: [20180724 Lodgement receipt.pdf](#)
[image003.jpg](#)

Hi Deb

Lodged - 8 & 9/48 Belconnen (new Blk 20) DA-201630289

Above has been done.

Kind Regards

Ed Darke | Graduate Surveyor & DA Leasing Officer

02 620 75403 | ACTPLADALEasing@act.gov.au

DA Leasing | Planning Support | 1st Floor South

Dame Pattie Menzies House, 16 Challis Street Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au

ACTGov_EPSD_inline_black (2)



DA-20630289

00820419

Access Canberra

GPO Box 158
CANBERRA CITY ACT 2601

ABN 98 636 852 025 (Departmental)
ABN 41 562 230 918 (Territory)

Enquiries : 02 6207 0491

TAX INVOICE (RECEIPT)

Ed Darke,

Date of Issue 24/07/2018
at 14:45
by SPEN
Application # 00820419

Description	Qty	Cost	GST Amount	GST Incl Amount
DCL(2168265), Belconnen S48 B8	1	145.00	0.00	145.00
ADP(2168266), Belconnen S48 B8	1	556.00	0.00	556.00
ACL(2168267), Belconnen S48 B8	1	145.00	0.00	145.00

Total Cost excl GST	\$846.00
Total GST	\$0.00
Total Invoice	\$846.00

Payment Details

EFT - Credit Card

\$846.00

EFTPOS FROM WESTPAC
OFF OF REGULATORY SE
255 CANBERRA AVE
FYSHWICK 2609
Australia

TIME 24JUL18 14:44
MID 24326936
TSP 100381892710
RRN 180724002195
TRAN 002195 CREDIT

NOTO AUD846.00

TOTAL AUD846.00

(000) APPROVED

CUSTOMER COPY

From: [Ramesh, Meena](#)
To: ["Elizabeth Slapp"](#); ["Deb Barnes"](#)
Subject: RE: DA201630289 [SEC=UNCLASSIFIED]
Date: Wednesday, 1 August 2018 10:00:00 AM

Hi Deb & Elizabeth

I have endorsed the plans for the original DA and sent to Customer services for dispatch.

I note the S197 B & D endorsed plans have already been released although the original DA plans were not endorsed or dispatched.

I have endorsed the original plans with today's date stamp which post-dates the S197 B & D stamps. The decision date for the original, S197B & D still stands which explains the sequence of approvals. However, if your building certifier has an issue, please let me know.

Regards
Meena

From: Ramesh, Meena
Sent: Tuesday, 31 July 2018 5:02 PM
To: 'Elizabeth Slapp' <Elizabeth@CanberraTownPlanning.com.au>; Deb Barnes <deb@capitalcrownleasing.com.au>
Subject: FW: DA201630289 [SEC=UNCLASSIFIED]
Importance: High

Hi Deb & Elizabeth

Sorry I was at mediation on Friday & have been tied up with this Tribunal matter over the last couple of days. I will have a look at your request tomorrow.

Regards
Meena

From: Elizabeth Slapp [<mailto:Elizabeth@CanberraTownPlanning.com.au>]
Sent: Tuesday, 31 July 2018 12:32 PM
To: Ramesh, Meena <Meena.Ramesh@act.gov.au>
Cc: Gell, Chris <Chris.Gell@act.gov.au>
Subject: FW: DA201630289
Importance: High

Hi Meena,

Just wondering how you are tracking with the stamped plans as per Deb Barnes' email below.
If possible, are you able to provide a timeframe to have this completed so that we can relay this to the client and team.

Please give me a call if needed.

Ta.

-E

Elizabeth Slapp

<p>CTP Logo</p> 	<p>Associate Director</p> <p>Mobile 0457 786 776</p> 
---	--

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

From: Deb Barnes <deb@capitalcrownleasing.com.au>
Sent: Friday, 27 July 2018 12:18 PM
To: Ramesh, Meena <Meena.Ramesh@act.gov.au>
Cc: Elizabeth Slapp <Elizabeth@CanberraTownPlanning.com.au>
Subject: DA201630289
Importance: High

Hi Meena

I hear a rumour that you are back on deck at DA Assessment. Not sure if you are still taking carriage of this DA, but know that you will pass it to the person who is ultimately responsible for the release of stamped plans.

Capital Crown Leasing were engaged to assist with the Lease Variation side of things and I'm happy to report that this is now concluded, with the consolidated block now registered (see attached).

As you may be aware, there is huge pressure on this project to proceed, with it costing the client over \$10,000 a week in holding costs. Your assistance would therefore be very much appreciated if the process required in relation to the release of plans could be undertaken without delay.

Regards

Deb

Deb Barnes
Director
Capital Crown Leasing Pty Limited
Contact: 0407 278 947
PO Box 7336
WATSON ACT 2602

This message and any attachments may be privileged, confidential or proprietary. If you are not the intended recipient of this email or believe that you have received this correspondence in error, please contact the sender through the information provided above and permanently delete this message. You should not copy or use it for any purpose, nor disclose its contents to any other person.

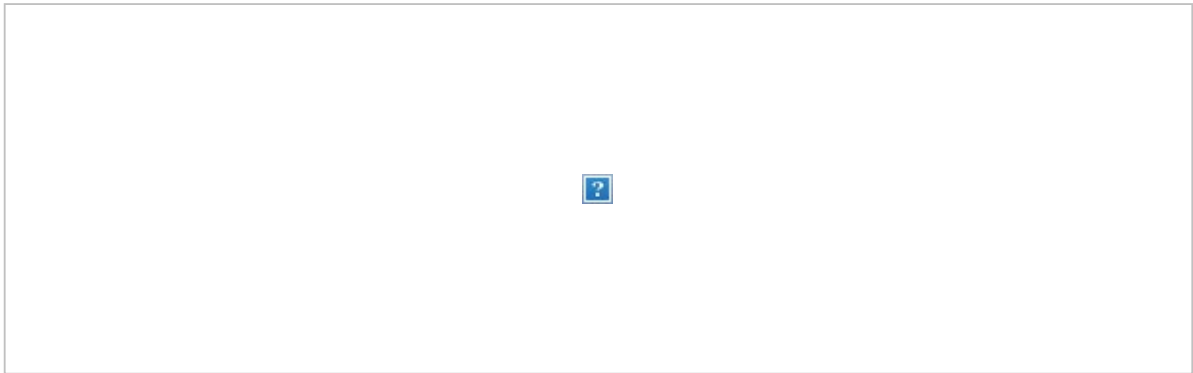
From: [Ramesh, Meena](#)
To: "Elizabeth Slapp"
Subject: 8 & 9 /48 BELCONNEN [SEC=UNCLASSIFIED]
Date: Thursday, 16 November 2017 9:38:00 AM
Attachments: [image001.png](#)

Elizabeth

I refer to our phone call this morning regarding the approved plan your Surveyor mentioned. I have spoken to both our Surveyor & DA Leasing regarding this.

As advised this is a DA Leasing matter. Irma Sare from that unit deals with such matters. She & the surveyor (Rene) have confirmed there is no action pending from their end since no survey has been lodged by your surveyor.

Also Irma has advised that no evidence has been provided by you to demonstrate compliance with Condition A1 (see below) which means approval in relation to consolidation of blocks has not taken effect. So even is a survey is lodged, she cannot sign off on it until Condition A1 is complied with. If you wish to discuss further, please contact Irma directly on 6207 1896.



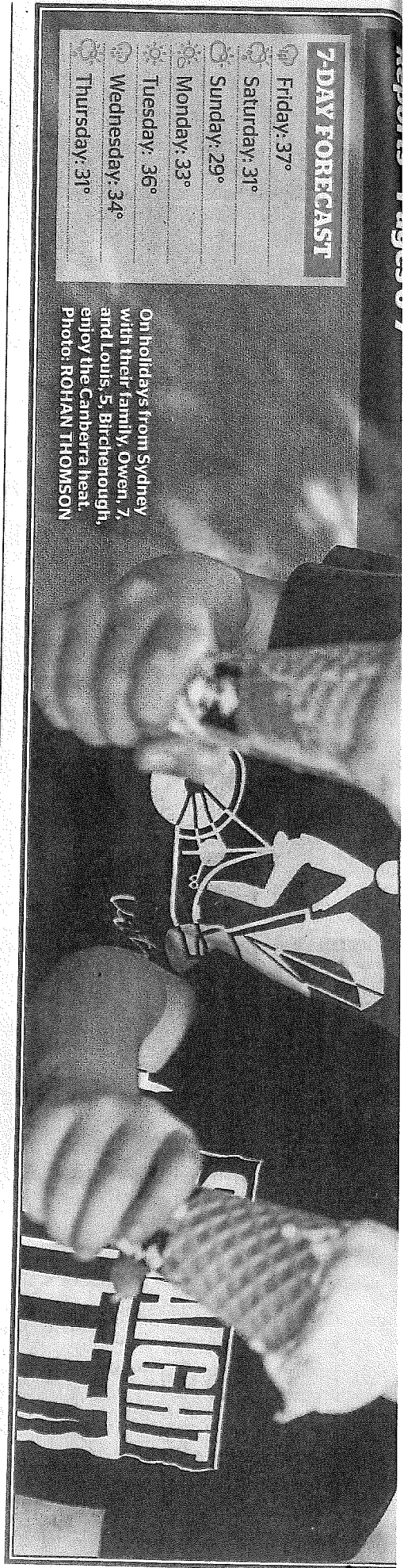
Regards

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

7-DAY FORECAST

Friday: 37°
Saturday: 31°
Sunday: 29°
Monday: 33°
Tuesday: 36°
Wednesday: 34°
Thursday: 31°

On holidays from Sydney with their family Owen, 7, and Louis, 5, Birchrough, enjoy the Canberra heat. Photo: ROHAN THOMSON



Development Planning approval for Belconnen project

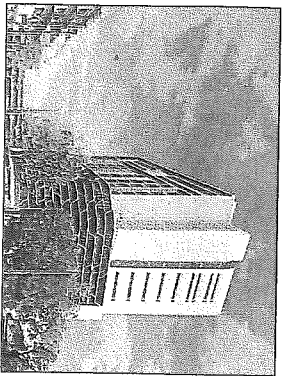
Labor Club gets hotel mod

Kirsten Lawson
Chief Assembly Reporter

The ACT Labor Club has been given the green light for its hotel development next to the club in Belconnen.

The club plans to demolish two buildings on the corner of Cameron Avenue and Chandler Street in Belconnen and replace them with a 12-storey building.

It is unclear what lease variation tax the club will have to pay. The tax is calculated on the difference between the value of land before a development and after a development, but a valuation from Colliers says the land will be worth just \$5000 more after the hotel is built,



How the Belconnen hotel will look.

at \$535,000. That would attract a minimal tax of less than \$4000.

The Labor Club, which is controlled by the ACT Labor Party, plans restaurant and shopping space on the ground floor, with four levels of carparking above that,

and five levels of hotel space above the carparks, with 90 units. The top two levels will be office space and in the basement, the club plans a gym and conference room.

The government's strategic planning section raised concerns about the design, saying it was unclear why the gym and conference facilities were in the basement, when they would have far greater appeal at an upper level. It was also unclear why parking occupied the four levels above the ground floor instead of the basement levels.

Strategic planning also raised "significant concerns" with the height and appearance of the carparking floors. Including the ground floor, the carparking took

up 23 metres, which was almost half the building height. "That would have a significant visual impact on the area and looked excessive and inefficient, the section said. The heights of the carpark floors, at 5.47 metres, appeared "very inefficient", with just 8 metres for the hotel rooms above.

The section suggested reduced heights for the carpark floors, and the inclusion of basement carparking.

It also asked for better screening of the carparking floors, saying it was concerned the current plan was too dominant. The proposed metal louvres and powder-coated screens were repetitive and emphasised the building as a car park

instead of a hotel. "The current carpark proposal is not considered a high quality outcome and is not supported," Strategic Planning said.

In response, the Labor Club has agreed to redesign the facade of the carpark to minimise its impact, and will provide new architects' drawings. Concerns about the basement gym and conference room, and the height of the carpark floors, though, do not appear to have been addressed.

The planning directorate has approved the development, subject to the changed facade, an investigation of whether the site has any old underground fuel storage and some other more minor conditions.

From: [Johnson, Lisa](#)
To: [Hurst, Jackie](#)
Subject: FW: Front Page Canberra Times: Labour Club Redevelopment Blocks 8/9 Section 48 Belconnen [DLM=For-Official-Use-Only]
Date: Monday, 6 March 2017 12:32:44 PM
Importance: High

Hi Jackie

I can't find any LVC history on this one – it looks like it is a 276E and 277?

Thanks

Lisa

From: King, Carlo
Sent: Friday, 13 January 2017 10:19 AM
To: Johnson, Lisa
Cc: Goth, Kathy; McInerney, Geoff
Subject: Front Page Canberra Times: Labour Club Redevelopment Blocks 8/9 Section 48 Belconnen [DLM=For-Official-Use-Only]
Importance: High

Hi Lisa,

Please review the article.

Based on a 90 room hotel, the Colliers valuation equates to about \$6,000/room which is significantly less than any hotel evidence that we have been able to source over the past 6-7 years in the ACT.

Town centre hotel room rates generally range in the order of \$25,000 to \$60,000/room.

Further the Colliers assessment is significantly LESS than the combined rating assessments for the two sites.

Rating assessments are generally very conservative as it is based on a Mass Appraisal approach and invariably considers the current use (Club Site).

This has the potential to exacerbate issues for the Territory on a number of fronts, such as current LVC matters where the addition of hotel rights have resulted in significant betterment to the property.

I assume that the variation must have been a codified as ACTVO were not asked to review the assessment.

Please advise.

Regards,

Carlo King | Managing Valuer

 +61 2 620 54863  +61 2 620 50650

ACT Valuation Office

Chief Minister, Treasury and Economic Development Directorate | ACT Government
Level 4, 220 Northbourne Avenue, Braddon ACT 2612 | GPO Box 293 Civic Square ACT
2608 | www.act.gov.au

 please consider the environment before printing this e-mail

From: [Walker, Karen](#)
To: "admin@canberratownplanning.com.au"; "elizabeth@canberratownplanning.com.au"
Subject: FW: Quality Assurance report - 8 & 9/48 BELCONNEN - 201630289 [SEC=UNCLASSIFIED]
Date: Friday, 28 April 2017 10:27:00 AM
Attachments: [20170118 - Quality Assurance report -DA 201630289 Belconnen.doc](#)

Hi Elizabeth,

Please see email below and attachment.

Thanks,
Karen.

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

From: Hurst, Jackie
Sent: Thursday, 19 January 2017 3:49 PM
To: 'admin@canberratownplanning.com.au'
Subject: Quality Assurance report - 8 & 9/48 BELCONNEN - 201630289 [SEC=UNCLASSIFIED]

Dear Ms Slapp,

Please find attached Quality Assurance review of the LVC assessment submitted by Colliers in relation to Block 8 & 9 Section 48 BELCONNEN

Please provide the further information they have requested to enable them to finalise the LVC assessment.

If I can be of any further assistance, please call at 6207 5963.

Kind Regards,

Jackie Hurst | DA Leasing |
Phone 02 6207 5963 | jackie.hurst@act.gov.au |
Planning Delivery Division | Environment, Planning and Sustainable Development Directorate | **ACT Government** |
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au |

 *Please consider the environment before printing this e-mail*

Please Cc all emails/replies through actpladaleasing@act.gov.au. This will ensure that matters are dealt with promptly in the event of any particular officer's absence.

From: McInerney, Geoff
Sent: Wednesday, 18 January 2017 10:55 AM
To: ACTPLA DA Leasing
Cc: Hurst, Jackie; Valuations
Subject: Quality Assurance report DA 201630289

Please find attached our Quality Assurance review of the LVC assessment report submitted by Colliers International in relation to DA 201630289 for Block 8 Section 48 Belconnen

Regards

Geoff McInerney AAPI CPV

Senior Valuer

ACT Valuation Office | Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

wk: 02 620 54839

Mobile: 



ACT Valuation Office

Our File No: 2017-02534
Your File No: DA 201630289

Senior Manager
Leasing Administration Section
Environment, Planning and Sustainable Development Directorate
GPO Box 158
CANBERRA ACT 2601

ATTENTION: Customer Services

CROWN LEASE: **BLOCKS 8 & 9 SECTION 48 BELCONNEN**
LESSEE: **Canberra Labor Club Limited**
DA No: **201630289**

Your request dated 12 May 2017.

The ACT Valuation Office has completed a review of the Lease Variation Charge assessment for the above mentioned property. A brief report has been attached to this letter for your reference.

For any further consultation regarding this matter, please contact Valuer, Geoff McInerney on 6205 4839 or geoff.mcinerney@act.gov.au.



S Shirren AAPI CPV
Senior Valuer
ACT Valuation Office

16 May 2017

LEASE VARIATION CHARGE

REVIEW

CROWN LEASE: BLOCKS 8 & 9 SECTION 48 BELCONNEN
LESSEE: Canberra Labor Club Limited
DA No. 201630289
CROWN LEASE AREA: Block 8 – 817 m² and Block 9 – 713 m²
LAND USE ZONE: CZ2 Business

Instructions

The Environment, Planning and Sustainable Development Directorate (EPSDD) have requested the ACT Valuation Office to provide relevant comments in regard to a Lease Variation Charge assessment for the abovementioned property.

The request from EPSDD includes a copy of the Development Application and details of the proposed lease variation, copy of the Crown Lease and a valuation report prepared by Colliers International dated 13 October 2016 and a subsequent revised report dated 10 May 2017.

The valuation review process has included the following:

- Perusal and consideration of the information provided in the request;
- An inspection of the subject property (from the roadside);
- Consideration of the Notice of Decision dated 13 December 2016;
- Research and analysis of additional market evidence; and
- Quality assurance by an Accredited Valuer.

Development Application

The proposed development application seeks to vary the purpose clause as follows:

- remove the gross floor area limitations on restaurant and indoor recreation facility uses on Block 8
- consolidation of Blocks 8 and 9
- allow 90 commercial accommodation units and ancillary conference room and gym and 2037 m² of commercial space across the two uppermost levels (Levels 10 & 11)

Private Valuer's Assessment

Report dated 13 October 2016

After Value	V ₁	\$535,000
Before Value	V ₂	\$530,000

Report dated 10 May 2017 apportioned for Block 8 only

After Value	V ₁	\$1,445,000
Before Value	V ₂	\$1,440,000

Comment

The private valuer has assessed an added value of \$5,000 for the removal of the GFA restrictions on indoor recreation facility and restaurant use reasoning that the other existing permitted uses on the subject property are of equal or higher value.

ACTVO considers that the added value assessed is of a minor nature to the overall consolidated site and recommends that the \$5,000 added value is within market parameters and is suitable for use in the calculation of the Lease Variation Charge.

However, the Colliers overall value levels for the consolidated site which is subject to this DA are considered to be below market level.

We note that the Colliers valuer has combined the 90 room hotel value with the two upper levels of commercial use and ground floor restaurant uses without actually considering the other differing permitted uses as separate value components. The proposed hotel occupies 5,445 m² GFA for 90 rooms which equates to 60.5 m² per room (includes common/service areas).

The upper commercial use area of 2,274 m² GFA could possibly also be varied and used for hotel rooms (approximately 38 rooms). The hotel room component above the podium car parking can obtain lake views over the existing club use on Block 13. A total of 128 hotel rooms plus ground floor and basement levels may be achieved, plans submitted show 9,929 m² GFA (excluding car parking).

If adopt 120 hotel rooms x \$28,000 = \$3,360,000

Alternatively

90 hotel rooms x \$30,000 = \$2,700,000

Commercial use 2,274 m² x \$300/m² GFA \$682,200

Total as **\$3,380,000**

The Notice of Decision dated 13 December 2016 has been taken into account in this assessment.

Sales Evidence

1. BLOCK 1 SECTION 20 KINGSTON

PURCHASE PRICE:	\$2,200,000 plus \$282,000 ancillary costs
CONTRACT DATE:	12 October 2016
SITE:	808 m ²
ZONING:	CZ2 Zone
PURPOSE:	DA for 63 room hotel and basement parking.
SHOWS:	\$39,397/ room
COMMENT:	Superior location compared to subject.

2. BLOCKS 7 to 9 SECTION 18 BRADDON

PURCHASE PRICE:	\$25,025,000 + DA submitted demolition. Costs of \$1,100,000
CONTRACT DATE:	1 July 2016
SITE:	6,270 m ² site
ZONING:	CZ2 Zone
PURPOSE:	DA submitted for 258 residential units, 2,233 m ² commercial space and 183 room hotel/motel.
SHOWS:	\$38,918/room
COMMENT:	After allowing \$65,000/residential unit x 258 units = \$16,770,000 and 2,233 m ² of commercial x \$1,000/m ² = \$2,233,000 results in \$7,122,000 for hotel component @ \$38,918/room. Superior location compared to subject.

ACT Valuation Office's Assessment

After Value	V ₁	\$3,385,000
Before Value	V ₂	\$3,380,000

For any further consultation regarding this matter please contact Valuer, Geoff McInerney on 6205 4839 or geoff.mcinerney@act.gov.au.



Geoff McInerney AAPI CPV
Senior Valuer
ACT Valuation Office

16 May 2017

DISCLAIMERS

- This assessment is for the exclusive use of the Leasing Administration Section of the Environment, Planning and Sustainable Development Directorate to whom it is addressed and is undertaken in accordance with instructions provided in the request.
- This valuation is current at the date of valuation only. It is not to be used after 3 months from the date of the Report nor if there have been material or economic changes as a result of general market movements or factors specific to the subject property or factors that the Valuer could not have reasonably become aware as at the date of the Report. In any event it should be referred back to the ACT Valuation Office for review.
- This report is not to be used by any other party for any purpose. Neither the whole nor any part of this report or any reference thereto may be included in any published document, circular or statement, nor published in part nor in full in any way without written approval of the ACT Valuation Office of the form and context in which it will appear.
- Notwithstanding the foregoing, the client agrees that in the event that it does communicate to a third party the whole or any part of this assessment it shall also communicate to the third party the full terms as stated under this disclaimer and further agrees to indemnify the ACT Valuation Office in the event of any failure to do.
- This assessment has been prepared in accordance with the Australian Property Institute's (API) Professional Practice, which includes the Code of Ethics, Rules of Conduct and Practice Standards.
- A visual site inspection has not revealed any obvious pollution or contamination. Nevertheless, we are not experts in the detection or quantification of environmental problems and, accordingly, have not carried out a detailed environmental investigation. Therefore, the assessment is made on the assumption that there are no actual or potential issues affecting the site, value or marketability of the property. The right is reserved to review and if necessary, vary the assessment figures where any contamination or other environmental hazard is found to exist.
- All values are exclusive of GST.

From: [Wheatley, Joan](#)
To: [Hurst, Jackie](#)
Subject: DA 201630289 - Blocks 8 & 9 Section 48 Belconnen [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]
Date: Wednesday, 17 May 2017 12:53:28 PM

Jackie,

Please find attached LVC report for Blocks 8 & 9 Section 48 Belconnen as per your email dated 17 January 2017.

If I can be of further assistance please do not hesitate to contact me.

Joan

Joan Wheatley | Business Administration
ACT Valuation Office
Chief Minister, Treasury and Economic Development Directorate | ACT Government
Level 4, 220 Northbourne Avenue, Braddon
T: 02 620 54825 F: 02 620 75886



ACT
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Environment, Planning and
Sustainable Development

DEVELOPMENT APPLICATION

Form

NOMINATING REMISSION - DI2016-28

To be completed and uploaded via eDevelopment with the DA

This form must be provided with any development application that could be eligible for a remission under the *Planning and Development (Remission of Lease Variation Charges – Economic Stimulus and Sustainability) Determination 2016 (No 1)* (DI 2016-28) made under sections 278 and 278E of the *Planning and Development Act 2007*.

An applicant is required to indicate whether or not they are seeking a remission under DI 2016-28.

Lease/Site Details *Please Print*

Block/s	8 + 9	Section	48	Suburb	BELCONNEN
District	BELCONNEN	Street Address	51-55 CHANDLER STREET + 59 CAMERON AVENUE		

Development Application status:

- INITIAL SUBMISSION AND NO EXISTING APPLICATION
- PRE-LODGEMENT (FEES NOT YET PAID)
- LODGED (FEES PAID AND UNDER ASSESSMENT)
- DEVELOPMENT CONDITIONALLY APPROVED
 - LVC NOT YET DETERMINED
 - LVC DETERMINED

Existing Development Application number:

2016 30289

Was the application approved prior to 7 March 2016?

- YES – Your application does not meet the criteria for this remission, or
- YES – If your application was approved between 6 March 2014 and 6 March 2016, your application may meet the criteria for the nominating remission (DI 2014-48 available in Repealed DI's on the Legislation Register) and approved form AF2014-137, or
- NO – Your application may meet the criteria for this remission, please complete this form

Are you seeking a remission under DI 2016-28? and Is your DA eligible under section 3 of DI 2016-28?

If you answer **NO** to these questions, please progress to the lessee and applicant declaration on page 2

REMISSION APPLICATION YES NO MEETS CRITERIA YES NO

To be eligible for remission under DI2016-28 your development application must include a lease variation that attracts Lease Variation Charge (LVC) calculated in accordance with s277 of the *Planning and Development Act 2007* AND relates to the approval of development of a building (i.e. design and siting) where the lease variation is necessary to allow the development of the building.

IDENTIFICATION OF PROPOSED CRITERIA FOR REMISSION

I/we hereby certify that the development proposed will meet following criteria:

Please tick relevant boxes

- ECONOMIC STIMULUS** – where an application is lodged for a lease variation AND relates to development of a building where the variation of the lease is necessary to allow the development of the building, 25% of the Added Value calculated by using the formula $(V1 - V2) \times 25\%$ may be remitted.

One or more of the following remissions can be packaged together to result in a maximum 25% remission of the lease variation charge $((V1 - V2) \times 75\%$ of the added value) (refer to section 10 of DI 2016-28).

<input type="checkbox"/>	A BUILDING ACHIEVING AN AVERAGE GREEN STAR RATING OF 5 for a possible 10% remission	<input type="checkbox"/>	A BUILDING ACHIEVING AN AVERAGE GREEN STAR RATING OF 6 for a possible 25% remission
<input type="checkbox"/>	A BUILDING ACHIEVING AN AVERAGE NATHERS RATING OF 6.5 OR 7 for a possible 10% remission	<input type="checkbox"/>	A BUILDING ACHIEVING AN AVERAGE NATHERS RATING OF 7.5 for a possible 25% remission
<input type="checkbox"/>	A DEVELOPMENT WHERE 50% OR MORE (BUT NOT 100%) OF DWELLINGS MEET THE AUSTRALIAN STANDARD FOR ADAPTABLE HOUSING AS 4299-1995 for a possible 10% remission	<input type="checkbox"/>	A DEVELOPMENT WHERE 100% OF DWELLINGS MEET THE AUSTRALIAN STANDARD FOR ADAPTABLE HOUSING AS 4299-1995 for a possible 25% remission

Further Information

Planning and Development (Remission of Lease Variation Charges – Economic Stimulus and Sustainability) Determination 2016 (No 1) (DI 2016-28) applies **only** to a LVC calculated in accordance with Section 277 of the *Planning and Development Act 2007*.

The remission amount applied to the determined LVC will be calculated based on the criteria nominated by the applicant in this form, and by evidence provided by a licensed energy assessor on the ratings achieved for the individual dwellings and the overall dwelling average.

This remission is only valid for development applications that meet the criteria of section 3 of DI 2016-28. The DA is approved on or after 6 March 2016 and the approval also relates to the development of a building on the land under the lease and that satisfies the relevant criteria at sections 4 (b), 6 (a) (b) and section 8 (a) (b) (c) as nominated by the applicant.

DI2016-28 expires on 6 March 2018 and an eligible DA must be approved by 6 March 2018 to be able to gain a remission under the instrument.

Applicant and Lessee Declaration: please print		
Applicant's Name ELIZABETH SLAPP		Date 13-07-2017
Lessee's Name CANBERRA LABOR CLUB - TONY LUCHETTI		Date 17/7/17
Lessee's Name CANBERRA LABOR CLUB - SANDRA THOMAS		Date 17/7/17

In signing this application for remission on LVC under DI 2016-28, I/we understand and accept the terms of the remission. **This form must be signed by all the Crown lessees prior to submission.**

DEFINITIONS:

Green Star rating - Means a rating under the national environmental rating system for buildings called the "Green Star" rating system developed by the Green Building Council of Australia. www.gbca.org.au

NATHERS rating - Means a rating under the Nationwide House Energy Rating Scheme (NatHERS) administered through the Ministerial Council of Energy. www.nathers.gov.au

Australian Standard for Adaptable Housing - AS 4299-1995 can be purchased at www.standards.org.au

Privacy Notice

The personal information on this form is being collected to enable processing of your application. Collection of personal information is authorised by Chapters 7, 8 and 9 of the *Planning and Development Act 2007*. The information that you provide may be disclosed to the ACT Revenue Office, the Australian Valuation Office and the Registrar-General's Office. The information may be accessed by other government agencies, ACTEWAGL, ACTEW Corporation and other commercial organisations interested in development and building information.

Contact Details:

Environment, Planning and Sustainable Development Directorate
Customer Service Centre

GPO Box 158, Canberra City 2601

16 Challis Street, Dickson ACT 2602

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

Phone: (02) 6207 1923

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



ACT
Government

Environment, Planning and
Sustainable Development

Lease Variation Charge

Mr Arthur Roufagalis
Canberra Labor Club Limited
PO Box 167
BELCONNEN ACT 2616

Dear Mr Roufagalis,

**BLOCKS 8 & 9 SECTION 48 BELCONNEN
DEVELOPMENT APPLICATION NUMBER 201630289**

I refer to the Notice of Decision dated 13 December 2016 for the above development approval.

As you are aware, prior to the registration of the lease variation the lessee is required to pay any assessed lease variation charge (LVC).

Please find attached to this letter a Notice of Assessment which outlines the LVC payable. A copy of the Notice of Assessment has also been sent by email to the applicant for the development application for their information.

Should you require any further information in relation to this matter, my contact details are 6207 5403 or via email actpladaleasing@act.gov.au.

Yours sincerely



Jackie Hurst
DA Leasing
Planning Delivery Division
23 August 2017

CC: Ms Elizabeth Slapp
Canberra Town Planning Pty Ltd
2/20 Challis Street
DICKSON ACT 2602



ACT
Government

Environment, Planning and
Sustainable Development

**NOTICE OF ASSESSMENT
LEASE VARIATION CHARGE**
Planning and Development Act 2007
Section 276D

Mr Arthur Roufagalis
Canberra Labor Club Limited
PO Box 167
BELCONNEN ACT 2616

Unit	Block	Section	Suburb	Development Application No.
-	8 & 9	48	BELCONNEN	201630289

The Lease Variation Charge for the above Development Application has been determined in accordance with the formula in the *Planning and Development Act 2007*.


Lease Variation Charge Payable	
S277 Lease Variation Charge (LVC)	\$ 3,750.00
Less – DI 2016-28 – Economic Stimulus 25% of added Value	\$ 1,250.00
More - S276e	\$ 7,500.00
Total Payable	\$ 10,000.00


This Notice of Assessment has been determined in accordance with the Working Out Statement attached. The *Planning and Development Act 2007* requires the above Charge be paid prior to execution of the lease variation in accordance with 276B (1).




Lisa Johnson
Delegate of Commissioner for Revenue
23 August 2017

Payment Options

 **In Person** (Cash, Cheque, EFTPOS, Bankcard, MasterCard and Visa)
Environment, Planning and Sustainable Development Customer Service Centre –
Office Hours 8.30am to 4.30pm Monday to Friday 16 Challis Street Dickson ACT 2602

 **By Post** (Cheque made payable to ACT Government)
Environment, Planning and Sustainable Development GPO Box 158 Canberra ACT 2601

 **By Phone** (Bankcard, MasterCard and Visa).
Contact Environment, Planning and Sustainable Development during business hours on telephone
(02) 6207 1923.

CASHLINK CODE: 341010

Information Note – Section 277 Chargeable Variation Only

Please find attached to this notice a copy of the working out statement. If you do not agree with the calculation of the section 277 chargeable variation component of the LVC you may wish to make application for reconsideration. The reconsideration application must be in writing on the approved form and be signed by the lessee and if different, the applicant.

Applications for reconsideration must be made not later than the later of the following: eighty (80) working days after the day the notice of assessment under section 276D(1) is given and if a later day is prescribed by regulation, that day or any longer period as extended by the commissioner for revenue.

You should be aware that the application must set out the grounds on which reconsideration is sought. The application is subject to an application fee and an independent valuation must be provided with the application in accordance with Act. On payment of the assessed LVC and compliance with any other relevant conditions of development approval the documents giving effect to the lease variation approval will be prepared for registration at the Land Titles Office, Access Canberra.

Should you require any further information in relation to this process please contact the Development Assessment Leasing team on 6207 5963 or via email actpladaleasing@act.gov.au.

WORKING OUT STATEMENT

This is the working out statement pursuant to section 277B of the *Planning and Development Act 2007*.

Section 277 Chargeable Variation			
<i>Before Value</i>	<i>After Value</i>	<i>Added Value</i>	<i>Variation Amount 75% of Added Value</i>
\$3,380,000.00	\$3,385,000.00	\$5,000.00	\$3,750.00

REMISSIONS		
	<i>Added Value</i>	<i>Remission Amount</i>
DI 2016-28 – Stimulus 25% of Added Value	\$5,000.00	\$1,250.00

Section 276E Chargeable Variation	
Schedule 1 – Specific Charges	
<i>Variation Description</i>	<i>Variation Amount</i>
Consolidation	\$7,500.00