

NOTES
 MECHANICAL VENTILATION
 NEW DUCTED MECHANICAL VENTILATION WITH SEALED DAMPER TO PANTRY, ENSUITE, LAUNDRY, WC, & BATHROOM

LEGEND

- AREA OF RENOVATION
- NEW WALLS
- EXISTING WALLS

- FP FIREPLACE- ELECTRIC
- AIR RETURN AIR
- LIN. LINEN
- ROBE BUILT IN ROBE
- TUB TUB
- WM WASHING MACHINE
- WB WASHBASIN
- SHR SHOWER
- BTH BATH
- WC WATER CLOSET / TOILET
- W01 NEW WINDOW
- D01 NEW DOOR
- SLO1 NEW SKYLIGHTS

AMENDMENT TO DA201732775
 SEE A01 FOR DETAILS

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The builder shall check and verify all dimensions and verify all errors and omissions to the Owner. Do not scale the drawings. All measurements in millimeters unless noted otherwise. Material and workmanship to be in accordance with the Building Code of Australia, Australian Standards, The Building Act & all other relevant codes. © Copyright. No part of this drawing may be used or reproduced without the permission of Almargi Design.

AMENDMENTS
 A 07.01.18 ADAPTABLE HOUSING REQUIREMENTS SHOWN
 B 26.11.19 AREA ADDED TO STUDIO, SWIM SPA AND FENCE ADDED

CLIENT
M & N FREE

PROJECT LOCATION
 Block 7 Section 65
 43 COCKLE STREET
 O'CONNOR ACT 2602

DRAWING
Ground Floor Plan

ISSUE
AMENDED DA
 05-Dec-19

JOB NO
A19019

SCALE
 1:100 @ A3

A04_B



ACT
Government

Environment, Planning and
Sustainable Development

Form

Legislated Requirements Merit Track

ASSESSMENT REPORT

ASSESSMENT OFFICER: Ms Fawzia Majid

APPLICATION NUMBER: 201732775

BLOCK: 7 SECTION: 65

DIVISION: O'CONNOR

Zone: RZ1 Suburban Zone

The Planning and Development Act 2007

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

Planning and Development Act 2007 - Section 119

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

<p>S119 (1)(a) The relevant code</p> <p>NB: Refer to form Territory Plan Code Requirements Merit Track to complete this question</p>	The relevant code(s) for the development proposal are:	
	Precinct Code:	O'Connor Precinct Map
	Development Code:	Single Dwelling Development Code
	Development Code:	Residential Zones Development Code
	General Code:	Parking and Vehicular Access General Code
	General Code:	WaterWays: Water Sensitive Urban Design General Code
<p>The proposal <u>is</u> consistent with the above code(s) for reasons identified in Form – Territory Plan Code Requirements – Merit Track.</p>		

<p>S119 (1)(b) Any land management agreement for the land (for proposed development relating to land comprised in a rural lease)</p>	<p>The proposal is not for a proposed development relating to land comprised in a rural lease.</p>
<p>S119 (1)(c) the advice of the Conservator of Flora and Fauna in relation to the proposal (if the proposed development will affect a registered tree or declared site)</p> <p>NB: In accordance with Section 119(3)(a), the application must not be approved unless the approval is consistent with the advice of the Conservator of Flora and Fauna in relation to a proposal that will affect a registered tree or declared site.</p> <p>NB: Section 119A may affect the operation of this section for proposals relating to Light Rail. Assessment should be included here where relevant. Section 119A does not apply to a proposal involving a protected matter. In most cases it cannot be used for a DA subject to an ESO.</p>	<p>The proposal is not for a proposed development that will affect a registered tree or declared site.</p>

<p>S119 (2) Consistency with advice given by an entity to which the application was referred under division 7.3.3 of the Act.</p> <p>NB: Under Section 119 (2) of the Act, development approval must not be given for a development proposal in the merit track if approval would be inconsistent with any advice given by an entity to which the application was referred under division 7.3.3 unless the person deciding the application is satisfied that –</p> <p>(a) the following have been considered:</p> <ul style="list-style-type: none"> (i) any applicable guidelines; (ii) any realistic alternative to the proposed development, or relevant aspects of it; and <p>(b) the decision is consistent with the objects of the Territory Plan</p> <p>NB: Section 119A may affect the operation of this section for proposals relating to Light Rail. Assessment should be included here where relevant. Section 119A does not apply to a proposal involving a protected matter. In most cases it cannot be used for a DA subject to an ESO.</p>	<p>The decision is not inconsistent with any advice given by an entity to which the application was referred under division 7.3.3 of the Act.</p>
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Planning and Development Act 2007 - Section 120

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

S120 (a) Zone Objectives	<p>The development is proposed to take place in the RZ1 zone.</p> <p>The application meets all objectives of the zone.</p>
S120 (b) Suitability of the Land	<p>The proposed development seeks approval to use the land or a building or structure of the land for the purpose(s) of Secondary residence.</p> <p>The proposed use is listed as an assessable development in the RZ1 zone development table, and is therefore determined to be a permissible use for the land.</p> <p>The proposed development is in accordance with the provisions of the Crown Lease.</p> <p>The land is suitable for the development proposed.</p>
S120 (c) Environmental Significance Opinion	<p>An Environmental Significance Opinion (ESO) is not in force for the development proposal.</p>
S120 (d) Representations	<p>No representations received.</p>

<p>S120 (e) advice given by an entity in accordance with section 149 of the Act</p> <p>NB: Under Section 150 of the Act, if entity advice is not received within 15 working days, the entity is taken to have given advice in support of the application.</p>	<p>Entity advice received is addressed in the Notice of Decision.</p>
<p>S120 (f) the plan of management for the land (if the proposed development relates to land that is Public Land)</p>	<p>The proposal is not for a proposed development relating to land that is public land.</p>
<p>Proposal for development on land reserved under S315 for the purpose of wilderness area, national park, nature reserve, or special purpose reserve.</p>	<p>The proposal does not occur on land that is reserved under S315 of the Act for the purpose of wilderness area, national park, nature reserve, or special purpose reserve.</p>
<p>S120 (g) the probable impact of the proposed development, including the nature, extent and significance of probable environmental impacts.</p>	<p>Based on the matters to be considered by the relevant Code there are no probable environmental impacts of significance associated with the proposed development.</p>
<p>Site Inspection (Although not a legislative requirement as such, a site inspection may assist with the assessment of the proposal against the provisions of S120)</p>	<p>No site inspection was required as sufficient evidence could be derived from other assessment methods.</p>



Block/s:	7	DA number:	201732775
Section:	65	Date lodged:	13-Dec-19
Suburb:	O'CONNOR	Due date:	
Zone/s:	RZ1: SUBURBAN	Unit Number (if applicable)	
Proposal:	Amendment to the development application for proposal for alterations and additions - the amendment is extending ground floor area and adding second level to secondary residence, changes to roof pitch, wall colours, added windows, the conversion of the existing garage to a studio and associated works. and associated works.		
Proposed Use:	Residential		

STAGE 1 – PRE-ASSESSMENT APPRAISAL

Is the notification wording appropriate (if applicable):	Yes <input type="text"/>
Have all Entities been referred to (if applicable)?	Yes <input type="text"/>
197 NOD outline saved into Objective	Yes <input type="text"/>

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:	Dachuan Wang	06/01/2020
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STAGE 2 – INFORMATION COLLECTION (ENTITIES – including EPSDD DA Leasing)

The DA was referred to the following Entities (or internal Sections) with the following response(s):

Entity	Did the entity support the application?	Assessment comments / Conditions required
The Conservator of Flora & Fauna	Not Applicable	Referral not Required
Evo Energy - Electricity	Yes - with conditions	Std Entity comments added to NoD
Evo Energy - Gas	Yes - with conditions	Std Entity comments added to NoD
ICON Water	Yes - with conditions	Std Entity comments added to NoD
TCCS	Yes - without conditions	Supported – No Conditions
Other:		

LRP/MPRG

Does any Entity advice received trigger referral to either the LRP or MPRG:	No
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Additional information requests: Not Required

Does any entity advice received mean the application must be refused:	No
Conditions required from entity advice:	Entered in draft NoD: Yes

Final

Has the entity advice received on this application been considered: (s.120(e))	Yes, see summary above.
An <i>alias</i> of advice from the Utility service providers and other relevant entities has been moved into the approved plans folder.	Yes

Completion

<input type="radio"/> Stage 2 assessment has been completed with no issues identified.	
<input checked="" 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)	
Std Entity comments added to NoD	
Assessment officer:	Name Jacob Treloggen
	Date: 07/02/2020

STAGE 3 – ISSUES CONSIDERATION (REPRESENTATIONS)

No representations were made in respect of the application under section 156 of the Planning and Development Act 2007.

Was a site inspection undertaken in this stage:	No
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Completion

<input checked="" type="radio"/> Stage 3 has been completed with no issues identified.	
<input type="radio"/> Stage 3 has been completed with the following issues noted:	
Choose an item.	
<input type="radio"/> Stage 3 has identified issues that prevent further assessment, specifically (insert below)	
No Representations received.	

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:	<p>MPRG: No</p> <p><input type="checkbox"/> Assessment Policy clarification <input type="checkbox"/> Managers direction <input type="checkbox"/> Impact Track DA <input type="checkbox"/> EDP <input type="checkbox"/> GFA >10,000m2 <input type="checkbox"/> >25m height <input type="checkbox"/> 3 or more stories & 50+ dwellings <input type="checkbox"/> 25% or greater car parking departure <input type="checkbox"/> Referred from LRP or other</p>
Does the proposal trigger referral to the LRP at this stage:	<p>LRP: No</p> <p><input type="checkbox"/> Departing from entity advice in relation to removal of a tree <input type="checkbox"/> Any application where the assessing officer requires direction on landscaping matters <input type="checkbox"/> A pre-application matter where advice from LRP has been requested in relation to removal of a regulated tree</p> <p>If yes; Email sent to MPRG / LRP coordinator (MPRGandLRP@act.gov.au) to book the DA in. Date Sent: <input type="text"/> Click or tap to enter a date.</p>
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.
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- Relating to a conditional environmental significance opinion.	The original application was not subject to an Environmental Significance Opinion (ESO).
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	SUBURB Precinct Map & Code: <input checked="" type="checkbox"/> Single Dwelling Housing Development Code <input checked="" type="checkbox"/> Residential Zones Development 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
<ul style="list-style-type: none"> Residential Zones Development Code 	Secondary dwelling R6 – R16	<ul style="list-style-type: none"> Maximum size of the secondary dwelling is less than 90sqm. The proposed amendment is addition of GFA to the secondary dwelling. The additions are an office room in the ground level and a bed and an ensuite in a mezzanine. The GFA is less than 90sqm and complies. Parking, POS and other amenities are not impacted by the new amendment addition.
<ul style="list-style-type: none"> Single Dwelling Housing Development Code 	All	Complies with relevant rules and criteria.

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:

Is a public land management plan is in force over the land, (s.120(f))	NO If Yes – Has the DA been referred to the Conservator? Choose an item. Additional referral requested Click or tap to enter a date.

Officer to complete Has further information been requested	No If yes, DATE - Click or tap to enter a date.
Officer to complete Has further information been received	Choose an item. If yes, DATE -Click or tap to enter a date.
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: <div style="border: 1px solid black; height: 40px; width: 100%;"></div>

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)

Assessment officer:	Name Mantasa Kabir	20/03/2020
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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 If yes; photos and details have been put in the objective folder: Choose an item.
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 If yes, what date is the proposal booked into MPRG/LRP: Click or tap to enter a date.

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

Has the further information request been reviewed by the manager? Choose an item.

Note: must be reviewed prior to being requested

The findings of Stages 1-4 have been reviewed and the application should be:	<input type="radio"/> Approved <input checked="" type="radio"/> Approved with Conditions <input type="radio"/> Partially approved/refused (provide details below): <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <input type="radio"/> Refused	
Assessment officer:	Name Lina Veloz	Date: 20/03/2020

STAGE 6 – RECOMMENDED DETERMINATION OF PROPOSAL

Have all previous Stages (1-4) been signed off recommending approval?	Yes	
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 If yes, an email was sent to the DA Coordinator for DA Leasing referral: Date: Click or tap to enter a date.	
Has leasing advice been incorporated into the decision:	Not Applicable	
Is a site inspection required to make a decision:	No If yes; photos and details have been put in the objective folder	
Has the Notice of Decision been finalised:	Recommended reasons for decision:	Yes
	Recommended conditions:	Yes
	Entity advice:	Yes
	Representations:	No
	Do third party appeal rights apply:	No
The application is to be:	<input type="radio"/> Approved <input checked="" type="radio"/> Approved with conditions <input type="radio"/> Partially Approved/Refused. Details below: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <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:		Classification:		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				Choose an item.	

Sign Off

Determination:	<p>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:</p> <p><input type="radio"/> Approved</p> <p><input checked="" type="radio"/> Approved subject to conditions consistent with the above assessment</p> <p><input type="radio"/> Refused consistent with the above assessment</p> <p>OTHER/COMMENTS:</p> <p>The DA was approved 15/12/2017, Amendment lodged 13/12/2019.</p> <p>App Form indicates No work commenced on site.</p> <p>No evidence of work commencing on site requested at lodgement stage – it is noted that the DA has not expired.</p> <p>Jyoti Pradhan 26 March 2020</p>	Date: 27/03/2020
Determining officer & Delegate:	Name: Susan Kim	Date 27/03/2020

Post Determination

Can stamped plans be released with decision?

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)



Block/s:	7	DA number:	20173775-S197C
Section:	65	Date lodged:	Click here to enter a date.
Suburb:	O'Connor	Due date:	
Zone/s:	RZ1	Unit Number (if applicable)	
Proposal:	AMENDMENT TO APPROVED DA201732775 (S197C). Amendment to the development application for secondary residence, additions/alterations to the main dwelling, new garden shed and associated works - the amendment is to make changes to the internal layout, increase the height of the roof, addition of upper-level windows, changes to the external cladding finishes, addition of solar eave to the secondary dwelling, addition of new retaining walls in the rear and associated works.		
Proposed Use:	Residential		

STAGE 1 – PRE-ASSESSMENT APPRAISAL

Is the notification wording appropriate (if applicable):	Yes <input type="text"/>
Have all Entities been referred to (if applicable)?	Not Applicable <input type="text" value="Referrals not needed"/>
Has a conflict of interest been declared? If the conflict is with an officer in the Statutory Planning Division, has a Disclosure Form been completed?	No Choose an item.
197 NOD outline saved into Objective	Yes <input type="text"/>

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:	Zebedee Mahoney	06/07/2023
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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.

OR

- The DA was referred to the following Entities (or internal Sections) with the following response(s):

Entity	Did the entity support the application?	Assessment comments / Conditions required
The Conservator of Flora & Fauna	Choose an item.	
Evo Energy - Electricity	Choose an item.	
Evo Energy - Gas	Choose an item.	
ICON Water	Choose an item.	
TCCS	Choose an item.	
Heritage	Choose an item.	
NCA (National Capital Authority)	Choose an item.	
CRA (City Renewal Authority)	Choose an item.	
ESA (Emergency Services Authority)	Choose an item.	
EPA (Environment Protection Authority)	Choose an item.	
Tree Protection Unit	Choose an item.	
ACT Health	Choose an item.	
Education	Choose an item.	
General Leasing	Choose an item.	
Other:		
EPSDD DA Leasing	Choose an item.	<input type="radio"/> DA leasing advice entered in Draft NoD <input type="radio"/> Additional info required <input type="radio"/> DA Amendment required for Leasing matters <input checked="" type="radio"/> Leasing manager requests further referral at stage 6

LRP/MPRG

Does any Entity advice received trigger referral to either the LRP or MPRG:	Choose an item. if yes, which Entity:
	If yes; Email sent to MPRG / LRP coordinator (MPRGandLRP@act.gov.au) to book the DA in. Date Sent: Click or tap to enter a date.

Additional information requests:

Is further information required at this phase: (s.141 or s.144)	Choose an item. <input type="text"/>	Summarise response to issue raised here Officer to identify themselves and date assessed.
List of additional items	<input type="text"/>	

Has the further information request been reviewed by the manager? Choose an item.

Note: must be reviewed prior to being requested

Does any entity advice received mean the application must be refused:	Choose an item.
Conditions required from entity advice:	Entered in draft NoD: Choose an item.

Final

Has the entity advice received on this application been considered: (s.120(e))	Choose an item.
An <i>alias</i> of advice from the Utility service providers and other relevant entities has been moved into the approved plans folder.	Choose an item.

Completion

<input 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: 20px;"></div>		
Assessment officer:	Minh Pham	Date: 15/08/2023

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.

OR

- No representations were made in respect of the application under section 156 of the Planning and Development Act 2007.

OR

- Representation/s were made in respect of the application under section 156 of the Planning and Development Act 2007. All representations have been read and considered, and a summary of key concerns / issues can be found below.

<p>Specify number of Representation/s received:</p> <input style="width: 100px; height: 20px;" type="text" value="5"/>

Area of concern / issue	Assessing officer response
Excessive building height	
Expiry of DA	<p>Formal Correction 14 June 2023:</p> <p><i>It has come to the attention of the Planning and Land Authority that both the original Notice of Decision for DA201732775 and the Notice of Decision for the DA201732775 / S197B amendment did not include the commencement and completion time requirements. Although the required times are specified in the Planning and Development Act 2007, it is possible the lack of clear time requirements in the decisions have created confusion. Due to the impact of covid on the construction industry, including shutdowns and material and labour shortages, the required times to both commence and complete a development was extended from two years to three years. This occurred close to the time your 197B amendment application for DA201732775 was submitted. In this case, it is considered reasonable to apply the three year completion time to your development. Both the original Notice of Decision and the Notice of Decision for 197B should have included 'Attachment 1.' The 'Attachment 1' for the NOD for 197B would have included three year start and completion requirements. This would not have applied to the original decision. Consequently, in accordance with section 196 of the Planning and Development Act 2007, the Notice of Decision for DA201732775/S197B is formally corrected as follows:</i></p> <p>EOT to complete construction</p> <p><i>Thank you for your request for an extension of time to complete the construction works in accordance with DA 201732775 for Block 7 Section 65 Division of O'CONNOR.</i></p> <p><i>Pursuant to section 184(3) of the Planning and Development Act 2007, an extension of 12 months is granted to complete the construction works approved by the subject development application. The construction works are now required to be completed by 17 July 2024.</i></p> <p><i>A further extension to the completion timeframe may be considered upon request. However, such a request must be lodged with the planning and land authority for review prior to the expiry of the extended completion timeframe.</i></p>
Individual amendments not listed or specifically noted on drawings	
RZDC R/C 13 – accessible path not provided with split-level step; requires A&M report	
RZDC R7 - Secondary dwelling exceeds maximum GFA	

RZDC R13 - adaptability	
SHDC R38A - POS	
EOT for additional representations for missing information.	
Solar impacts to adjacent blocks	
Obstructs views	
Privacy concerns	
Our main concerns with this structure relate to the height, position and a window that overlooks our property. The height and closeness of the new addition to our shared boundary is imposing. Window 35 will impact the privacy of neighbouring properties. The extent of hard landscaping and lack of trees and vegetation means water may not be able to be managed on the block and this could cause issues for neighbouring properties with runoff from the mountain during heavy rain events.	
Do any issues raised in representations require a further information request: (s.141 or 144)	<p>Choose an item.</p> <input type="text"/> <p>Note: Check Stage 2 & 3 for additional requests potentially already made</p> <p>Has the further information request been reviewed by the manager?</p> <p>Choose an item.</p> <p>Note: must be reviewed prior to being requested</p>
Do any issues raised in representations mean the application must be refused:	<p>Choose an item.</p> <input type="text"/>
Response required from assessment of representations :	Choose an item.
All representations made about this application been considered in the assessment of this proposal: (s.120(d))	Choose an item.
Do any representations trigger a referral to MPRG or LRP?	<p>Choose an item.</p> <p>If yes; Email sent to MPRG / LRP coordinator (MPRGandLRP@act.gov.au) to book the DA in. Date Sent: Click or tap to enter a date.</p>
Was a site inspection undertaken in this stage:	Choose an item.

<p>Has the draft NoD been updated:</p> <ul style="list-style-type: none"> • When the DA takes effect • When appeal period starts <p>In response to representations (whether received or not)</p>	<p>Choose an item.</p>
<p>Do representors have the right to review in ACAT? (See Schedule 1 of the Act and Schedule 3 of the Regulation)</p>	<p>Choose an item.</p>

Completion

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)

Territory Plan assessment		
Codes of the Territory Plan considered include: Please only assess what has been amended	SUBURB Precinct Map & Code: <input type="checkbox"/> Multi Unit Housing Development Code <input type="checkbox"/> Single Dwelling Housing Development Code <input type="checkbox"/> Residential Zones Development Code <input type="checkbox"/> Non-Urban Zones Development Code <input type="checkbox"/> Parking & Vehicular Access General Code <input type="checkbox"/> Crime Prevention Through Environmental Design General Code <input type="checkbox"/> Estate Development Code <input type="checkbox"/> Waterways Water Sensitive Urban Design General Code <input type="checkbox"/> Access & Mobility General Code <input type="checkbox"/> Signs General Code <input type="checkbox"/> Lease Variation General Code	
Does the amended application meet all relevant mandatory rules:	Choose an item.	
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

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 <div style="border: 1px solid black; height: 30px; margin: 5px 0;"></div> <input type="radio"/> No - Note: Please discuss with Senior Manager <div style="border: 1px solid black; height: 30px; margin: 5px 0;"></div>
Is the proposal considered suitable for the land on which it is to take place: (s.120(b))	Choose an item.
Is an environmental significance opinion in force & relevant: (s.120(c))	Choose an item.
What is the probable impact of the proposed development (including nature, extent and significance of probable environmental impacts): (s.120(g))	<input 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 checked="" type="radio"/> Impacts identified require refusal of the proposal Comments for discuss:

Is a public land management plan is in force over the land, (s.120(f))	Choose an item. If Yes – Has the DA been referred to the Conservator? Choose an item. Additional referral requested Click or tap to enter a date.

Additional Information

Is further information required at this phase: (s.141 or s.144)	Choose an item. <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
Note: Further Information should not be requested if the DA is to be refused	
List of additional items	

Has the further information request been reviewed by the team lead and/or manager? Choose an item.

Note: must be reviewed prior to being requested

Date email request sent: Click or tap to enter a date.

Officer to complete Has further information been requested	Choose an item. If yes, DATE - Click or tap to enter a date.
Officer to complete Has further information been received	Choose an item. If yes, DATE -Click or tap to enter a date.
Was a site inspection undertaken in the assessment stage:	Choose an item.
Have any issues been identified that would result in a refusal:	Choose an item.
Conditions required from initial review of application or Territory Plan assessment:	Choose an item. Other/Discuss/Advice: <div style="border: 1px solid black; height: 40px; width: 100%;"></div>

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)

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

STAGE 5 – PRELIMINARY DECISION MAKING Including MPRG / LRP

Have all previous Stages (1-4) been completed?	Choose an item.
Is a site inspection required to make a decision?	Choose an item. If yes; photos and details have been put in the objective folder: Choose an item.
Are there any Stage 1-4 reasons for referral to LRP, MPRG, Other?	Choose an item. If yes, what date is the proposal booked into MPRG/LRP: Click or tap to enter a date.

LRP / MPRG

- Consideration by LRP/MPRG was not necessary
- The DA was presented to Choose an item. on Click or tap to enter a date. and is summarised as follows:

LRP/MPRG resolved that the development application can be:	<input type="radio"/> Supported as recommended <input type="radio"/> Supported subject to further information being received. Details below: <input type="text"/> <input type="radio"/> Supported noting a departure from entity advice pursuant to s119 (2) of the Act. Details below: <input type="text"/> <input type="radio"/> Not supported <input type="radio"/> For further consideration at a future meeting <input type="radio"/> Additional notes/advice: <input type="text"/> The NOD has been updated to reflect the MPRG/LRP outcome: Choose an item.	LRP/MPRG Officer DATE: Click or tap to enter a date.
Are minutes from LRP / MPRG saved in Objective	Choose an item. <input type="text"/>	

Is further information required at this stage. (s.141 or s.144)	Choose an item.	
List items if required		

Has the further information request been reviewed by the manager? Choose an item.

Note: must be reviewed prior to being requested

The findings of Stages 1-4 have been reviewed and the application should be:	<input 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	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?	Choose an item. <input type="text"/>
---	---

Was the DA referred to LRP or MPRG	Choose an item.	
Has the leasing manager requested to be referred during the decision stage (see stage 3 assessment)	Choose an item. If yes, an email was sent to the DA Coordinator for DA Leasing referral: Date: Click or tap to enter a date.	
Has leasing advice been incorporated into the decision:	Choose an item.	
Is a site inspection required to make a decision:	Choose an item. If yes; photos and details have been put in the objective folder	
Has the Notice of Decision been finalised:	Recommended reasons for decision:	Choose an item.
	Recommended conditions:	Choose an item.
	Entity advice:	Choose an item.
	Representations:	Choose an item.
	Do third party appeal rights apply:	Choose an item.
The application is to be:	<input type="radio"/> Approved <input type="radio"/> Approved with conditions <input type="radio"/> Partially Approved/Refused. Details below: <div style="border: 1px solid black; height: 40px; width: 100%;"></div> <input type="radio"/> Refused	

Has a conflict of interest been declared? <i>If Yes:</i>	Choose an item.
<ul style="list-style-type: none"> the proposal must be Peer Reviewed by Stage 6 officer (without potential conflict) and Signed/determined by a Senior manager If the officer is within Statutory Planning, they must complete a Conflict of Interest Disclosure Form 	
Does the determining officer have the correct classification to make the decision? <i>Refer to Classification Matrix</i>	Choose an item.

Peer review <i>To be completed ONLY IF the delegate (determining officer) undertook another stage in the assessment.</i>					
Reviewing officer name:		Classification:		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				Choose an item.	

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: Click or tap to enter a date.
Determining officer & Delegate:	Name:	Date Click or tap to enter a date.

Post Determination

Can stamped plans be released with decision?

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)

Form

Territory Plan Code Requirements Merit Track

ASSESSMENT REPORT

RZ1

ASSESSMENT OFFICER: Ms Fawzia Majid

APPLICATION NUMBER: 201732775

BLOCK: 7 SECTION: 65

DIVISION: O'CONNOR

Territory Plan Code Requirements

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

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

with the exception of those listed in the tables below.

1. Assessment of Compliance with Single Dwelling Housing Development Code, Residential Zones Development Code

The Single Dwelling Housing Development Code, Residential Zones Development Code is a Code relevant to this proposal. The comments for the criterion or rule identified in the tables below are provided where it is considered warranted to clarify why a particular criterion or rule is either met or not met.

Assessment of Compliance with Residential Zones Development Code:

Element 4: Secondary residences

Sub-Element: 4.1 Design & Siting	
Rule: R6	Applicable Criterion: Mandatory
The proposal meets the rule.	

Sub-Element:	
Rule: R7/ R8	Applicable Criterion: Mandatory/ C8
The proposal meets the rule.	

Sub-Element:	
Rule: R9	Applicable Criterion: Mandatory
The proposal meets the rule.	

Sub-Element:	
Rule: R10	Applicable Criterion: Mandatory
The proposal meets the rule.	

Sub-Element:	
Rule: R11	Applicable Criterion:
Please refer to Assessment against the SDHDC.	

Sub-Element:	
Rule: R12	Applicable Criterion: Mandatory
The proposal meets the rule.	

Sub-Element:	
Rule: R13	Applicable Criterion: C13/C14
<p>The proposal does not meet the rule</p> <p>A condition of approval is required to provide plans that demonstrate this Rule.</p> <p>Meets C14 – Already existing unapproved structure.</p>	

Assessment of Compliance with Single Dwelling Housing Development Code for secondary residence:

Element 1:

Sub-Element: 1.1 Plot ratio	
Rule: R1	Applicable Criterion: Mandatory
<p>The proposal meets the rule.</p> <p>Proposed: 33% (including carport)</p>	

Sub-Element: 1.2 Number of storeys	
Rule: R2	Applicable Criterion: Mandatory
<p>The proposal meets the rule because...</p> <p>Single storey proposed.</p>	

Sub-Element: 1.6 Solar Building envelope	
Rule: R7	Applicable Criterion: C7
<p>The proposal does not meet the rule because...</p> <p>Existing garage encroaches the building envelope. Proposed studio is already existing unapproved structure.</p>	

Sub-Element: 1.10 Side and rear setbacks	
Rule: R12	Applicable Criterion: C12
The proposal does not meet the rule because... Proposed secondary residence is approx. 800mm off the boundary. This is already been constructed.	

Sub-Element: 1.12 Garages and carports on or near side and rear boundaries	
Rule: R14	Applicable Criterion: C14
The proposal meets / does not meet the criterion or rule because... A condition of approval is required to...	

Element 6: Environment

Sub-Element: 6.1 WSUD	
Rule: R43	Applicable Criterion: C43
Existing water tank on site.	

Assessment of Compliance with Single Dwelling Housing Development Code:

Proposed additions/ alterations for the main dwelling complies with the SDHCD

Assessment of Compliance with **Parking and Vehicular Access General Code:**

A condition will be imposed to show the additional parking space for the secondary residence.

From: Gell, Chris
Sent: Monday, 19 June 2023 11:32 AM
To: Allison Draftsperson Piper
Cc: Michael Free
Subject: Extension of Time to Construct - DA201732775-7/65 O'Connor
Attachments: DA201732775 Extension of time to complete.pdf

OFFICIAL

Hi Alison & Michael

Thank you for the email seeking an extension of time to complete the construction of the development approved by DA201732775.

Please find attached a letter providing an additional 12 months to complete the development. The work is now required to be finalised by **17 July 2024**.

If additional time is required, please send an email to DAcoordinator@act.gov.au prior the expiry of the extended period, providing a clear indication of why the additional time is required.

Regards

Chris Gell
Director, Statutory Planning
Environment Planning and Sustainable Development Directorate
P. 02 62072642 e. chris.gell@act.gov.au



ACT
Government

Environment, Planning and
Sustainable Development

Alison Piper
Almargi Design
almargidesign@gmail.com

EXTENSION OF TIME TO COMPLETE CONSTRUCTION UNDER A DEVELOPMENT APPROVAL

Location: Block 7 Section 65 Division of O'CONNOR
Development Application: DA 201732775
Date of Decision: 15 December 2017
Original date the approval took effect: 16 December 2017

Dear Alison

Thank you for your request for an extension of time to complete the construction works in accordance with **DA 201732775** for Block 7 Section 65 Division of **O'CONNOR**.

Pursuant to section 184(3) of the *Planning and Development Act 2007*, an extension of 12 months is granted to complete the construction works approved by the subject development application. The construction works are now required to be completed by **17 July 2024**.

A further extension to the completion timeframe may be considered upon request. However, such a request must be lodged with the planning and land authority for review prior to the expiry of the extended completion timeframe.

If you would like to discuss this matter further, please telephone the DA Co-ordinator on 6207 6383 or email DAcoordinator@act.gov.au

Yours sincerely

Chris Gell
Delegate of the planning and land authority
Environment, Planning and Sustainable Development Directorate
19 June 2023

From: EPD, Customer Services
Sent: Wednesday, 31 January 2018 1:48 PM
To: almargidesign@gmail.com; michaelfree69@gmail.com
Subject: ENDORSEMENT LETTER & APPROVED PLANS-201732775-7/65 O'CONNOR-01 [SEC=UNCLASSIFIED]
Attachments: ENDORSEMENT LETTER-201732775-SIGNED.PDF; %DEMO-201732775-01.pdf; % FLOORASSESS-201732775-S165A-01.pdf; ELEV-201732775-NORTH-EAST-01.pdf; ELEV-201732775-SOUTH-WEST-01.pdf; FLOORREG-201732775-01.pdf; SECTION-201732775-01.pdf; SECTION-201732775-02.pdf; SITE-201732775-S165A-01.pdf

Good Afternoon

Please see attached Endorsement Letter & Approved Plans for Block 7 Section 65 O'Connor Development Application No: 201732775

For further information please contact Fawzia Majid on 6205 9875 or fawzia.majid@act.gov.au

Kind regards

Sophie | Customer service officer

Access Canberra | ACT Government

Environment, Planning and Land Building Services

16 Challis Street, Dickson | 8 Darling Street, Mitchell

Phone: 02 6207 1923 | Email: EPDCustomerServices@act.gov.au

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





ACT
Government
Environment and Planning

Almargi Design
Po Box 6403
Queanbeyan East NSW 2620

Dear Almargi Design

BLOCK 7 SECTION 65 - O'CONNOR
Application Number: 201732775
Lessee: Michael Free

I refer to the plans/information you submitted in response to conditions 1. (a) i & ii of the Notice of Decision with respect to the above Development Application.

The plans/information now satisfy conditions 1. (a) i & ii of the decision and have been endorsed to form part of the above Development Approval.

Enclosed are copies of the approved plans.

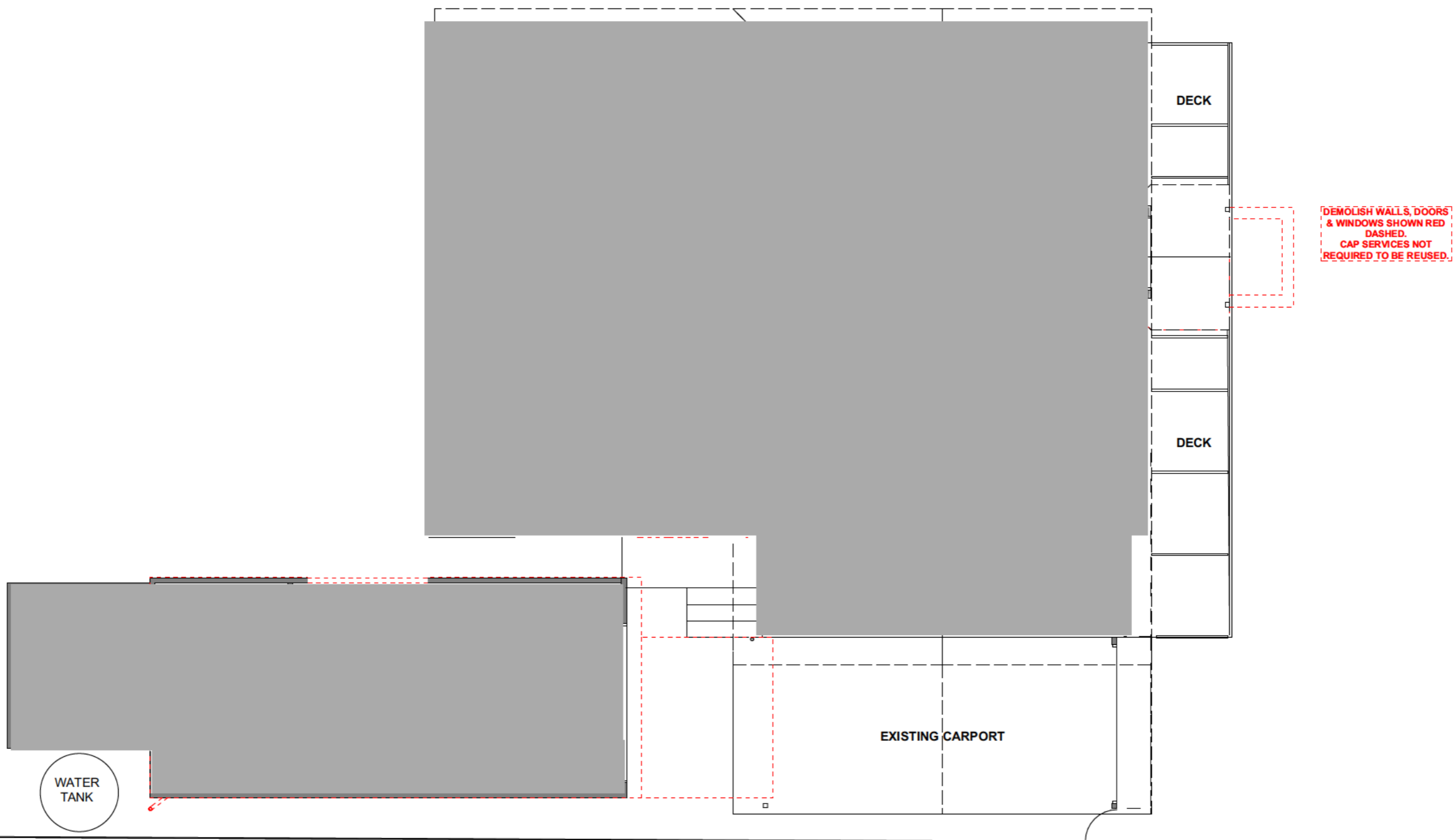
Please note that any other outstanding conditions of approval in the Notice of Decision may need to be addressed prior to development commencing on the site.

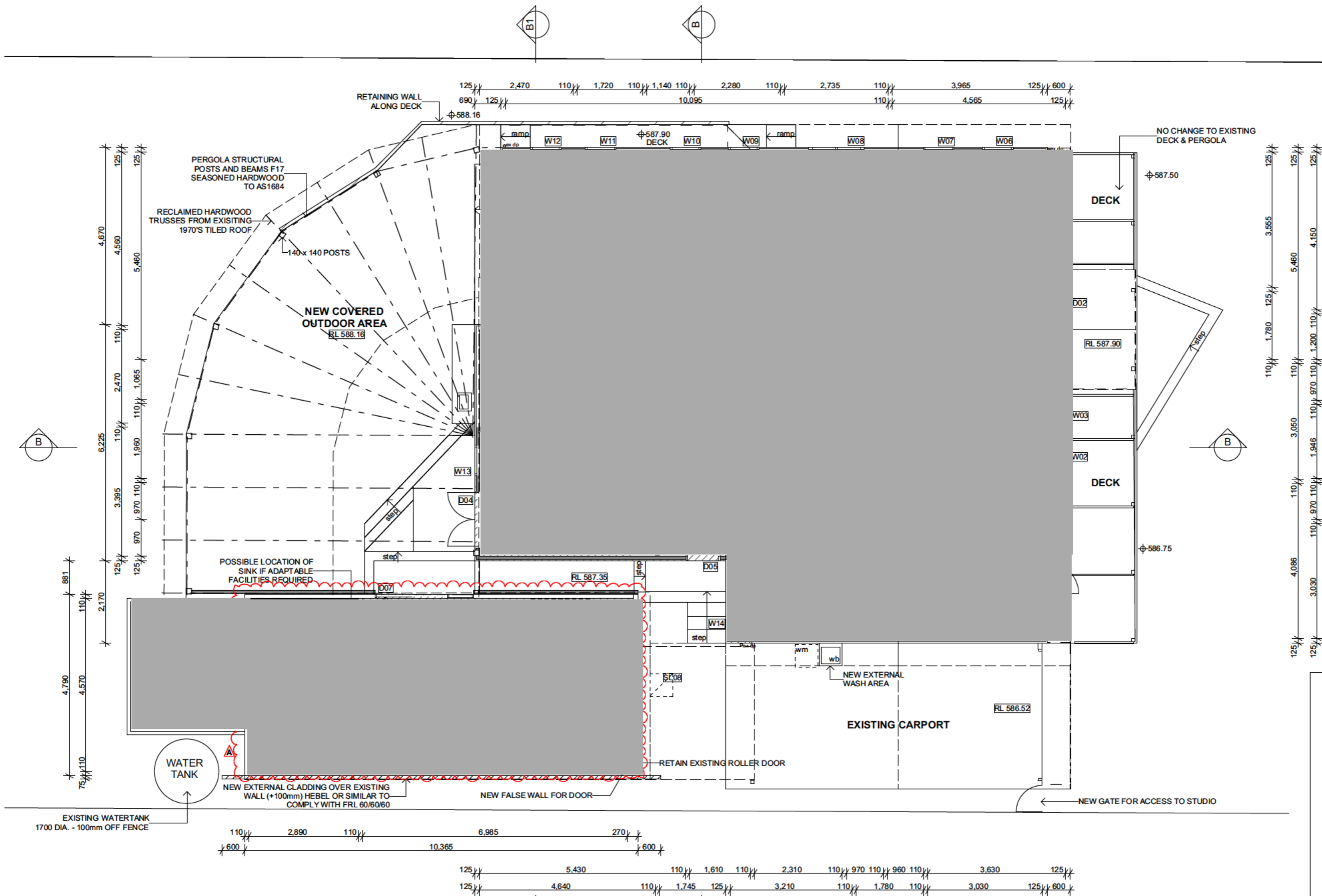
If you would like to discuss this matter further please telephone me on 6205 9875.

Yours sincerely

Ms Fawzia Majid

30 January 2018





- NOTES**
 MECHANICAL VENTILATION
 NEW DUCTED MECHANICAL VENTILATION WITH SEALED DAMPER TO PANTRY, ENSUITE, LAUNDRY, WC, & BATHROOM
- LEGEND**
- AREA OF RENOVATION
 - NEW WALLS
 - EXISTING WALLS
 - FP FIREPLACE- ELECTRIC
 - AIR RETURN AIR
 - LIN. LINEN
 - ROBE BUILT IN ROBE
 - TUB TUB
 - WM WASHING MACHINE
 - WB WASHBASIN
 - SHR SHOWER
 - BTH BATH
 - WC WATER CLOSET / TOILET
 - W01 NEW WINDOW
 - D01 NEW DOOR
 - SL01 NEW SKYLIGHTS

NOTE
 An adaptable housing unit is to be designed in such a way that it can be modified easily in the future to become accessible to both occupants and visitors with disabilities or progressive frailties. Refer to AS4299-1995 Adaptable Housing for additional information.

Almargi Design
 M. 0448 119 722
 E. alson@almargidesign.com

The builder shall check and verify all dimensions and verify all errors and omissions to the Owner. Do not scale the drawings. All measurements in millimeters unless noted otherwise. Material and workmanship to be in accordance with the Building Code of Australia, Australian Standards, The Building Act & all other relevant codes. © Copyright. No part of this drawing may be used or reproduced without the permission of Almargi Design.

AMENDMENTS
 A 07.01.18 ADAPTABLE HOUSING REQUIREMENTS SHOWN

CLIENT
M & N FREE
 PROJECT LOCATION
 Block 7 Section 65
 43 COCKLE STREET
 O'CONNOR ACT 2602

DRAWING
Ground Floor Plan
 ISSUE FOR DA 19-Jan-18
 JOB NO A16014

SCALE
 1:100 @ A3
A04A

From: Adams, Courtney
Sent: Friday, 15 December 2017 11:37 AM
To: almargidesign@gmail.com
Cc: michaelfree69@gmail.com
Subject: NOTICE OF DECISION-201732775-7/65 O'CONNOR-01 [SEC=UNCLASSIFIED]
Attachments: NOTICE OF DECISION-201732775-SIGNED.PDF; Attachment 1.pdf

Good Morning,

Please see attached Notice of Decision for Block 7 Section 65 Suburb O'Conn
Development Application No: 201732775

For further information please contact Fawzia Majid on 6205 9875 or email fawzia.majid@act.gov.au

Kind regards,

Courtney Adams | Customer service officer

Access Canberra | ACT Government

Environment, Planning and Land Building Services

16 Challis Street, Dickson | 8 Darling Street, Mitchell

Phone: 02 6207 1923 | Email: EPDCustomerServices@act.gov.au

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



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

From: EPD, Customer Services
Sent: Friday, 27 March 2020 9:31 AM
To: almargidesign@gmail.com; michaelfree69@gmail.com
Subject: NOTICE OF DECISION & APPROVED PLANS-201732775-S197B-7/65 O'CONNOR-01 [SEC=UNCLASSIFIED]
Attachments: NOTICE OF DECISION-201732775-S197B-7_65 O'CONNOR-SIGNED.PDF; % DEMO-201732775-S197B-01.pdf; %FLOORASSESS-201732775-S197B-01.pdf; % FLOORASSESS-201732775-S197B-02.pdf; ELEV-201732775-S197B-01.pdf; ELEV-201732775-S197B-02.pdf; FLOORREG-201732775-S197B-01.pdf; SECTION-201732775-S197B-01.pdf; SECTION-201732775-S197B-02.pdf; SECTION-201732775-S197B-03.pdf; SITE-201732775-S197B-01.pdf; Evoenergy Application Decision. Application - 181021. O'Connor - 7/65 (Email 1 of 2); Evoenergy Application Decision. Application - 181021. O'Connor - 7/65 (Email 2 of 2)

Email 1 of 2

Good morning,

Please see attached Notice of Decision, Approved Plans & Entity Advice for Block 7 Section 65 Suburb O'CONNOR
Development Application No: 201732775-S197B

For further information please contact: 6207 6383.

Online Form: https://www.accesscanberra.act.gov.au/app/forms/epd_feedback

Kind Regards

Emil George

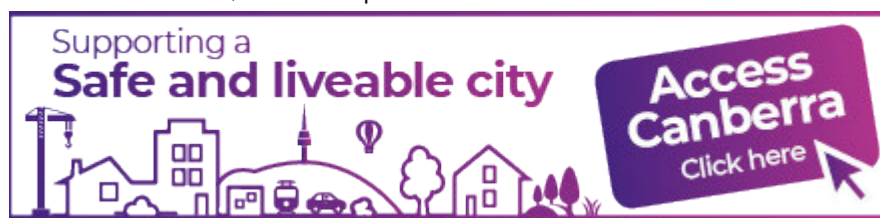
Phone 6207 1923

EPDCustomerServices@act.gov.au

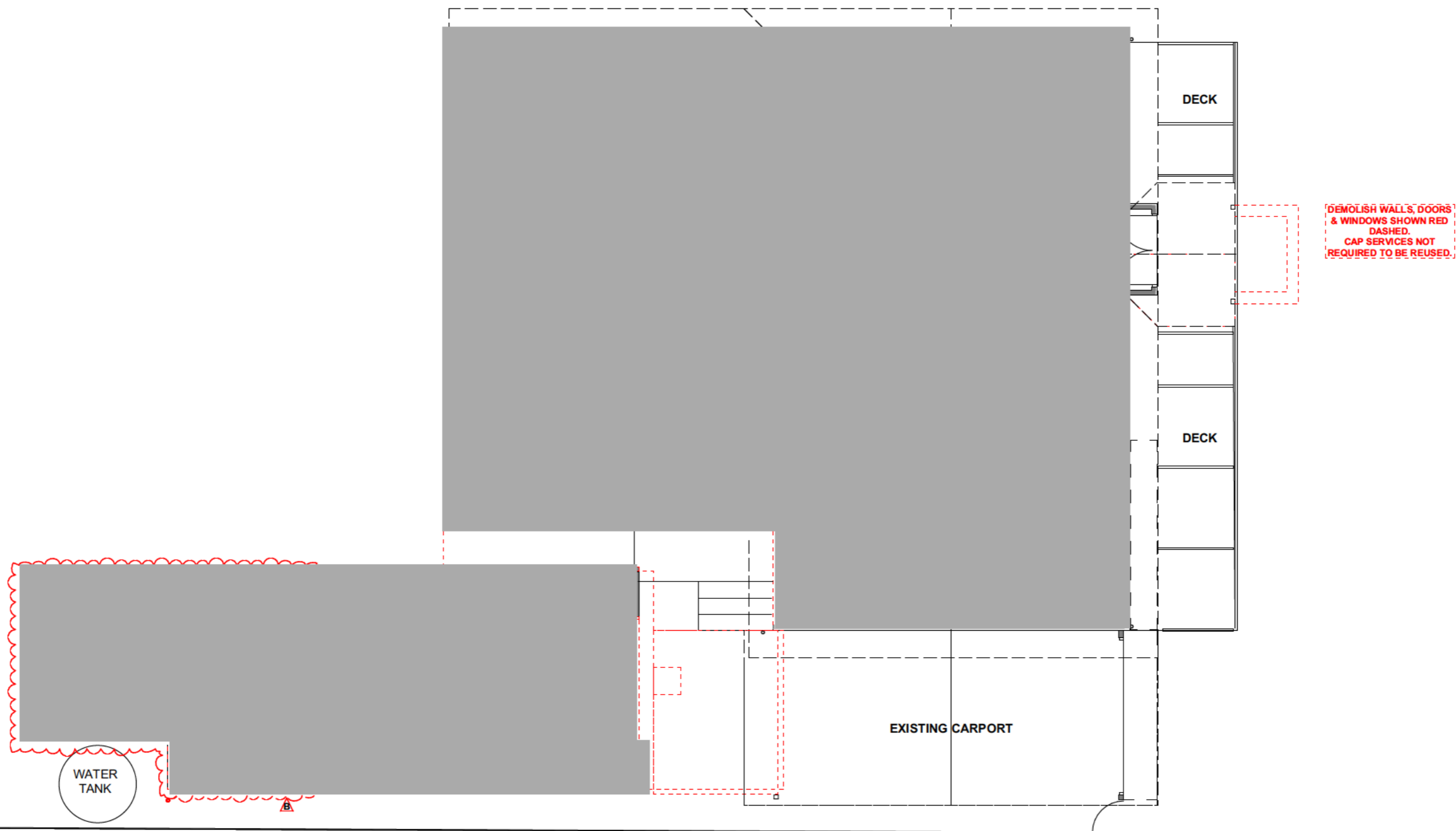
www.act.gov.au/accesscbr

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



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AMENDMENT TO DA201732775

SEE A01 FOR DETAILS

Almargi Design
 M. 0448 119 722
 E. alson@almargidesign.com

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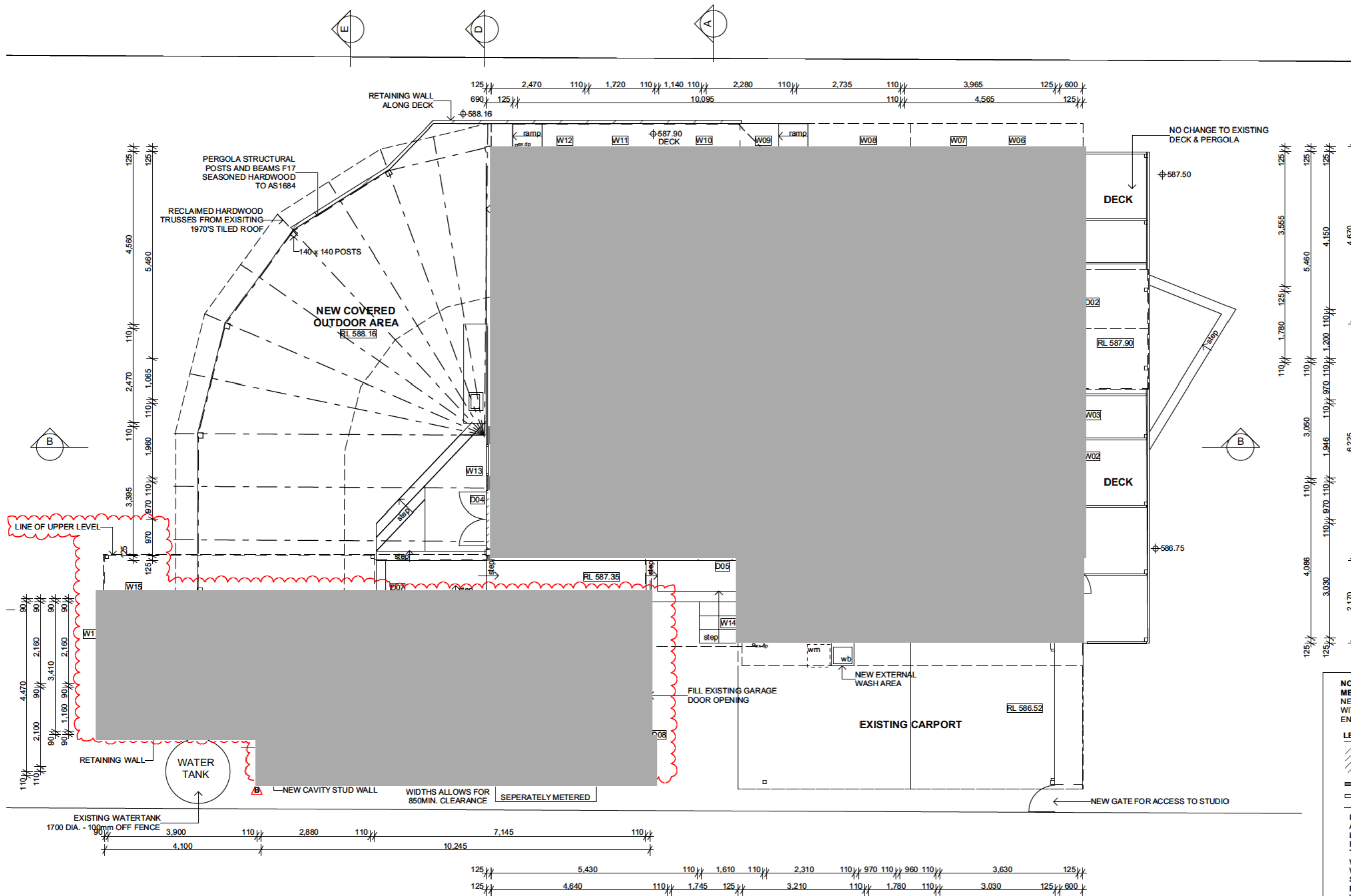
AMENDMENTS
 B 26.11.19 EXISTING SHED & REAR GARAGE ALTERED

CLIENT
M & N FREE
 PROJECT LOCATION
 Block 7 Section 65
 43 COCKLE STREET
 O'CONNOR ACT 2602



DRAWING
Demolition Plan
 ISSUE
 AMENDED DA
 05-Dec-19
 JOB NO
 A19019

SCALE
 1:100 @ A3
A02-B



- NOTES**
MECHANICAL VENTILATION
 NEW DUCTED MECHANICAL VENTILATION WITH SEALED DAMPER TO PANTRY, ENSUITE, LAUNDRY, WC, & BATHROOM
- LEGEND**
- AREA OF RENOVATION
 - NEW WALLS
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- FP FIREPLACE- ELECTRIC
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 - SHR SHOWER
 - BTH BATH
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 - W01 NEW WINDOW
 - D01 NEW DOOR
 - SLO1 NEW SKYLIGHTS

NOTE
 An adaptable housing unit is to be designed in such a way that it can be modified easily in the future to become accessible to both occupants and visitors with disabilities or progressive frailties. Refer to AS4299-1995 Adaptable Housing for additional information.

AMENDMENT TO DA201732775
 SEE A01 FOR DETAILS

Almargi Design
 M. 0448 119 722
 E. alison@almargidesign.com

The builder shall check and verify all dimensions and verify all errors and omissions to the Owner. Do not scale the drawings. All measurements in millimeters unless noted otherwise. Material and workmanship to be in accordance with the Building Code of Australia, Australian Standards, The Building Act & all other relevant codes. © Copyright. No part of this drawing may be used or reproduced without the permission of Almargi Design.

AMENDMENTS

A	07.01.18	ADAPTABLE HOUSING REQUIREMENTS SHOWN
B	26.11.19	AREA ADDED TO STUDIO, SWIM SPA AND FENCE ADDED

CLIENT
M & N FREE

PROJECT LOCATION
 Block 7 Section 65
 43 COCKLE STREET
 O'CONNOR ACT 2602

DRAWING
Ground Floor Plan

ISSUE
AMENDED DA
 05-Dec-19

JOB NO
A19019

SCALE
 1:100 @ A3

A04_B

From: basubmission_electricity@Evoenergy.com.au
Sent: Tuesday, 14 January 2020 12:44 PM
To: EPD, Customer Services
Subject: Evoenergy Application Decision. Application - 181021. O'Connor - 7/65 (Email 1 of 2)
Attachments: Conditional Approval Electricity181021.pdf; %DEMO-201732775-S197B-01.pdf; %FLOORASSESS-201732775-S197B-01.pdf; %FLOORASSESS-201732775-S197B-02.pdf; ELEV-201732775-S197B-01.pdf; ELEV-201732775-S197B-02.pdf; SECTION-201732775-S197B-01.pdf

Evoenergy

Approval ID : 181021, O'Connor 7 /65

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

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

Separate compliance statements may be required from other entities.

Regards

David Newton

[Evoenergy](#)

Telephone 02 6293 5770

Facsimile 02 6293 5762

Email devapp@evoenergy.com.au

GPO Box 366 Canberra ACT 2601

www.evoenergy.com.au

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Any views expressed in this message are those of the individual sender, except where the sender expressly, and with authority, states them to be the views of the organisation.

From: basubmission_electricity@Evoenergy.com.au
Sent: Tuesday, 14 January 2020 12:44 PM
To: EPD, Customer Services
Subject: Evoenergy Application Decision. Application - 181021. O'Connor - 7/65 (Email 2 of 2)
Attachments: SECTION-201732775-S197B-02.pdf; SECTION-201732775-S197B-03.pdf; SITE-201732775-S197B-01.pdf; 3811_004 (plt).pdf

Evoenergy

Approval ID : 181021, O'Connor 7 /65

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

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

Separate compliance statements may be required from other entities.

Regards

David Newton

[Evoenergy](#)

Telephone 02 6293 5770

Facsimile 02 6293 5762

Email devapp@evoenergy.com.au

GPO Box 366 Canberra ACT 2601

www.evoenergy.com.au

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Any views expressed in this message are those of the individual sender, except where the sender expressly, and with authority, states them to be the views of the organisation.

From: EPD, Customer Services
Sent: Friday, 27 March 2020 9:31 AM
To: almargidesign@gmail.com; michaelfree69@gmail.com
Subject: NOTICE OF DECISION & APPROVED PLANS-201732775-S197B-7/65 O'CONNOR-02 [SEC=UNCLASSIFIED]
Attachments: Evoenergy - Notification of Building Application - Application ID : 181021 (Email 1 of 2); Icon Water Application Decision. Application - 180987. O'Connor - 7/65 (Email 1 of 2); Icon Water Application Decision. Application - 180987. O'Connor - 7/65 (Email 2 of 2)

Email 2 of 2

Good morning,

Please see attached Notice of Decision, Approved Plans & Entity Advice for Block 7 Section 65 Suburb O'CONNOR
Development Application No: 201732775-S197B

For further information please contact: 6207 6383.
Online Form: https://www.accesscanberra.act.gov.au/app/forms/epd_feedback

Kind Regards

Emil George
Phone 6207 1923
EPDCustomerServices@act.gov.au
www.act.gov.au/accesscbr

Access Canberra | ACT Government

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



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From: [REDACTED] on behalf of Evoenergy
Sent: Tuesday, 14 January 2020 12:44 PM
To: EPD, Customer Services
Subject: Evoenergy - Notification of Building Application - Application ID : 181021 (Email 1 of 2)
Attachments: Gas Conditional Compliance Statement_181021.pdf; Exclusion Zone - Domestic Meter Installations.pdf; Gas Metering Equipment - Prohibited Locations.pdf; Information sheet.pdf; Meter Exclusion Zone.pdf; %DEMO-201732775-S197B-01_Gas.pdf; %FLOORASSESS-201732775-S197B-01_Gas.pdf; %FLOORASSESS-201732775-S197B-02_Gas.pdf; ELEV-201732775-S197B-01_Gas.pdf; ELEV-201732775-S197B-02_Gas.pdf; SECTION-201732775-S197B-01_Gas.pdf

Your application has been assessed by Evoenergy and conditionally complies with our Gas Networks requirements.

Please find attached, your stamped plans together with a statement of conditional compliance, which indicates Evoenergy's conditions of approval.

Separate compliance statements are required from other utilities (eg: electricity, water and sewerage, stormwater and communications)

Regards

Steve Donnelly

Network Development Manager

Jemena

Unit 1, 5-7 Johns Place, Hume, ACT 2620

(02) 6192 6270 | [REDACTED]

[REDACTED] | www.jemena.com.au

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CONDITIONALLY COMPLIES

This document has been assessed against legislation protecting Evoenergy's infrastructure and access to it

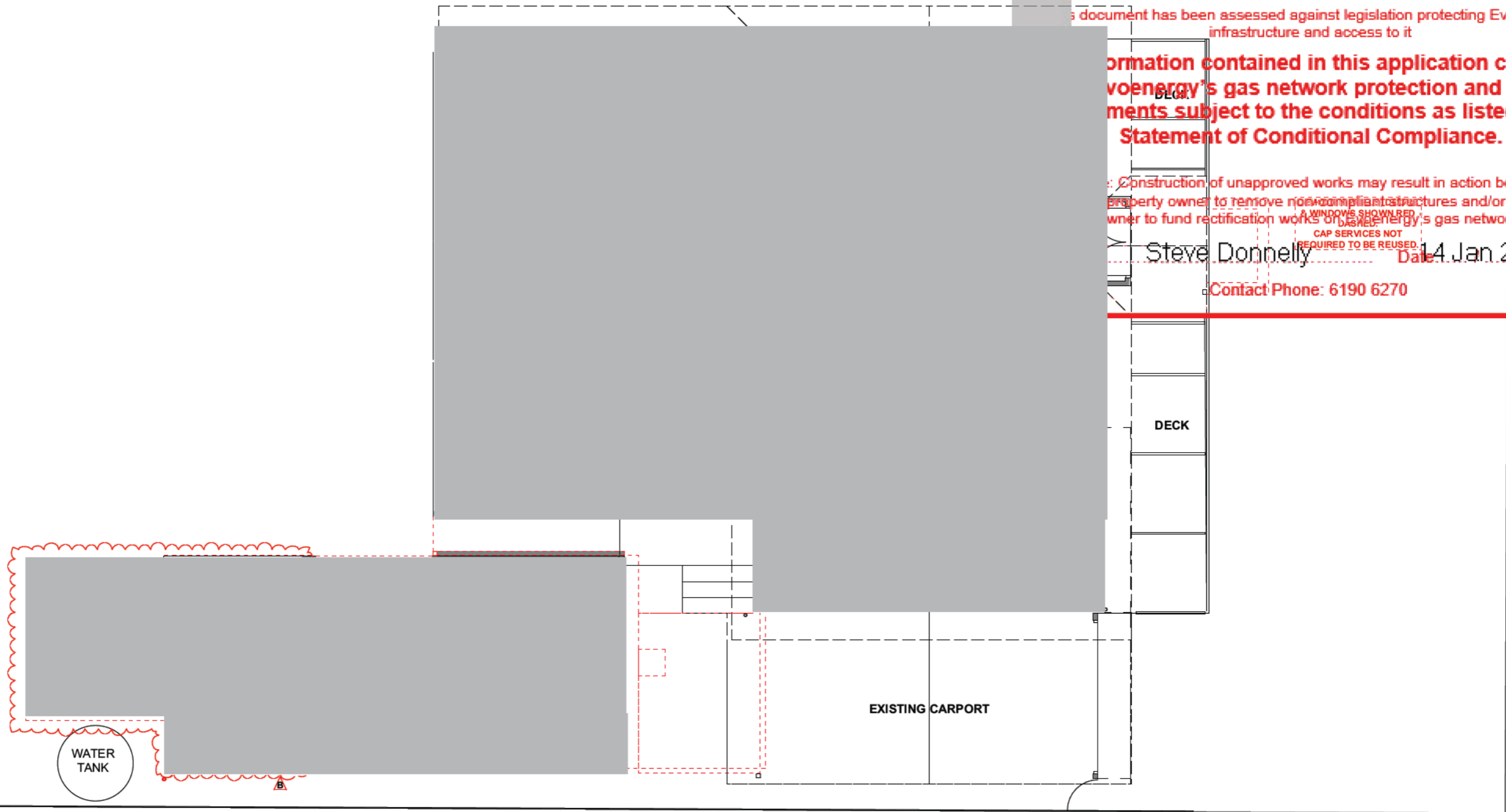
Information contained in this application complies with Evoenergy's gas network protection and access requirements subject to the conditions as listed on the Statement of Conditional Compliance.

Construction of unapproved works may result in action being taken to remove non-compliant structures and/or the property owner to fund rectification works on Evoenergy's gas network.

Steve Donnelly

Date: 14 Jan 2020

Contact Phone: 6190 6270



AMENDMENT TO DA201732775

SEE A01 FOR DETAILS

Almargi Design

M. 0448 119 722
E. alison@almargidesign.com

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AMENDMENTS
B 26.11.19 EXISTING SHED & REAR GARAGE ALTERED

CLIENT
M & N FREE

PROJECT LOCATION
Block 7 Section 65
43 COCKLE STREET
O'CONNOR ACT 2602



DRAWING
Demolition Plan
ISSUE
AMENDED DA
05-Dec-19
JOB NO
A19019

SCALE
1:100 @ A3

A02-B

Application Number

181021

Sheet

2 of 0

Gas Networks

CONDITIONALLY COMPLIES

document has been assessed against legislation protecting Evoenergy's infrastructure and access to it

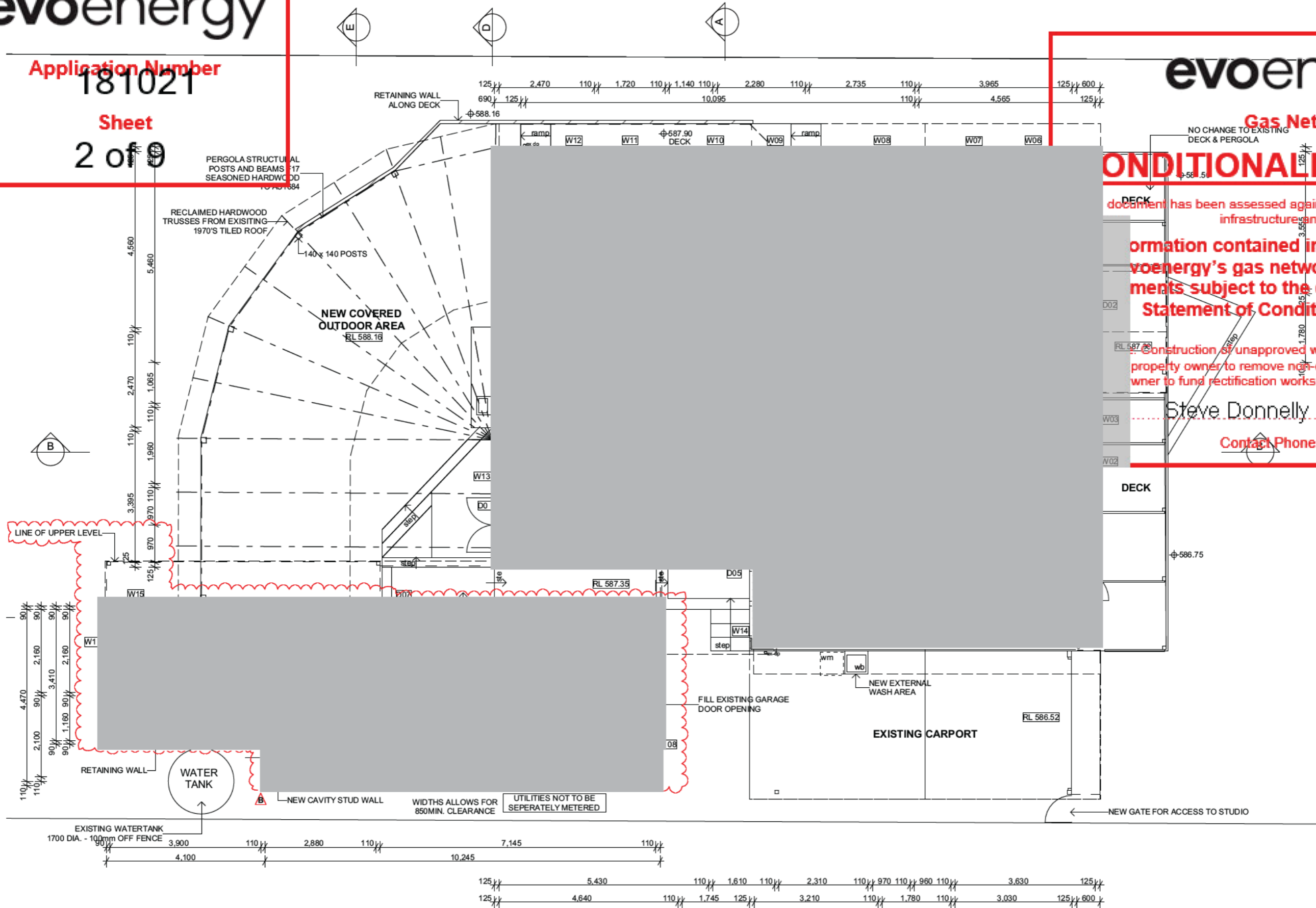
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Steve Donnelly

Date: 14 Jan 2020

Contact Phone: 8190 6870



- NOTES**
 MECHANICAL VENTILATION
 NEW DUCTED MECHANICAL VENTILATION WITH SEALED DAMPER TO PANTRY, ENSUITE, LAUNDRY, WC, & BATHROOM
- LEGEND**
- AREA OF RENOVATION
 - NEW WALLS
 - EXISTING WALLS
 - FP FIREPLACE- ELECTRIC
 - AIR RETURN AIR
 - LIN. LINEN
 - ROBE BUILT IN ROBE
 - TUB TUB
 - WM WASHING MACHINE
 - WB WASHBASIN
 - SHR SHOWER
 - BTH BATH
 - WC WATER CLOSET / TOILET
 - W01 NEW WINDOW
 - D01 NEW DOOR
 - SLO1 NEW SKYLIGHTS

NOTE
 An adaptable housing unit is to be designed in such a way that it can be modified easily in the future to become accessible to both occupants and visitors with disabilities or progressive frailties. Refer to AS4299-1995 Adaptable Housing for additional information.

AMENDMENT TO DA201732775

SEE A01 FOR DETAILS

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 M. 0448 119 722
 E. alison@almargidesign.com

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AMENDMENTS
 A 07.01.18 ADAPTABLE HOUSING REQUIREMENTS SHOWN
 B 26.11.19 AREA ADDED TO STUDIO, SWIM SPA AND FENCE ADDED

CLIENT
M & N FREE

PROJECT LOCATION
 Block 7 Section 65
 43 COCKLE STREET
 O'CONNOR ACT 2602

DRAWING
Ground Floor Plan

ISSUE
AMENDED DA
 05-Dec-19
 JOB NO
A19019

SCALE
 1:100 @ A3

A04_B

CONDITIONALLY COMPLIES

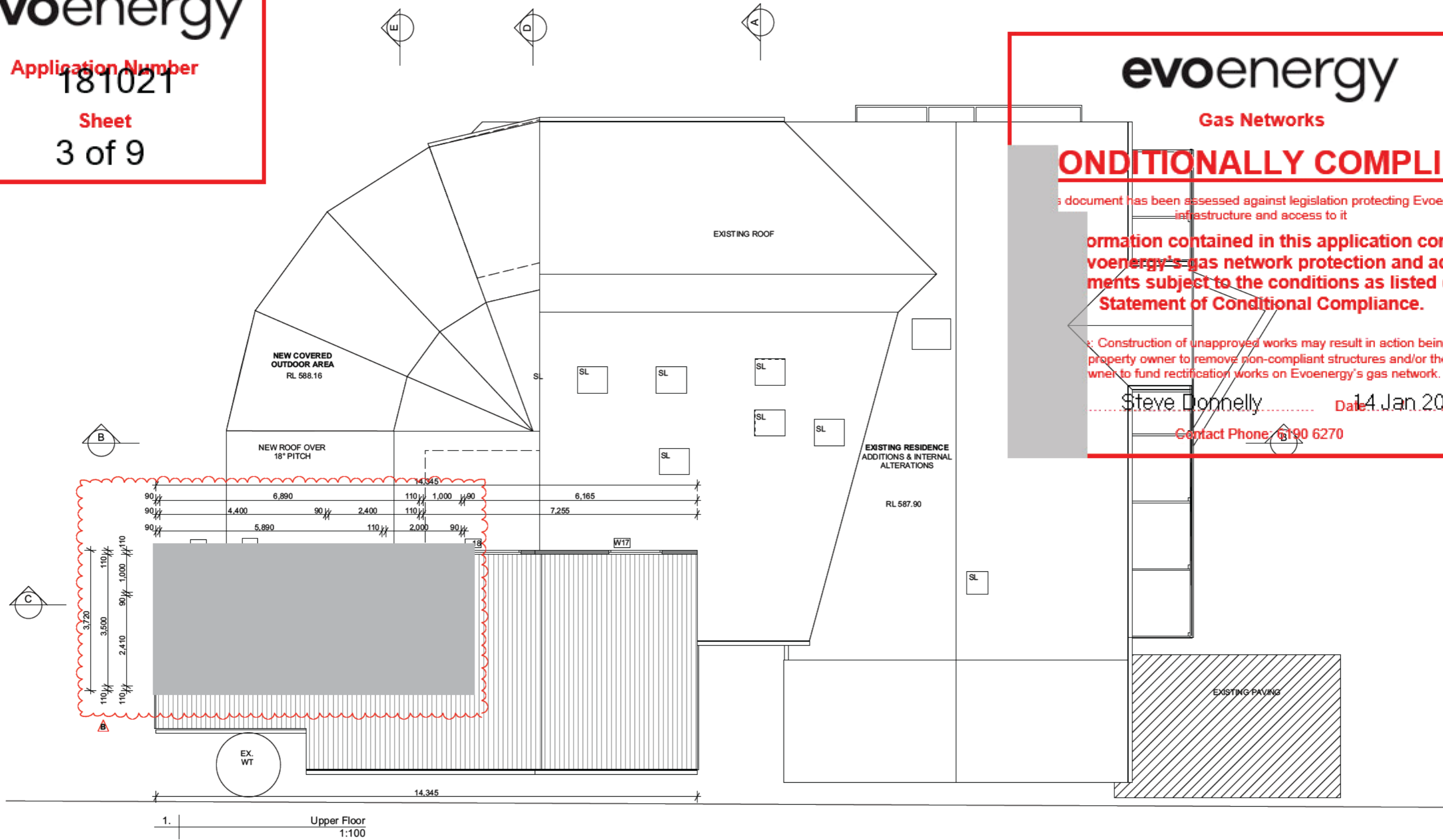
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Steve Donnelly Date: 14 Jan 2020

Contact Phone: 6190 6270



1. Upper Floor
1:100

AMENDMENT TO DA201732775

SEE A01 FOR DETAILS

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M. 0448 119 722
E. alison@almargidesign.com

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AMENDMENTS
B 26.11.19 UPPER LEVEL ADDED TO STUDIO

CLIENT
M & N FREE
PROJECT LOCATION
Block 7 Section 65
43 COCKLE STREET
O'CONNOR ACT 2602

DRAWING
Upper Level Plan
ISSUE
AMENDED DA
05-Dec-19
JOB NO
A19019

SCALE
1:100 @ A3
A05_B

From: developmentapplications@iconwater.com.au
To: [EPD, Customer Services](#)
Subject: Icon Water Application Decision. Application - 180987. O'Connor - 7/65 (Email 1 of 2)
Date: Tuesday, 7 January 2020 11:10:11 AM
Attachments: [Conditional Acceptance180987.pdf](#)
[%DEMO-201732775-S197B-01.pdf](#)
[%FLOORASSESS-201732775-S197B-01.pdf](#)
[%FLOORASSESS-201732775-S197B-02.pdf](#)
[APP-201732775-S197B-01.pdf](#)
[ELEV-201732775-S197B-01.pdf](#)
[ELEV-201732775-S197B-02.pdf](#)
[FLOORREG-201732775-S197B-01.pdf](#)
[SECTION-201732775-S197B-01.pdf](#)

Icon Water

Approval ID : 180987, O'Connor 7 /65

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

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

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

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

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

Future applications

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

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

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

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

Regards

Andrew Ingold

[Building Approvals and Network Protection](#)

[Icon Water](#)

Telephone 02 6248 3111

Facsimile 02 6242 1459

Email developmentapplications@iconwater.com.au

GPO Box 366 Canberra ACT 2601

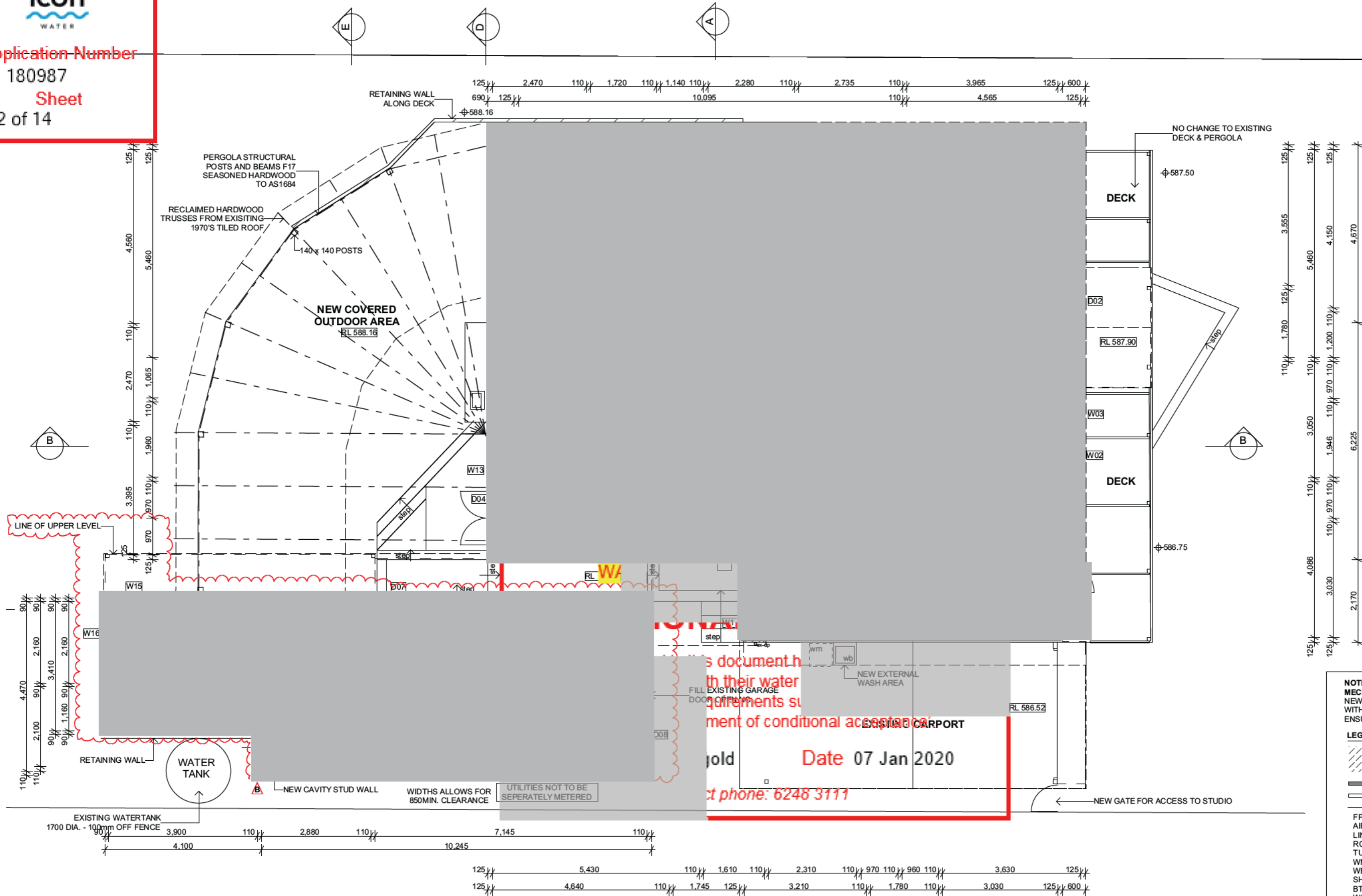
www.iconwater.com.au

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 - SL01 NEW SKYLIGHTS

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AMENDMENT TO DA201732775
SEE A01 FOR DETAILS

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AMENDMENTS

A	07.01.18	ADAPTABLE HOUSING REQUIREMENTS SHOWN
B	26.11.19	AREA ADDED TO STUDIO, SWIM SPA AND FENCE ADDED

CLIENT
M & N FREE

PROJECT LOCATION
Block 7 Section 65
43 COCKLE STREET
O'CONNOR ACT 2602

DRAWING
Ground Floor Plan

ISSUE
AMENDED DA
05-Dec-19

JOB NO
A19019

SCALE
1:100 @ A3

A04_B

From: developmentapplications@iconwater.com.au
To: [EPD, Customer Services](#)
Subject: Icon Water Application Decision. Application - 180987. O'Connor - 7/65 (Email 2 of 2)
Date: Tuesday, 7 January 2020 11:09:51 AM
Attachments: [SECTION-201732775-S197B-02.pdf](#)
[SECTION-201732775-S197B-03.pdf](#)
[SITE-201732775-S197B-01.pdf](#)
[SOLAR-201732775-S197B-01.pdf](#)

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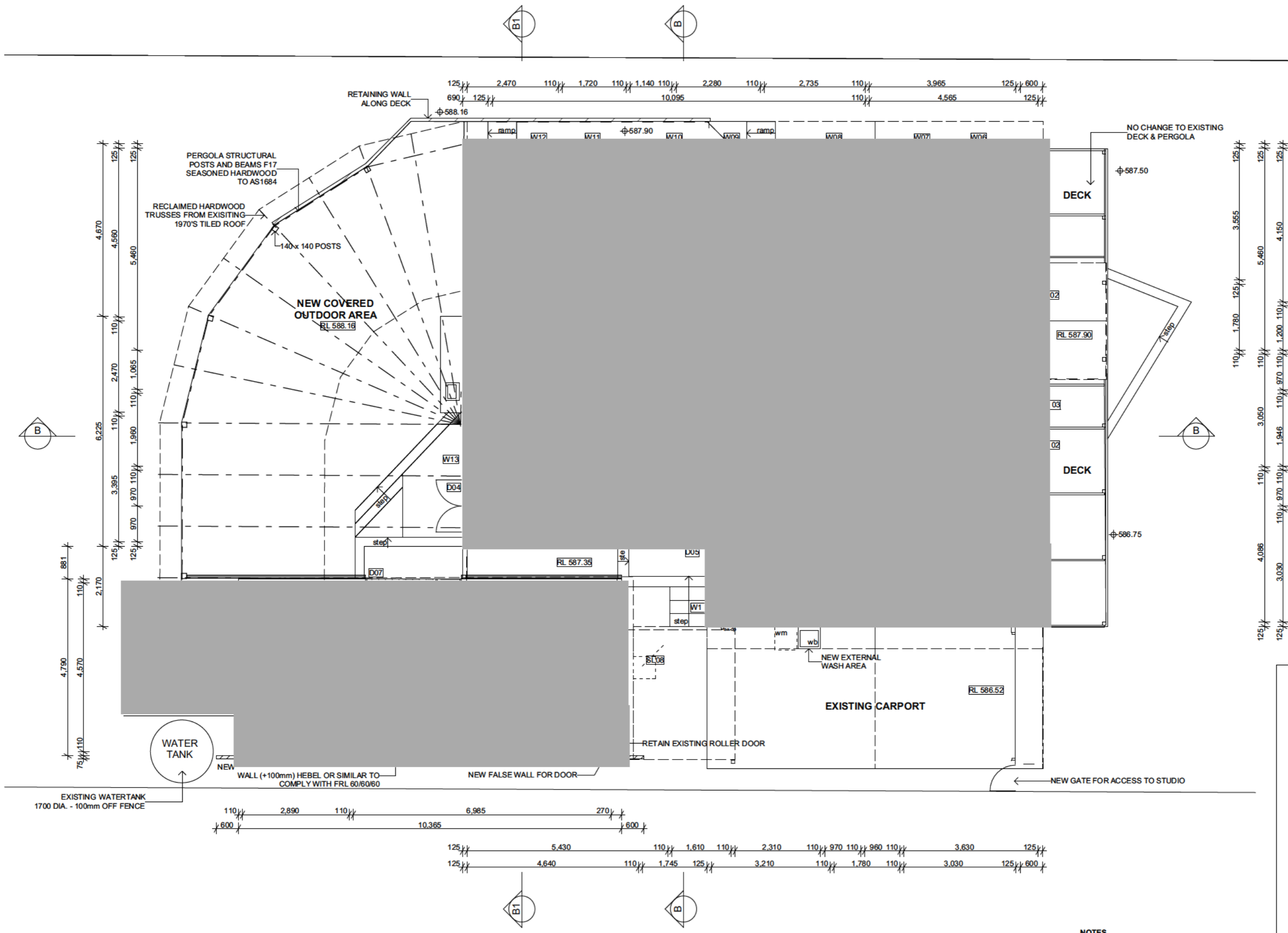
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 - WASHBASIN
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 - WATER CLOSET / TOILET
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 - NEW DOOR
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NOTES

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 E. alson@almargidesign.com

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CLIENT
M & N FREE

PROJECT LOCATION
 Block 7 Section 65
 43 COCKLE STREET
 O'CONNOR ACT 2602

DRAWING
Ground Floor Plan

ISSUE
FOR DA
 09-Oct-17

JOB NO
A16014

SCALE
 1:100 @ A3

A04

From: Gell, Chris
Sent: Wednesday, 14 June 2023 8:40 PM
To: 'almargidesign@gmail.com'; 'michaelfree69@gmail.com'
Cc: Bond, Mathew
Subject: Formal Correction - Notice of Decision 201732775-S197B
Attachments: DA-201732775 - Formal Correction Letter.pdf

OFFICIAL

Hi Alison and Michael

As discussed with Michael, the development at Block 7, Section 65 O'Connor, approved by Development Application 201732775 has stalled & requires intervention so it can be completed.

The original Notice of Decision was signed 15/12/2017, but contained no commencement or completion times. This is specified in the Planning and Development Act 2007, however should have been included in the decision so it was clear.

At that time, the construction should have commenced by 15/12/2019 (within two years).

The 197B amendment application was lodged 13/12/2019 and approved 26/3/2020, again without commencement or completion dates included. A Building Commencement Notice was issued 17/7/2020.

I understand a stop work notice was issued, a building survey undertaken indicating construction beyond approved dimensions and advice provided that a new DA was required. A new amendment, 197C was also submitted.

The clearest reasonable solution I see is to issue a correction to the NOD for the S197B amendment to enable construction to commence within three years from the original approval date, and to complete the development within three years of commencement. The three year periods were adopted in response to covid, about the time the decision for 197B was made.

This correction ensures DA201732775 & the 197B amendment is **still active**. In this case, the construction commencement date (17/7/2020) is now within 3 years of the approval taking effect, so is correct. The work is now required to be complete on **17/7/2023**.

Could you please:

- ensure the 197C amendment is correct and reflects the 'as built' heights. This will then require lodgement so it can be assessed.
- Contact Access Canberra & request that DA202341779 be withdrawn (noting it has not been lodged).
- Send an email to me and DAcoordinator@act.gov.au requesting an extension (say 6 months or a year) to complete the approved development. This needs to be done before 17/7/23.

Regards

Chris Gell
Director, Statutory Planning
Environment Planning and Sustainable Development Directorate
P. 02 62072642 e. chris.gell@act.gov.au

From: Gell, Chris
Sent: Wednesday, 14 June 2023 8:40 PM
To: 'almargidesign@gmail.com'; 'michaelfree69@gmail.com'
Cc: Bond, Mathew
Subject: Formal Correction - Notice of Decision 201732775-S197B
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Regards

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Environment Planning and Sustainable Development Directorate
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