

From: [Johnson, MichaelR \(ACTPLA\)](#) on behalf of [aatSecretariat](#)
To: [ACTPLA DA South](#)
Cc: [Jamaly, Rumana](#)
Subject: DUE 2009-02-25-RECONSIDERATION APPLICATION-200812307-16 & 17/13 Mawson
Date: Wednesday, 28 January 2009 4:16:36 PM

DUE 2009-02-25-RECONSIDERATION APPLICATION-200812307-16 & 17/13
Mawson

RECONSIDERATION APPLICATION LODGED: 28/01/09

ORIGINAL DECISION MAKER: Ada Stekhoven

RECONSIDERATION DELEGATE: Rumana Jamaly

DATE OBJECTORS ADVISED: 29/01/09

DATE OBJECTOR SUBMISSIONS DUE: 12/02/09

Do any agencies need to be advised of this reconsideration application?

Case officer-When you have finalised the reconsideration application,
- please complete Part 2 of the reconsideration checklist located in the reconsideration folder;
- email app.sec; &
- bring hard copy of signed decision down to the AAT Coordination Unit.

Regards

Michael Johnson
AAT Coordination Unit

From: [Johnson, MichaelR \(ACTPLA\)](#) on behalf of [aatSecretariat](#)
To: ["devapp@actewagl.com.au"](mailto:devapp@actewagl.com.au); [Edwards, Marc](#); [Rossow, Hilary](#)
Subject: Notice of Decision on reconsideration for DA 200812307 - 13/16 Mawson
Date: Thursday, 26 February 2009 10:00:54 AM

Dear Sir/Madam

Please find attached the Notice of Decision on reconsideration for DA 200812307 - 13/16 Mawson.

Regards

Applications Secretariat
ACT Planning and Land Authority
Ph: 6207 1687
Fax: 6207 7762
app.sec@act.gov.au

From: [Johnson, MichaelR \(ACTPLA\)](#) on behalf of [aatSecretariat](#)
Bcc: [Bayer, Chris](#); [McCann, Miles](#); [REDACTED]
Subject: Notice of reconsideration DA200812307 - 16 & 17/13 Mawson
Date: Thursday, 29 January 2009 10:34:25 AM

Dear Sir / Madam

The ACT Planning and Land Authority (the Authority) has received an Application for Reconsideration for the following Development Application.

<p>Blocks: 16 & 17 Section: 13 Suburb: MAWSON Address: 53 Ainsworth Street Mawson Development Application Number: 200812307</p>
--

The Application for Reconsideration is being applied against:

[Conditions requested to be reconsidered.](#)

Attached is a copy of the additional information supplied by the applicant in relation to the issues they seek to have reviewed.

If you feel that the Application for Reconsideration may affect you in any way, written comments may be forwarded to the Applications Secretariat, GPO Box 365, Mitchell ACT 2601, via e-mail to app.sec@act.gov.au or delivered to the ACT Planning & Land Authority Customer Service Centre, 16 Challis Street, Dickson, by no later than 12 February 2009. Copies of all correspondence received will be forwarded to the applicant and also made available for public inspection.

If you require any further information please contact the Applications Secretariat on
(02) 6207 1687.

Yours sincerely

Applications Secretariat

29 January 2009

From: [Johnson, MichaelR \(ACTPLA\)](#) on behalf of [aatSecretariat](#)
Bcc: [McCann, Miles](#); [REDACTED] [Bayer, Chris](#)
Subject: Notice of decision on reconsideration for DA200812307 - 16/13 Mawson
Date: Thursday, 26 February 2009 9:56:28 AM

Dear Sir/Madam

Letter to Objector after Reconsideration Decision

BLOCK 16, SECTION 13: MAWSON DEVELOPMENT APPLICATION 200812307

I refer to the Application for Reconsideration received by the ACT Planning and Land Authority (the Authority) for the above Development Application. The Authority, after reconsidering the original decision, has confirmed the original decision.

The attached 'Notice of Decision on Reconsideration' sets out the details relating to the reconsideration decision.

A copy of the application for reconsideration and the reconsideration decision are available on the Public Register. The register can be inspected between 8:30am and 4:30pm weekdays at the ACT Planning and Land Authority Customer Service Centre, 16 Challis Street, Dickson, ACT.

If you wish to seek a review of the reconsideration decision with the ACT Civil and Administrative Tribunal (ACAT) you must lodge an application form together with the required fee, within 28 days from the date of this letter to:

ACT Civil and Administrative Tribunal
ACT Magistrates Court Building
Knowles Place
CANBERRA CITY, ACT, 2601

An application form can be obtained from either the ACAT at the ACT Magistrates Court, Knowles Place, Canberra City or from the ACT Planning and Land Authority Customer Service Centre, 16 Challis Street, Dickson. If you require further information about the ACAT's requirements or the review process, their office can be contacted on (02) 6207 1740.

If you apply for a review of the reconsideration decision the Authority will, at the direction of the ACAT, give written notice to the applicant and any interested parties that:

- you have applied to the ACAT for a review of the decision; and
- they are entitled to apply to be made a party to the proceedings for the review.

As this application for reconsideration has confirmed the original decision, the applicant may also apply to the ACAT for a review of the reconsideration decision.

If this occurs you will be advised, and you will be entitled to apply to the Tribunal to be made a party to the proceedings (i.e. you can apply to the Tribunal to attend the review hearings where you will have the opportunity to present your case).

If you require any further information please contact the Applications Secretariat on (02) 6207 1687.

Yours Sincerely

Michael Johnson
ACAT Co-ordination Unit
ACT Planning and Land Authority

25 February 2009

enc.

From: [Jamaly, Rumana](#)
To: ["peter@pb-a.com.au"](mailto:peter@pb-a.com.au)
Cc: [Johnson, MichaelR \(ACTPLA\)](#)
Subject: DA200812307 - Extension of Time to Lodge Application for Reconsideration
Date: Wednesday, 28 January 2009 2:44:00 PM

Mr Peter Byfield,
The Authority agrees to an extension of time until 4 February 2009 to lodge an application for reconsideration for DA200812307.

Regards,
Rumana.



Department Of Education
PO Box 158
CANBERRA CITY ACT 2602

Dear Department of Education

The ACT Planning and Land Authority (the Authority) has received an Application for Reconsideration for the following Development Application.

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Yours sincerely

Applications Secretariat

29 January 2009



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Address: 53 Ainsworth Street Mawson
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Yours sincerely

Applications Secretariat

29 January 2009



[Redacted]

Dear [Redacted]

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Yours sincerely

Applications Secretariat

29 January 2009



Dear 

Letter to Objector after Reconsideration Decision

BLOCK 16, SECTION 13: MAWSON DEVELOPMENT APPLICATION 200812307

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Yours Sincerely

Michael Johnson
ACAT Co-ordination Unit
ACT Planning and Land Authority

25 February 2009

enc.



Department Of Education
Po Box 158
CANBERRA CITY ACT 2602

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Letter to Objector after Reconsideration Decision

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Yours Sincerely

Michael Johnson
ACAT Co-ordination Unit
ACT Planning and Land Authority

25 February 2009

enc.



Dear [REDACTED]

Letter to Objector after Reconsideration Decision

BLOCK 16, SECTION 13: MAWSON DEVELOPMENT APPLICATION 200812307

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If you require any further information please contact the Applications Secretariat on (02) 6207 1687.

Yours Sincerely

Michael Johnson
ACAT Co-ordination Unit
ACT Planning and Land Authority

25 February 2009

enc.

From: [Johnson, MichaelR \(ACTPLA\)](#) on behalf of [aatSecretariat](#)
To: ["peter@pb-a.com.au"](#); ["joneshill@bigpond.com"](#)
Subject: Notice of decision on reconsideration for DA200812307 - 16&17/13 Mawson
Date: Wednesday, 25 February 2009 4:05:04 PM

Dear Sirs

Please find attached a copy of the notice of decision on reconsideration for DA200812307 - 16&17/13 Mawson. A hard copy will follow by post.

Regards

Michael Johnson
Applications Secretariat
ACT Planning and Land Authority
GPO Box 1908
CANBERRA ACT 2601
T - 02 6207 5639
F - 02 6207 7288
E - michaelr.johnson@act.gov.au

From: Davey, Rosslyn on behalf of aatSecretariat
To: [REDACTED]
Subject: RE: Application for Reconsideration DA 200812307, Blocks 16 & 17, Section 13 Mawson
Date: Thursday, 12 February 2009 10:28:00 AM

Dear [REDACTED]

**ACKNOWLEDGEMENT OF RECEIPT OF REPRESENTATION
BLOCK 16+17 SECTION 13 SUBURB MAWSON
DEVELOPMENT APPLICATION No. 200812307**

Thank you for your representation received 12/02/09 regarding the Application for Reconsideration DA-200812307.

The issues raised in your submission will be taken into consideration during the assessment of the application for reconsideration and you will be notified in writing once a decision has been made.

If you require any further information please contact (02) 6207 1687.

Yours sincerely

Applications Secretariat

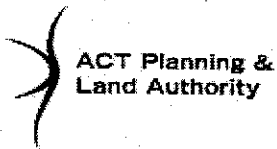
From: [REDACTED]
Sent: Thursday, 12 February 2009 8:22 AM
To: App Sec
Subject: Application for Reconsideration DA 200812307, Blocks 16 & 17, Section 13 Mawson

Dear Sir or Madam,

Please find attached our response to the above Application. We would appreciate you giving due consideration to the matters which we have raised in this response.

Kind Regards,

[REDACTED]



Planning and Development Act 2007, s425

Form 2

APPLICATION FOR RECONSIDERATION

Application for Reconsideration

- Refusal of Development Application** For applications assessed in the Merit and Impact assessment tracks **only** Insert Development Application Number to which this application relates:
 200.....
- Conditions of Approval** For applications assessed in the Code, Merit and Impact assessment tracks Insert Development Application Number to which this application relates:
 200.8.12307...
- Refusal of an Amendment** For amendments assessed in the Merit and Impact assessment tracks **only** Insert amendment number to which this application relates:
 200.....
- Amendment approved with conditions** For amendments assessed in the Code, Merit and Impact assessment tracks Insert amendment number to which this application relates:
 200.....

Please specify grounds on which reconsideration of the original decision is sought:

To satisfy Conditions of Approval so as to improve the parking arrangements on site.

Lease/Site Details Please Print

If more than one lease/site, attach the following details for each lease/site

Block

Section Unit (if applicable)

Suburb

District

Street Number

Street Name

Postcode 2607**Applicant Details** Please Print

Surname	<u>BYFIELD</u>	First Name	<u>PETER</u>
Company Name	<input type="text"/>		
Position held in company	<input type="text"/>	Australian Company Number (ACN)	<input type="text"/>
Postal Address	<u>Suite A 34 Taylor St.</u>		
Suburb	<u>Annandale</u>	State	<u>NSW</u> Postcode <u>2038</u>
Phone Number Business Hours	<u>02-96602255</u>	Mobile	<u>0419 479 002</u>
EMAIL ADDRESS	<u>peter@plb-a-can.au</u>		

Lessee (Property Owners) Details Please Print1st Lessee's Details (or Government Land Manager)

Surname	<u>Hill</u>	First Name	<u>David</u>
Company Name	<u>Hillcorp Developments P/L</u>		
Position held in company	<u>Director</u>	Australian Company Number (ACN)	<input type="text"/>
Postal Address	<u>PO. BOX 3671</u>		
Suburb	<u>MANUKA</u>	State	<u>ACT</u> Postcode <u>2603</u>
Phone Number Business Hours	<input type="text"/>	Mobile	<u>0418 491146</u>
EMAIL ADDRESS	<u>janeshill@bigpond.com</u>		

All lessees must sign authorising the lodgement of this application. In doing so the lessee gives authority to the applicant to negotiate any dealings in relation to the application through to its determination. If there are more than two lessees please ensure that the details and authorisation are attached to the application.

Lessee (Property Owners) Details continued**2nd Lessee's Details (or Government Land Manager)**

Surname	<input type="text"/>	First Name	<input type="text"/>
Company Name	<input type="text"/>		
Position held in company	<input type="text"/>	Australian Company Number (ACN)	<input type="text"/>
Postal Address	<input type="text"/>		
Suburb	<input type="text"/>	State	<input type="text"/>
		Postcode	<input type="text"/>
Phone Number Business Hours	<input type="text"/>	Mobile	<input type="text"/>
EMAIL ADDRESS	<input type="text"/>		

Provision of Notice of Reconsidered Decision

Unless otherwise specified your notice of reconsidered decision will be returned via email

EMAIL POST TO ME HOLD FOR COLLECTION

Documentation Supporting Application

Have you provided documentation to support your application? NO
 YES

Have you amended your plans to support your application? NO
 YES

If YES

Please provide a copy of plans with this application and describe the impact (if any) on other conditions of approval.

1. Increase floor levels of Units 6-9 by 70mm 2. Create basement parking under Units 6-9
3. Relocates Unit 10 to achieve a 4m rear setback
4. Convert parking under Units 1-5 to provide 2 cars per unit
6. Provide wastes enclosure for units 6-9 units.

Exclusion from Public Inspection

In accordance with the requirements of Sections 28 and 30 of the *Planning and Development Act 2007* the ACT Planning and Land Authority must make the details and associated documents relevant to a development application available for public inspection.

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

Exclusion from Public Inspection Requested

YES
 NO

If Yes – please indicate under which section of Planning & Development Act 2007

- S.411(5) Restriction on Public Availability
- *S.412(1) Restriction on Public Availability SECURITY

Please specify the information to be excluded from public inspection and provide reasons for exclusion:

* if exclusion is requested under Section 412(1) a letter, signed by a justice Minister, certifying this request satisfies the requirements of the Planning and Development Act 2007 **must** accompany this application.

Conflict of Interest Declaration

Does the applicant or lessee have any association with ACT Planning and Land Authority staff? NO
 YES

If YES please provide details:

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

Applicant and Lessee Declaration

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

I/we declare that this application is accompanied by all of the required information or documents that address the relevant rules and/or relevant criteria for it to be considered for approval;

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

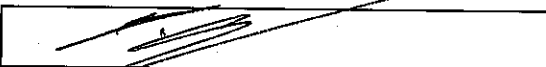
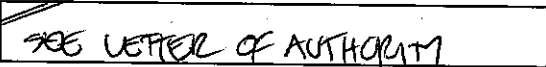
I/we understand that this application will be electronically scanned. All documentation will be made available for public inspection unless exclusion has been approved;

I/we the undersigned (lessee) appoint the applicant whose signature appears below to act on my/our behalf in relation to this Development Application. This authorises the applicant to pay all application fees, bonds and securities, liaise with the ACT Planning and Land Authority when required, alter, amend or provide further information as necessary and receive any communications relating to this application.

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

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

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

Applicant Signature (s)		Date	<input type="text" value="27-1-09"/>
1 st Lessee's Signature		Date	<input type="text"/>
2 nd Lessee's Signature	<input type="text"/>	Date	<input type="text"/>
Govt Land Managers Signature (unleased land only)	<input type="text"/>	Date	<input type="text"/>
Delegate of ACTPLA (unleased land only)	<input type="text"/>	Date	<input type="text"/>

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 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. The *Planning and Development Act 2007* requires the details of applications, decisions and orders to be kept on a register and made available for public inspection. Information and documentation relevant to a development application may be made available via the Internet.

Contact Details:

ACT Planning and Land Authority
 Customer Service Centre
 GPO Box 1908, Canberra City 2601
 16 Challis Street, Dickson ACT 2602
 Business Hours: 8.30am to 4.30pm weekdays (excluding Public Holidays)
 Phone: (02) 6207 1923 Fax: (02) 6207 1925 TTY: (02) 6207 2622
 Email: actpla.customer.services@act.gov.au Website: www.actpla.act.gov.au

8 July 2008

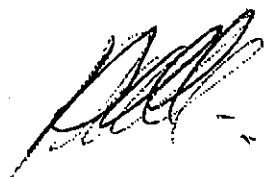
Hillcorp Developments Pty Ltd
PO Box 3671
Manuka ACT 2603

ACTPLA
Application Secretariat
PO Box 1908
Canberra City ACT 2601

Re: Development Application - blocks 16+17 section 13 Mawson

This letter serves to authorise Peter Byfield, of Peter Byfield + Associates Pty Ltd to make enquiry, attend meetings and submit application/s for the proposed townhouses to replace the existing houses at the properties referred to above.

Signed





ACT Planning and Land Authority

Tax Invoice/Receipt

ABN 46 346 672 655
 16 Challis Street Dickson
 GPO Box 1030 Canberra ACT 2601
 ACTPLA Homepage: www.actpia.act.gov.au

Telephone Enquiries:
 -Customer Service Centre (02) 6207 1923
 -Plan Room (02) 6207 1939
 -Mitchell Office (02) 6207 6262

Receipt No: 784/0017/000008 Date: 28/01/2009 Time: 15:41:04
 PETER BYFIELD
 34 TAYLOR STREET ANNANDALE NSW 7406

Item	Cash	Cheque	Card	EFTPOS	Total	Block/Section	Remarks	Debtor	Invoice Qty	Amount	GST Incl	Total
Application Fees - General	0.00	0.00	140.90	0.00	140.90	000-0016-0013-MAWS + BLOCK 17			0	140.90	0.00	140.90
Total Payments					140.90					140.90	0.00	140.90

Cashier Signature..

From: [App Sec](#)
To: ["Peter Byfield"](#)
Subject: Reconsideration 16/13 Mawson
Date: Thursday, 22 January 2009 8:58:00 AM
Attachments: [reconsideration.pdf](#)

Hi Peter,

I have been advised by development assessment that a reconsideration needs to be lodged for this application. Can you please submit the attached form to App Sec and we will start the process. As the 20 working days after the decision has passed you will need to ask for an extension to time to lodge the reconsideration and the authority will accept this to be lodged.

Kind Regards,

Fred Arugay
Applications Secretariat



Form 2

APPLICATION FOR RECONSIDERATION

Application for Reconsideration

- | | | | |
|--------------------------|---|---|--|
| <input type="checkbox"/> | Refusal of Development Application | For applications assessed in the Merit and Impact assessment tracks only | Insert Development Application Number to which this application relates:
200 |
| <input type="checkbox"/> | Conditions of Approval | For applications assessed in the Code, Merit and Impact assessment tracks | Insert Development Application Number to which this application relates:
200 |
| <input type="checkbox"/> | Refusal of an Amendment | For amendments assessed in the Merit and Impact assessment tracks only | Insert amendment number to which this application relates:
200 |
| <input type="checkbox"/> | Amendment approved with conditions | For amendments assessed in the Code, Merit and Impact assessment tracks | Insert amendment number to which this application relates:
200 |

Please specify grounds on which reconsideration of the original decision is sought:

Lease/Site Details Please Print

If more than one lease/site, attach the following details for each lease/site

Block

Section **Unit (if applicable)**

Suburb

District

Street Number

Street Name

Postcode

Applicant Details Please Print

Surname First Name

Company Name

Position held in company Australian Company Number (ACN)

Postal Address

Suburb State Postcode

Phone Number Business Hours Mobile

EMAIL ADDRESS

Lessee (Property Owners) Details Please Print

1st Lessee's Details (or Government Land Manager)

Surname First Name

Company Name

Position held in company Australian Company Number (ACN)

Postal Address

Suburb State Postcode

Phone Number Business Hours Mobile

EMAIL ADDRESS

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Lessee (Property Owners) Details continued

2nd Lessee's Details (or Government Land Manager)

Surname First Name

Company Name

Position held in company Australian Company Number (ACN)

Postal Address

Suburb State Postcode

Phone Number Business Hours Mobile

EMAIL ADDRESS

Provision of Notice of Reconsidered Decision

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EMAIL POST TO ME HOLD FOR COLLECTION

Documentation Supporting Application

Have you provided documentation to support your application? NO
 YES

Have you amended your plans to support your application? NO
 YES

If YES

Please provide a copy of plans with this application and describe the impact (if any) on other conditions of approval.

Exclusion from Public Inspection

In accordance with the requirements of Sections 28 and 30 of the *Planning and Development Act 2007* the ACT Planning and Land Authority must make the details and associated documents relevant to a development application available for public inspection.

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

Exclusion from Public Inspection Requested

- YES
- NO

If Yes – please indicate under which section of Planning & Development Act 2007

- S.411(5)** Restriction on Public Availability
- *S.412(1)** Restriction on Public Availability SECURITY

Please specify the information to be excluded from public inspection and provide reasons for exclusion:

* if exclusion is requested under Section 412(1) a letter, signed by a justice Minister, certifying this request satisfies the requirements of the Planning and Development Act 2007 **must** accompany this application.

Conflict of Interest Declaration

Does the applicant or lessee have any association with ACT Planning and Land Authority staff? NO YES

If YES please provide details:

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

Applicant and Lessee Declaration

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

I/we declare that this application is accompanied by all of the required information or documents that address the relevant rules and/or relevant criteria for it to be considered for approval;

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

I/we understand that this application will be electronically scanned. All documentation will be made available for public inspection unless exclusion has been approved;

I/we the undersigned (lessee) appoint the applicant whose signature appears below to act on my/our behalf in relation to this Development Application. This authorises the applicant to pay all application fees, bonds and securities, liaise with the ACT Planning and Land Authority when required, alter, amend or provide further information as necessary and receive any communications relating to this application.

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

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

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

Applicant Signature (s)		Date	
1 st Lessee's Signature		Date	
2 nd Lessee's Signature		Date	
Govt Land Managers Signature (unleased land only)		Date	
Delegate of ACTPLA (unleased land only)		Date	

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 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. The *Planning and Development Act 2007* requires the details of applications, decisions and orders to be kept on a register and made available for public inspection. Information and documentation relevant to a development application may be made available via the Internet.

Contact Details:

ACT Planning and Land Authority
 Customer Service Centre
 GPO Box 1908, Canberra City 2601
 16 Challis Street, Dickson ACT 2602
 Business Hours: 8.30am to 4.30pm weekdays (excluding Public Holidays)
 Phone: (02) 6207 1923 Fax: (02) 6207 1925 TTY: (02) 6207 2622
 Email: actpla.customer.services@act.gov.au Website: www.actpla.act.gov.au

PETER BYFIELD
+ Associates Pty Ltd

Telephone
02 9660 2255

Facsimile
02 9660 2254

Suite A, 34 Taylor Street
Annandale NSW 2038

ARCHITECTURE + DESIGN + DEVELOPMENT

peter@pb-a.com.au

ABN 91 008 636 879

27 January 2009

Application Secretariat
GPO Box 1908
Canberra ACT 2601

Dear Sir / Madam

Re DA# 200812307 – blocks 16 + 17 section 13 Mawson

Further to your recent correspondence I wish to seek an extension of time to provide the details sought in the Notice Of Decision for this project, as we were miss informed and submitted the information as 'amendments' rather than as an 'application for reconsideration'.

Thank you for your assistance in this matter.

Yours truly,



Peter Byfield
Mobile 0419 479 022

2004	2002	2002	2002	2002	2001	2000	1998
MBA	MBA	MBA	HIA	HIA	MBA	MBA	MBA
National	National	ACT	ACT	ACT	ACT	ACT	ACT
Display	Display	Display	Display	House of	House of	House of	House of
House of	House of	House of	House of	The Year	The Year	The Year	The Year
The Year	The Year	The Year	The Year				

RECONSIDERATION APPLICATION – CHECKLIST

Part 3: AAT Coordination Unit to complete:

DARTS updated:	<input checked="" type="checkbox"/>	Excel 'Reconsiderations Database' updated:	<input checked="" type="checkbox"/>
Scan Signed NOD (Should be filed under DA files, folder 8-Appeals, Reconsideration)			
Doc name - RECONAPP-200xxxxxx-Signed Recon NOD		Date	25/02/09
Create alias of signed NOD & place alias in 6-Decision folder			<input checked="" type="checkbox"/>
Update note on 6-Decision folder in the DA file with reconsideration decision			<input checked="" type="checkbox"/>
NOD to Application for Reconsideration sent to:			
Applicant &/or Lessee		Date	25/02/09
Enter dispatched details in 'POSTED OR COLLECTED-DA FORM.xls'			<input checked="" type="checkbox"/>
Use F451 Templates to send cover letter to	Objector/s / Commenter/s	Date	26/02/09
	Agencies	Date	26/02/09

From: [Johnson, MichaelR \(ACTPLA\)](#) on behalf of [aatSecretariat](#)
To: ["peter@pb-a.com.au"](mailto:peter@pb-a.com.au)
Subject: Reconsideration payment request - DA200812307 - 16 & 17/13 Mawson
Date: Wednesday, 28 January 2009 3:28:40 PM

Dear Peter Byfield

Thank you for your Application for Reconsideration for Development Application 200812307 - 16 & 17/13 Mawson. Your application is acceptable for lodgement.

Once you have paid the application fee of **\$140.90**, either by credit card on **62071923, online** at <https://forms.act.gov.au/smartform/public/FormServer?formId=1007> or by coming into the counter at **16 Challis Street, Dickson** your application can proceed to the assessment stage.

Regards

Michael Johnson

Applications Secretariat
ACT Planning and Land Authority


From: [REDACTED]
To: [App_Sec](#)
Subject: Application for Reconsideration DA 200812307, Blocks 16 & 17, Section 13 Mawson
Date: Thursday, 12 February 2009 8:22:28 AM
Attachments: [mawson_12_feb.doc](#)

Dear Sir or Madam,

Please find attached our response to the above Application. We would appreciate you giving due consideration to the matters which we have raised in this response.

Kind Regards,

[REDACTED]



ACT Planning and Land Authority
PO Box 365
Mitchell ACT 2911

12 February 2009

Dear Sir or Madam,


Re: Blocks 16 & 17 Section 13, Mawson
53 Ainsworth Street, Mawson
Development Application Number: 200812307

It is with great concern that we read the Application for Reconsideration relating to the above development.

We feel that the increase in floor level of units 6 - 9 will overshadow the decks and living rooms of both units on our property and have an adverse effect on the living amenity in these units. The overshadowing as presented in the reconsideration plan delivers a significant increase in shade to the two units on Block 18 and our original concerns regarding this matter are magnified. We are also concerned about the adequate provision for stormwater and drainage on this site and wonder whether these issues/requirements have been addressed and reconsidered in light of this new proposal. (Please see our original letter of objection regarding these two issues.)

We note that in the Notice of Decision Page 2, Conditions of Approval for Building Works, which was sent to us by your Department, Number 1 (ii) specifies the **removal** of Unit 10. We feel that 9 units on this site, together with the associated vehicles, is a very considerable number and that the inclusion of another unit, No. 10 is totally unreasonable.

Yours sincerely,



From: [Peter Byfield](#)
To: [App Sec](#)
Subject: RE: Reconsideration 16/13 Mawson
Date: Tuesday, 27 January 2009 2:05:40 PM

Dear App Sec / Fred.

Required details attached. Let me know if you need more.

Regards

Peter Byfield

From: App Sec [mailto:App.Sec@act.gov.au]
Sent: Thursday, 22 January 2009 8:58 AM
To: Peter Byfield
Subject: Reconsideration 16/13 Mawson

Hi Peter,

I have been advised by development assessment that a reconsideration needs to be lodged for this application. Can you please submit the attached form to App Sec and we will start the process. As the 20 working days after the decision has passed you will need to ask for an extension to time to lodge the reconsideration and the authority will accept this to be lodged.

Kind Regards,

Fred Arugay
Applications Secretariat

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.



Form

Territory Plan Code Requirements

Merit Track

ASSESSMENT REPORT

RZ2 – Suburban Core

ASSESSMENT OFFICER: Jyoti Pradhan

APPLICATION NUMBER: **200812307 – Reconsideration**

BLOCK: **16 & 17** SECTION: **13**

DIVISION: MAWSON

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 Multi Unit Housing Development Code

The Multi Unit Housing 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.

Part A

Element 1 Building and Site Controls	
Sub-Element: 2.3 Plot Ratio	
Rule: R15	Applicable Criterion: Mandatory requirement
The proposal does not meet the rule because...	
The proposed Plot Ratio does not comply with the required 50%	
GFA Units 1-5 (X) = 384.13 m ²	
GFA Units 1-9 Garages + storage (Y) = 184.11 m ²	
GFA Units 6-9 (Z) = 405.03 m ²	
TOTAL GFA (X + Y + Z) = 973.27 m ²	
Block Area = 1925.10 m ²	
PLOT RATIO = 50.55 %	

Part B

Element 3 Built Form	
Sub-Element: 3.1 Crime Prevention Through Environmental Design	
Rule: Not Applicable	Applicable Criterion: C35
The proposal does not meet the criterion because...	
A CPTED Report has not been provided. However it was not requested in the original NOD and therefore is considered acceptable.	

Element 3 Built Form	
Sub-Element: 3.2 Access and Mobility	
Rule: Not Applicable	Applicable Criterion: C35
The proposal does not meet the criterion because...	
Access and Mobility Report was provided with the original submission however a revised report has not been provided on the revised proposal.	

Element 4 Parking and Site Access	
Sub-Element: 4.1 Traffic Generation	
Rule: Not Applicable	Applicable Criterion: C37
The proposal does not meet the criterion because...	
A Traffic Generation Report has not been provided. However it was not requested in the original NOD and therefore is considered acceptable.	

Element 6 Environment	
Sub-Element: 6.7 Water Sensitive Urban Design – Mains Water Consumption	
Rule: R46	Applicable Criterion: Mandatory requirement
The proposal does not meet the Rule because...	
The design does not provide any evidence that demonstrates application of WSUD principles.	

Element 6 Environment	
Sub-Element: 6.8 Water Sensitive Urban Design – Stormwater Quality & Quantity	
Rule: R47, 48 & 49	Applicable Criterion: No Criteria
The proposal does not meet the Rule because...	
The design does not provide any evidence that demonstrates application of WSUD principles.	

Element 7 Services	
Sub-Element: 7.2 Servicing and Site Management	
Rule: R51	Applicable Criterion: C51
<p>The applicant has revised the design to accommodate Waste Bin Enclosures for Units 6-9. However there is no provision for Unit 10.</p> <p>Reconsideration documentation has been forwarded to Asset Acceptance.</p> <p>Awaiting comments.</p>	

Element 7 Services	
Sub-Element: 7.3 Utilities	
Rule: R52	Applicable Criterion: C52
<p>The applicant has revised the design to achieve required setback from the O/H power line as required by Actew.</p> <p>Reconsideration documentation has been forwarded to Actew – Electricity Division.</p> <p>Awaiting comments.</p>	

Part C

Element 4 Parking and Site Access	
Sub-Element: 4.1 Vehicle Access	
Rule: R72 – i)	Applicable Criterion: C72
<p>The proposal does not meet the Rule i) because...</p> <p>The Site Plan shows access driveway built over the footpath. The footpath is to have precedence.</p> <p>Reconsideration documentation has been forwarded to Asset Acceptance.</p> <p>Awaiting comments.</p>	

Element 4 Parking and Site Access	
Sub-Element: 4.1 Vehicle Access	
Rule: R77 a) and b)	Applicable Criterion: C77
<p>The proposal does not meet the Rule because...</p> <p>a) The access width of Basement parking for Units 6-9 does not comply with the required width of 6.4m for 90 degree parking;</p> <p>b) Width of parking spaces is 2.6m and does not comply with either i) or ii)</p>	

Element 4 Parking and Site Access	
Sub-Element: 4.2 Parking	
Rule: R81 d)	Applicable Criterion: C81
The proposal does not meet the Rule because...	
The width of parking bays in basement is 2.6m and does not comply with the required width of 3.0m	
The length of parking bays in basement is 5.5m and does not comply with the required width of 6.0m	
The proposal does not meet the Criteria because...	
c) the safety of all users, especially pedestrians and cyclists, is NOT considered	

2. Assessment of Compliance with Parking and Vehicular Access General Code

The *Parking and Vehicular Access General Code* is a Code relevant to this proposal. The comments for the criterion or rule identified in the tables below are provided where it is considered warranted to clarify why a particular criterion or rule is either met or not met.

Section 3

3.1.1 Objectives for Residential Zones

b) Safety:

- i) The safety of all users, especially pedestrians and cyclists, is considered: **there is NO separate access/footpath proposed for pedestrians/cyclists, especially accessing Units 6-10. They will have to share the driveway and access ramp leading towards the basement parking.**

3.1.5 Schedules of Parking Provision Rates for Residential Zones

Requirement:

9 two bedroom Units X 2 spaces = 18 spaces

1 two bedroom adaptable Unit X2 spaces = 2 spaces

10 Unit X 0.25 visitor spaces = 2.5 space = 3 spaces

Total required = 23 spaces

Provision:

2 spaces each for Units 1-5 – Individual lock-up garages/1 carport = 10 spaces

2 spaces each for Units 6-9 – basement parking = 8 spaces

2 spaces for adaptable Unit 10 – 1 spaces attached to the Unit and one in basement = 2 spaces

3 spaces at grade for visitors = 3 spaces

Total provided = 23 spaces - COMPLIES

3. Assessment of Compliance with Crime Prevention Through Environmental Design General Code

The *Crime Prevention Through Environmental Design General Code* is a Code relevant to this proposal.

A CPTED Report has not been provided.



DA NO: 200812307	DATE LODGED: 15 August 2008	
DATE OF DECISION: 8 December 2008		
BLOCKS: 16 and 17	SECTION: 13	SUBURB: MAWSON
STREET NO AND NAME: 51 Ainsworth Street Mawson		
APPLICANT: Peter Byfield		
LESSEE: Hillcorp Developments Pty Limited		

THE DECISION

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

I, Ada Schuurmans-Stekhoven, delegate of the ACT Planning and Land Authority, pursuant to section 162 of the Act, hereby **approve subject to conditions** the proposal for:

- **the consolidation of Blocks 16 and 17 and variation of the Crown lease to allow for a minimum of two (2) and maximum of ten (10) dwellings;**
- **the demolition of the detached dwellings and associated structures;**
- **the erection of ten (10) dwelling in the form of two two-storey building including garages; and**
- **car parking and associated landscaping, paving and other site works**

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

Subject to the following conditions being satisfied, this decision permits the use of the land or a building or structure on the land for the purposes of a multi-unit development.

CONDITIONS RELATING TO THE CONSOLIDATION OF CROWN LEASES

Commencement of Building Work

1. that no building work in relation to this Development Application is to commence on the site until the new consolidated Crown lease is registered at the Registrar-General's Office;

Change of Use Charge

2. that if a "Change of Use Charge" is payable, the lessee shall pay it within 28 days of being notified of the amount or within such further time as may be approved by the Planning and Land Authority;

New Block Survey

3. that the lessee shall arrange for a survey of the consolidated block and lodge the survey plan with the Planning and Land Authority Customer Service Centre for examination and clearance by the ACT Government Survey Office, ACT Land Information Centre, Planning and Land Authority and pay the appropriate examination fee;

Surrender and Regrant

4. that the lessee surrender the existing Crown leases over Block 16 Section 13 Division of Mawson (Volume 918 : Folio 11) and Block 17 Section 13 Division of Mawson (Volume 986 : Folio 78) and accept a new Crown lease substantially in accordance with the form of lease appearing at Attachment 1;

Commencement and Termination of Lease

5. that the new Crown lease shall commence on the date of surrender of the existing leases and will terminate on 23 October 2068 or on such further date as may be approved by the Planning and Land Authority under section 254 of the *Planning and Development Act 2007*;

Lease Registration

6. that the lessee shall do all that is necessary to ensure that the new Crown lease giving effect to this approval is registered at the Registrar-General's Office within 14 days of being notified that the Crown lease is available for registration or within such further time as may be approved by the Planning and Land Authority;

Development Covenants

7. that if the lessee wishes to extend the period of time allowable for completion of building work as set out in clause 3(c) of the draft lease they shall be required to submit a development timeframe proposal to demonstrate that the time requested will reasonably be required to complete proposed development on the site;

CONDITIONS OF APPROVAL FOR BUILDING WORKS

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

1. Within 28 days from the date of this decision, or within such further time as may be approved in writing by the ACT Planning and Land Authority, the applicant shall lodge with the ACT Planning and Land Authority for approval:
 - (a) revised drawings, based on the relevant drawings submitted as part of the application, showing:
 - (i) ~~the removal of a visitor car park space in front of Unit 9~~; and **DONE**
 - (ii) the removal of Unit 10 and in its place provide a visitor car park space and common landscape open space. – **NO CHANGE**
 - Note:** *The proposal must provide a minimum of 3 visitor car park spaces on site. Further, all parking facilities shall comply fully with AS/NZS 2890.1 - 2004*
 - (b) details of plans and statements showing the proposed development achieves the mandatory rules regarding the Water Sensitive Urban Design requirements. The applicant/lessee is to refer to Sub-Elements 6.7 and 6.8, General Development Controls of the Multi Unit Housing Development Code. - **NOT PROVIDED**

-
2. A cable reticulation plan, prepared by a suitably qualified person and endorsed by the relevant service providers, showing:
 - (i) underground reticulation of all cables (including electricity, telephone and data);
 - (ii) relevant points of connection (no new poles should be erected);
 - (iii) size and location of associated items (including electrical sub-stations) within the site; and
 - (iv) screening of any electrical sub-station that may be required;
 3. The maximum height of all proposed buildings shall be 8.5m from the natural ground level - . **NO CHANGE – Ht 8.69m**
 4. The rear units (Units 6 to 9) shall be 2.7m setback from overhead power lines that run along the western boundary (adjacent to open public space) in accordance with ActewAGL's requirements;
 5. that the mature height of plants and any structures within a right triangle formed on each side of the driveway with dimensions of 2m along the at front boundary and 2.5m from the front boundary along the edge of the driveway shall not exceed 700mm (to comply with AS 2890.1 –2004).

Note: *The proposed mailbox location must also comply with AS 2890.1-2004.*
 6. The applicant/lessee shall protect and maintain all existing trees and shrubs located on the subject site, on adjoining blocks overhanging the subject site, on the verge and unleased Territory land immediately adjacent, except for those specifically identified for removal in the approved drawings and a Tree Management Plan. Tree protection fencing, if required, shall be erected prior to the commencement of any work on the site.
 7. During building work (including demolition) for both stages:
 - (a) all unsurfaced entry and exit points must be consolidated with crushed aggregate or similar extending from the road kerb to the building line;
 - (b) temporary sediment controls – comprising, as a minimum, geotextile silt fencing along the lowest points of the site and hay bale filters as required – are to be installed and maintained at least daily to prevent sediment from reaching the stormwater mains system;
 - (c) all existing vegetation (trees, shrubs and grass) located on the verge and unleased Territory land immediately adjacent to the development shall be managed, protected and maintained in accordance with a Landscape Management Plan approved by the Asset Acceptance Manager, Asset Management Services Group, Department of Territory and Municipal Services. This plan is to be approved and implemented before the commencement of works, including demolition, on the site and is to be in accordance with the *City Management Guidelines for the Protection of Public Landscape Assets Adjacent to Development Works-REF-04*; and
 - (d) all building waste is to be stored on the site in suitable receptacles and collected regularly. The lessee is to take all reasonable steps to ensure that waste, particularly wind borne litter, does not affect adjoining or adjacent properties.

- (e) all times during construction the site and surrounds shall be managed in accordance with a Temporary Traffic Management Plan, prepared by a suitably qualified person and approved by the Manager, Asset Use. This plan is to address, as a minimum, measures to be employed during construction to manage all traffic, including construction traffic, in and around the site, provision of safe pedestrian movement around the site, the provision of parking for construction workers, and associated traffic control devices;
- (f) the Notice of Commencement of Construction shall be submitted to the Manager Asset Acceptance one week prior to the commencement of works. The Notice shall also include the confirmation of any protective measures installed in accordance with the approved LMP and programmed implementation of the TTM.

Note: see Appendix 1 for more information in relation to other approvals required for work on unleased Territory land.

8. Pursuant to sub paragraph 165(3)(n)(ii) of the *Planning and Development Act 2007*, at the lessee's expense and before the completion of building work, the existing fences on both the side boundaries and on the boundary adjacent to the public open space shall be upgraded to a 1.8m high timber lapped and capped fence, or to another standard acceptable to the ACT Planning and Land Authority. The lessee must take all reasonable steps to obtain the written agreement of the respective lessees before the erection of any new fencing. If there is no agreement, the fencing is to be to the satisfaction of the ACT Planning and Land Authority. New fencing shall not extend further forward than the new building line, facing Ainsworth Street.

Refer to Appendix 1 for information about approvals that may be required for construction.

DATE THAT THIS APPROVAL TAKES EFFECT

This approval is 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 to conditions could be adjusted if the approval is reconsidered by the ACT Planning and Land Authority or if an application is made to the ACT Administrative Appeals 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 ACT 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.

PUBLIC NOTIFICATION

Pursuant to Division 7.3.4 of the Act, the application was publicly notified from 21 August 2008 to 15 September 2008. Three (3) written representations were received during the public consultation.

The main issues raised were as follows. Comments are provided as appropriate.

- (a) Overshadowing from the proposed development on both Unit 1 and Unit 2

The proposed height of the development fully complies with the building envelope requirement to ensure the amenity of surrounding properties is maintained, particularly in relation to privacy, overshadowing and solar access. Unit 1 and Unit 2 on Block 18 would have a minimum of 3 hours of direct sunlight onto the internal primary living space and the private open space between the hours of 9am and 3pm on 21 June (winter solstice).

- (b) The terraces of Units 1 to 5 will overlook the main living areas and outdoor area of Unit 2

The proposal fully complies with the relevant rules and the criteria of the Multi-Unit Housing Development Code. It is considered that no further improvement is warranted in regard to overlooking.

- (c) The structure will have an overbearing appearance due to the bulky nature of the design

The proposed architectural design of the building is different from those of existing and newly constructed development (and a newly approved development on Blocks 1 and 2 Section 15). However the proposed development does show appropriate consideration for the streetscape and adjoining development. The proposed development has provided adequate setback from the street frontage to allow adequate space for landscaping. The proposal also provided adequate setback from all other boundaries to allow landscaping and minimise any significant impact on the neighbouring development.

The proposed front elevation is considered to have good articulation and it provides visual interest, with entry doors, different fenestration design and sizes, and differentiating the roof design to each unit.

Notwithstanding this, there is no planning control over architectural style of a building for the suburb of Mawson. The Authority recognises that the proposal is an innovative design and that does not imitate the existing single dwellings and the recently approved multi unit development in the area. It is considered that the difference in architectural style of the proposal in relation to the adjoining residential development is not disrespecting the existing streetscape character. It is considered that the proposal compliments the diversity of architectural styles common to a residential area. The style of residential buildings both single and multi unit development does not stay constant. The changes to the style could be for many reasons, to name a few; innovative and more sustainable materials, change in consumers' taste and demographic changes and infill consistent with the Suburban Core Zone's objectives.

- (d) The provision for visitor parking on site is inadequate... could cause a safety issue

The proposal has provided adequate car park spaces for both residents and visitors. However, the location of one visitor space was not considered satisfactory and conditions have been imposed to rectify this situation.

- (e) traffic noise impact on Block 18 due to the location of the proposed driveway

The proposed location of the driveway is in accordance with the Multi-Unit Housing Development Code, where it is separated from the side boundary, common with Block 18, by 1.5m. This space between the side boundary and the driveway is to be landscaped which will provide screening and thus provide protection to the residents on Block 18 and the future residents of the proposed development.

Further, the driveway gradient is in accordance with Part 1: Off-Street Car Parking, Parking Facilities of Australian/New Zealand Standard 2890.1:2004.

The location of the proposed driveway is similar to the dual occupancy development on Block 18 and the recently approved 18 residential units on Blocks 1 and 2 Section 15 Mawson. That is, the proposed driveway is located on the southern side of the block.

The noise from the proposed driveway would be of residential scale and would not significantly affect the amenity of adjoining residents. The proposal was referred to the TAMS and no concerns were raised in this regard.

The location and extent of the Suburban Core Zone – RZ2 (previously known as A10 Core Area, Territory Plan 2002) was established as part of an extensive public consultation process. The Suburban Core Areas provide a greater certainty to where multi-unit redevelopment is likely to occur. The type of development that is envisaged for RZ2 is the type of residential development that could have occurred previously throughout all the suburbs, prior to the introduction of RZ2.

On 31 March 2008, the new Territory Plan was introduced and became effective. Among other changes, the new Territory Plan provides new rules and criteria in relation to multi-unit development proposals in RZ2 areas to further improve the amenity of the residents within the development and the adjoining residents.

- (f) Inconsistent with the required 4m boundary setback from the public open space and the visitor car park in front of Unit 9 seems to be an add-on, and will have a cluttering effect on the main thoroughfare

The majority of the proposed rear building is located 4m from other front boundary. Only Unit 10 is setback 3.05m from the other front boundary, this is less than 19% width of the other front boundary. It is considered that this minor encroachment would not significantly affect the outlook from the public open reserve. However, a condition has been imposed to remove Unit 10 from the development to provide a better visitor car park location.

- (g) The safety of school children due to increase in traffic volume

All vehicles will exit in forward direction on to the road from the subject site. All vehicles during school hours must comply with the 40km speed limit along Ainsworth Street.

Notwithstanding this, the proposal was referred to the Department of Territory and Municipal Services for comment and no concerns regarding increased traffic volume were raised. However, a condition has been imposed to ensure sightline from the subject site to the street is compliant with the relevant Australian Standards.

(h) The safety of school children during the construction work

All construction works must be carried in accordance with Condition 9 and Appendix 1 'FURTHER APPROVALS FOR CONSTRUCTION' of this document. The compliance of Appendix 1 would ensure the safety of all pedestrians in the area.

ENTITY ADVICE

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

Department of Territory and Municipal Services

On 27 November 2008 advice was received from Territory and Municipal Services in relation to the proposal. The advice states that the proposal is fully supported. However, the standard conditions must be imposed.

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

ActewAGL

On 22 August 2008 and 6 September advice were received from Actew Corporation in relation to the proposal.

- ACTEW's Water and Sewerage Section approved the proposed development with standard conditions.
- ACTEW's Electricity Networks approved with conditions that rear units be setback 2.7m from the existing overhead powerlines that run along rear boundary in accordance with the ActewAGL's requirements.

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

REASONS FOR THE DECISION

The application satisfactorily meets the requirements for approval. The application was approved because, based on the documentation and in the form modified by the imposed conditions, it was considered to meet:

- the relevant code, being the Multi Unit Housing Development Code; and
- 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).

The key issues identified in the assessment are:

- the payment of the change of use charge, the new block survey and the registration of the consolidated lease. Conditions have been imposed to address the key issues and ensure that the proposal is consistent with the Territory Plan and the *Planning and Development Act 2007*;
- the inappropriate location for a visitor car park space on site. A condition has been imposed to remove a unit from the development to provide a more appropriate location for visitor car park space to address this issue.
- the proposed landscaping and mailbox may obscure driver's visibility of the footpath. A condition has been imposed to address this issue.

In reaching the decision, the application has been assessed in accordance with section 120 of the Act – Merit track considerations when deciding development approval.

INSPECTION OF THE APPLICATION AND DECISION

A copy of the application and the decision are available on the public register. The register can be inspected between 8:30am and 4:30pm weekdays at the ACT Planning and Land Authority Dickson Customer Service Centre at 16 Challis Street, Dickson, ACT.

RECONSIDERATION OF THE DECISION

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

Application forms and further information about reconsideration are available from the ACT Planning and Land Authority's website and Customer Service Centres. The delegate of the Authority reconsidering the decision must be different from, and senior to, the original decision maker. An application for reconsideration does not prevent an application for a review of the same decision being made to the ACT Administrative Appeals Tribunal.

REVIEW BY THE ACT ADMINISTRATIVE APPEALS TRIBUNAL (AAT)

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

This Notice of decision has also been sent to all people who made representations in relation to the proposal.

EVIDENCE

Application No. 200812307

File No. 200812307

The Territory Plan zone – Suburban Core Zone

The Development Codes – Multi Unit Housing Development Code

Current Crown Leases – **Block 16: Volume 918 : Folio 11**

Block 17: Volume 986 : Folio 78

Representations

Entity advice

DELEGATE

Ada Schuurmans-Stekhoven
Delegate of the ACT Planning and Land Authority
8 December 2008

CONTACT OFFICER

Ada Schuurmans-Stekhoven
Phone: 62072435
Email: ada.stekhoven@act.gov.au

APPENDIX 1

CONTACT DETAILS OF RELEVANT AGENCIES

ACT Health - health protection	Website: www.health.act.gov.au Telephone: (02) 6205 1700
ACT Planning and Land Authority - list of certifiers for building approval - demolition information - asbestos information	Website: www.actpla.act.gov.au Telephone: (02) 6207 1923 or (02) 6207 1687
Department of Territory and Municipal Services - tree damaging activity approval - environment protection - water resources - heritage - use of verges or other unleased Territory land - works on unleased Territory land - design acceptance - damage to public assets	Website: www.tams.act.gov.au Telephone: 132 281 Telephone for asset acceptance: (02) 6207 6594
Utilities - Telstra (networks) - TransACT (networks) - ActewAGL - Electricity reticulation	Telephone: (02) 6219 1213 Telephone: (02) 6229 8000 Telephone: 1100 Telephone: (02) 6293 5738

ADVICE TO APPLICANT

SUBMISSION OF REVISED DRAWINGS AND DOCUMENTATION

If a condition of approval requires the applicant to lodge revised drawings and/or documentation with the ACT Planning and Land Authority for approval under section 165 of the *Planning and Development Act 2007* the submission shall be made with a completed application Form 11 for Section 144 & 197 Amendments and Satisfying Conditions of Approval (S.165).

FURTHER APPROVALS FOR CONSTRUCTION

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

BUILDING APPROVAL

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

PERMITTED VARIATIONS TO APPROVED DEVELOPMENT

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

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

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

“TREE DAMAGING ACTIVITY” APPROVAL

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

USE OF VERGES OR OTHER UNLEASED TERRITORY LAND

In accordance with the *Roads and Public Places Act 1937*, 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 Department of Territory and Municipal Services.

WORKS ON UNLEASED TERRITORY LAND – DESIGN ACCEPTANCE

In accordance with the *Roads and Public Places Act 1937*, no work can be undertaken on unleased Territory land without the approval of the Territory. Such approval is only given by way of a certificate of design acceptance from Asset Acceptance, Asset Management Services Group, TAMS. Unless a certificate of design acceptance is obtained, and the respective work completed in accordance with this certificate, a certificate of compliance under s296 of the Planning and Development Act 2007, may not be issued. This applies to works such as the construction or upgrading of driveway verge crossings, the replacement of public footpaths, street lighting and verge landscaping.

CONSTRUCTION REQUIREMENTS

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

DEMOLITION AND ASBESTOS MANAGEMENT

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

ENVIRONMENT PROTECTION

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

REPAIR OF DAMAGE TO PUBLIC ASSETS

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

UTILITY ASSETS RETENTION

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

WATER RESTRICTIONS AND FILLING OF NEW POOLS, PONDS AND FOUNTAINS

Water restrictions or permanent water conservation measures may be in force in the ACT and may prohibit or affect the filling of new pools, ponds and fountains using potable (tap) water

drawn from ACTEW Corporation Limited's potable water supply system. Applicants wishing to use water drawn from the potable water supply system to fill a new pool, pond or fountain are advised to first contact ACTEW 's Water conservation office on (02) 62483131. Where water restrictions or permanent water conservation measures would otherwise prevent or affect the filling of a new pool, pond or fountain, it might be possible to obtain an exemption to fill the pool, pond or fountain using potable water.

DRAINAGE

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

BUSHFIRE MITIGATION MEASURES

This residential dwelling is located in an area where a bushfire risk assessment has identified that mitigation measures are required to reduce the impact of bushfires. The mitigation measures in this approval are to be maintained for the life of the residence. Special care needs to be exercised by the lessee to ensure that any future building works and modifications to the dwelling and additional landscaping does not compromise the mitigation measures imposed.

REVIEW OF THE DECISION

The following notes are provided in accordance with the ACT Administrative Appeals Tribunal (AAT) *Code of Practice for Notification of Reviewable Decisions and Rights of Review*. Refer to the Review by the ACT Administrative Appeals Tribunal (AAT) section of the Notice of decision for information about its relevance to this development application.

CONTACT DETAILS

The review authority is the Administrative Appeals Tribunal (AAT).

Location	Contact details
Tribunals Branch Magistrates Court 4 Knowles Place CANBERRA ACT 2601	Website: www.courts.act.gov.au Email: tribunals@act.gov.au Telephone: (02) 6207 1740 Facsimile: (02) 6205 4855 Post: GPO Box 370, CANBERRA, ACT, 2601 Document exchange: DX 5691

POWERS OF THE AAT

The AAT is an independent body. It can review on their merits a large number of decisions made by ACT Government ministers, officials and statutory authorities. The AAT 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 AAT recommendations.

APPLICATIONS TO THE AAT

To apply for a review, obtain an application form from the AAT. If you are applying on behalf of an organisation or association of persons, whether incorporated or not, the Tribunal in deciding whether to support this application will consider the effect of the decision being reviewed on the interests of the organisation or association in terms of its objects or purposes. A copy of the relevant documents will be required to be lodged with the Tribunal.

TIME LIMITS FOR APPLICATIONS

The time limit to make a request for a review is 28 days from receiving this Notice of decision. The time limit can be extended in some circumstances. Check with the AAT for more details.

FEES

Applications to the AAT, including an application to be joined as a party to a proceeding, require payment of a fee of not less than \$165 (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 62 of the *Administrative Appeals Tribunal Act 1989*). Decisions to grant assistance are made on the grounds of hardship and that it is reasonable, in all the circumstances, for the assistance to be granted. Write to: The Chief Executive, ACT Department of Justice and Community Safety, GPO Box 158, CANBERRA ACT 2601. Ask the AAT for more details.

TIME LIMITS FOR REVIEWS OF DECISIONS

The AAT 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 AAT upon it being satisfied that it is in the interests of justice to do so.

FORMS OF LEGAL, FINANCIAL AND OTHER ADVICE AND ASSISTANCE

The following organisations can provide advice and assistance if you are eligible:

- ACT Attorney-General, write to The Chief Executive, ACT Department of Justice and Community Safety, GPO Box 158, CANBERRA, ACT, 2601;
- the ACT Legal Aid Office, telephone 1300 654314;
- Legal Advice Bureau, telephone (02) 6247 5700;
- ACT Council of the Ageing, telephone (02) 6282 3777; and
- Welfare Rights and Legal Centre, telephone (02) 6247 2177.

AWARDING OF COSTS

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

ACCESS TO DOCUMENTS ABOUT THE DECISION

You may apply for access to any documents you consider relevant to this decision under the ACT Freedom of Information Act 1989. Information about Freedom of information requests is available on the ACT Planning and Land Authority's web site or by contacting us by phone on (02) 6207 1923.

PROCEDURES OF THE AAT

The procedures of the AAT are outlined on the AAT's website, including in the Guide to the Land and Planning Division and the Guide to the Hearing. Contact the AAT for alternative ways to access information about the AAT's procedures.

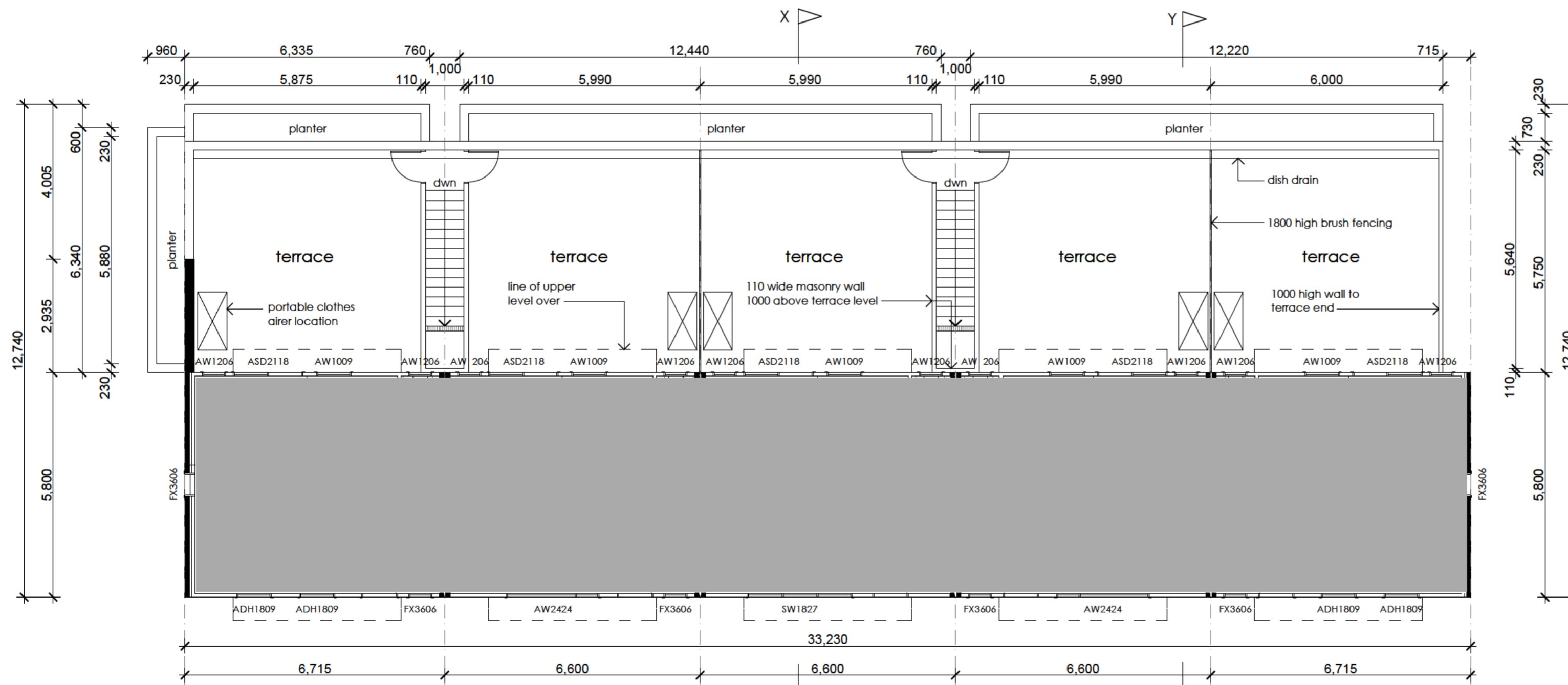
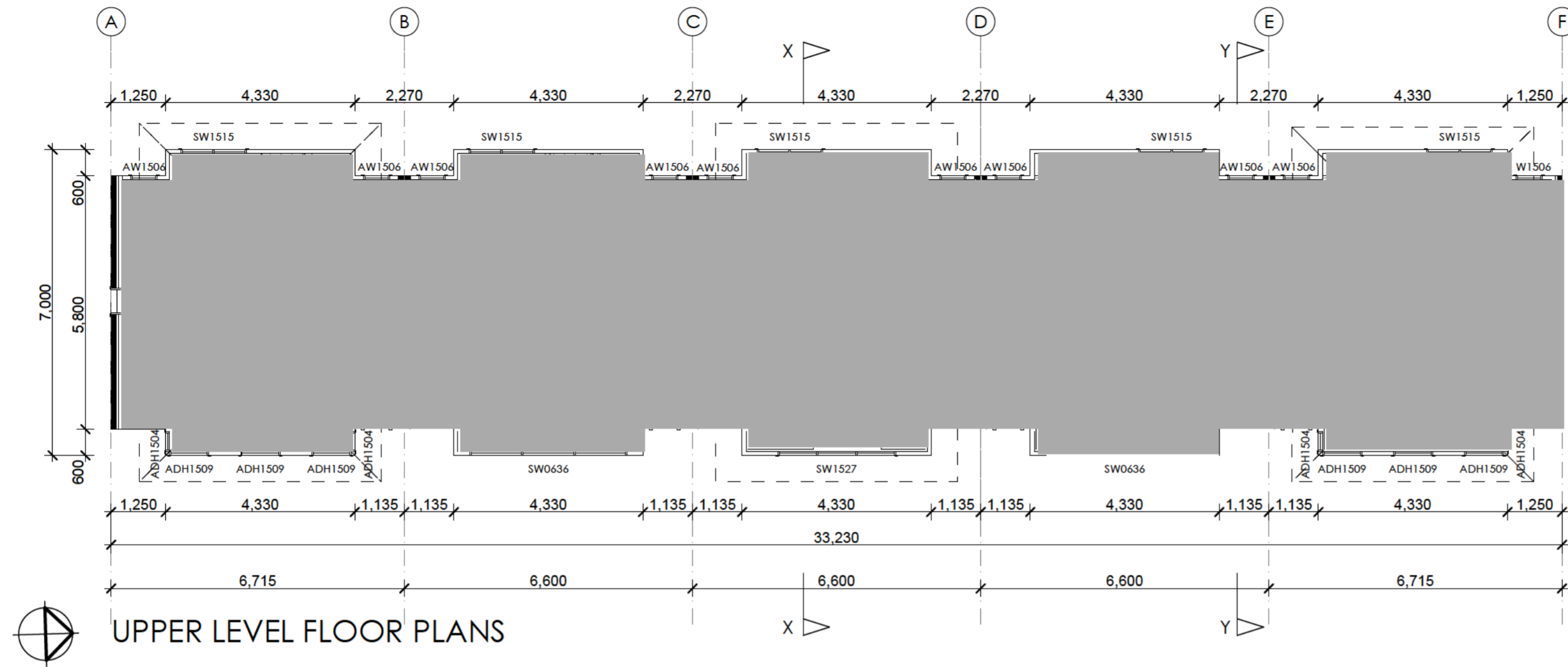
TRANSLATION AND INTERPRETER SERVICES

The ACT Government's translation and interpreter service runs 24 hours a day, every day of the week. Telephone 131 450.

ENGLISH	If you need interpreting help, telephone:
ARABIC	: إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήστε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajjuna t'interpretu, ċempel:
PERSIAN	: اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
PORTUGUESE	Se você precisar da ajuda de um intérprete, telefone:
SERBIAN	Ако вам је потребна помоћ преводиоца телефонирајте:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacınız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

TRANSLATING AND INTERPRETING SERVICE**131 450**

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



UPPER LEVEL FLOOR PLANS

UNIT 1 AREAS	UNIT 2 AREAS	UNIT 3 AREAS	UNIT 4 AREAS	UNIT 5 AREAS
ground level living 38.9m ²	ground level living 38.2m ²	ground level living 38.2m ²	ground level living 38.2m ²	ground level living 38.9m ²
upper level living 39.1m ²	upper level living 38.4m ²	upper level living 38.4m ²	upper level living 38.4m ²	upper level living 39.1m ²
terrace 36.9m ²	terrace 36.2m ²	terrace 36.2m ²	terrace 36.2m ²	terrace 36.0m ²
garage 38.7m ²	garage 38.0m ²	garage 38.0m ²	garage 38.0m ²	garage 19.6m ²
Total 153.6m²	Total 150.8m²	Total 150.8m²	Total 150.8m²	Total 133.6m²

- A Dec. 2008 Revision**
- Increase floor levels of units 6-9 by 700mm.
 - Create basement parking under units 6-9 (9 spaces) accessed via a vehicular ramp.
 - Relocated unit 10 to achieve a rear setback of 4m.
 - Convert car parking under units 1-5 to allow for 2 car spaces per unit (1-5).
 - Relocated 3 visitor car spaces.
 - Provide enclosure for units 6-9 waste bins.
- | Issue | Date | Event |
|-------|------|-------|
| | | |

Project
Multi Unit Housing

Site
**blocks 16+17
section 13,
Mawson, ACT.**

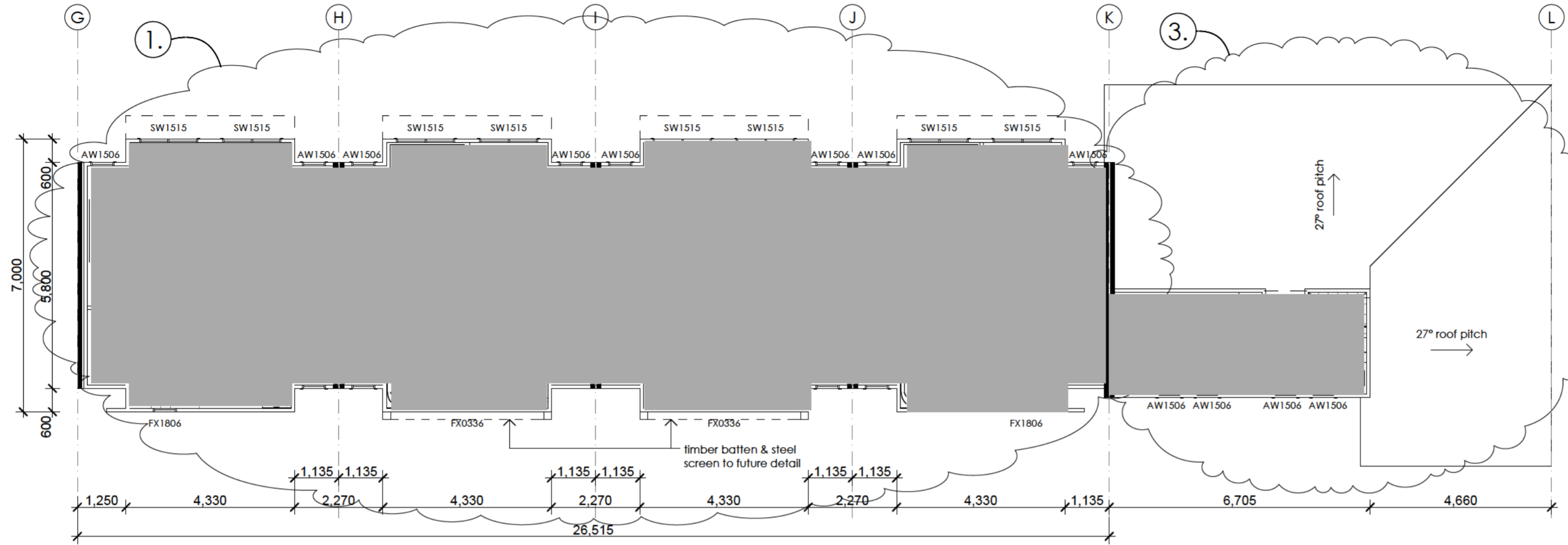
Title
Floor Plans Units 1-5

Scale 1:100 Drawn By SA

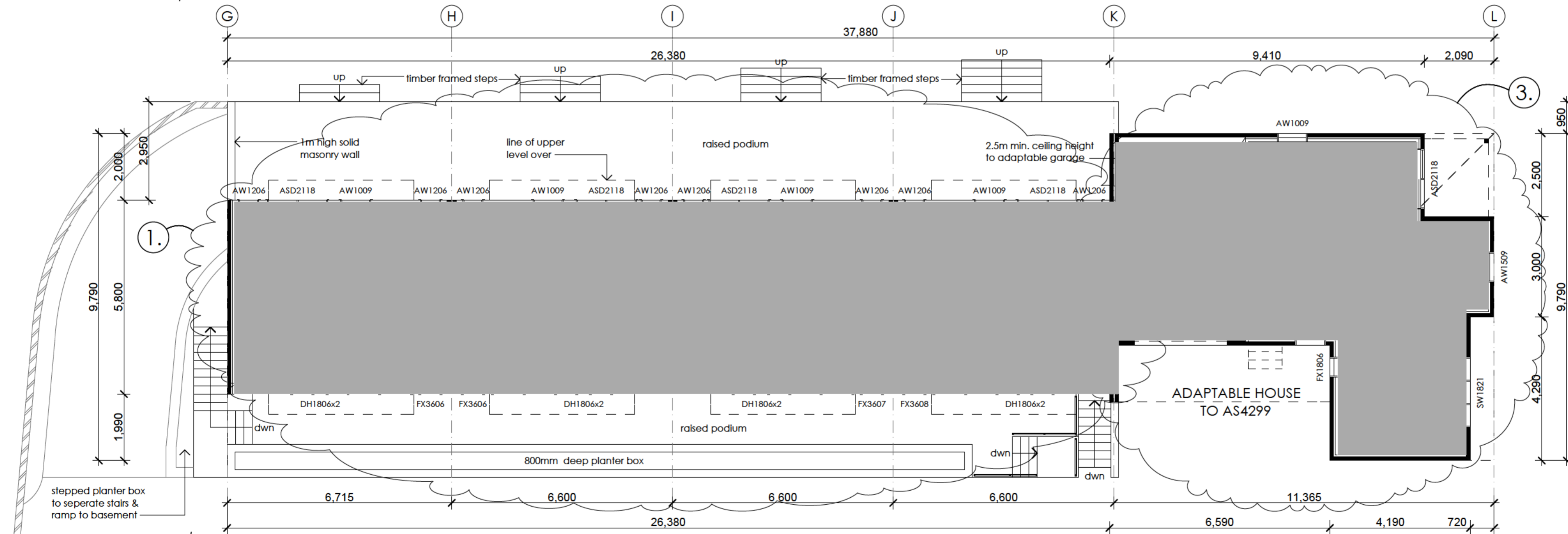
Date May 2008 Drawing No. 1284 - C

PETER BYFIELD + Associates
Suite A, 34 Taylor Street, Annandale NSW 2038
Phone 02 9660 2255 Fax 02 9660 2254

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UPPER LEVEL FLOOR PLANS



GROUND LEVEL FLOOR PLANS

UNIT 6 AREAS

ground level living	38.9m ²
upper level living	39.7m ²
Total	78.6m²

UNIT 7 AREAS

ground level living	38.2m ²
upper level living	39.0m ²
Total	77.2m²

UNIT 8 AREAS

ground level living	38.2m ²
upper level living	39.0m ²
Total	77.2m²

UNIT 9 AREAS

ground level living	38.6m ²
upper level living	39.4m ²
Total	78.0m²

UNIT 10 AREAS

ground level living	55.7m ²
upper level living	16.9m ²
garage	25.3m ²
Total	97.9m²

A Dec. 2008 Revision

- Increase floor levels of units 6-9 by 700mm.
- Create basement parking under units 6-9 (9 spaces) accessed via a vehicular ramp.
- Relocated unit 10 to achieve a rear setback of 4m.
- Convert car parking under units 1-5 to allow for 2 car spaces per unit (1-5).
- Relocated 3 visitor car spaces.
- Provide enclosure for units 6-9 waste bins.

Issue	Date	Event

Project
Multi Unit Housing

Site
**blocks 16+17
section 13,
Mawson, ACT.**

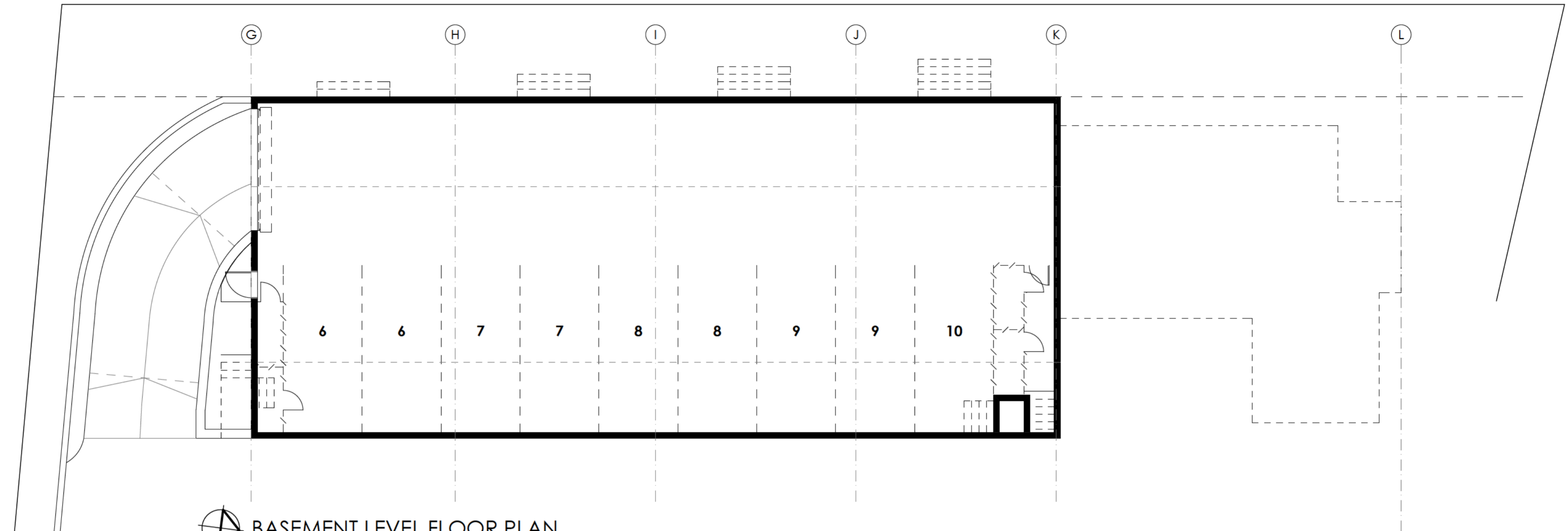
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Floor Plans Units 6-10

Scale 1:100 Drawn By SA

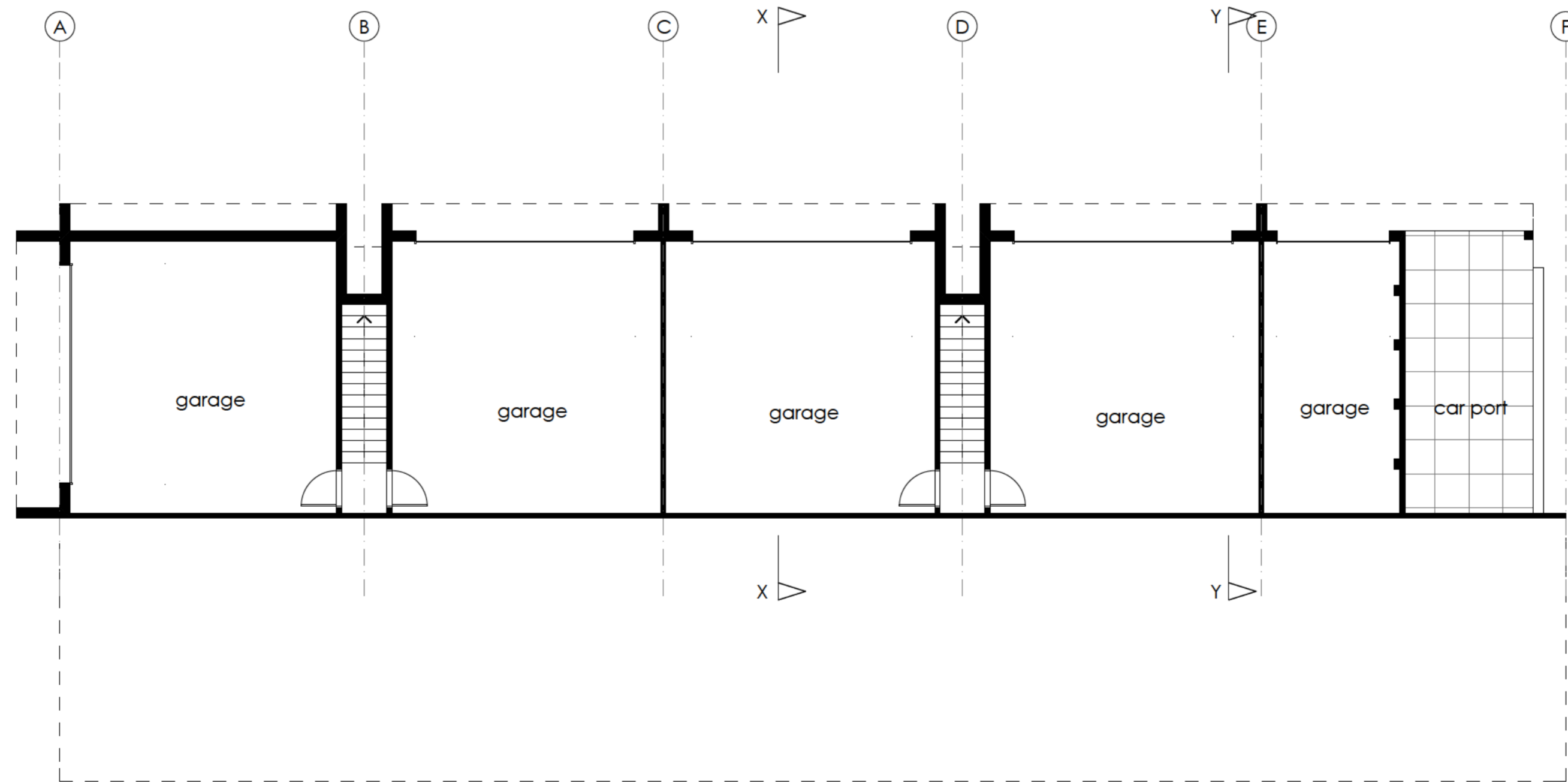
Date May 2008 Drawing No. 1284 - F


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 BASEMENT LEVEL FLOOR PLAN



 LOWER LEVEL FLOOR PLAN

A Dec. 2008 Revision

1. Increase floor levels of units 6-9 by 700mm.
2. Create basement parking under units 6-9 (9 spaces) accessed via a vehicular ramp.
3. Relocated unit 10 to achieve a rear setback of 4m.
4. Convert car parking under units 1-5 to allow for 2 car spaces per unit (1-5).
5. Relocated 3 visitor car spaces.
6. Provide enclosure for units 6-9 waste bins.

Issue	Date	Event

Project
Multi Unit Housing

Site
blocks 16+17
section 13,
Mawson, ACT.

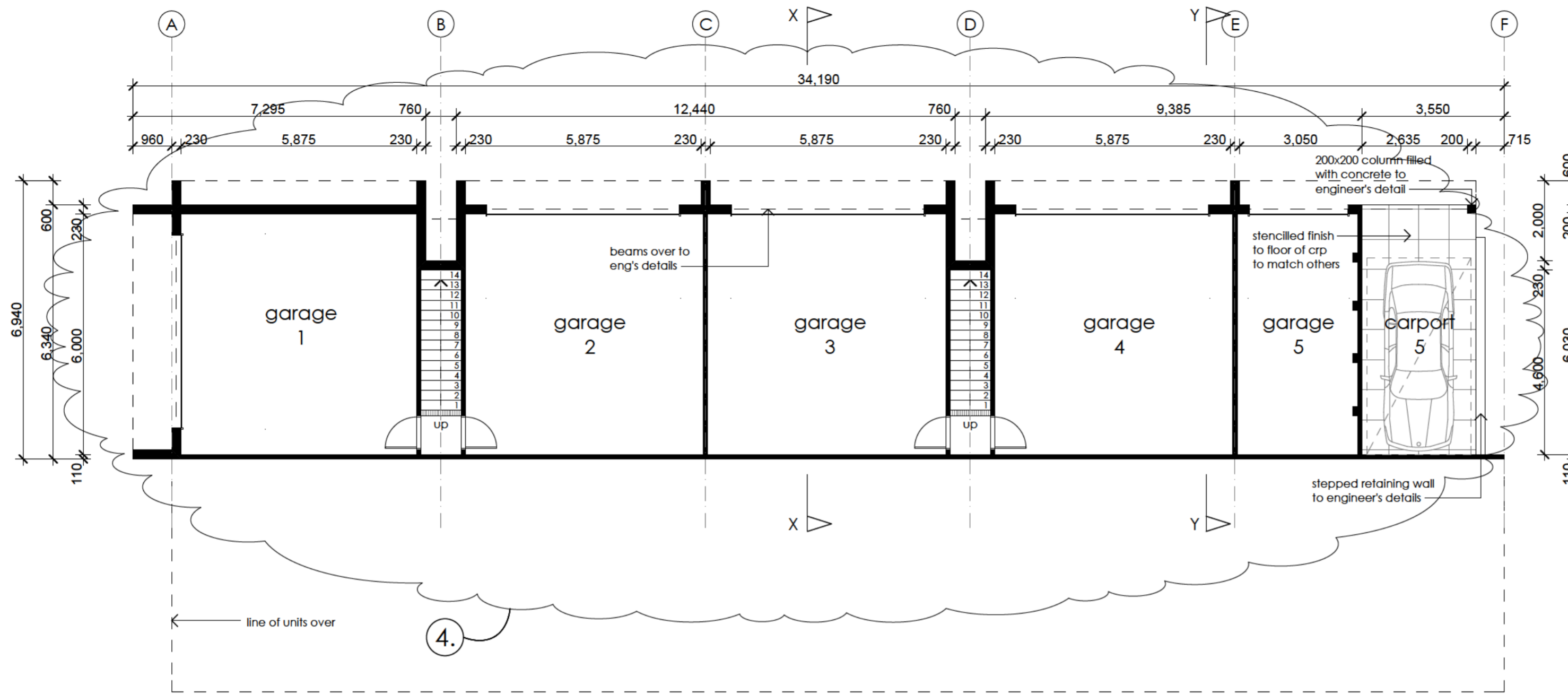
Title
Neighbour Notification Plan
Basement & Garage Level

Scale 1:100
Drawn By SA

Date May 2008
Drawing No. 1284 - Y

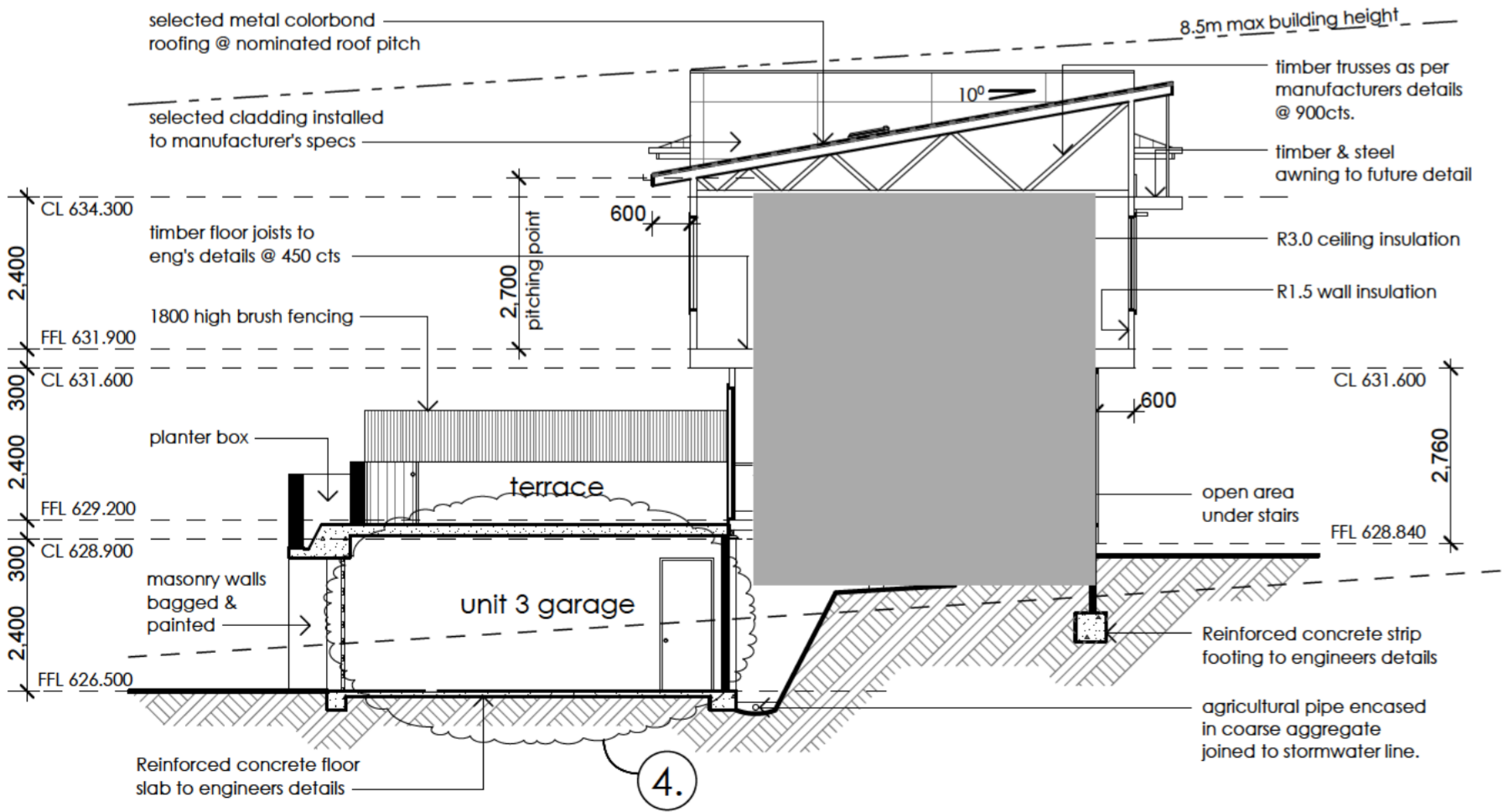
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Phone 02 9660 2255 Fax 02 9660 2254

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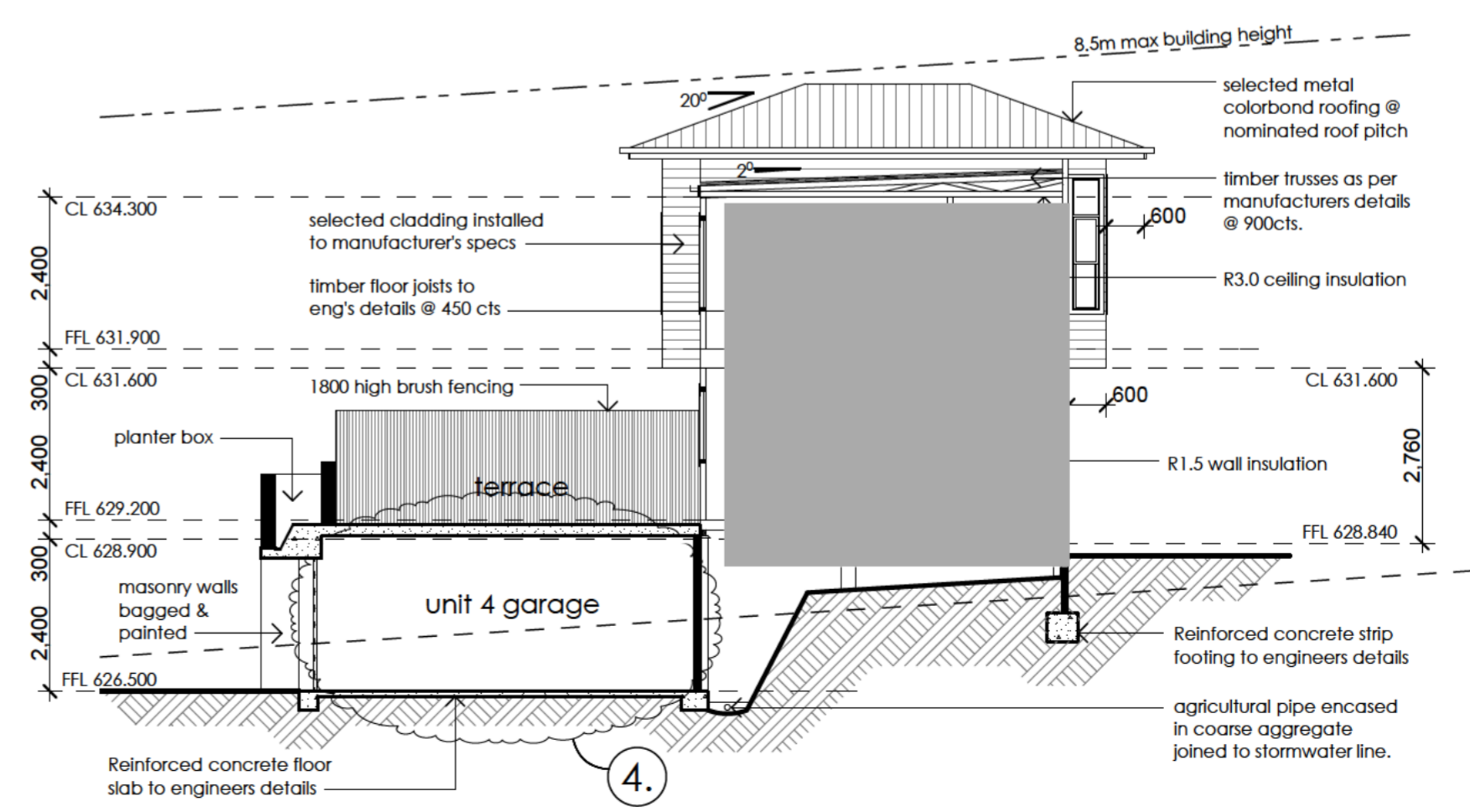


LOWER LEVEL FLOOR PLAN

- A Dec. 2008 Revision
- Increase floor levels of units 6-9 by 700mm.
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 - Relocated 3 visitor car spaces.
 - Provide enclosure for units 6-9 waste bins.
- | Issue | Date | Event |
|-------|------|-------|
| | | |



SECTION X-X



SECTION Y-Y

Project
Multi Unit Housing

Site
**blocks 16+17
section 13,
Mawson, ACT.**

Title
**Garage Level Floor Plan
& Sections**

Scale
1:100

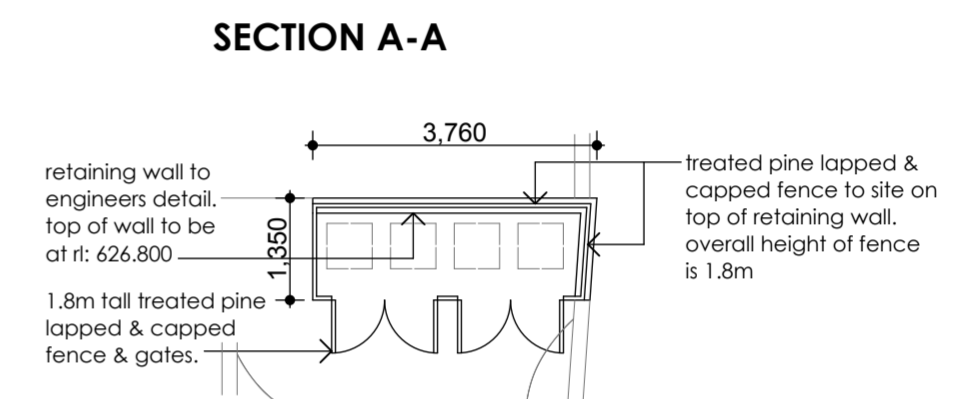
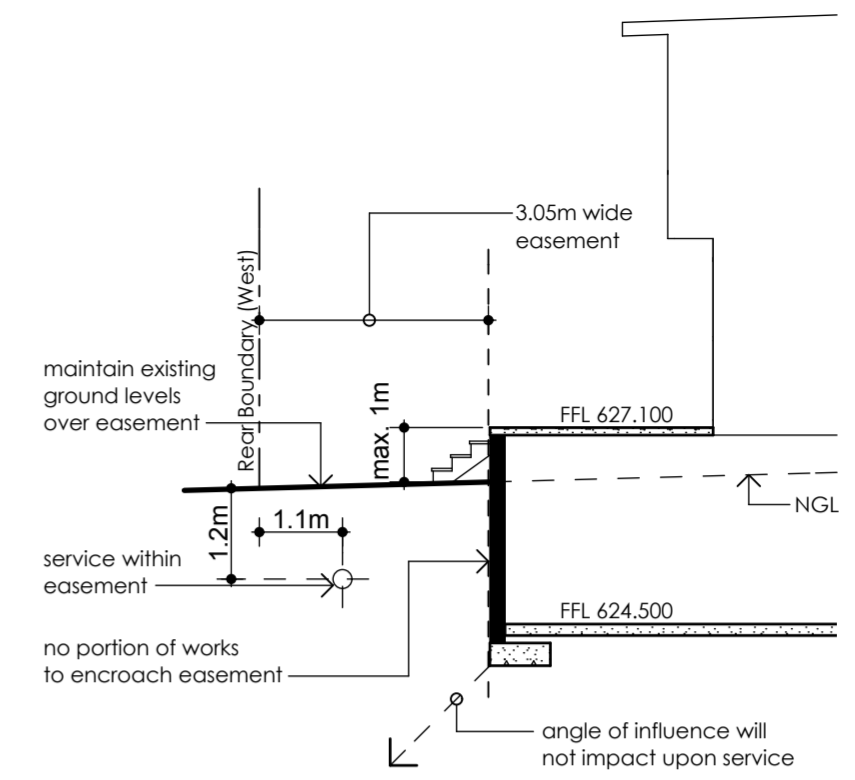
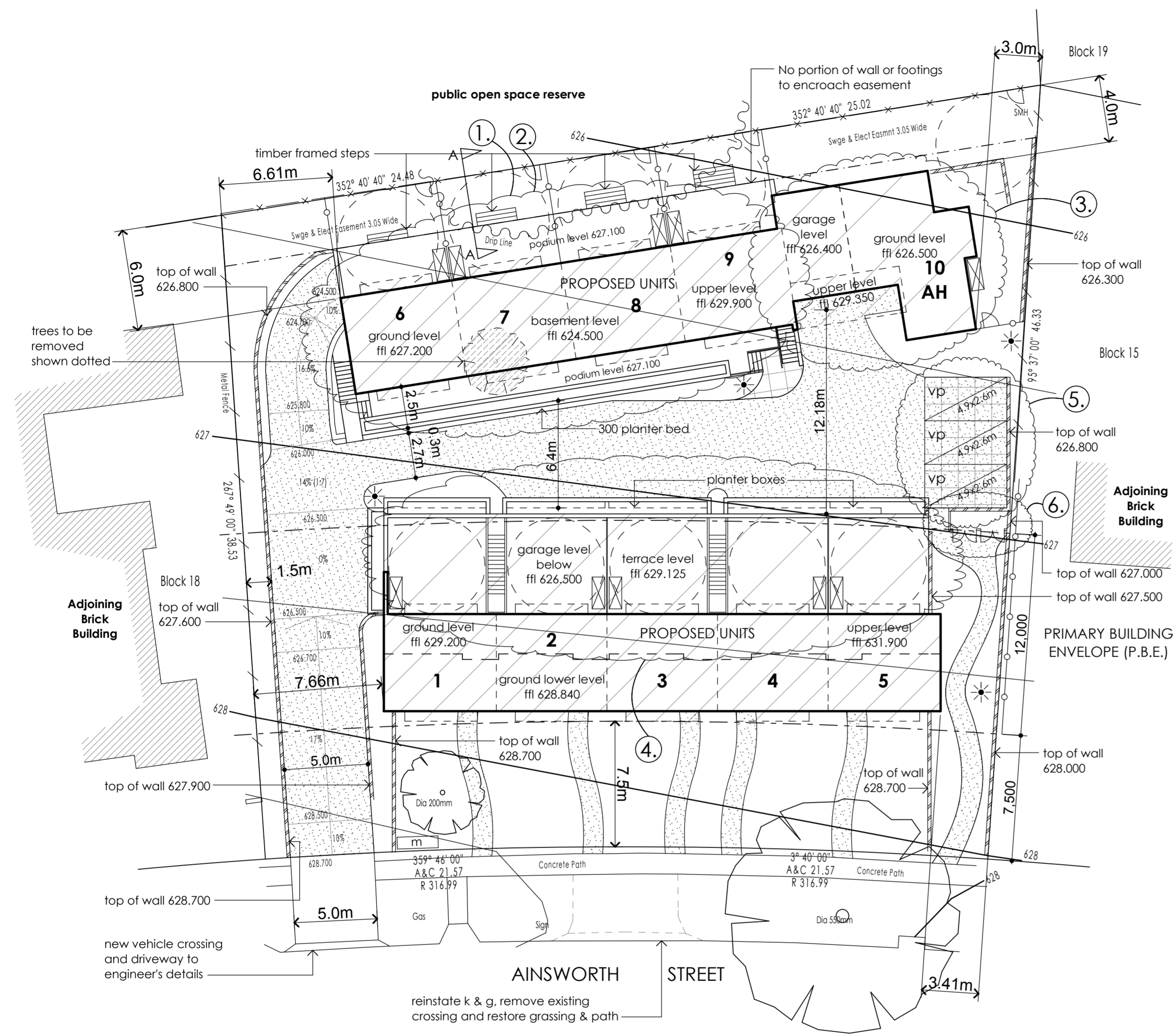
Drawn By
SA

Date
May 2008

Drawing No.
1284 - E

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Phone 02 9660 2255 Fax 02 9660 2254

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LEGEND

- existing tree to be retained
- existing tree to be removed
- existing fence to be retained
- 1.8m tall treated pine lapped & capped pailing fence & matching gate
- powdercoated metal 'spear fence' & gates 1.8m tall as selected
- 6m min. p.o.s. area
- retaining wall to eng's details
- vp visitor car parking space
- portable clothes airer locations
- brick mailbox enclosure to detail
- 1.2m tall public areas light fitting as selected
- dark grey broom finished concrete driveway
- stencilled coloured concrete to contrast with above to define parking bays
- AH** adaptable house

- A** Dec. 2008 Revision
1. Increase floor levels of units 6-9 by 700mm.
 2. Create basement parking under units 6-9 (9 spaces) accessed via a vehicular ramp.
 3. Relocated unit 10 to achieve a rear setback of 4m.
 4. Convert car parking under units 1-5 to allow for 2 car spaces per unit (1-5).
 5. Relocated 3 visitor car spaces.
 6. Provide enclosure for units 6-9 waste bins.
- | Issue | Date | Event |
|-------|------|-------|
| | | |

Project
Multi Unit Housing

Site
**blocks 16+17
section 13,
Mawson, ACT.**

Title
Site Plan

Scale
1:200

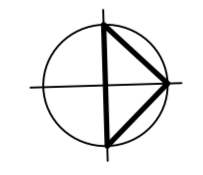
Drawn By
SA

Date
May 2008

Drawing No.
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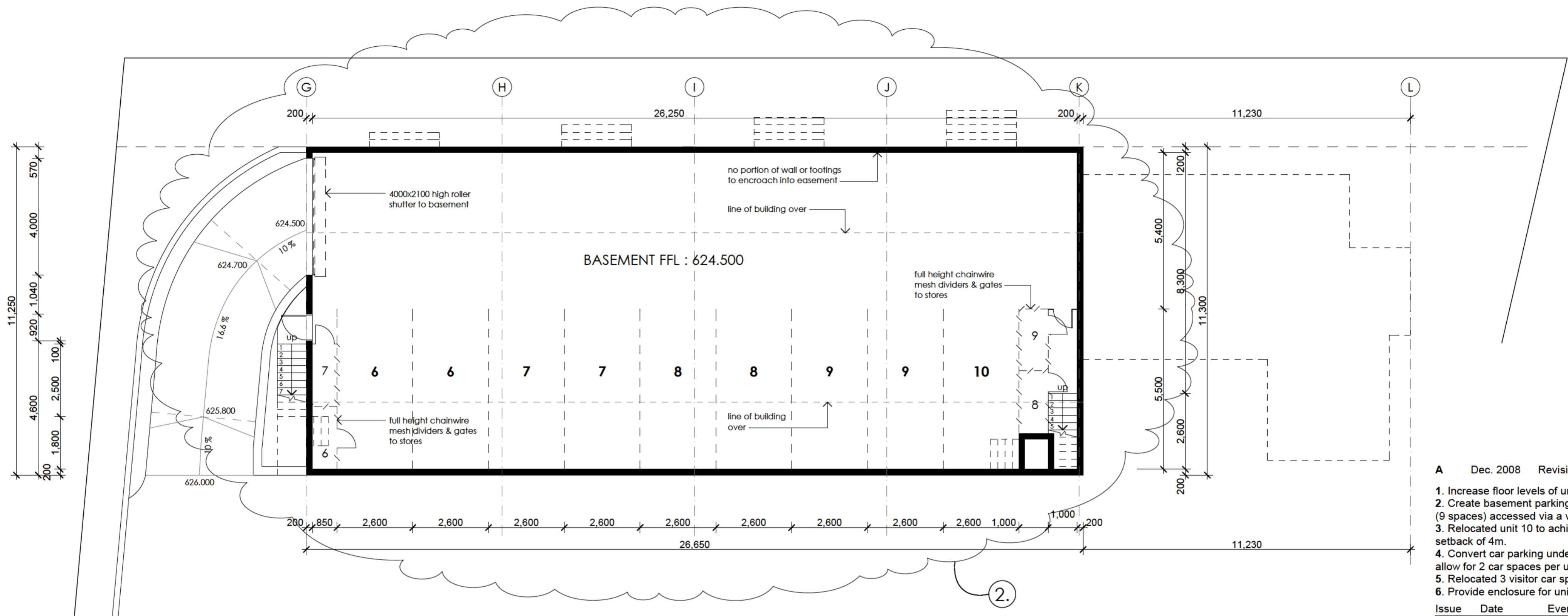
SITE PLAN

PLOT RATIO CALCULATIONS

Units 1-5	385.8m ²
Garages 1-5	172.3m ²
Units 6-10	408.9m ²
Total Area	967.0m ²
Site Area	1,925.1m ²
Proposed Plot Ratio	0.50 : 1

PARKING CALCULATIONS

10 x 2 Bedroom Units @ 2 spaces each	= 20
10 x 0.25 visitor spaces	= 3
Total number of spaces required	= 23
Total number provided	= 23
20 (2 per unit) allocated to units	
3 nominated visitor spaces	



 **BASEMENT LEVEL FLOOR PLAN** BASEMENT AREA 299.9m²

A Dec. 2008 Revision

1. Increase floor levels of units 6-9 by 700mm.
2. Create basement parking under units 6-9 (9 spaces) accessed via a vehicular ramp.
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4. Convert car parking under units 1-5 to allow for 2 car spaces per unit (1-5).
5. Relocated 3 visitor car spaces.
6. Provide enclosure for units 6-9 waste bins.

Issue	Date	Event

Project
Multi Unit Housing

Site
**blocks 16+17
section 13,
Mawson, ACT.**

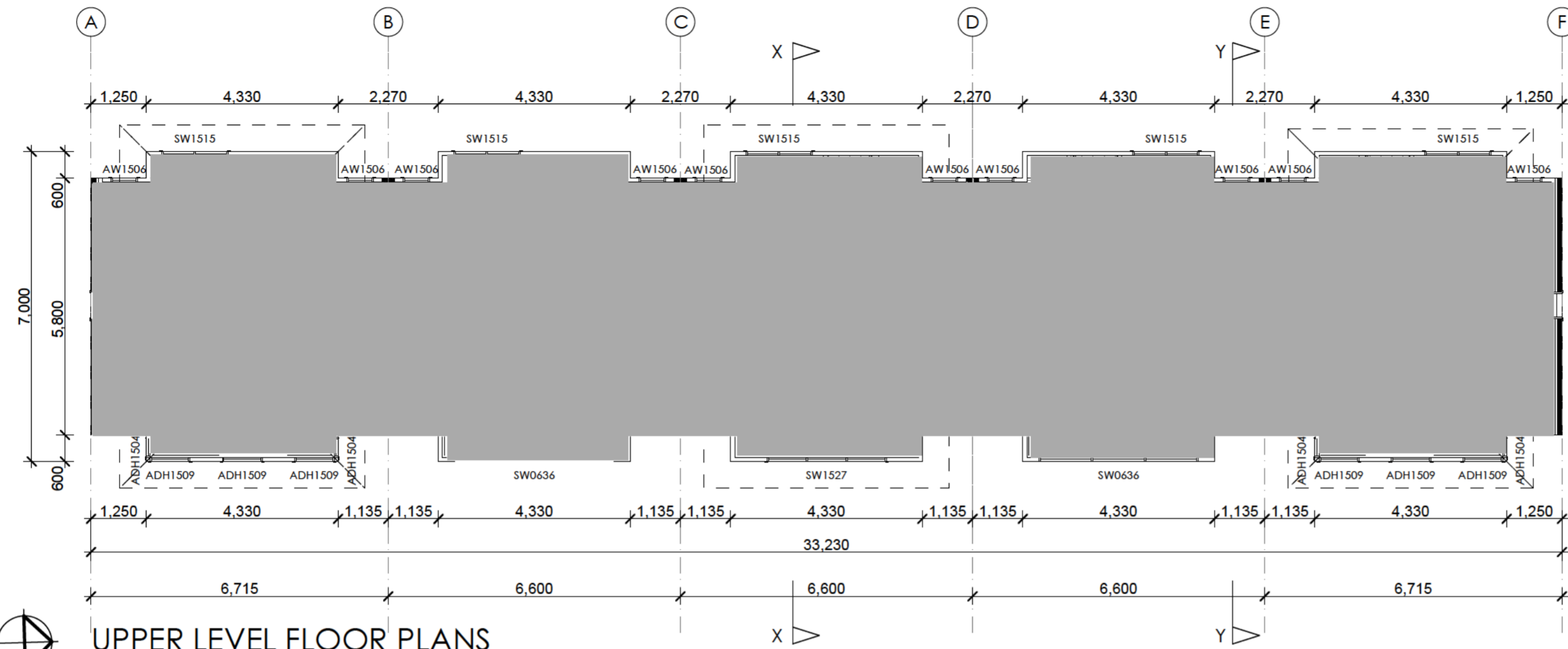
Title
Basement Level Floor Plan

Scale 1:100 Drawn By SA

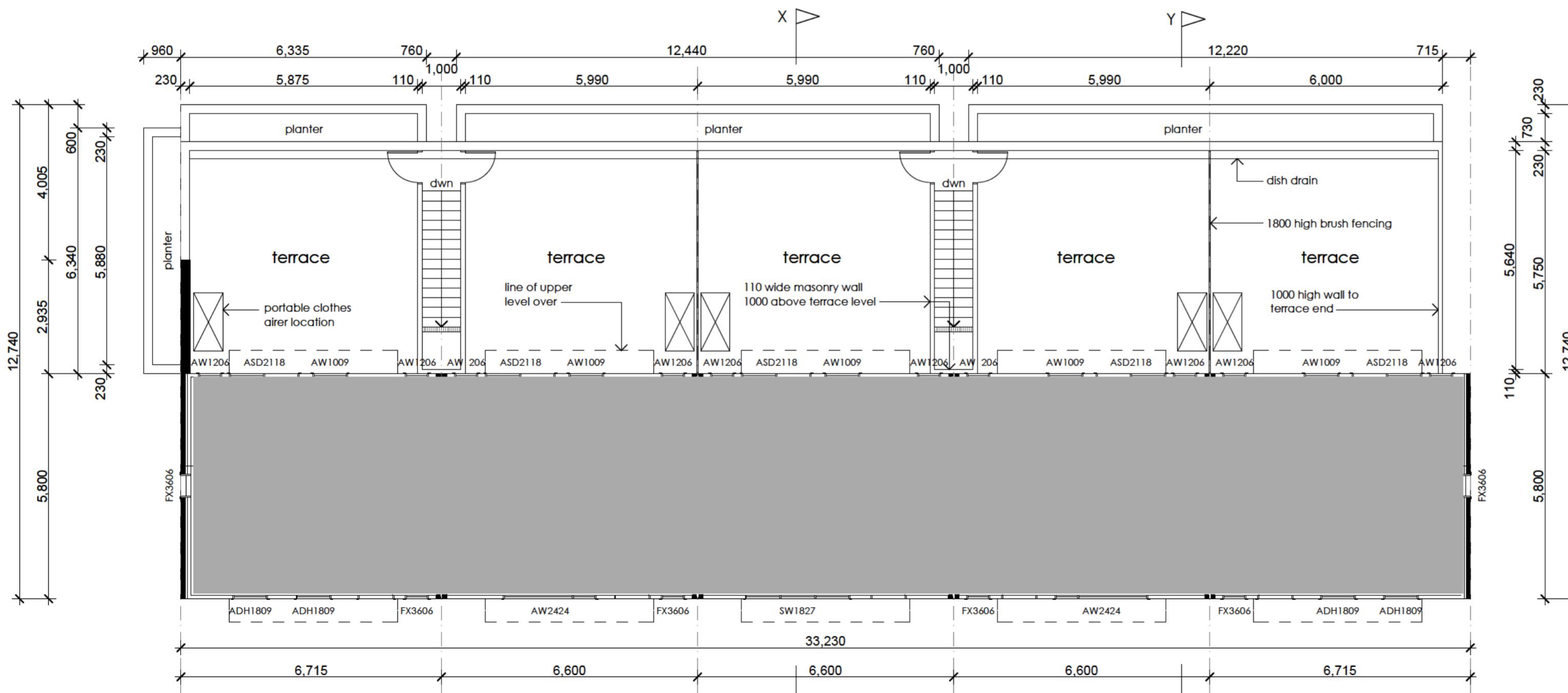
Date May 2008 Drawing No. 1284 - G

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Phone 02 9660 2255 Fax 02 9660 2254

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UPPER LEVEL FLOOR PLANS



GROUND LEVEL FLOOR PLANS

UNIT 1 AREAS	UNIT 2 AREAS	UNIT 3 AREAS	UNIT 4 AREAS	UNIT 5 AREAS
ground level living 38.9m ²	ground level living 38.2m ²	ground level living 38.2m ²	ground level living 38.2m ²	ground level living 38.9m ²
upper level living 39.1m ²	upper level living 38.4m ²	upper level living 38.4m ²	upper level living 38.4m ²	upper level living 39.1m ²
terrace 36.9m ²	terrace 36.2m ²	terrace 36.2m ²	terrace 36.2m ²	terrace 36.0m ²
garage 38.7m ²	garage 38.0m ²	garage 38.0m ²	garage 38.0m ²	garage 19.6m ²
Total 153.6m²	Total 150.8m²	Total 150.8m²	Total 150.8m²	Total 133.6m²

A Dec. 2008 Revision

1. Increase floor levels of units 6-9 by 700mm.
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3. Relocated unit 10 to achieve a rear setback of 4m.
4. Convert car parking under units 1-5 to allow for 2 car spaces per unit (1-5).
5. Relocated 3 visitor car spaces.
6. Provide enclosure for units 6-9 waste bins.

Issue Date Event

Project
Multi Unit Housing

Site
**blocks 16+17
section 13,
Mawson, ACT.**

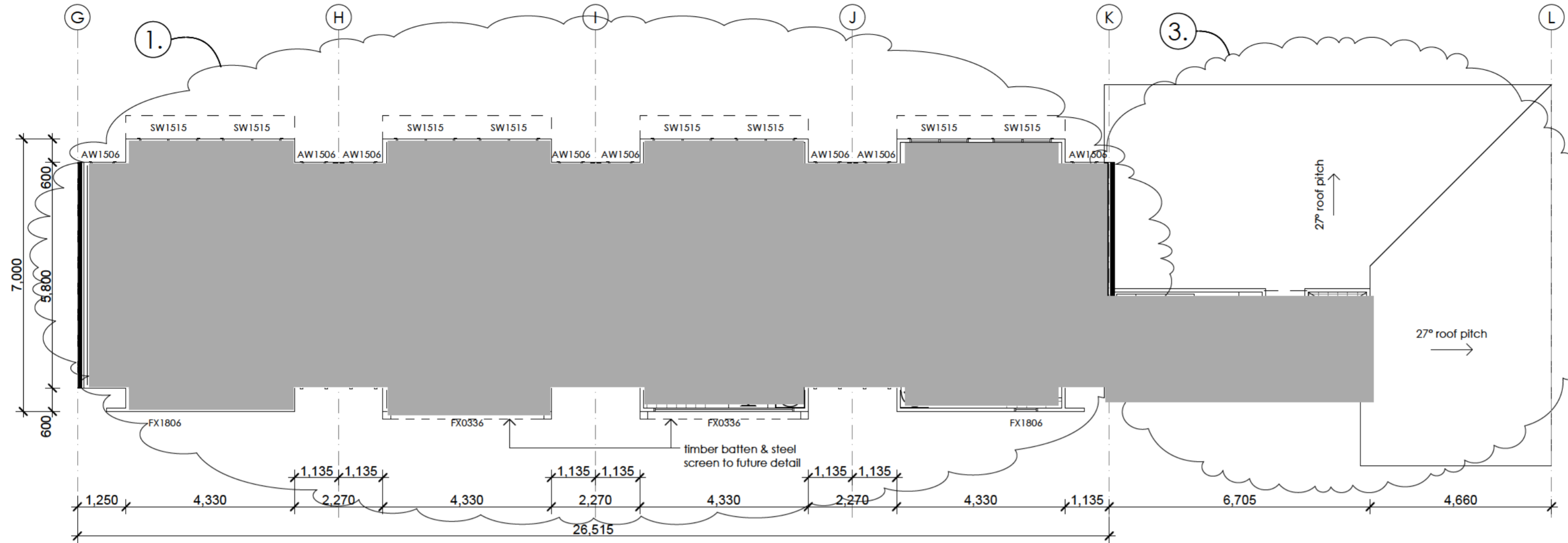
Title
Floor Plans Units 1-5

Scale 1:100 Drawn By SA

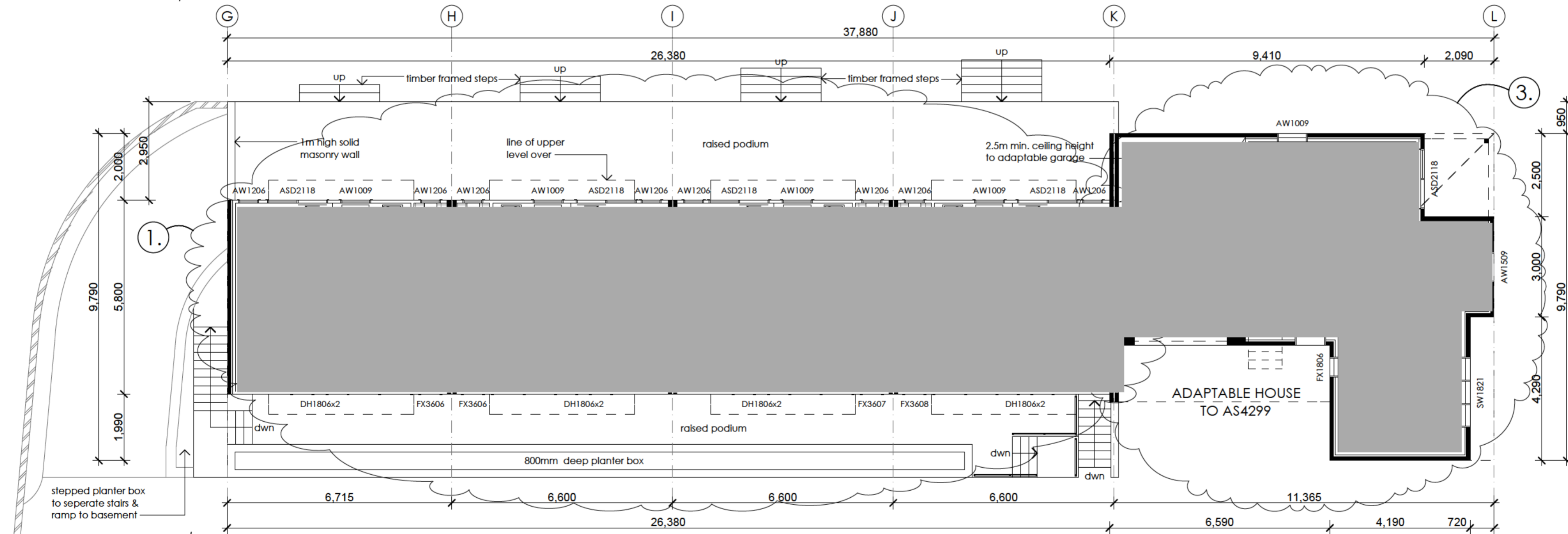
Date May 2008 Drawing No. 1284 - C

PETER BYFIELD + Associates
Suite A, 34 Taylor Street, Annandale NSW 2038
Phone 02 9660 2255 Fax 02 9660 2254

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UPPER LEVEL FLOOR PLANS



GROUND LEVEL FLOOR PLANS

UNIT 6 AREAS

ground level living	38.9m ²
upper level living	39.7m ²
Total	78.6m²

UNIT 7 AREAS

ground level living	38.2m ²
upper level living	39.0m ²
Total	77.2m²

UNIT 8 AREAS

ground level living	38.2m ²
upper level living	39.0m ²
Total	77.2m²

UNIT 9 AREAS

ground level living	38.6m ²
upper level living	39.4m ²
Total	78.0m²

UNIT 10 AREAS

ground level living	55.7m ²
upper level living	16.9m ²
garage	25.3m ²
Total	97.9m²

A Dec. 2008 Revision

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Issue	Date	Event

Project
Multi Unit Housing

Site
**blocks 16+17
section 13,
Mawson, ACT.**

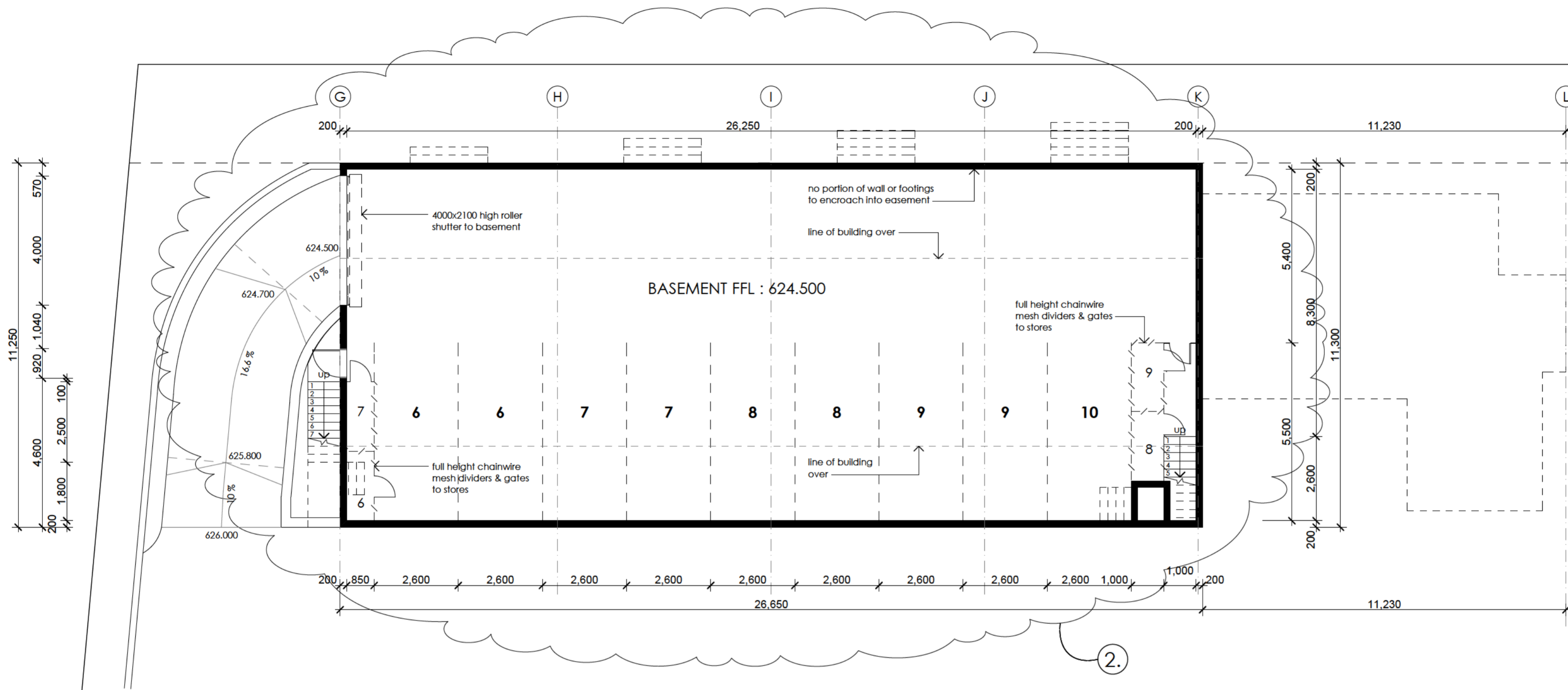
Title
Floor Plans Units 6-10

Scale 1:100 Drawn By SA

Date May 2008 Drawing No. 1284 - F

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 **BASEMENT LEVEL FLOOR PLAN** BASEMENT AREA 299.9m²

A Dec. 2008 Revision

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Issue	Date	Event

Project
Multi Unit Housing

Site
**blocks 16+17
section 13,
Mawson, ACT.**

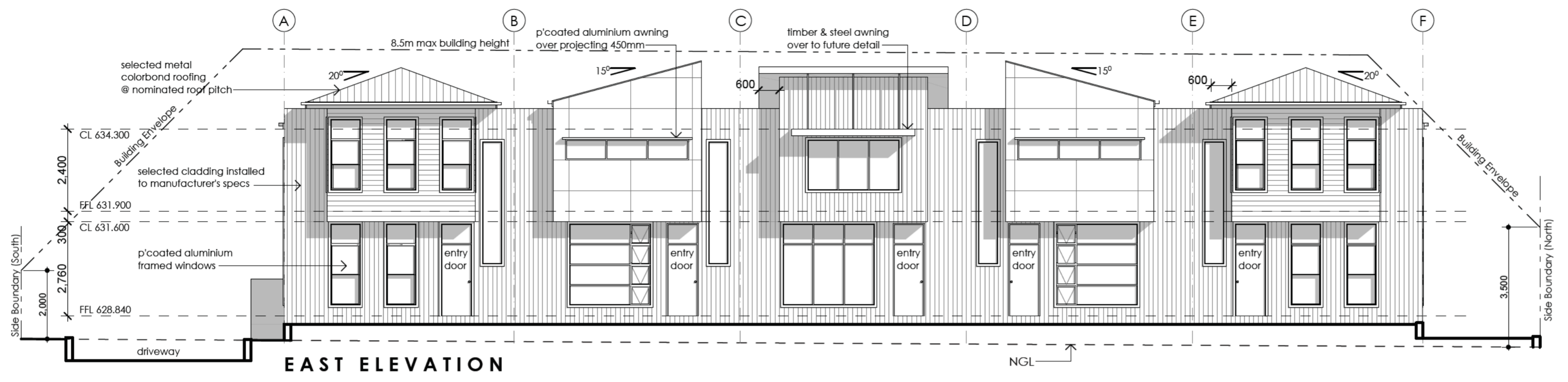
Title
Basement Level Floor Plan

Scale 1:100 Drawn By SA

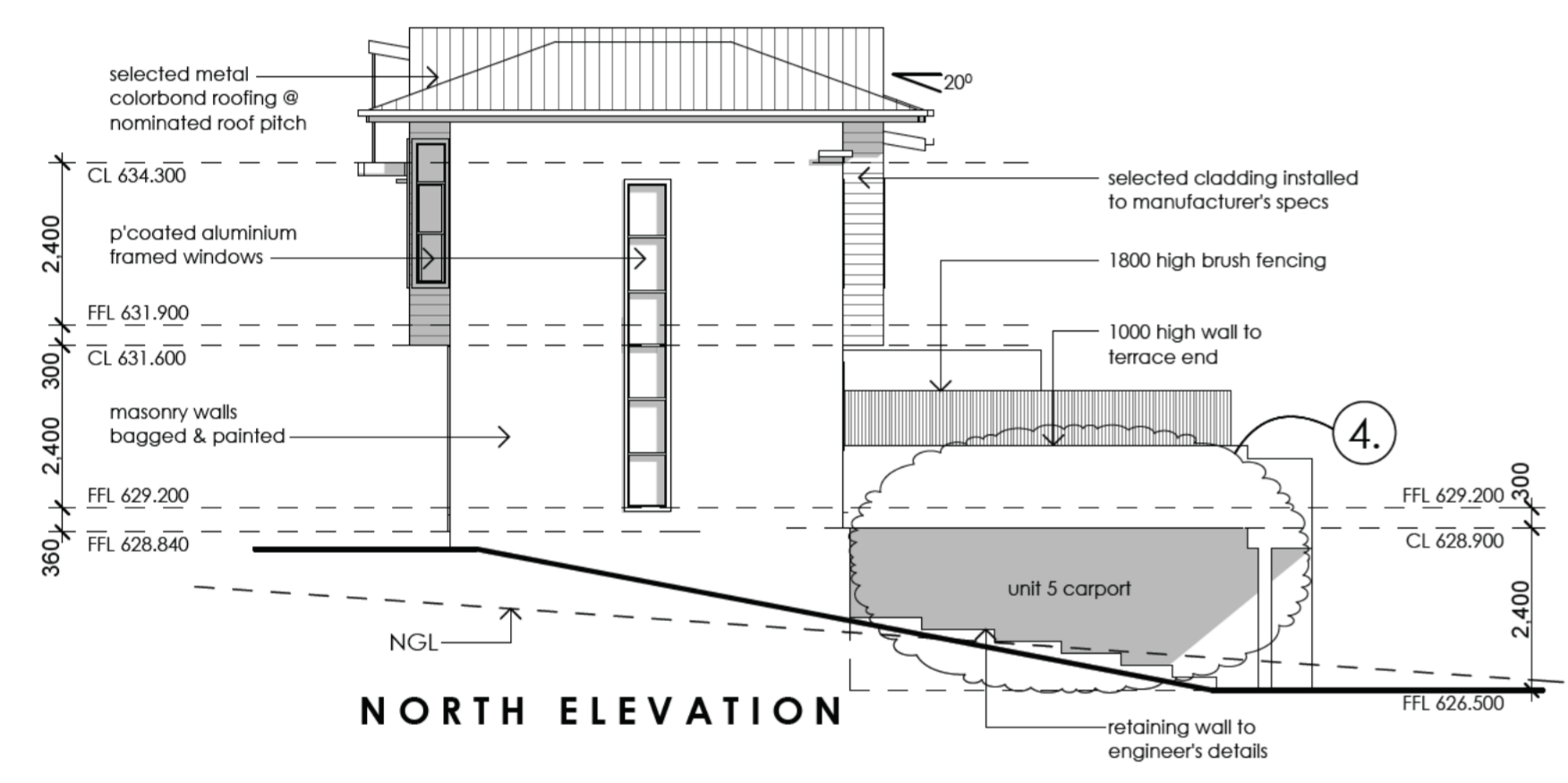
Date May 2008 Drawing No. 1284 - G

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Phone 02 9660 2255 Fax 02 9660 2254

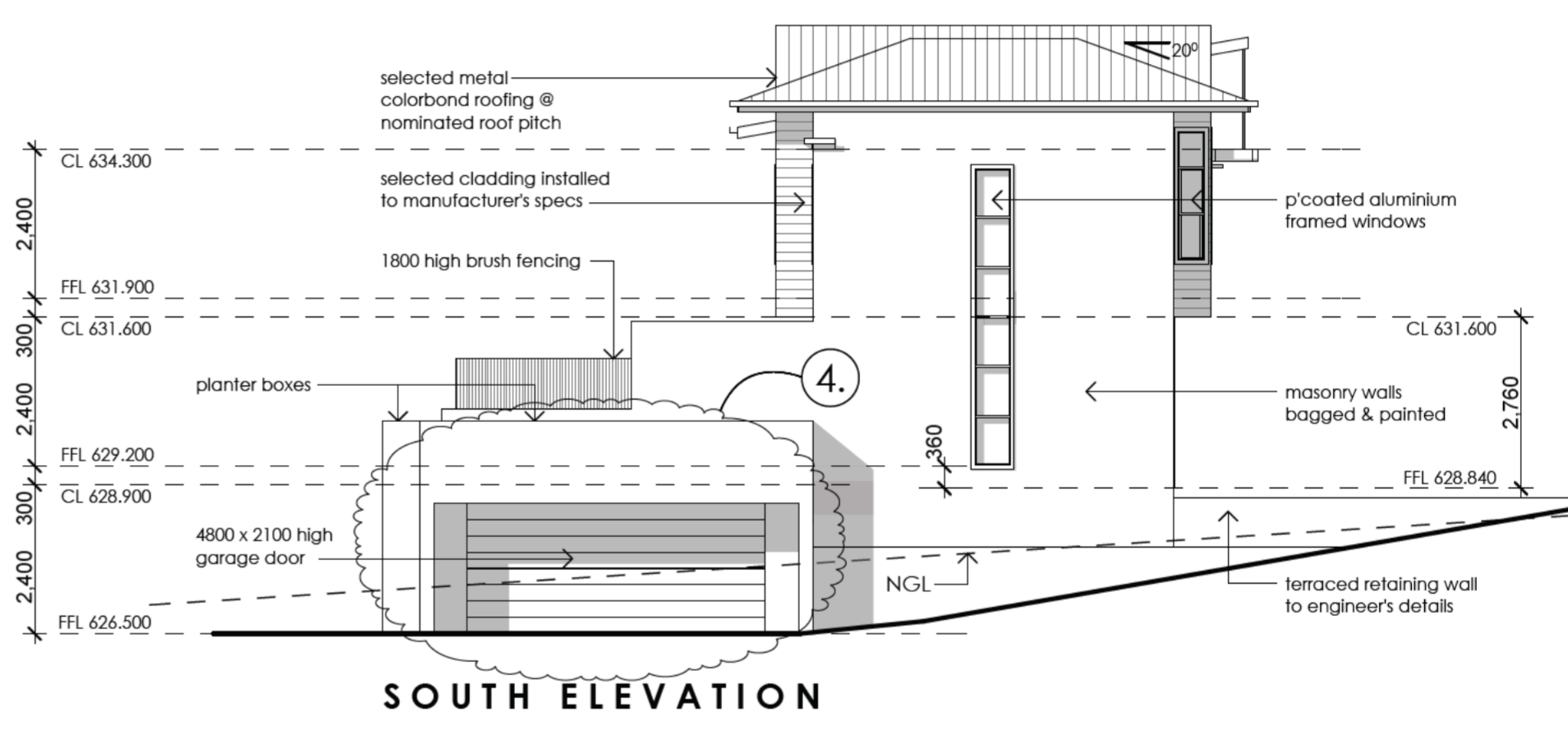
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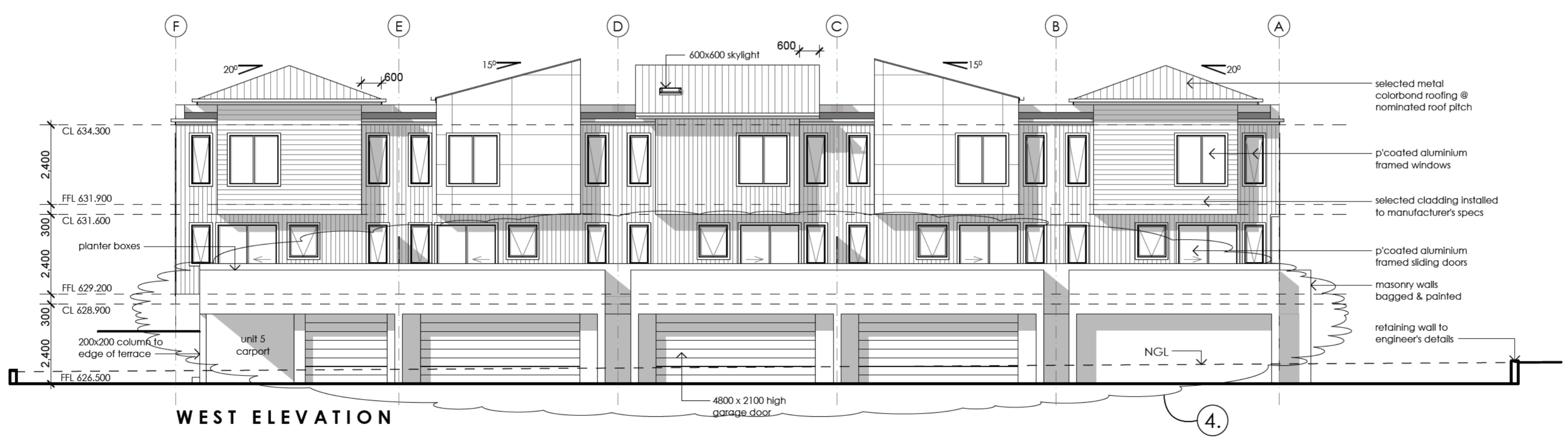
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

- A** Dec. 2008 Revision
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- | Issue | Date | Event |
|-------|------|-------|
| | | |

Project
Multi Unit Housing

Site
**blocks 16+17
 section 13,
 Mawson, ACT.**

Title
Elevations Units 1-5

Scale
 1:100

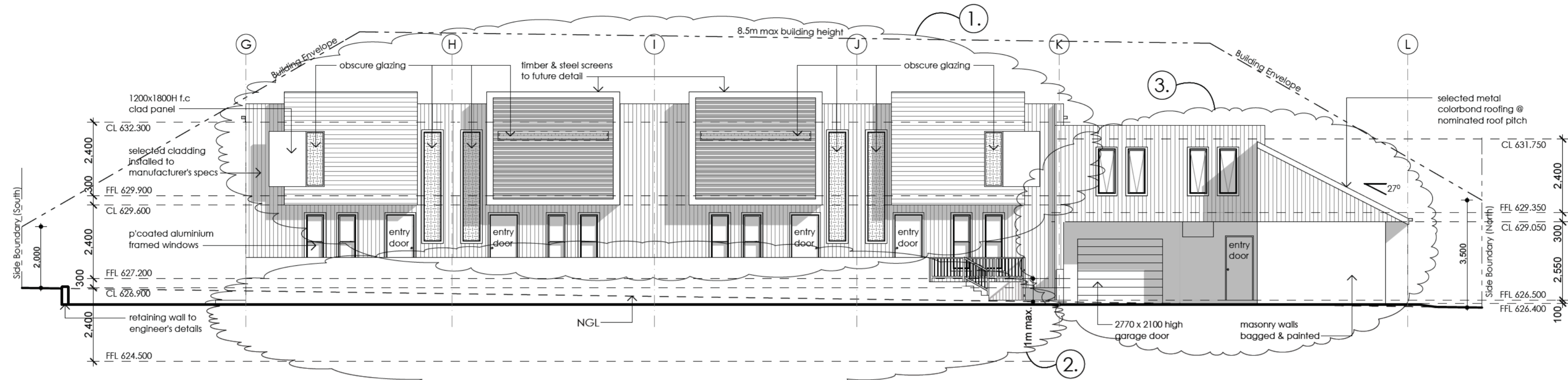
Drawn By
 SA

Date
 May 2008

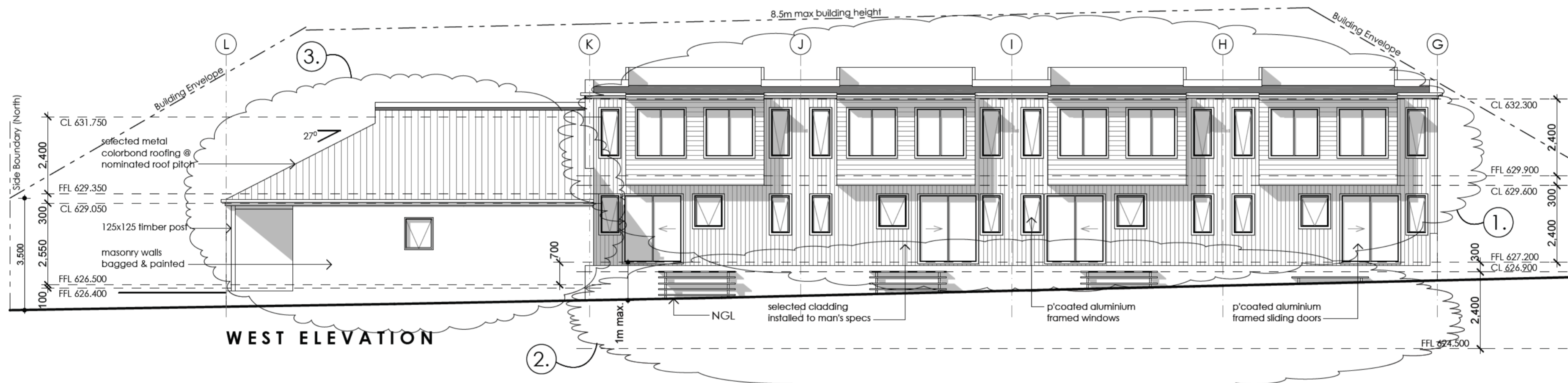
Drawing No.
 1284 - D

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 Phone 02 9660 2255 Fax 02 9660 2254

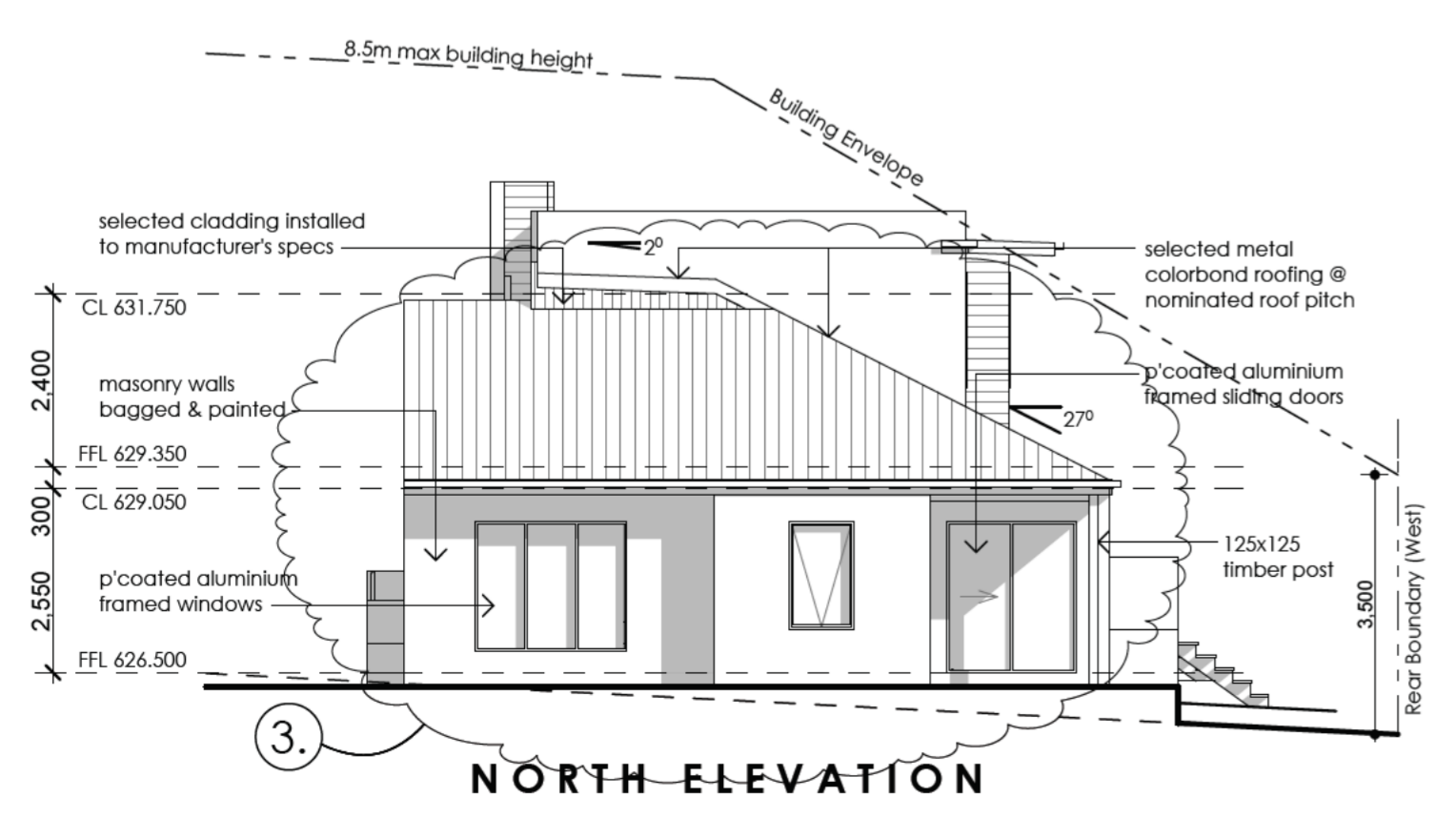
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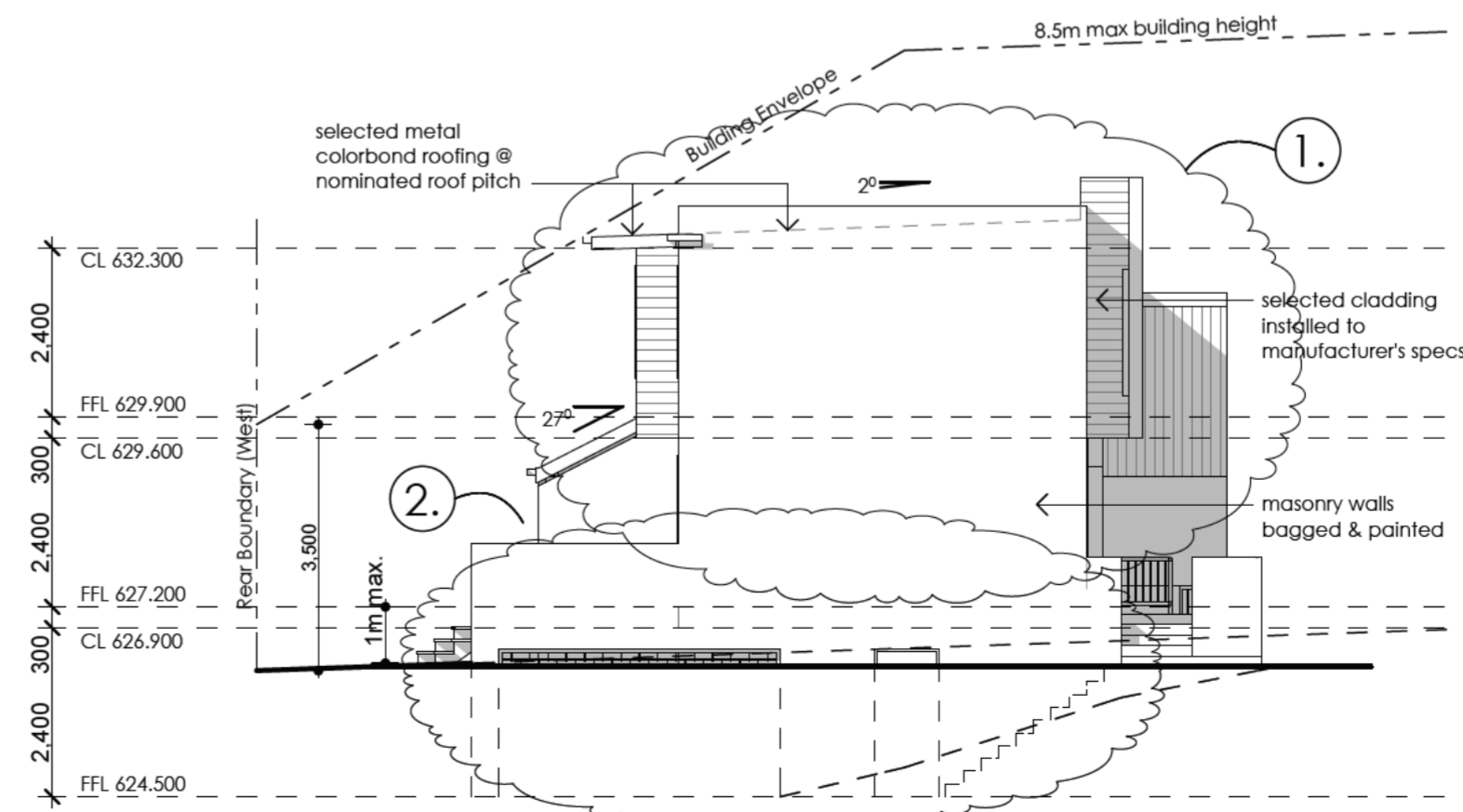
EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

- A** Dec. 2008 Revision
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- | Issue | Date | Event |
|-------|------|-------|
| | | |

Project
Multi Unit Housing

Site
**blocks 16+17
section 13,
Mawson, ACT.**

Title
Elevations Units 6-10

Scale
1:100

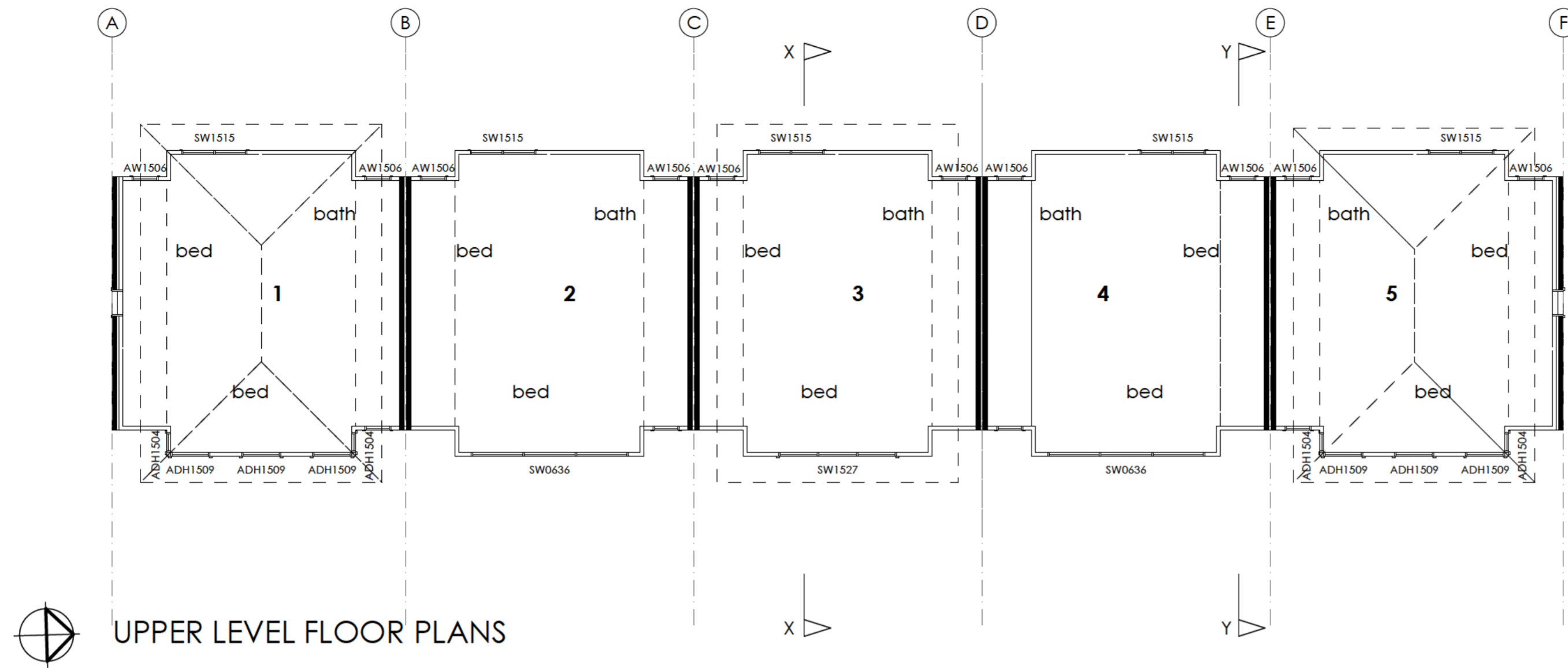
Drawn By
SA

Date
May 2008

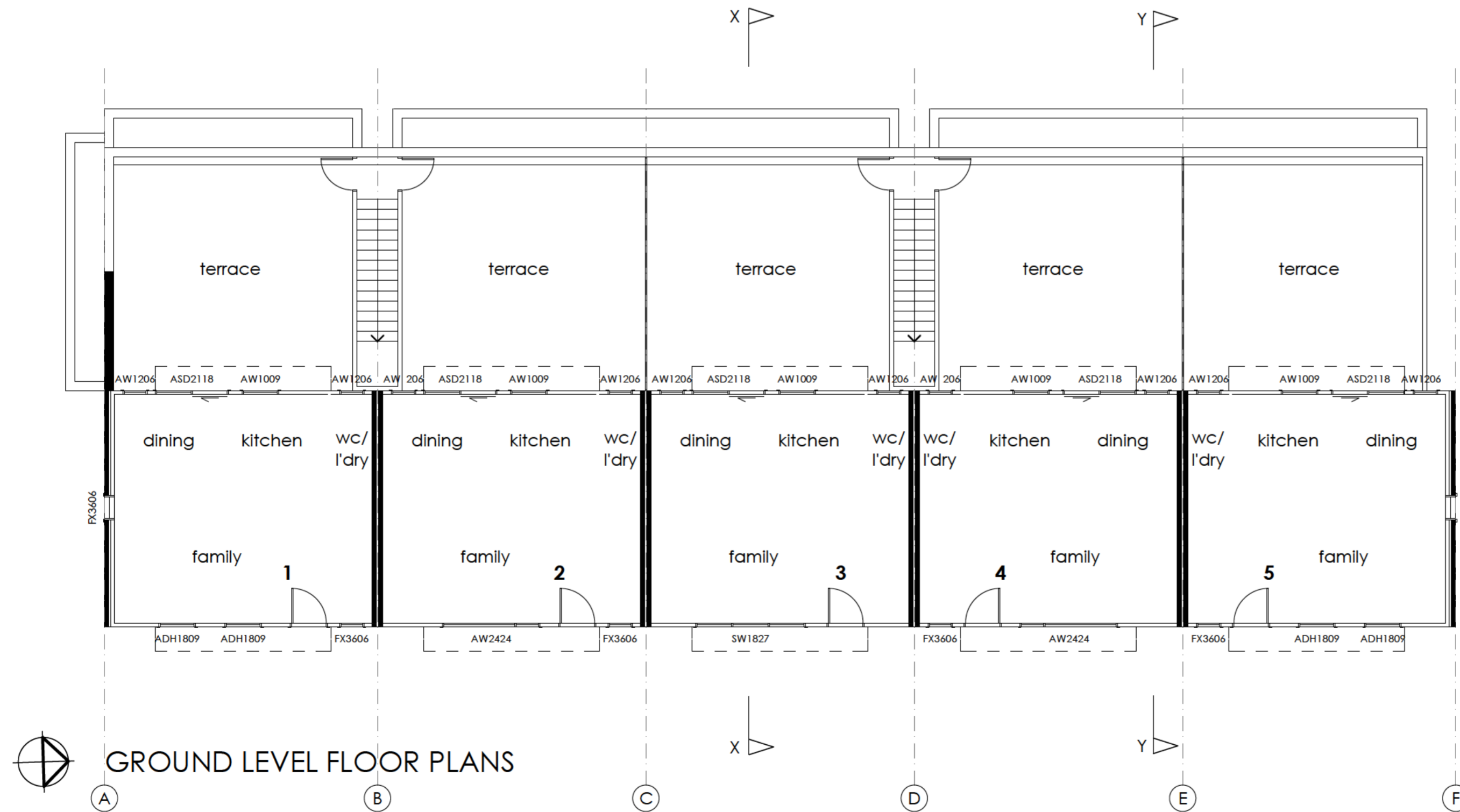
Drawing No.
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UPPER LEVEL FLOOR PLANS



GROUND LEVEL FLOOR PLANS

A Dec. 2008 Revision

1. Increase floor levels of units 6-9 by 700mm.
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Issue	Date	Event

Project
Multi Unit Housing

Site
blocks 16+17
section 13,
Mawson, ACT.

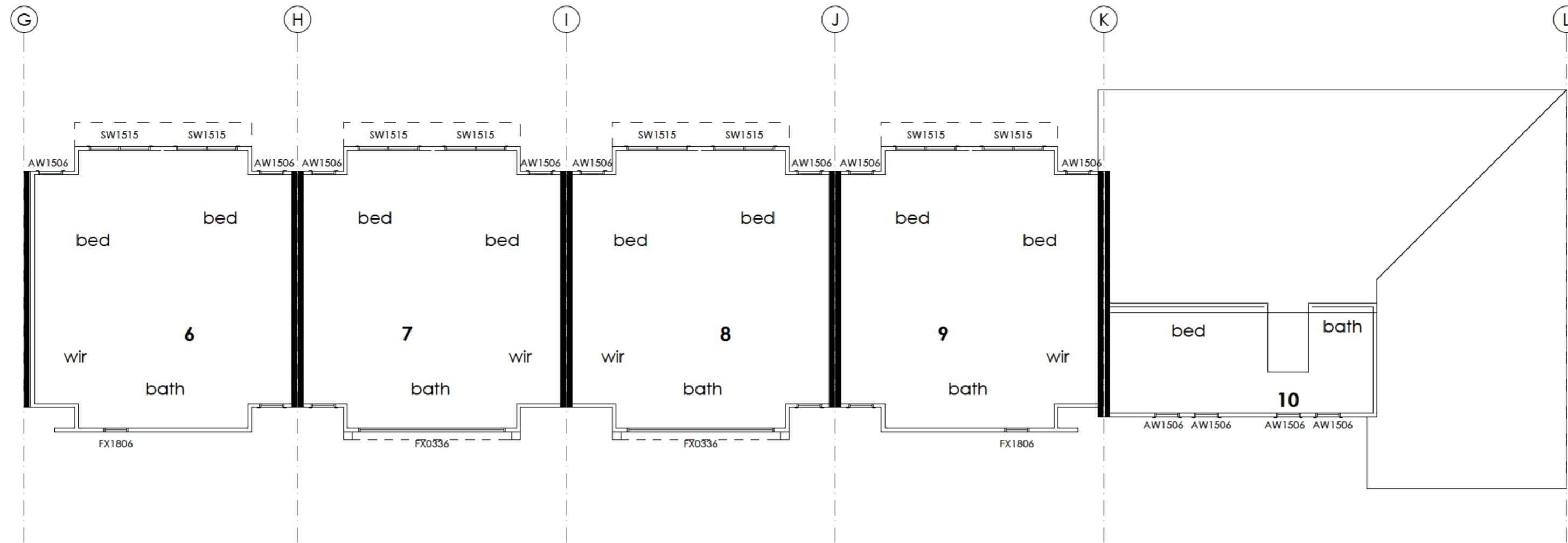
Title
Neighbour Notification Plan
Units 1-5

Scale 1:100
Drawn By SA

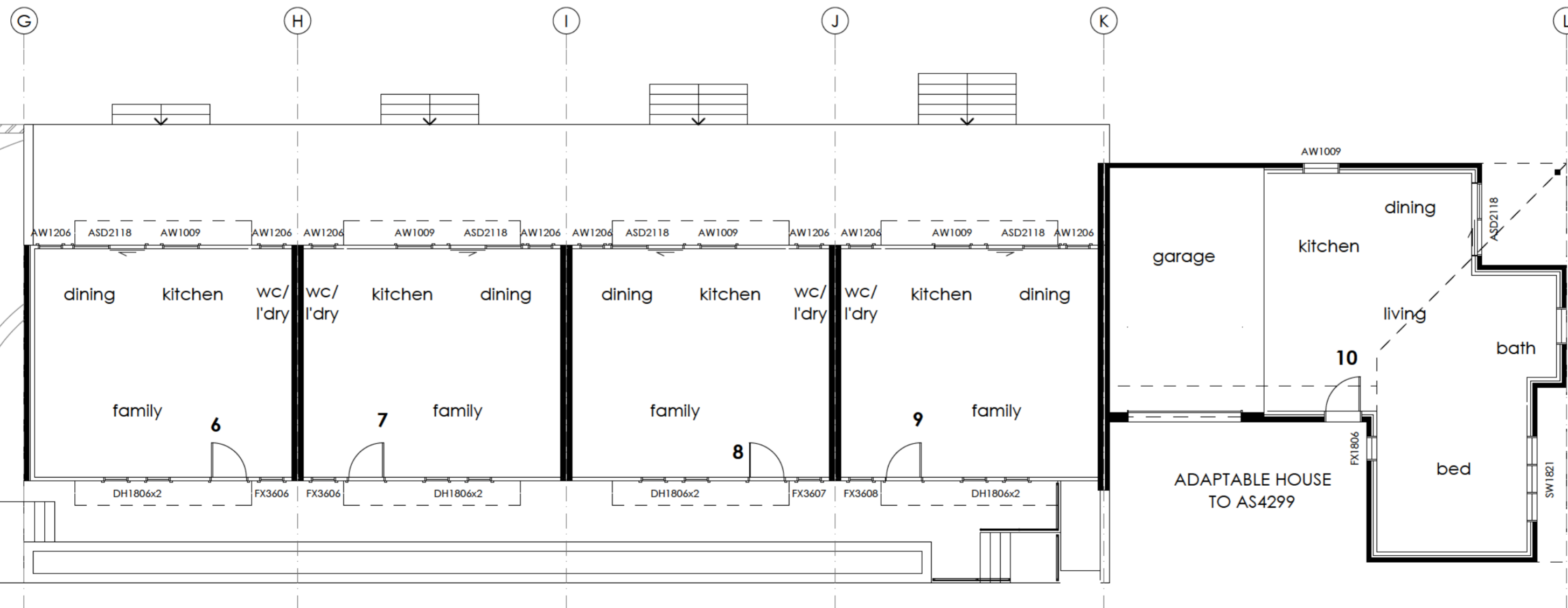
Date May 2008
Drawing No. 1284 - X

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UPPER LEVEL FLOOR PLANS



GROUND LEVEL FLOOR PLANS

A Dec. 2008 Revision

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Issue	Date	Event

Project
Multi Unit Housing

Site
blocks 16+17
section 13,
Mawson, ACT.

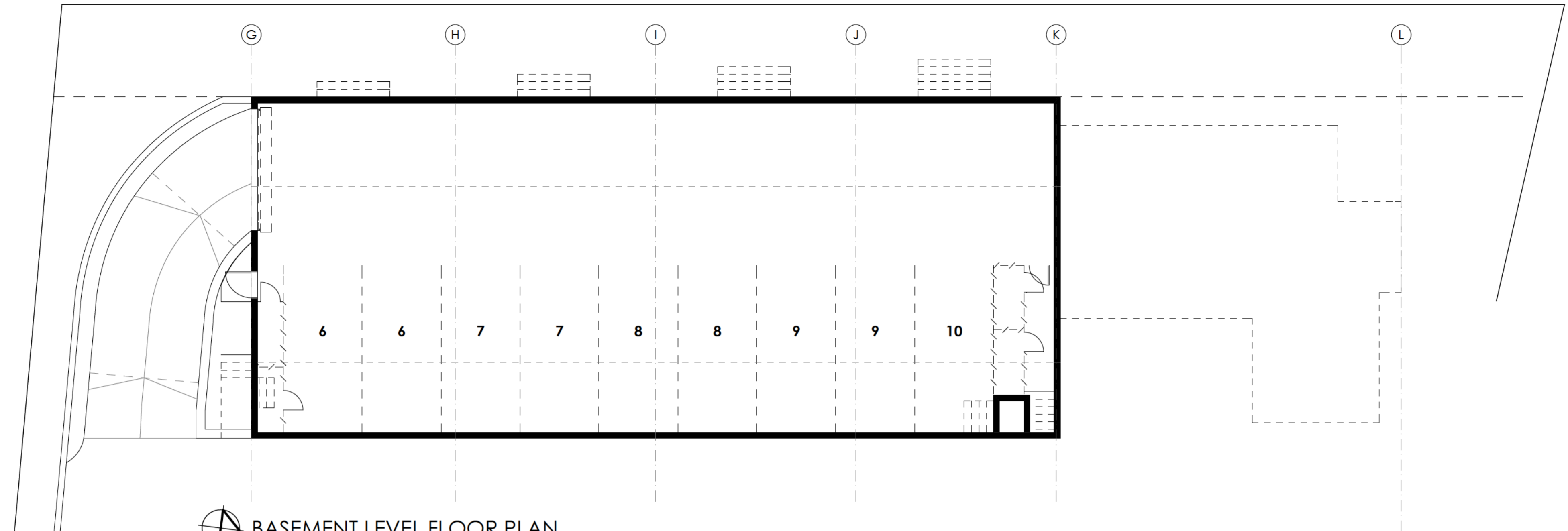
Title
Neighbour Notification Plan
Units 6-10

Scale 1:100
Drawn By SA

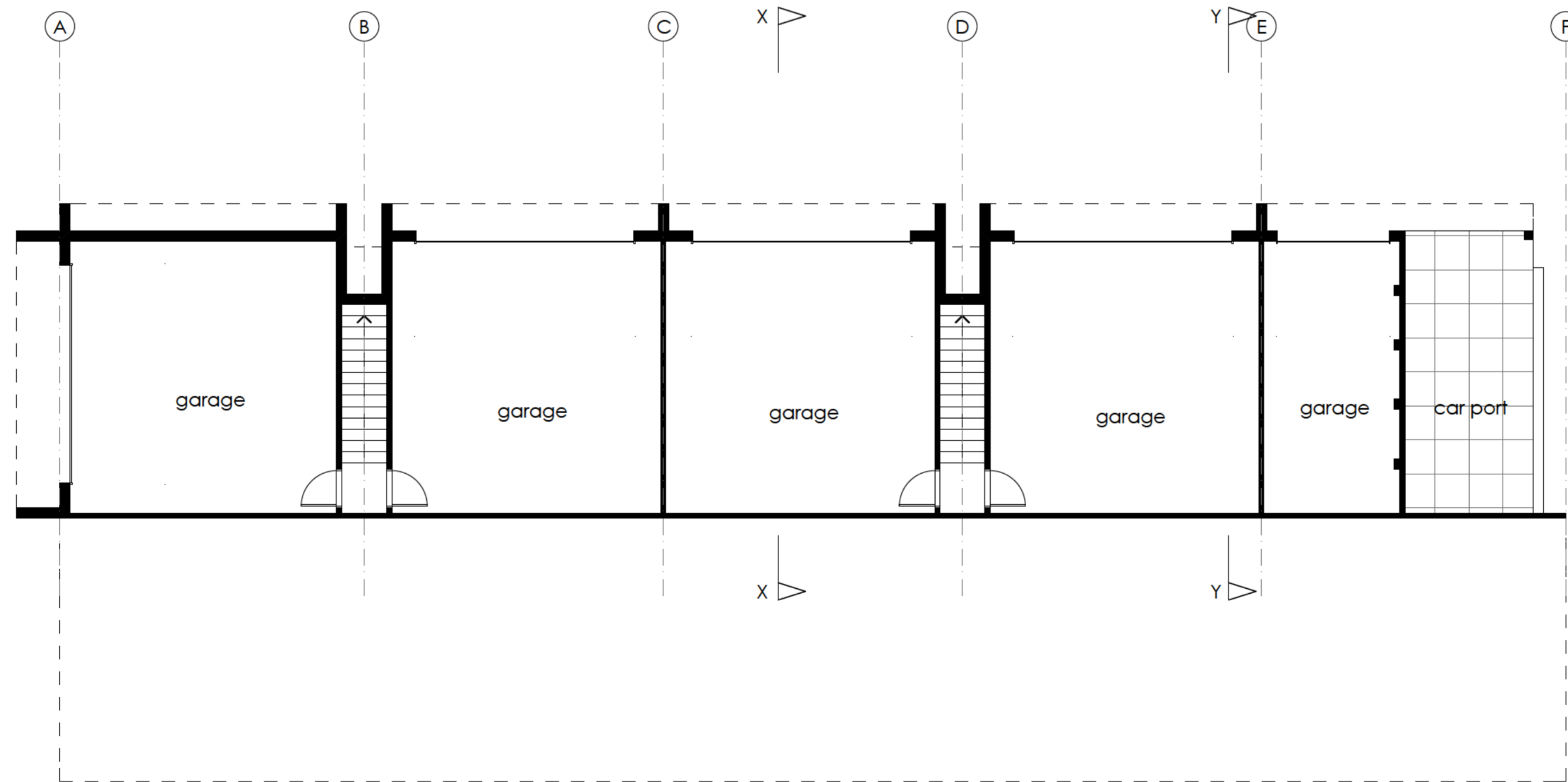
Date May 2008
Drawing No. 1284 - Z


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 BASEMENT LEVEL FLOOR PLAN



 LOWER LEVEL FLOOR PLAN

A Dec. 2008 Revision

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Issue	Date	Event

Project
Multi Unit Housing

Site
blocks 16+17
section 13,
Mawson, ACT.

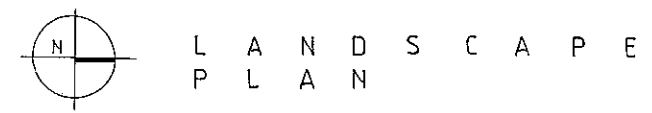
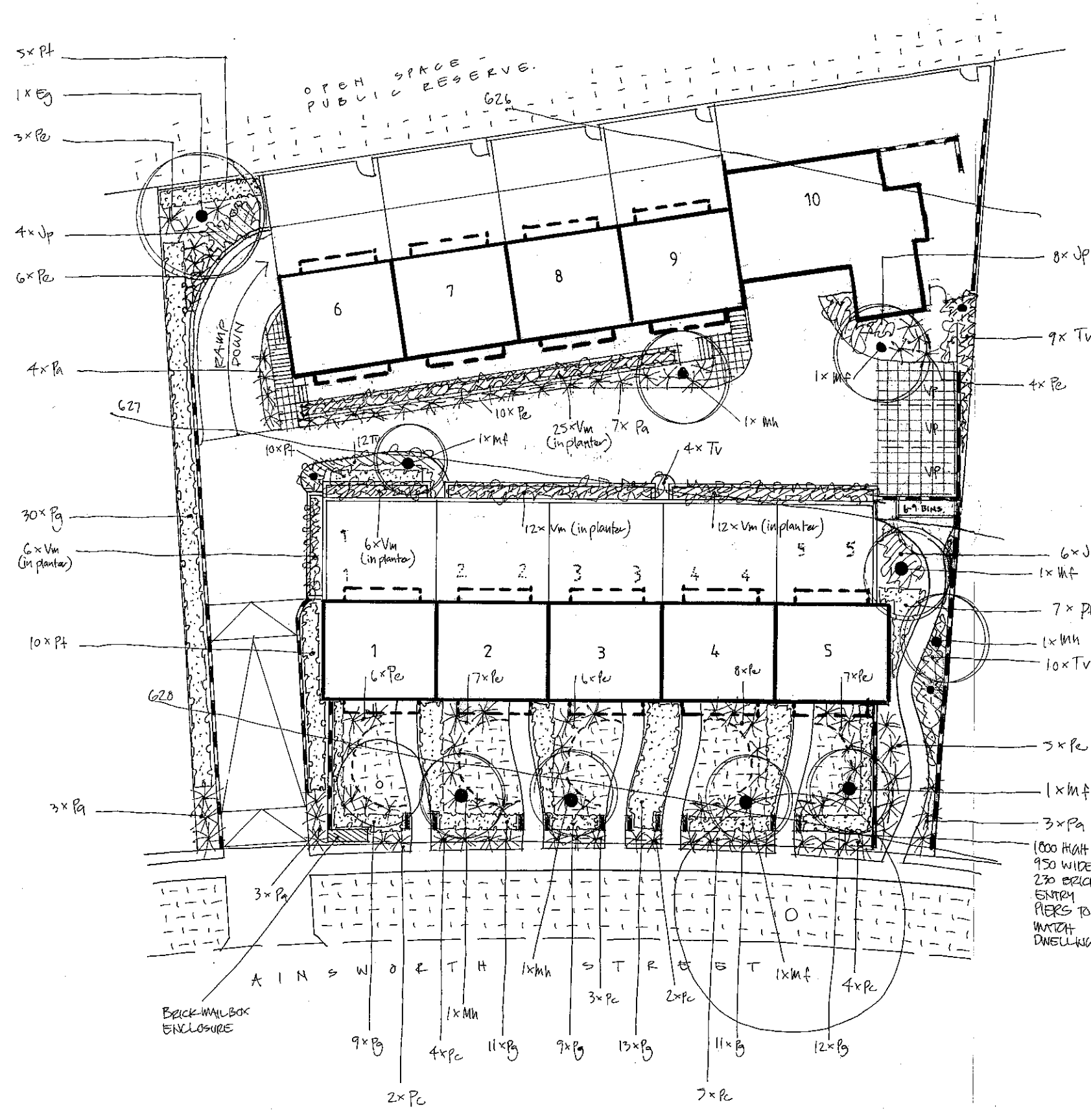
Title
Neighbour Notification Plan
Basement & Garage Level

Scale 1:100
Drawn By SA

Date May 2008
Drawing No. 1284 - Y

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PROPOSED PLANTING SCHEDULE

TREES				
Code	No.	Species	Common Name	Size
Eg	1	Eucalyptus gregsonia	Woigan Snow Gum	1.5m
Mf	5	Malus floribunda	Crab Apple 'Japanese'	1.5m
Mh	4	Malus hopa	Flowering Crab Apple	1.5m

GRASSES				
Code	No.	Species	Common Name	Size
Pe	62	Pennisetum setacetum 'rubrum'	Fountain grass	140mm pot
Pc	20	Phormium cookianum	NZ Flax	140mm pot
Pa	20	Phormium anna red	Red NZ Flax	140mm pot

HEDGING PLANTS				
Code	No.	Species	Common Name	Size
Pg	95	Photinia glabra 'rubens'	Photinia	140mm pot
Pt	32	Pittosporum tenuifolium golden sheen	Pittosporum	140mm pot

GROUND COVERS				
Code	No.	Species	Common Name	Size
Jp	18	Juniperus procumbens 'Nana'	Juniper	tube stock
Tv	45	Thymus vulgaris	Garden Thyme	tube stock
Vm	61	Vinca minor (White)	Vinca	tube stock

LANDSCAPE LEGEND

Hardscape

- Masonry retaining walls (max 900 high) to engineers detail.
- 150 x 25 Treated pine garden / path edging.
- 1200 high public areas light fixture as selected.
- Stencilled concrete parking bay to contrast with dark grey coloured driveway

Softscape

- Existing tree to be retained and protected during construction.
- Proposed tree planting.
- Proposed hedge planting.
- Proposed grass planting.
- Proposed ground cover planting.
- Proposed non irrigated lawn planting.

Issue **DEC-08** Date
 Provide basement parking under units 6-9 + revise central parking. Amendment

Project
Multi Unit Housing

Site
 blocks 16+17 section 13,
Mawson, ACT.

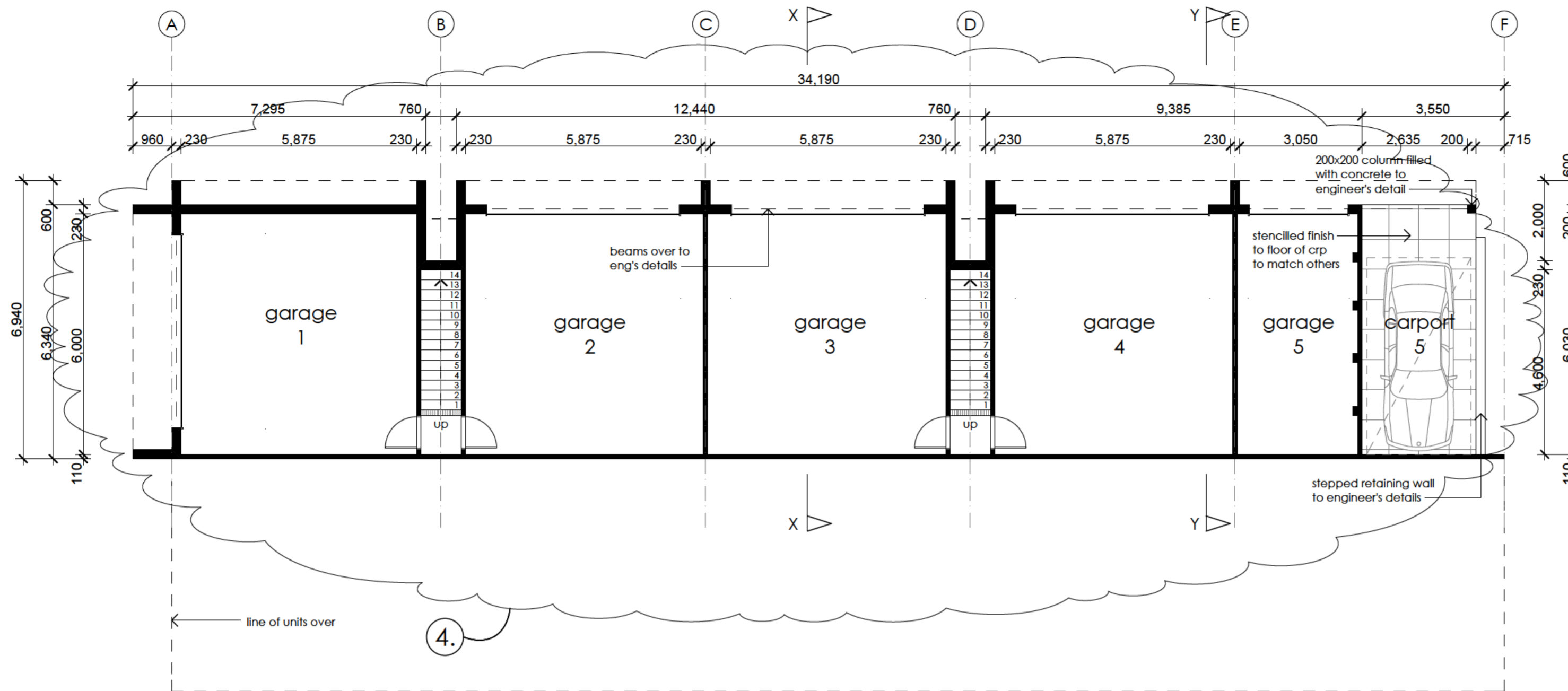
Title
Landscape Plan

Scale 1:200
 Drawn By SA

Date May 2008
 Drawing No. 1284 - J

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LOWER LEVEL FLOOR PLAN

A Dec. 2008 Revision

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Issue	Date	Event

Project
Multi Unit Housing

Site
blocks 16+17
section 13,
Mawson, ACT.

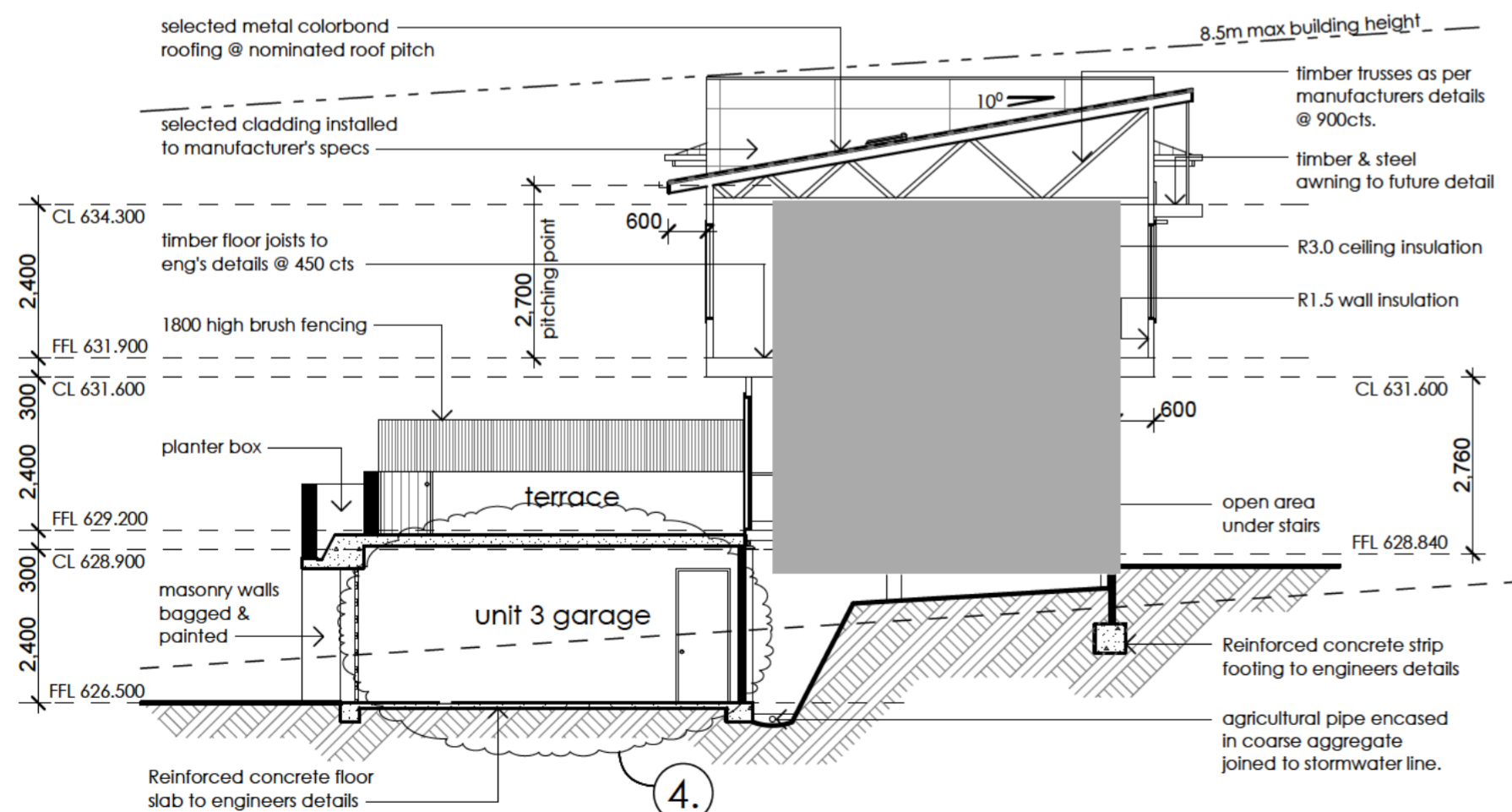
Title
Garage Level Floor Plan
& Sections

Scale 1:100 Drawn By SA

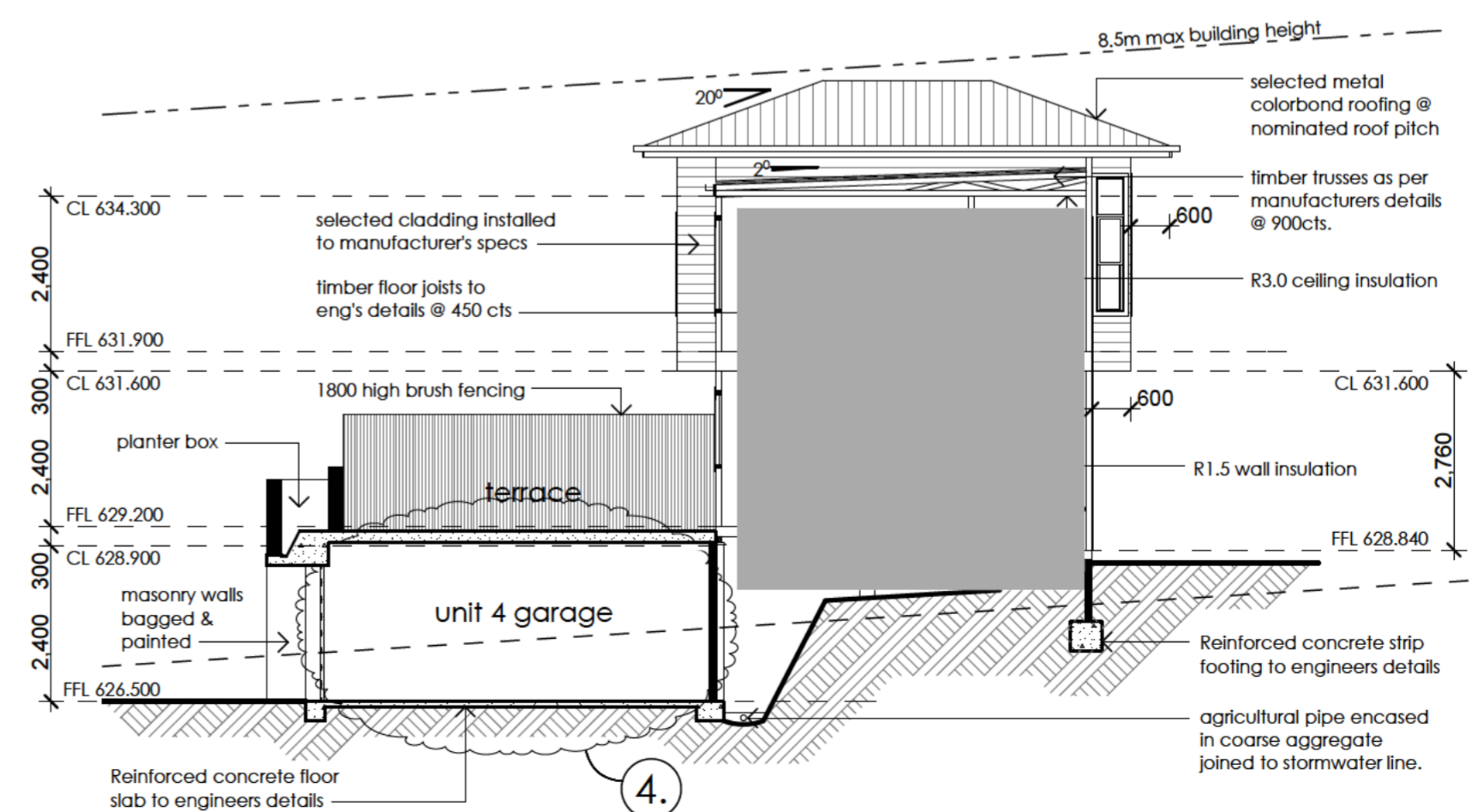
Date May 2008 Drawing No. 1284 - E

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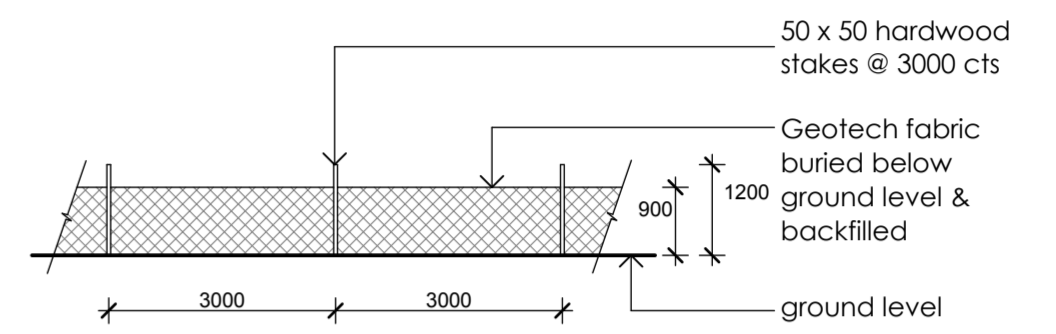
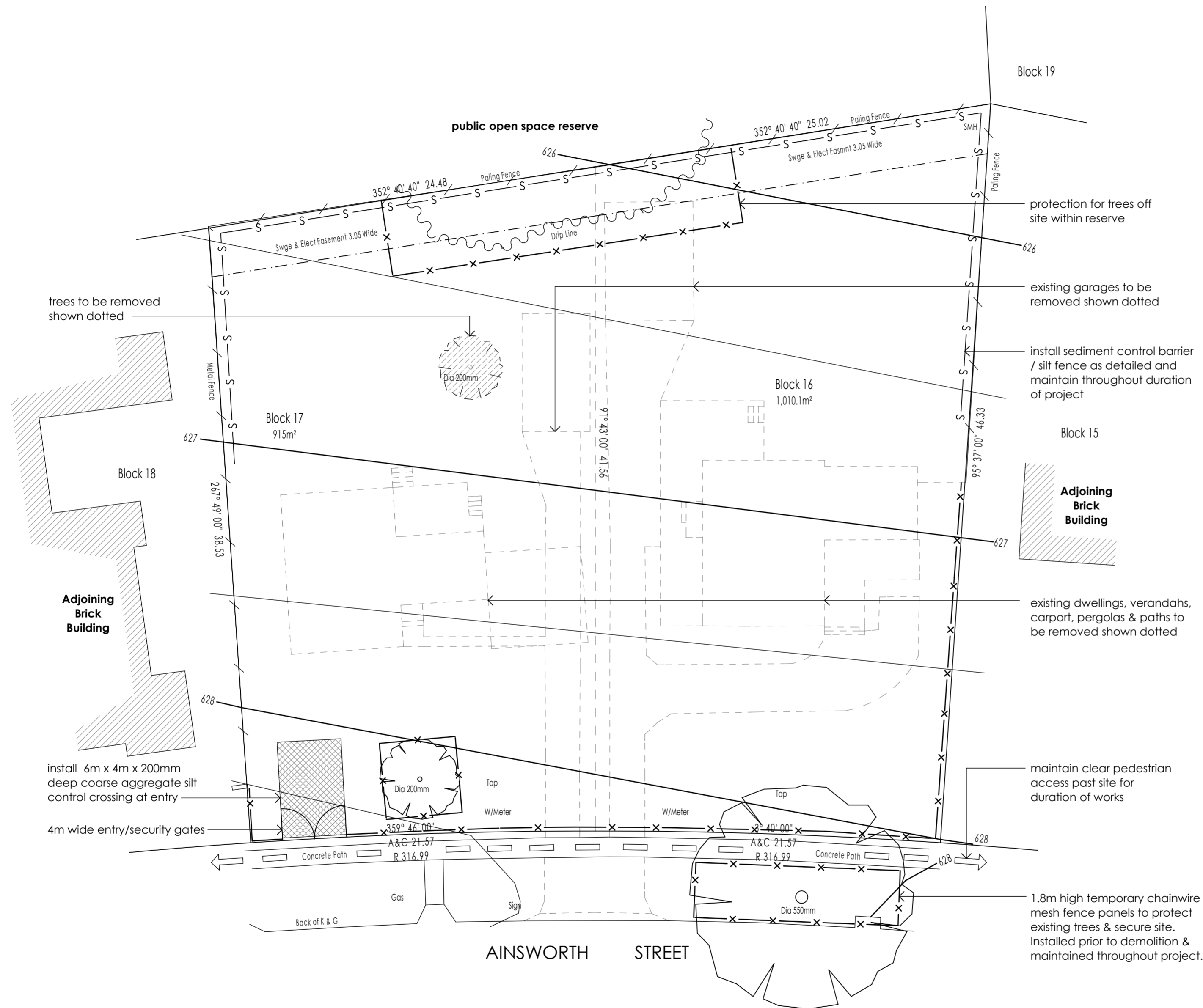
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SECTION X-X



SECTION Y-Y



SEDIMENT CONTROL BARRIER DETAIL scale 1:100

- A** Dec. 2008 Revision
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- | Issue | Date | Event |
|-------|------|-------|
| | | |

Project
Multi Unit Housing

Site
blocks 16+17 section 13, Mawson, ACT.

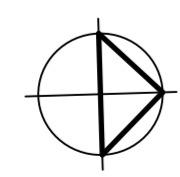
Title
Additional Site Plans

Scale 1:200
 Drawn By SA

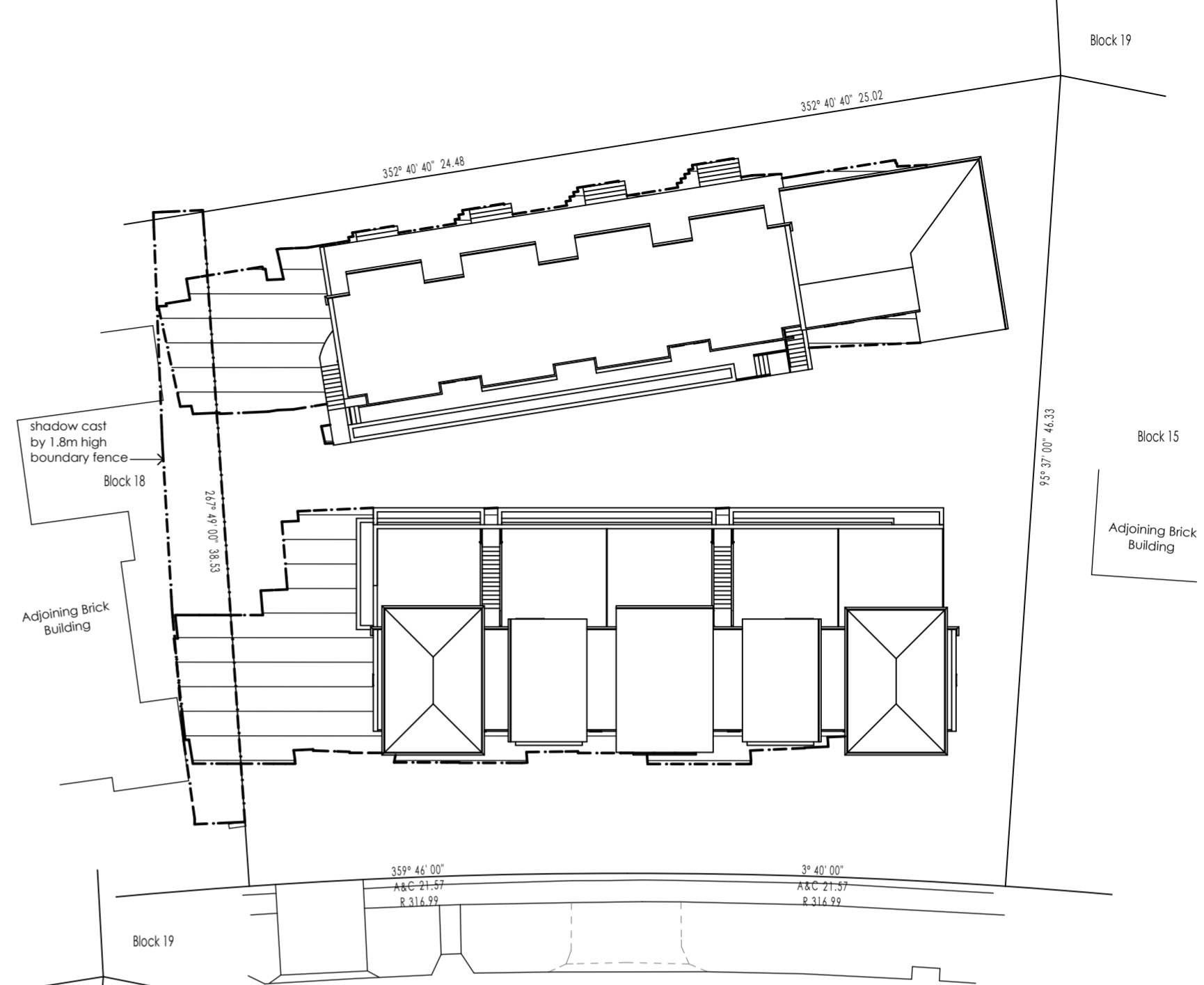
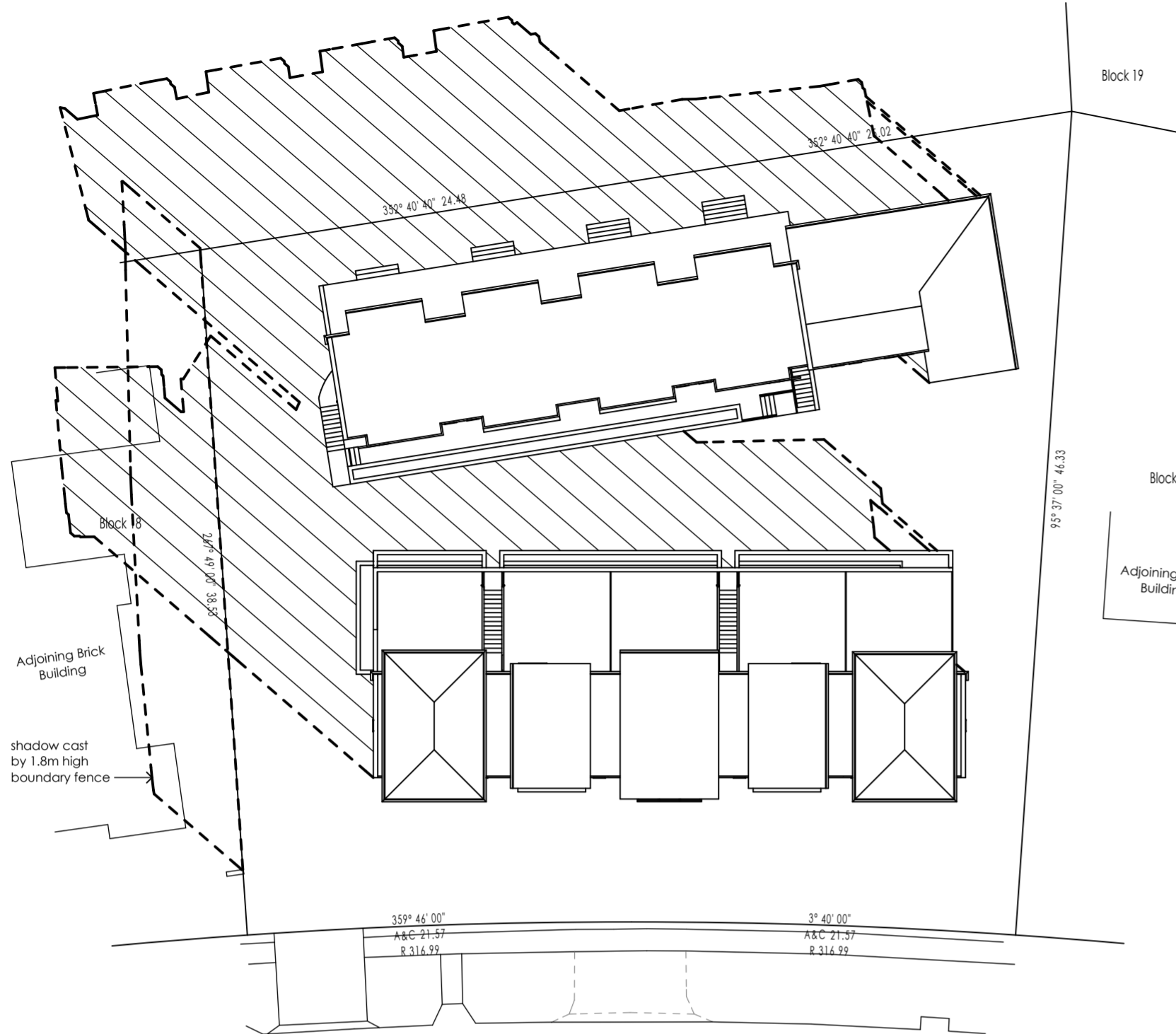
Date May 2008
 Drawing No. 1284 - B

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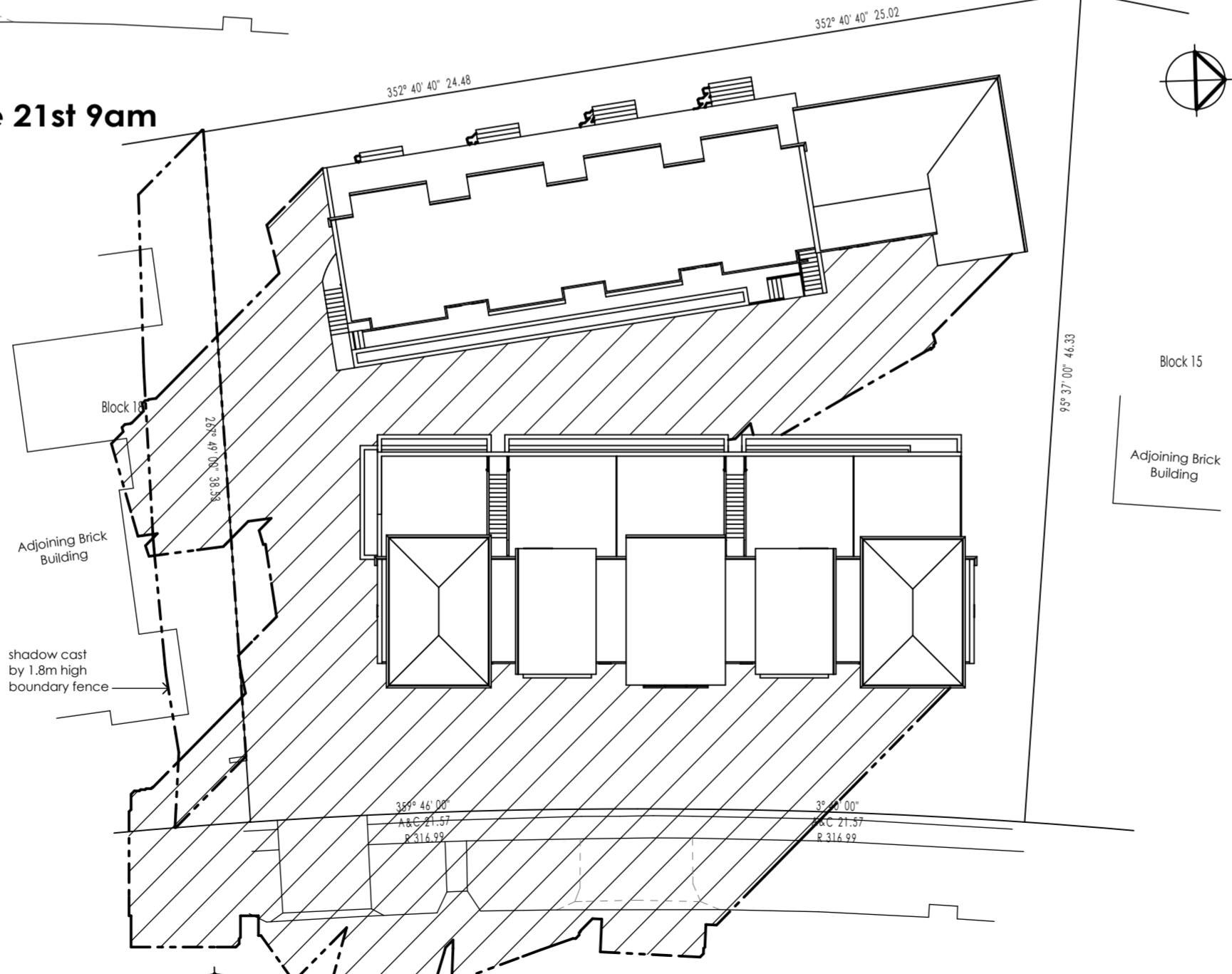
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TREE MANAGEMENT PROTECTION PLAN, DEMOLITION PLAN & SEDIMENT AND EROSION CONTROL PLAN



 **SHADOW DIAGRAM - June 21st 9am**



 **SHADOW DIAGRAM - June 21st 3pm**

 **SHADOW DIAGRAM - June 21st 12noon**

- A** Dec. 2008 Revision
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- | Issue | Date | Amendment |
|-------|------|-----------|
| | | |

Project
Multi Unit Housing

Site
**blocks 16+17
 section 13,
 Mawson, ACT.**

Title
Shadow Diagrams

Scale
 1:300

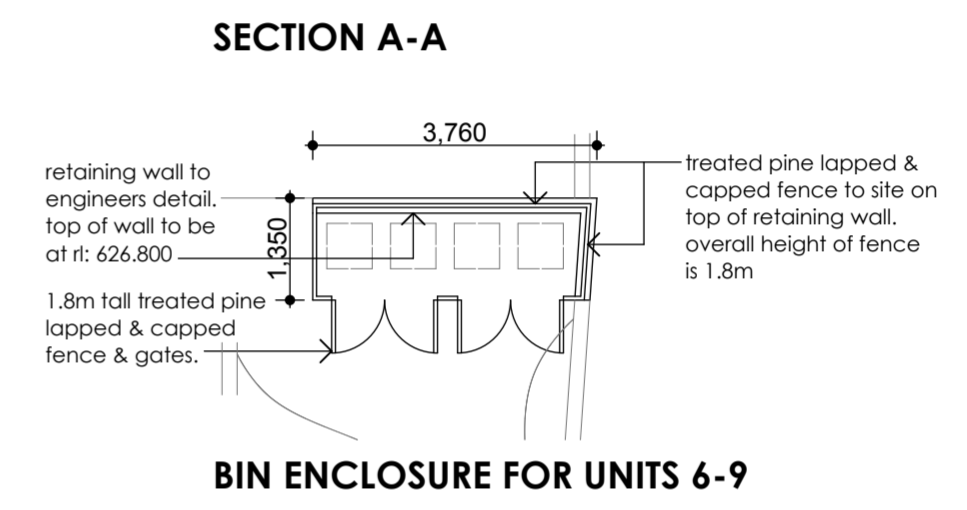
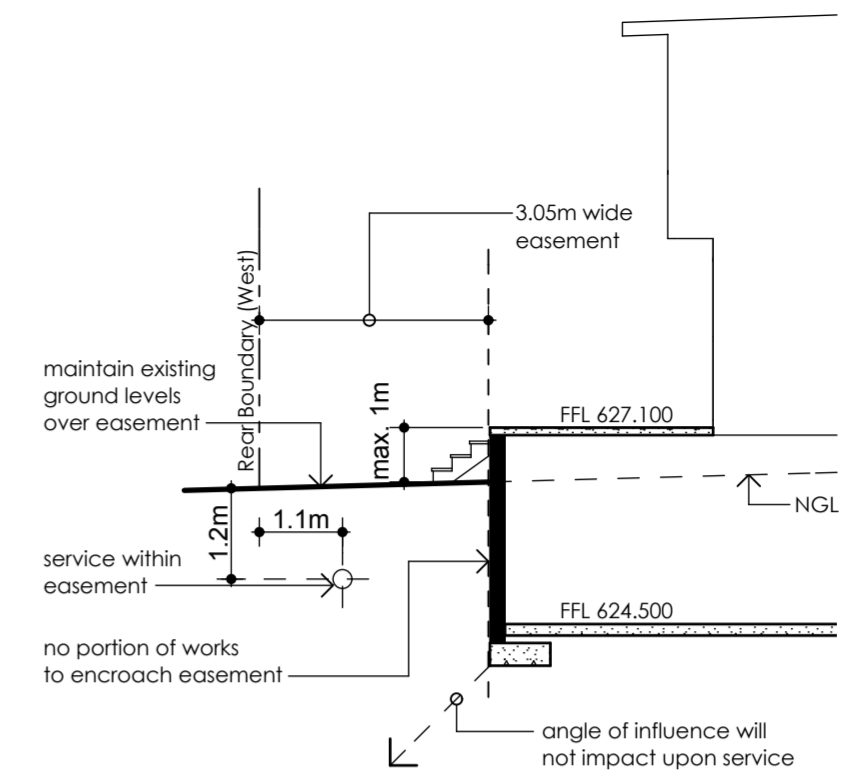
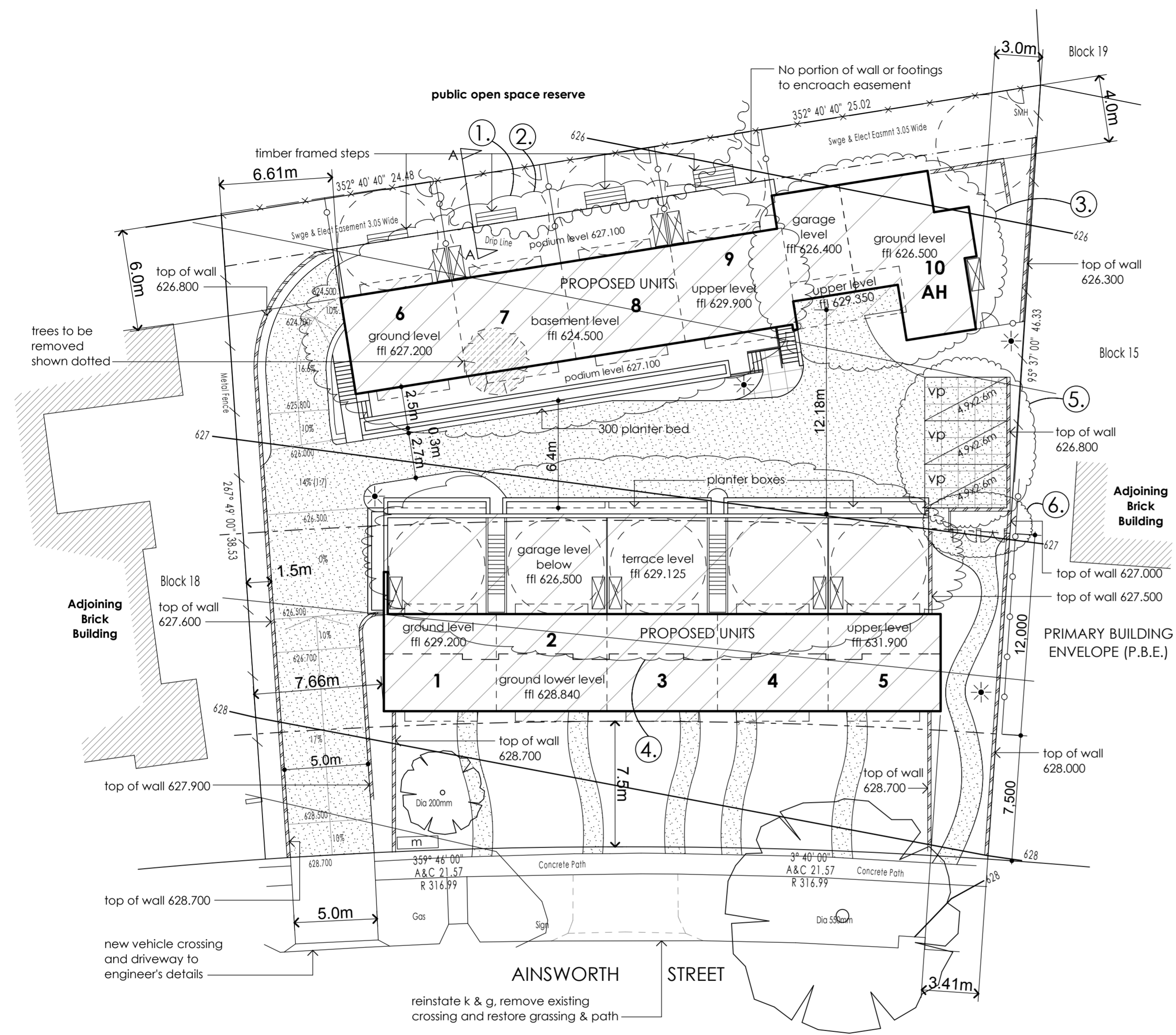
Drawn By
 SA

Date
 May 2008

Drawing No.
 1284 - I

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 Phone 02 9660 2255 Fax 02 9660 2254

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LEGEND

- existing tree to be retained
- existing tree to be removed
- existing fence to be retained
- 1.8m tall treated pine lapped & capped pailing fence & matching gate
- powdercoated metal 'spear fence' & gates 1.8m tall as selected
- 6m min. p.o.s. area
- retaining wall to eng's details
- vp visitor car parking space
- portable clothes airer locations
- m brick mailbox enclosure to detail
- 1.2m tall public areas light fitting as selected
- dark grey broom finished concrete driveway
- stencilled coloured concrete to contrast with above to define parking bays
- AH** adaptable house

- A** Dec. 2008 Revision
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- | Issue | Date | Event |
|-------|------|-------|
| | | |

Project
Multi Unit Housing

Site
blocks 16+17 section 13, Mawson, ACT.

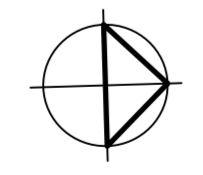
Title
Site Plan

Scale 1:200
Drawn By SA

Date May 2008
Drawing No. 1284 - A

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SITE PLAN

PLOT RATIO CALCULATIONS

Units 1-5	385.8m ²
Garages 1-5	172.3m ²
Units 6-10	408.9m ²
Total Area	967.0m ²
Site Area	1,925.1m ²
Proposed Plot Ratio	0.50 : 1

PARKING CALCULATIONS

10 x 2 Bedroom Units @ 2 spaces each	= 20
10 x 0.25 visitor spaces	= 3
Total number of spaces required	= 23
Total number provided	= 23
20 (2 per unit) allocated to units	
3 nominated visitor spaces	

From: [Ponton, Ben](#)
To: [Corrigan, Jim](#)
Cc: [Jamaly, Rumana](#)
Subject: FW: Concern over ACTPLA handling of Hillcorp DA Ainsworth St Mawson [SEC=UNCLASSIFIED]
Date: Friday, 27 February 2009 2:01:36 PM

Hi Jim,

I have discussed the outcome of your meeting today with Mr Hill with Neil. I will now prepare a response for Neil to send along the lines that Mr Hill's consultant admitted the proposal did not comply with standards and that we are now assisting him to find a way through the circumstances he finds himself in due to the actions of his consultants. I might run that past you and Rumana for a "fact check". Can you please place Neil's response on the file?

Cheers,

B

Ben Ponton
Director
Development Services
ACT Planning & Land Authority
Telephone: (02) 6207 7248

From: Savery, Neil
Sent: Friday, 27 February 2009 10:14 AM
To: [REDACTED]
Cc: David Hill; Ponton, Ben; Metha, Nan
Subject: RE: Concern over ACTPLA handling of Hillcorp DA Ainsworth St Mawson [SEC=UNCLASSIFIED]

Dear [REDACTED]

I trust you will understand that sending me an email at 11.57 the night before a meeting is to take place the following day between the person you represent and staff of ACTPLA is no guarantee that I am going to first be in a position to see it and second appraise myself of the issues in order that I can provide some sort of cogent response.

I have no prior knowledge of this proposal, as I do not handle individual DAs, which are administered under delegation to officers who in turn deal with applicants, their representatives, submitters and referral agencies.

Having just got to the office and read your email I have spoken to the Director of Development Services, who will take a personal interest in this matter and provide me with further advice after the meeting with Mr Hill.

I think at this stage it is inappropriate to comment on the circumstances behind the assessment of Mr Hill's DA, as there may be any number of factors that have contributed to both the assessment timeframe (which in itself needs to be verified) and the decision to refuse the application.

Yours sincerely

Neil Savery

From: [REDACTED]
Sent: Thursday, 26 February 2009 11:56 PM
To: Savery, Neil
Cc: David Hill
Subject: FW: Concern over ACTPLA handling of Hillcorp DA Ainsworth St Mawson [SEC=UNCLASSIFIED]

Dear Neil

I am contacting you directly on behalf of David Hill of Hillcorp, the applicant for a 10 unit DA in Mawson, to seek your intercession in what appear to have been serious inconsistencies, anomalies and delays in a reassessment commenced early December 2008 and only completed and transmitted on 25 February 2009 (see attached determination from ACTPLA).

Mr Hill raised these concerns with me in a private capacity given my knowledge of regulatory law and practice. I am familiar with David's long and proud record as a developer in the ACT. I have reviewed and endorse David Hill's attached letter to you and the attached Summary of Dealings with ACTPLA over the past 10 months and a response to Notice of Decision on Reconsideration both of which were prepared by Hillcorp's designer Peter Byfield.

Based on decades of building experience, Mr Hill (who has an investment of over \$4 million on the line) is devastated by an experience that runs counter to the efficient process objectives of ACTPLA which were most recently endorsed by the ACT Chief Minister in his Statement of 2 December 2008.

Mr Stanhope stated that construction is one of the biggest private sector drivers of the ACT's economy and conceded that builders were often frustrated by the planning approval process. He committed the Government to a complete review of operations and the way in which timelines, planning processes, and statutory approvals were dealt with, noting his Government's desire to do everything it could to assist in stimulating the ACT's economy.

Throughout the past 10-months of dealing with ACTPLA on this project, Hillcorp Developments Pty Ltd has been led to believe by a series of ACTPLA officers that if the requirements detailed by the various ACTPLA officers were met, the development application would be approved. On this basis, Hillcorp Developments has expended in excess of \$150,000 to date on the proposal. This is a level of expenditure that no small business can afford to write off particularly in today's economic crisis.

Unless approval for the 10 units is confirmed Mr Hill's bank will not support the project as it will not comply with the bank's risk assessment requirements. Furthermore if a quick resolution does not occur Hillcorp will be forced to cancel all relevant sub contracts in order to meet ASIC requirements.

In summary Mr Hill finds his otherwise viable project is in jeopardy because of the apparent subjective nature of decision-making by some officers within ACTPLA.

He is particularly incensed that no opportunity was provided to discuss any of the points raised in the officer's letter of 25 February 2009 prior to the decision being made.

Mr Hill estimates that failure to proceed with this project would result in a loss to the local economy of 20 full-time jobs, with flow-on effects to suppliers and contractors. In addition, it will have a further detrimental effect on Canberra's affordable housing crisis and lack of rental accommodation. The loss of revenue to ACT Government is estimated in excess of \$250,000 (Stamp Duty, Change of Use

charge).

As you will see from Mr Hill's letter he is due to meet with ACTPLA staff tomorrow morning in an attempt to reach a resolution that allows him to proceed with the project immediately.

I have urged Mr Hill to continue dialogue with ACTPLA at this stage rather than take recourse to other avenues he mentions in his letter.

Kind regards

[REDACTED]

IMPORTANT: This email from the [REDACTED] and any attachments to it, contains information that is confidential and may also be the subject of legal, professional or other privilege. If you are not the intended recipient, you must not review, copy, disseminate, disclose to others or take action in reliance of, any material contained within this email. If you have received this email in error, please let the [REDACTED] know by reply email to the sender informing them of the mistake and delete all copies from your computer system. For the purposes of the Spam Act 2003, this email is authorised by [REDACTED]



Notice of decision on Reconsideration⁷⁸

Division 7.3.10 of the *Planning and Development Act 2007*

DA NO: 200812307

DATE RECONSIDERATION LODGED: 28 January 2009

DATE OF DECISION: 25 February 2009

BLOCK: 16 & 17

SECTION: 13

SUBURB: MAWSON

STREET NO AND NAME: 53 & 51 Ainsworth Street

APPLICANT: Peter Byfield

LESSEE: Hillcorp Developments Pty Ltd

THE APPLICATION

This application seeks reconsideration of the decision by the Authority of 8 December 2008 to impose the conditions of approval set out in the Notice of Decision.

THE DECISION

I, Rumana Jamaly, delegate of the ACT Planning and Land Authority, pursuant to section 193 of the *Planning and Development Act 2007*, hereby **confirm the original decision** of the Planning and Land Authority dated 8 December 2008.

PUBLIC NOTIFICATION

Pursuant to Division 7.3.10 of the Act, written notice of the reconsideration application was given to anyone who made representation under section 156 about the original application on 29 January 2009 to 12 February 2009. One written representation was received during the time allowed.

The main issues raised were as follows. Comments are provided as appropriate.

(a) Overshadowing due to increase in floor levels:

The proposed height of the development in the revised proposal complies with the building envelope requirement to ensure the amenity of surrounding properties is maintained, particularly in relation to privacy, overshadowing and solar access. Unit 1 and Unit 2 on Block 18 would have a minimum of 3 hours of direct sunlight onto the internal primary living space and the private open space between the hours of 9am and 3pm on 21 June (winter solstice).

(b) Stormwater Drainage on Site:

Sub-Elements 6.7 and 6.8, General Development Controls of the Multi Unit Housing Development Code require that the proposed development achieves the mandatory rules regarding the Water Sensitive Urban Design (WSUD) requirements. Condition 1 (b) of the original Notice of Decision required that the applicant provides details demonstrating that the proposal achieves this requirement. However the applicant has failed to provide any information in relation to WSUD. The Authority has reconfirmed its original decision to approve the proposal subject to conditions and therefore condition 1 (b) of the original Notice of Decision is still valid.

(c) Removal of Unit 10:

A condition to remove Unit 10 from the development was imposed to provide a more appropriate location for visitor car park space. In the revised proposal the applicant has relocated the visitor car parking spaces to a more suitable location. However the Authority has reconfirmed its original decision to approve the proposal subject to conditions and therefore condition 1a) (i) of the original Notice of Decision relating to removal of Unit 10 is still valid.

REASONS FOR THE DECISION

The original decision **to approve subject to conditions** was confirmed because:

- a) A review of the information available when the original decision was made disclosed no grounds that would support an approval of the proposal;
- b) The information provided by the applicant in the revised application for reconsideration provided no grounds for the approval of the proposal but in actual fact has triggered more issues;
- c) The revised proposal for reconsideration does not satisfy Authority's concerns especially in relation to:

1. Non Compliance with Multi Unit Housing Development Code:

The revised proposal does not comply with the following requirements of the Code:

Part A – Zone Specific Controls

- **Element 2 Building and Site Controls: 2.3 Plot Ratio: Rule 15** – The revised proposal has a plot ratio of 50.55% and does not comply with the mandatory 50% allowable plot ratio requirement.

Part B – General Development Controls

- **Element 3 Built Form: 3.2 Access and Mobility: Criteria 35** – Access and Mobility Report was provided with the original submission however an amended report has not been provided for the revised proposal.
- **Element 6 Environment: 6.7 Water Sensitive Urban Design – Mains Water Consumption: Rule 46** – The design does not provide any evidence that demonstrates application of WSUD principles.
- **Element 6 Environment: 6.8 Water Sensitive Urban Design – Stormwater Quality & Quantity: Rules 47, 48 and 49** – The design does not provide any evidence that demonstrates application of WSUD principles.
- **Element 7 Services: 7.2 Servicing & Site Management: Rule 51** – The applicant has revised the design to accommodate Waste Bin Enclosures for Units 6-9. However there is no provision for Unit 10 waste bin enclosure.

Part C – Development Type Controls

- **Element 4 Parking and Site Access: 4.1 Vehicle Access: Rule 72 i)** – The Site Plan shows access driveway built over the footpath. The footpath is to have precedence.
- **Element 4 Parking and Site Access: 4.1 Vehicle Access: Rule 76 b) & c)** - The vehicular movement at grade will be considerably confusing and unsafe especially at the point where basement ramp starts, Unit 1 garage is accessed and at the entrance to the podium area /driveway leading to Unit 2-5 & Unit 10 garages & visitor parking. The width of the driveway (2.7m) at this point is not adequate for 2 cars to pass at the same time. Moreover it is not adequate for easy manoeuvring of emergency vehicles.

The proposal does not meet the Rule or the Criteria because the driveways and access/internal roads do not allow safe and efficient vehicle movement.

- **Element 4 Parking and Site Access: 4.1 Vehicle Access: Rule 77 a) & b)** – The access width of Basement parking for Units 6-9 is 5.4m and the width of parking spaces is 2.6m. This does not comply with the required width of 6.4m for 90 degree parking.

Adequate space is not available for manoeuvring especially for cars parked in bays 9 & 10 towards the north of the basement car park. The cars will have to reverse back on to the ramp to get out of the basement if there are no other vacant bays available to reverse the car.

- **Element 4 Parking and Site Access: 4.2 Parking: Rule 81 a) (i)** – Proposed visitor parking is closer to the northern boundary and is setback less than 1.5m.

The proposal does not meet the Rule or Criteria because the proposed visitor parking (noise and lights) will compromise the amenity of adjoining residential development.

2. Non Compliance with Parking and Vehicular Access General Code:

3.1.1 Objectives for Residential Zones

- **b) Safety:**
 - i) **No traffic hazards are created by the provision of access and parking facilities for a development, especially multi-unit developments:** the bottle neck situation created at the starting of basement ramp, opening of Unit 1 garage and the entrance to the podium area /driveway leading to Unit 2-5 & Unit 10 garages & visitor parking is considered to be a traffic hazard.
 - ii) **The safety of all users, especially pedestrians and cyclists, is considered:** there is NO separate access/footpath proposed for pedestrians/cyclists, especially accessing Units 6-10. They will have to share the driveway and access ramp leading towards the basement parking. It would be especially difficult for persons on wheelchair to access the adaptable unit 10 which is located at the far end of the site.

3. Non Compliance with Access and Mobility General Code:

Access and Mobility Report was provided with the original submission however an amended report has not been provided for the revised proposal. The revised proposal does not comply with the following mandatory requirements of the Code:

Part A – General Development Controls

- **Element 2 Access: 2.1 Continuous Accessible Path of Travel: Rule 11 c), g) and f)** – The proposed adaptable Unit 10 is situated far away from the entrance to the complex. There is no separate pedestrian/wheelchair access leading to the unit. There is no waste enclosure provided for the unit. A person has to wheel the bin through the visitor car park spaces, through a narrow access path near Units 6-9 waste enclosures and all the way to the kerb.
- **Element 2 Access: 2.2 Walkways: Rule 12** – There is no separate pedestrian / wheelchair access leading to the unit. Persons on wheelchair will have to share the driveway with other vehicles.

Part B – Additional Specific controls – Adaptable Housing

- **Element 2 Access: 2.1 Entries: Rule 27** – The proposed adaptable Unit 10 is situated far away from the entrance to the complex. A principal pedestrian entry has not been provided. The pathway along the northern boundary of the subject site leading up to the waste enclosure is not considered an appropriate access path as it does not comply with the access requirements of *AS4299 Class C (Adaptable Housing)*.

INSPECTION OF THE APPLICATION AND DECISION

A copy of the application and the decision are available on the public register. The register can be inspected between 8:30am and 4:30pm weekdays at the ACT Planning and Land Authority Dickson Customer Service Centre at 16 Challis Street, Dickson, ACT.

REVIEW BY THE ACT CIVIL AND ADMINISTRATIVE TRIBUNAL (ACAT)

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This Notice of decision has also been sent to all people who made representations in relation to the proposal.

EVIDENCE

Application No. 200812307

File No. 200812307

The Territory Plan zone – RZ2 Suburban Core

The Development Codes – Multi Unit Housing Development Code

Current Crown Lease – Block 16: Volume 918 : Folio 11

Block 17: Volume 986 : Folio 78

Representations – one received

Entity advice – TAMS – Asset Acceptance and Environment Protection Authority,
Actew – Water & Sewerage Division and Electricity Networks

DELEGATE

Rumana Jamaly
Delegate of the ACT Planning and Land Authority

February 2009

CONTACT OFFICER

Jyoti Pradhan

Phone: (02) 6207 1649

Email: Jyoti.Pradhan@act.gov.au

TRANSLATION AND INTERPRETER SERVICES

The ACT Government's translation and interpreter service runs 24 hours a day, every day of the week. Telephone 131 450.

ENGLISH	If you need interpreting help, telephone:
ARABIC	: إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήστε 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	Ako vam je potrebna pomoć prevodioca telefoniрајте:
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: [Pradhan, Jyoti](#)
To: [App_Sec](#)
Cc: [Lefebvre, Ann](#)
Subject: DA200812307 - Reconsideration - Notice of Decision
Date: Wednesday, 25 February 2009 12:56:53 PM
Attachments: [ObjRef.obr](#)
Importance: High

Hi,

Please dispatch the attached Reconsideration Notice. Please email a copy to the applicant Peter Byfield (peter@pb-a.com.au) as soon as it is scanned.

Regards,

Jyoti



FILE NOTE

DA Number: **200812307**

Blocks: **16 & 17** Section: **13** District/Division: **MAWSON**

27 February 09

Meeting in relation to Reconsideration decision of 25 February 2009 at 11.00am

Attendees: David Hill (lessee/developer); Peter Byfield (architect/applicant); Christian (lessee's engineer) and Jim Corrigan, Rumana Jamaly, Jyoti Pradhan (Authority)

Background:

- ✦ The proposal for a multi unit development containing ten units was conditionally approved on 8 December 2008;
- ✦ One of the conditions of the original Notice of Decision was that the applicant removes Unit 10 to make space available for visitor car parking and communal open space;
- ✦ Other important conditions included – provision of waste enclosures for Units 6 to 9, Water Sensitive Urban Design (WSUD) documentation and compliance with Actew conditions re easement clearance;
- ✦ Applicant lodged revised drawings on 28 January 2009 for reconsideration of the decision to remove Unit 10;
- ✦ The revised proposal included a basement parking for Units 6 -10, relocated visitor parking, provision of a waste bin enclosure for units 6 to 9 and increased setback from the west boundary to Unit 10. However Unit 10 was not deleted as required in the original Decision and WSUD documentation was not provided;
- ✦ An assessment of the revised proposal raised a number of additional issues especially in relation to increase in GFA, traffic movement at grade, basement parking and access requirements for adaptable Unit 10;
- ✦ The Authority reaffirmed the original conditional approval to remove Unit 10 in the Reconsideration Decision dated 25 February 2009.

Meeting:

- ✦ The Reconsideration Notice was discussed with the Applicant and the lessee;
- ✦ Applicant provided explanations for a number of issues that were raised in the Reconsideration Notice. The applicant and lessee offered to make the required changes to the proposal so that it complies with the Territory Plan;
- ✦ Applicant's engineer advised that he will provide turning circles for basement parking, at grade vehicular movement, WSUD documentation etc.

- ✚ Jim and Rumana agreed that if the applicant amends the proposal, the Authority would consider the proposal with 10 units;
- ✚ It was agreed that the applicant would make the required changes in the design to address the issues raised (as noted below);
- ✚ Applicant to revise the proposal as follows –
 - Reduce GFA to comply with 50% requirement;
 - Revise basement parking layout to provide safe and convenient vehicular movement – increase aisle width to 5.8m accompanied by an engineer's drawing demonstrating turning circles and other relevant details;
 - Explore possible option of locating visitor parking within the basement to create communal open space near Unit 10;
 - Improve at grade circulation by redesigning the vehicular movement, rearranging garage 1, remove planter boxes etc (engineer to provide turning circles and other relevant details);
 - Provision of a traffic control device (light) at the junction of basement ramp, garage 1 entrance and driveway leading to Unit 10;
 - Redesign/relocate waste enclosures along north boundary;
 - Demonstrate (sketches) clear pedestrian access to units 6-9 and especially Unit 10 (along north boundary);
 - Demonstrate (sketches) clear pedestrian access from Unit 10 to wheel the garbage bin to & from kerb;
 - Provide a revised Access & Mobility Report;
 - Provide WSUD documentation.
- ✚ Jim discussed the options re how this proposal could be reconsidered –
 - a) lodge an appeal OR b) resubmit as a new DA OR c) Authority to reverse the decision subject to endorsement of revisions to the proposal as noted above.

Outcome:

- ✚ Option c) was considered to be the most viable option;
- ✚ Applicant to revise the proposal as discussed.
- ✚ A letter, together with revised drawings, will be sent to all objectors informing re the additional information and giving them an opportunity to provide their comments in 10 working days.
- ✚ New decision letter will be drafted to allow 10 Units on the block.

3 March 09

- ✚ Jim Discussed with David Dunstan re the reversal of decision and the Act that allows it.
- ✚ It was decided that when the applicant lodges the revised drawings and information, it would be forwarded to the original representors for their comments.

✚ A revised NOD is being prepared.

10 March 09

A 'Letter of Comfort' – meeting notes was sent to the applicant and lessee.

12 March 09

Applicant lodged revised drawings and other information.

17 March 09

✚ Letters were sent to all the original representors for their comments. 17 March 09 – 31 March 09.

30 March 2009

✚ A draft NOD was sent to David Dunstan for review.

1 April 2009

✚ No representations received.

3 April 2009

✚ David Dunstan discussed the revised NOD. The Act that applies is the Legislation Act 2001 – Section 180.

9 April 2009

✚ Revised NOD finalised.

Contact Officer: Jyoti Pradhan
Position: Project Officer
Phone: 71649

From: [Corrigan, Jim](#)
To: [Pradhan, Jyoti](#)
Cc: [Jamaly, Rumana](#)
Subject: FW: Mawson
Date: Monday, 2 March 2009 5:54:17 PM

Jyoti

Can you please prepare a letter but do not mention the reversing of decision just review of further information to be provided and what the agreements were for the further info.

Thanks

Jim

From: Peter Byfield [mailto:peter@pb-a.com.au]
Sent: Monday, 2 March 2009 5:07 PM
To: Corrigan, Jim
Cc: joneshill@bigpond.com.au
Subject: Mawson

Hi Jim,

Thanks again for your time on Friday, we're working on the revised drawings and will have them to Jyothi in the next day or so for the preliminary assessment.

We spoke briefly on the phone after the meeting on Friday about you providing us with a "letter of comfort" so David Hill can feel confident we're all on the same track and we all have a common idea of what is expected, I was just curious to find out when we might that letter.

Looking forward to your reply.

Peter Byfield

P R I N C I P A L

PETER BYFIELD +

Associates pty ltd

34A Taylor Street

Annandale 2038

t. 02 9660 2255

f. 02 9660 2254

m. 0419 479 022

From: [Corrigan, Jim](#)
To: [Jamaly, Rumana](#); [Pradhan, Jyoti](#)
Subject: Mawson - Mr Hill
Date: Monday, 2 March 2009 9:16:46 AM

Rumana, Jyoti

Ben agreed to the reverse the decision approach. I advised Peter Byfield.
Process from here:

- Peter Byfield is going to submit the revised drawings asap to make sure all is OK - let me know if there are any issues.
- Byfield then submits the final set (not a new application - treat as if the reconsideration application is still going).
- We then notify the 3 objectors to the original DA with special letter - DAvid Dunstand has provided advice on the drafting.
- Follow up the letters with a phone call to explain to the objectors what's going on.
- (Assuming all is OK) assessment of the revised drawings call up process for reversing decision under teh Legislation Act.

Jyoti, can you please ensure this gets priority and is done asap.

Thanks

Jim



Notice of decision on Reconsideration

89

Division 7.3.10 of the *Planning and Development Act 2007*

DA NO: 200812307

DATE RECONSIDERATION LODGED: 28 January 2009

DATE OF DECISION: 25 February 2009

BLOCK: 16 & 17

SECTION: 13

SUBURB: MAWSON

STREET NO AND NAME: 53 & 51 Ainsworth Street

APPLICANT: Peter Byfield

LESSEE: Hillcorp Developments Pty Ltd

THE APPLICATION

This application seeks reconsideration of the decision by the Authority of 8 December 2008 to impose the conditions of approval set out in the Notice of Decision.

THE DECISION

I, Rumana Jamaly, delegate of the ACT Planning and Land Authority, pursuant to section 193 of the *Planning and Development Act 2007*, hereby **confirm the original decision** of the Planning and Land Authority dated 8 December 2008.

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The main issues raised were as follows. Comments are provided as appropriate.

(a) *Overshadowing due to increase in floor levels:*

The proposed height of the development in the revised proposal complies with the building envelope requirement to ensure the amenity of surrounding properties is maintained, particularly in relation to privacy, overshadowing and solar access. Unit 1 and Unit 2 on Block 18 would have a minimum of 3 hours of direct sunlight onto the internal primary living space and the private open space between the hours of 9am and 3pm on 21 June (winter solstice).

(b) *Stormwater Drainage on Site:*

Sub-Elements 6.7 and 6.8, General Development Controls of the Multi Unit Housing Development Code require that the proposed development achieves the mandatory rules regarding the Water Sensitive Urban Design (WSUD) requirements. Condition 1 (b) of the original Notice of Decision required that the applicant provides details demonstrating that the proposal achieves this requirement. However the applicant has failed to provide any information in relation to WSUD. The Authority has reconfirmed its original decision to approve the proposal subject to conditions and therefore condition 1 (b) of the original Notice of Decision is still valid.

(c) *Removal of Unit 10:*

A condition to remove Unit 10 from the development was imposed to provide a more appropriate location for visitor car park space. In the revised proposal the applicant has relocated the visitor car parking spaces to a more suitable location. However the Authority has reconfirmed its original decision to approve the proposal subject to conditions and therefore condition 1a) (i) of the original Notice of Decision relating to removal of Unit 10 is still valid.

REASONS FOR THE DECISION

The original decision to approve subject to conditions was confirmed because:

- a) A review of the information available when the original decision was made disclosed no grounds that would support an approval of the proposal;
- b) The information provided by the applicant in the revised application for reconsideration provided no grounds for the approval of the proposal but in actual fact has triggered more issues;
- c) The revised proposal for reconsideration does not satisfy Authority's concerns especially in relation to:

1. Non Compliance with Multi Unit Housing Development Code:

The revised proposal does not comply with the following requirements of the Code:

Part A – Zone Specific Controls

- **Element 2 Building and Site Controls: 2.3 Plot Ratio: Rule 15** – The revised proposal has a plot ratio of 50.55% and does not comply with the mandatory 50% allowable plot ratio requirement.

Part B – General Development Controls

- **Element 3 Built Form: 3.2 Access and Mobility: Criteria 35** – Access and Mobility Report was provided with the original submission however an amended report has not been provided for the revised proposal.
- **Element 6 Environment: 6.7 Water Sensitive Urban Design – Mains Water Consumption: Rule 46** – The design does not provide any evidence that demonstrates application of WSUD principles.
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Part C – Development Type Controls

- **Element 4 Parking and Site Access: 4.1 Vehicle Access: Rule 72 i)** – The Site Plan shows access driveway built over the footpath. The footpath is to have precedence.
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- **b) Safety:**
 - i) **No traffic hazards are created by the provision of access and parking facilities for a development, especially multi-unit developments:** the bottle neck situation created at the starting of basement ramp, opening of Unit 1 garage and the entrance to the podium area /driveway leading to Unit 2-5 & Unit 10 garages & visitor parking is considered to be a traffic hazard.
 - ii) **The safety of all users, especially pedestrians and cyclists, is considered:** there is NO separate access/footpath proposed for pedestrians/cyclists, especially accessing Units 6-10. They will have to share the driveway and access ramp leading towards the basement parking. It would be especially difficult for persons on wheelchair to access the adaptable unit 10 which is located at the far end of the site.

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Part B – Additional Specific controls – Adaptable Housing

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EVIDENCE

Application No. 200812307

File No. 200812307

The Territory Plan zone – RZ2 Suburban Core

The Development Codes – Multi Unit Housing Development Code

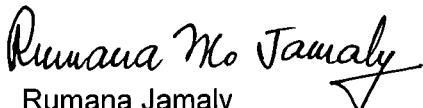
Current Crown Lease – Block 16: Volume 918 : Folio 11

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Representations – one received

Entity advice – TAMS – Asset Acceptance and Environment Protection Authority,
Actew – Water & Sewerage Division and Electricity Networks

DELEGATE



Rumana Jamaly

Delegate of the ACT Planning and Land Authority

25 February 2009

CONTACT OFFICER

Jyoti Pradhan

Phone: (02) 6207 1649

Email: Jyoti.Pradhan@act.gov.au

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ARABIC	: إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajnuna t'interpretu, ċempel:
PERSIAN	: اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
PORTUGUESE	Se você precisar da ajuda de um intérprete, telefone:
SERBIAN	Ако вам је потребна помоћ преводиоца телефонирајте:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacınız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

TRANSLATING AND INTERPRETING SERVICE

131 450

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

ELECTRICITY NETWORKS - ASSET PROTECTION ADVICE MANAGEMENT

EN17966

Location Details

Suburb	Block	Section
Mawson	16&17	13

Address:

Leaseholder / Owner

Surname:

First Name:

Application Details

Request Category: Development Application Certification

Applicant Company:

Company Phone:

Company Fax:

Applicant Surname: APP

First Name: APP

Applicant Type: Accredited Building Certifier / Surveyor

Demolition and New Residence	<input type="checkbox"/>	Carport	<input type="checkbox"/>	Patio	<input type="checkbox"/>	Other	<input type="checkbox"/>
New Residence	<input checked="" type="checkbox"/>	Deck	<input type="checkbox"/>				
Alterations / Extension	<input type="checkbox"/>	Pergola	<input type="checkbox"/>				
Garage	<input type="checkbox"/>	Swimming Pool	<input type="checkbox"/>				

Date Received: 12/Feb/2009 Entered By: Anthony Edwards Date Entered: 12/Feb/2009

Assessment Details

Action Officer: Julian Powell Ph: (02) 6293 5768 Mob: 0414 510 884

Assessment: Approved With Conditions

Conditional Approval/Advice Details: THAT REAR UNITS BE 2.7M AWAY FROM O/H POWER LINES THAT RUN ALONG REAR BOUNDARY

Date Completed: 18/Feb/2009

Comments:

Service MarkingService Marking Required: Service Marking Number:



Electricity Networks

STATEMENT OF
CONDITIONAL COMPLIANCE

Application N^o: EN17966 Drawings in set _____

Block: 16e17 Section: 13

Suburb: MAWSON

This application has been assessed against legislation protecting ActewAGL's infrastructure and access to it.

This application is approved subject to compliance with the following conditions:

- The location and area allocated for the substation is to comply with ActewAGL standards
- Installation of the Point-Of-Entry cubicle will be the responsibility of the proponent
- Installation of electrical conduits (on or off block) will be the responsibility of the proponent
- Change of Service is required (see attached form)
- Development is to comply with minimum clearances to overhead conductors Ref ActewAGL Drawing 3811-004 Rev K (attached)
- Development is to comply with minimum separation requirements
- Ref ActewAGL Drawing 3832-018 Rev E (attached)
- Proponent is required to contact ActewAGL prior to the commencement of any development activity to negotiate the connection of new and/or relocation of existing electricity assets
- WARNING: ActewAGL underground cables are in or adjacent to this block. ActewAGL Asset Location Advice may be required
- Insufficient clearance for Point of Entry/Meter Box
- Fence/gate to be repositioned to allow access to Meter Box

Please note:

- If ActewAGL approval conditions are not met, a breach of the law may result.
- Separate applications are required for water & sewerage, gas and communication network services.
- A failure of this document to show or accurately locate electricity assets may result in damage and costs for which the property owner will be liable. Damage to network assets must be reported to ActewAGL
- Utility conditions may also apply to minor structures and landscaping works that may not have been depicted in this document. Consultation with ActewAGL staff is advised.
- Construction of unapproved works may result in action being taken to require the property owner to remove non-compliant structures and/or the property owner to fund rectification works on ActewAGL's electricity network

Signed..... J. Powell Date 19/2/09

J. Powell G. Wolk E Turnsek J. Capello A. Scanes

For further information please phone ActewAGL 6248 3555 (then 1).

Edwards, Anthony

From: Pradhan, Jyoti [Jyoti.Pradhan@act.gov.au]
Sent: Tuesday, 10 February 2009 12:07 PM
To: Thurtell, Denise
Subject: Mawson 16&17/13 200812307 - S165A - re-referral

Importance: High

Attachments: 20080906_153419.pdf; %FLOORASSESS-200812307-S165A-units 1-5-01.PDF; %FLOORASSESS-200812307-S165A-units 6-10-01.PDF; FLOORREG-200812307-S165A-Basement level-01.PDF; FLOORREG-200812307-S165A-garages-01.PDF; SITE-200812307-S165A-01.PDF



20080906_153419. %FLOORASSESS-2 %FLOORASSESS-2 FLOORREG-200812 FLOORREG-200812SITE-200812307-S1
pdf (3 MB) 0812307-S165A-u.0812307-S165A-u.307-S165A-Basem...307-S165A-garag... 65A-01.PDF (2...

Hi Denise,

Please find attached resubmission for the above mentioned application. The applicant has revised the drawings as per Actew's requirements (copy of previous advice also attached). Please note that it is a reconsideration application and the Authority is required to respond before 23 February. I would appreciate if you could please provide your advice on the revised drawings at your earliest.

Regards,

Jyoti

-----Original Message-----

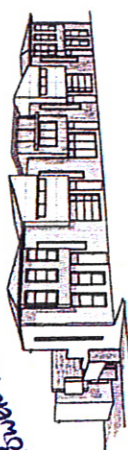
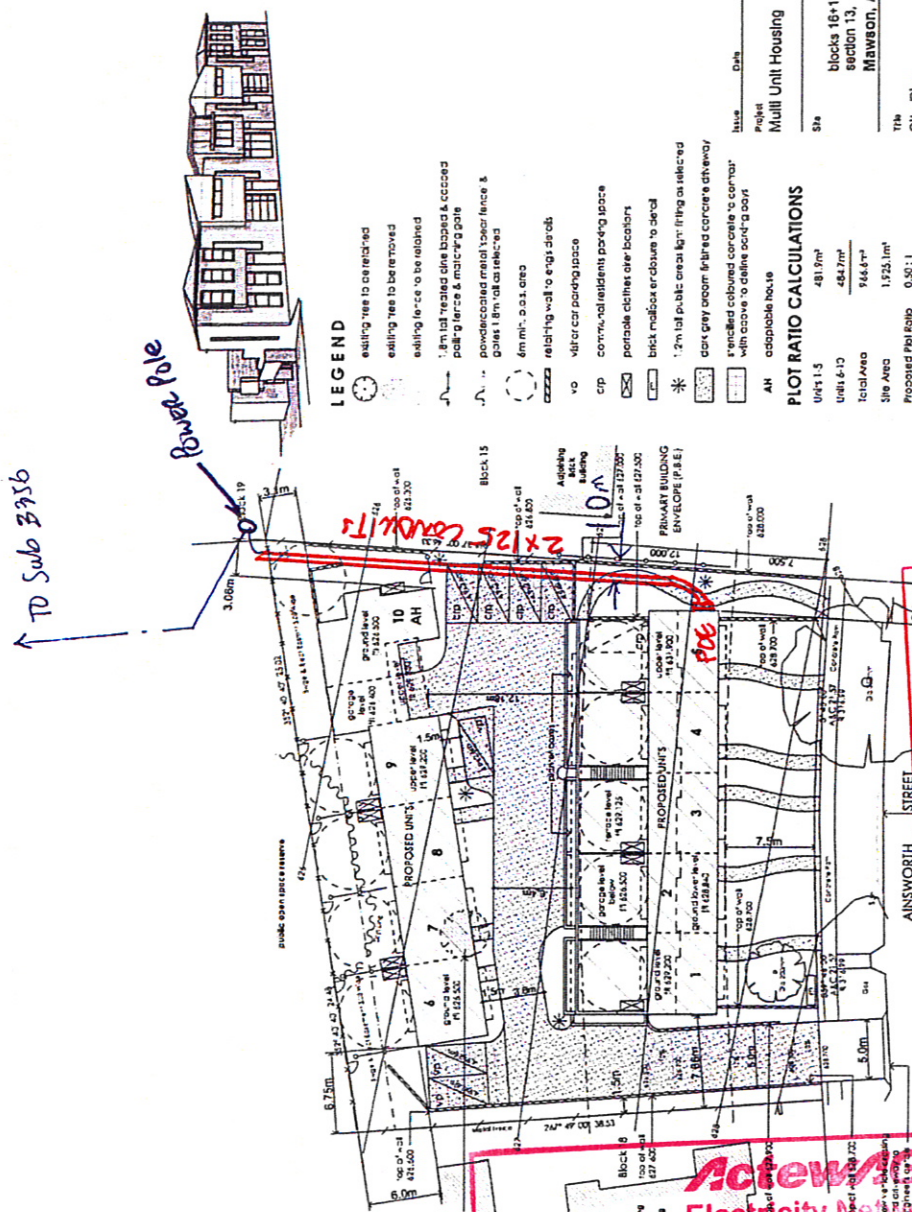
From: Thurtell, Denise [mailto:Denise.Thurtell@actewagl.com.au]
Sent: Saturday, 6 September 2008 3:39 PM
To: ACTPLA ACTEWAGL Comments
Subject: Mawson 16&17/13 200812307

Please find attached, Statment of Compliance from our Electrical Division for 16&17/13 Mawson.

Regards,

Denise Thurtell
ActewAGL

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LEGEND

- existing trees to be retained
- existing trees to be removed
- existing fence to be retained
- existing fence to be removed
- 1.8m tall retained steel topped & capped parking fence & motorway gate
- powercoated metal top rail fence & 1.8m tall cast concrete posts
- 4m high, 0.03 area
- retaining wall to single drive
- visitor car parking space
- communal residents parking space
- portable clothes line locations
- brick mailbox enclosure to street
- 1.2m tall public street lighting as selected
- cast grey concrete finished concrete driveway with concrete to define parking bays
- AN accessible house 19

PLOT RATIO CALCULATIONS

Unit 1-5	481.7m ²
Unit 6-10	484.7m ²
Total Area	966.4m ²
Site Area	1,925.1m ²
Proposed Plot Ratio	0.50:1

PARKING CALCULATIONS

10 x 2 bedroom units @ 1.5 spaces each	= 15
10 x 0.25 visitor spaces	= 2.5
Total number of spaces required	= 17.5
Total number of spaces provided	= 19
10 (1 per unit) allocated to units	
3 - one to 0.25 visitor spaces	

PRELIMINARY

ActewAGL ELECTRICITY DIVISION

SITE PLAN
CONDITIONALLY APPROVE:
 The information contained in this application complies with electricity network protection requirements subject to the following conditions:
AS PER ATTACHED FORM C

ActewAGL Electricity Networks
CONDITIONALLY COMPLIANT

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

Signed: *[Signature]* Date: 19/2/09
 Contact phone: 6293 5770

Notes: A failure to accurately locate ActewAGL water, sewer or electricity assets prior to the commencement of building works may result in damage to the property owner will be the responsibility of the property owner.

5408

Date
 Network Protection Officer

From: [BSubmission_WaterSewer](#)
To: [aatSecretariat](#)
Subject: RE: Referral-ActewAGL-200812307-16 & 17/13 Mawson-reconsideration-01
Date: Friday, 6 February 2009 10:55:10 AM
Attachments: [quename@actewagl.com.au_20090206_104434.pdf](#)

ACTEWAGL - WATER DIVISION

Your application has been assessed by ActewAGL and complies with our **water and sewerage** requirements.

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

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

Regards

Robert Cirson

Planning Approval Officer

Customer Support and Education

ActewAGL Water Division

Telephone 02 6242 1163

Facsimile 02 6242 1459

Email devapp@actewagl.com.au

GPO Box 366 Canberra ACT 2601

www.actewagl.com.au

Please consider our environment before printing this email.

From: Johnson, MichaelR (ACTPLA) [mailto:MichaelR.Johnson@act.gov.au] **On Behalf Of** aatSecretariat
Sent: Thursday, 29 January 2009 11:17 AM
To: Development Applications
Subject: Referral-ActewAGL-200812307-16 & 17/13 Mawson-reconsideration-01

The ACT Planning and Land Authority has received an Application for Reconsideration for the following Development Application:

Blocks: 16 & 17 Section: 13 Suburb: Mawson
Development Application Number: 200812307

The Application for Reconsideration is being applied against conditions of approval.

Attached is a copy of the additional information supplied by the applicant in relation to the issues they seek to have reviewed.

Your advice by 12 february 2009 would be greatly appreciated to ensure the reconsideration application can be determined within the prescribed period of 28 calendar days from the date of lodgement.

Please forward any written advice via email to the Applications Secretariat at app.sec@act.gov.au

If you require any further information please contact the Applications Secretariat on 6207 1687.

Regards

Michael Johnson
AAT Coordination Unit
ACT Planning and Land Authority

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ActewAGL

STATEMENT OF COMPLIANCE

for

Application N°: 51591 Drawings in set 7

Block: 16, 17 Section: 13

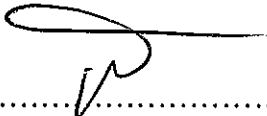
Suburb: MAWSON

The design depicted in this application has been assessed by ActewAGL and complies with ACTEW's water and sewerage network protection and access requirements.

Please note:

- ❖ Separate applications are required for ActewAGL electricity and gas networks.
- ❖ Any failure to accurately show existing or proposed structures may result in damage and costs for which the property owner will be liable. Damage to network assets must be reported to ActewAGL.
- ❖ Utility conditions may also apply to minor structures and landscaping works that may not have been depicted in this document. Consultation with ActewAGL's Water Division is advised if such structures and landscaping are planned.
- ❖ ActewAGL recommend setbacks provided for equipment access to water or sewerage network assets are kept free of obstruction by the property owner.
- ❖ Construction of works without the approval of ActewAGL may result in connection to ACTEW's water and sewerage networks being denied and /or action being taken to require the property owner to remove non-compliant services (e.g. sanitary drains) or structures.

Comments:

Signed..........Date 6, 2, 09

- | | |
|--|---------------------------------------|
| <input checked="" type="checkbox"/> E. Milczarek | <input type="checkbox"/> R. McKee |
| <input checked="" type="checkbox"/> P. Clarke | <input type="checkbox"/> R. Pearce |
| <input type="checkbox"/> R. Cirson | <input type="checkbox"/> G. Manwaring |

For further information please phone ActewAGL 6248 3555 (then 2)

ActewAGL

Water and Sewerage Network

Utility compliance application

Applicant details

Applicant:	PETER BYFIELD.	Certifier's case number (if relevant)
Organisation:		
Postal address	SUITE A 34 TAYLOR ST ANNADALE	
Email address (if required for return)		
Phone:	Business 02 660 2255	mobile
Signature:		Date of application 29/1/09

NSW
2038

Property owner details (if not the applicant) - mandatory

Owner:	DAVID HILL	
Organisation:	HILLCAP DEVELOPMENTS P/L	
Phone:	()	
Postal address	PO BOX 3671 MANUKA 2603.	

Nature of proposed works:

Block:	16, 17	Section:	13
Suburb:	MANSON		
Street address:	51 AINSWORTH ST.		
Approval requested for:	<input type="checkbox"/> Commercial residential <input type="checkbox"/> Multi-unit residential <input type="checkbox"/> Dual Occupancy <input type="checkbox"/> Single residential <input type="checkbox"/> New structure <input type="checkbox"/> Alterations & additions <input checked="" type="checkbox"/> Demolition <input type="checkbox"/> Minor structures <input type="checkbox"/> Existing structures <input type="checkbox"/> Landscaping <input type="checkbox"/> Pool <input type="checkbox"/> Other specify		

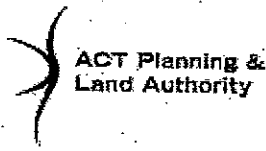
Preferred mode of return: pick-up mail email PDF

Please note: separate applications are required to ActewAGL electricity and other utilities (e.g. gas, stormwater and communications.)

----- for office use only -----

ActewAGL application number:	5	1	5	9	1	
number of drawings in set:	7					

received by: ROB.



Planning and Development Act 2007, s425

Form 2

APPLICATION FOR RECONSIDERATION

Application for Reconsideration

- Refusal of Development Application** For applications assessed in the Merit and Impact assessment tracks **only** Insert Development Application Number to which this application relates:
 200.....
- Conditions of Approval** For applications assessed in the Code, Merit and Impact assessment tracks Insert Development Application Number to which this application relates:
 200.8.12307....
- Refusal of an Amendment** For amendments assessed in the Merit and Impact assessment tracks **only** Insert amendment number to which this application relates:
 200.....
- Amendment approved with conditions** For amendments assessed in the Code, Merit and Impact assessment tracks Insert amendment number to which this application relates:
 200.....

Please specify grounds on which reconsideration of the original decision is sought:
 To satisfy Conditions of Approval so as to improve the parking arrangements on site.

Lease/Site Details Please Print

If more than one lease/site, attach the following details for each lease/site

Block

Section Unit (if applicable)

Suburb

District

Street Number

Street Name

Postcode 2607**Applicant Details** Please Print

Surname	<u>BRYFIELD</u>	First Name	<u>PETER</u>
Company Name			
Position held in company		Australian Company Number (ACN)	
Postal Address	<u>Suite A 34 Taylor St.</u>		
Suburb	<u>Annandale</u>	State	<u>NSW</u> Postcode <u>2038</u>
Phone Number Business Hours	<u>02-96602255</u>	Mobile	<u>0419 479 002</u>
EMAIL ADDRESS	<u>peter@pb-a-can.au</u>		

Lessee (Property Owners) Details Please Print1st Lessee's Details (or Government Land Manager)

Surname	<u>Hill</u>	First Name	<u>David</u>
Company Name	<u>Hillcorp Developments P/L</u>		
Position held in company	<u>Director</u>	Australian Company Number (ACN)	
Postal Address	<u>PO. Box 3671</u>		
Suburb	<u>MANUKA</u>	State	<u>ACT</u> Postcode <u>2603</u>
Phone Number Business Hours		Mobile	<u>0918 491146</u>
EMAIL ADDRESS	<u>janeshill@bigpond.com</u>		

All lessees must sign authorising the lodgement of this application. In doing so the lessee gives authority to the applicant to negotiate any dealings in relation to the application through to its determination. If there are more than two lessees please ensure that the details and authorisation are attached to the application.

Lessee (Property Owners) Details continued

2nd Lessee's Details (or Government Land Manager)

Surname First Name

Company Name

Position held in company Australian Company Number (ACN)

Postal Address

Suburb State Postcode

Phone Number Business Hours Mobile

EMAIL ADDRESS

Provision of Notice of Reconsidered Decision

Unless otherwise specified your notice of reconsidered decision will be returned via email

- EMAIL POST TO ME HOLD FOR COLLECTION

Documentation Supporting Application

Have you provided documentation to support your application? NO YES

Have you amended your plans to support your application? NO YES

IF YES

Please provide a copy of plans with this application and describe the impact (if any) on other conditions of approval.

1. Increase floor levels of Units 6-9 by 70mm 2. Create basement parking under Units 6-9
 3. Relocates Unit 10 to achieve a 4m rear setback
 4. Convert parking under Units 1-5 to provide 2 cars per unit
 6. Provide wastes enclosure for units 6-9 units.



ActewAGL Water Network

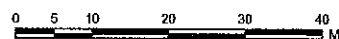
Block 17 Section 13, MAWS

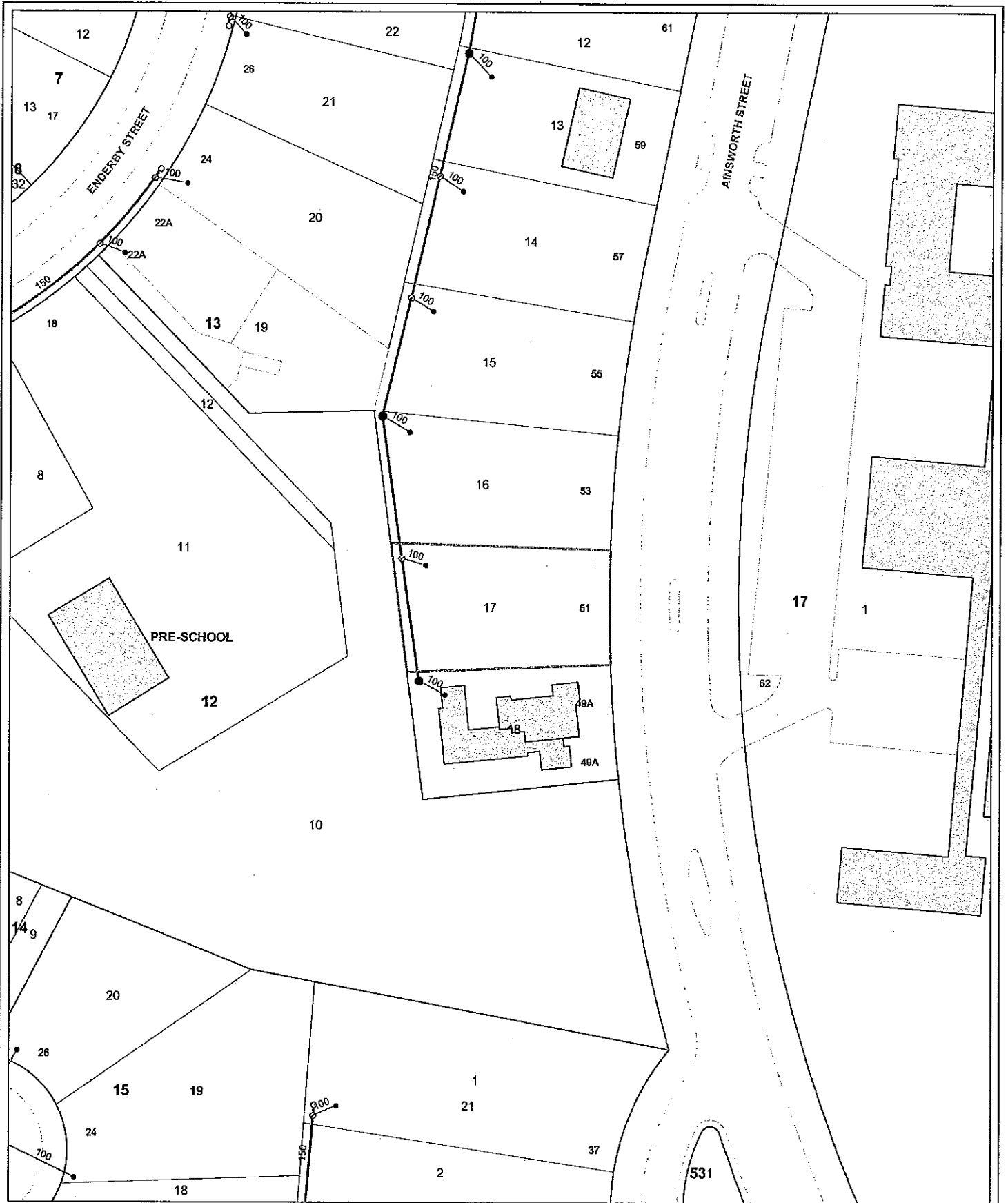
All network distribution data is the property of ActewAGL and no warranty as to the accuracy or completeness of the information is provided. No liability for any loss or damage arising from the use of this information will be accepted.
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Extractor:
Date: 02 Feb 2009

ActewAGL

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ActewAGL Sewer Network

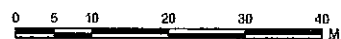
Block 17 Section 13, MAWS

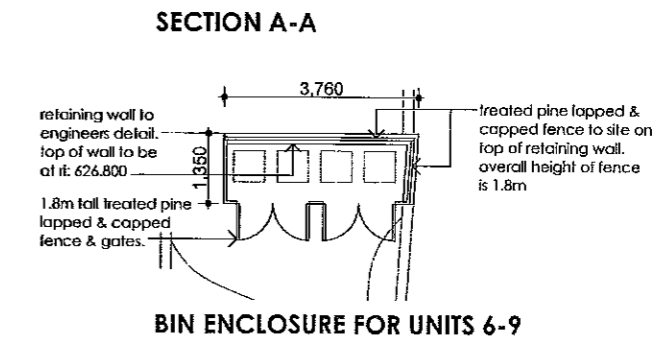
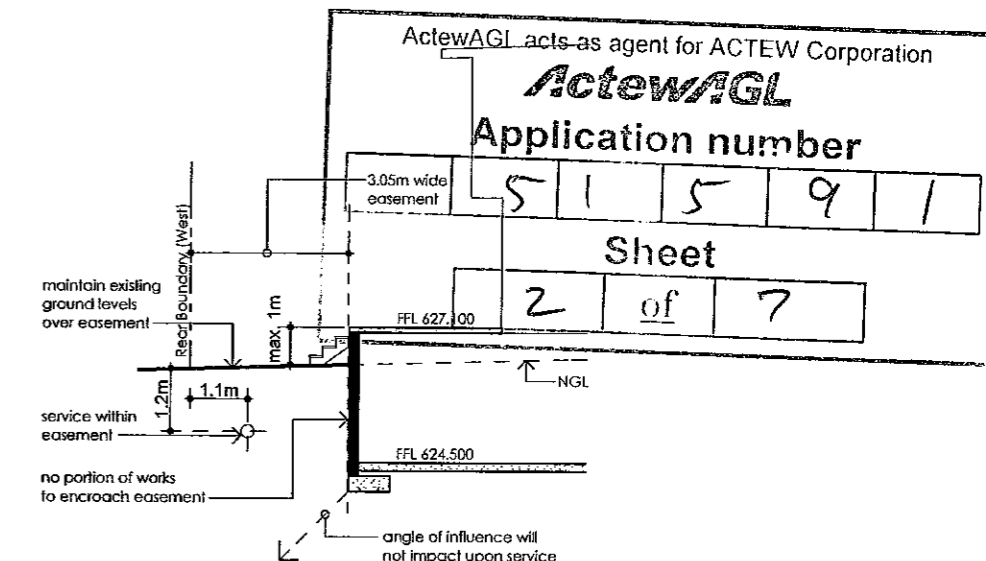
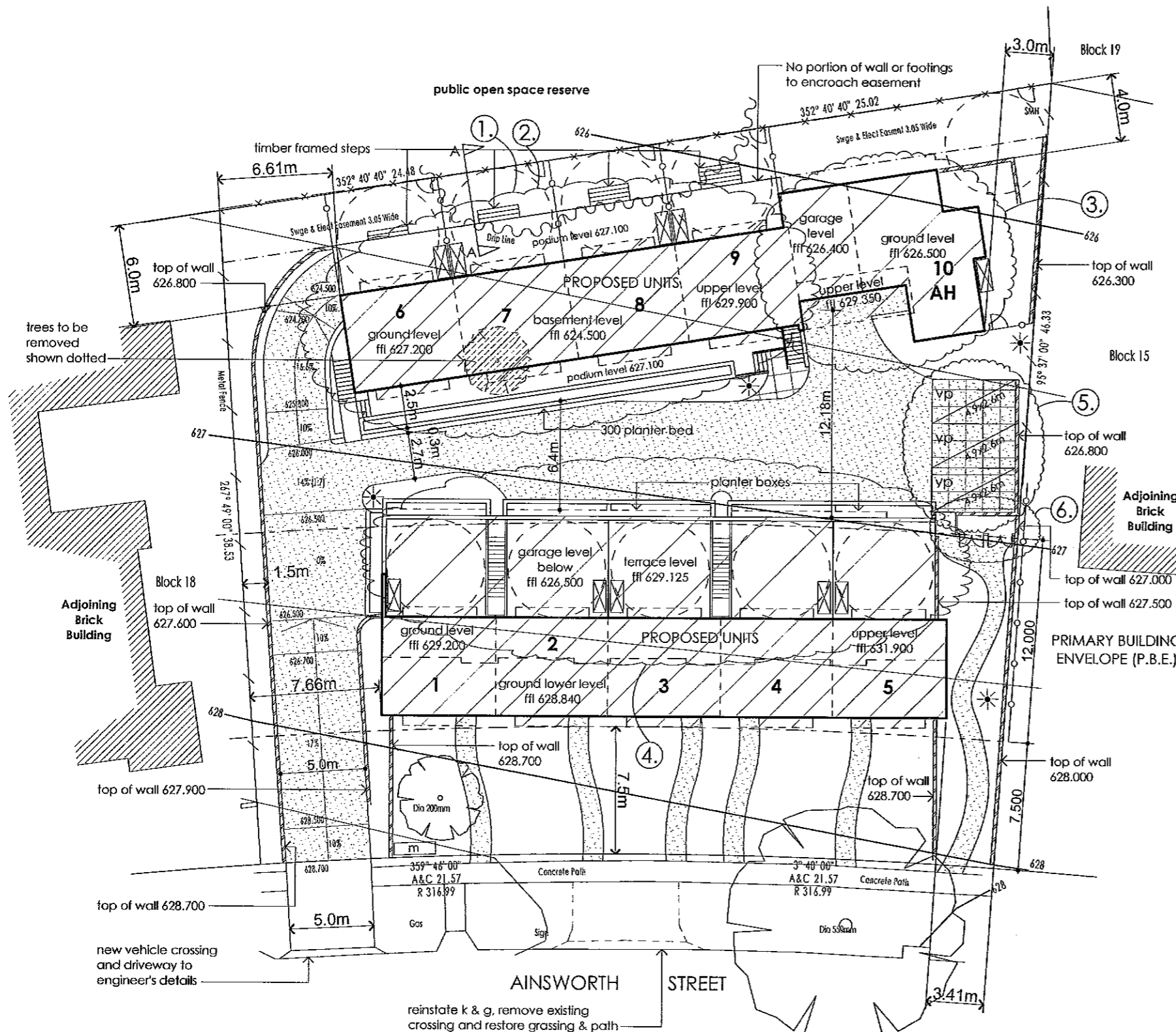
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Extractor:
Date: 02 Feb 2009

ActewAGL

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LEGEND

- existing tree to be retained
- existing tree to be removed
- existing fence to be retained
- 1.8m tall treated pine lapped & capped pailing fence & matching gate
- powdercoated metal 'spear fence' & gates 1.8m tall as selected
- 6m min. p.o.s. area
- retaining wall to eng's details
- visitor car parking space
- portable clothes airer locations
- brick mailbox enclosure to detail
- 1.2m tall public areas light fitting as selected
- dark grey broom finished concrete driveway
- stencilled coloured concrete to contrast with above to define parking bays
- adaptable house

- A Dec. 2008 Revision
1. Increase floor levels of units 6-9 by 700mm.
 2. Create basement parking under units 6-9 (9 spaces) accessed via a vehicular ramp.
 3. Relocated unit 10 to achieve a rear setback of 4m.
 4. Convert car parking under units 1-5 to allow for 2 car spaces per unit (1-5).
 5. Relocated 3 visitor car spaces.
 6. Provide enclosure for units 6-9 waste bins.
- | Issue | Date | Event |
|-------|------|-------|
| | | |

Project
Multi Unit Housing

Site
blocks 16+17
section 13,
Mawson, ACT.

Title
Site Plan

Scale 1:200	Drawn By SA
Date May 2008	Drawing No. 1284 - A

PETER BYFIELD + Associates
Suite A, 34 Taylor Street, Annandale NSW 2038
Phone 02 9660 2255 Fax 02 9660 2254

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ActewAGL acts as agent for ACTEW Corporation

ActewAGL

APPROVED

The design depicted in this document has been assessed by ActewAGL and complies with ACTEW's water and sewerage network protection and access requirements.

Refer to ActewAGL's 'statement of compliance' for additional advice

Signed: _____ Date: 6/2/09

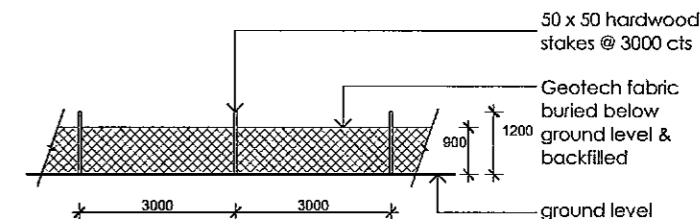
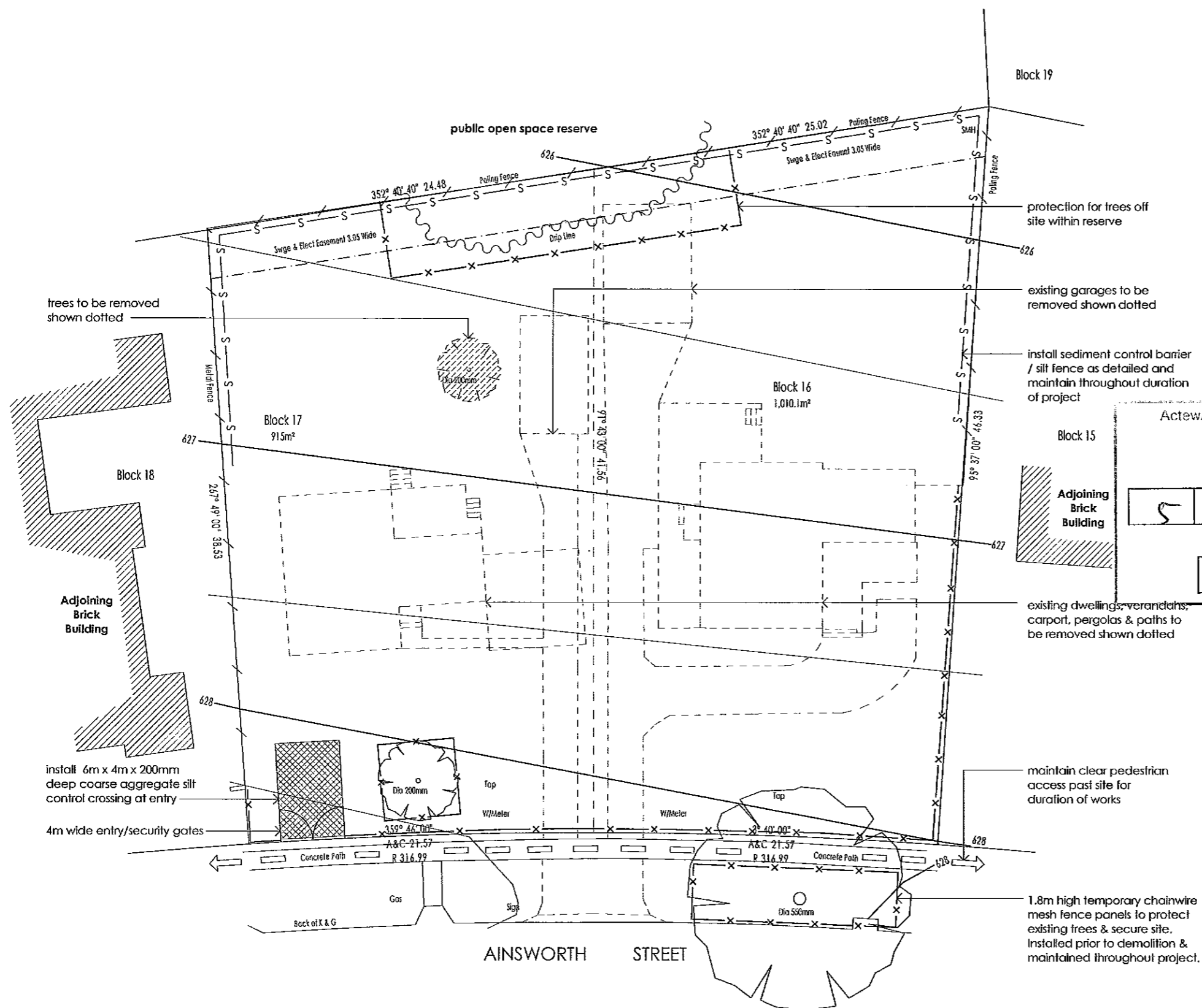
Contact phone: 6248 3555 (then select 2)

PLOT RATIO CALCULATIONS

Units 1-5	385.8m ²
Garages 1-5	172.3m ²
Units 6-10	408.9m ²
Total Area	967.0m ²
Site Area	1,925.1m ²
Proposed Plot Ratio	0.50 : 1

PARKING CALCULATIONS

10 x 2 Bedroom Units @ 2 spaces each	= 20
10 x 0.25 visitor spaces	= 3
Total number of spaces required	= 23
Total number provided	= 23
20 (2 per unit) allocated to units	
3 nominated visitor spaces	



SEDIMENT CONTROL BARRIER DETAIL scale 1:100

ActewAGL acts as agent for ACTEW Corporation

ActewAGL

Application number

5	1	5	9	1
---	---	---	---	---

Sheet

1	of	7
---	----	---

- A Dec. 2008 Revision
- Increase floor levels of units 6-9 by 700mm.
 - Create basement parking under units 6-9 (9 spaces) accessed via a vehicular ramp.
 - Relocated unit 10 to achieve a rear setback of 4m.
 - Convert car parking under units 1-5 to allow for 2 car spaces per unit (1-5).
 - Relocated 3 visitor car spaces.
 - Provide enclosure for units 6-9 waste bins.
- | Issue | Date | Event |
|-------|------|-------|
| | | |

Project
Multi Unit Housing

Site
blocks 16+17 section 13, Mawson, ACT.

Title
Additional Site Plans

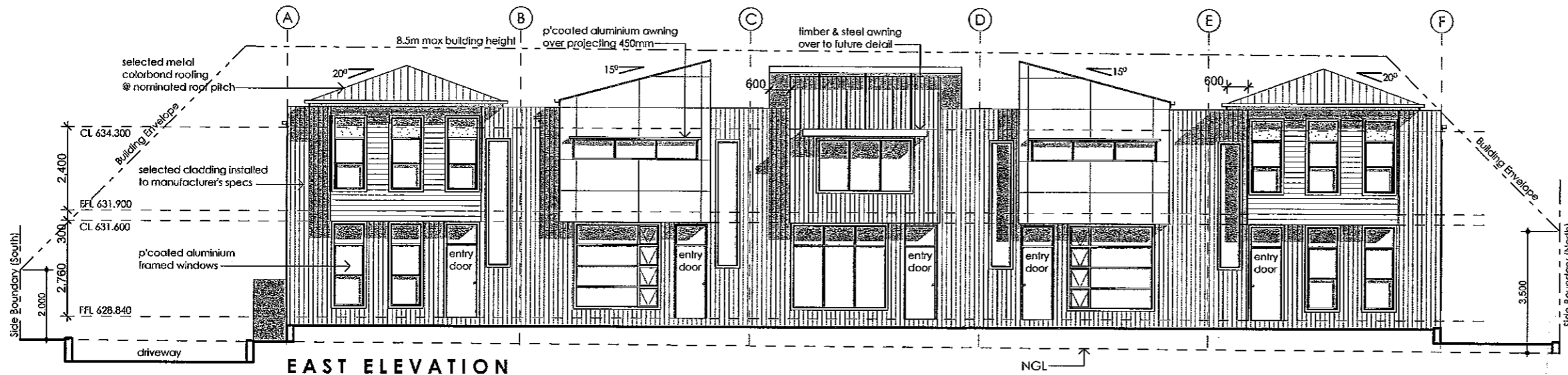
Scale 1:200	Drawn By SA
Date May 2008	Drawing No. 1284 - B

PETER BYFIELD + Associates
Suite A, 34 Taylor Street, Annandale NSW 2038
Phone 02 9660 2255 Fax 02 9660 2254

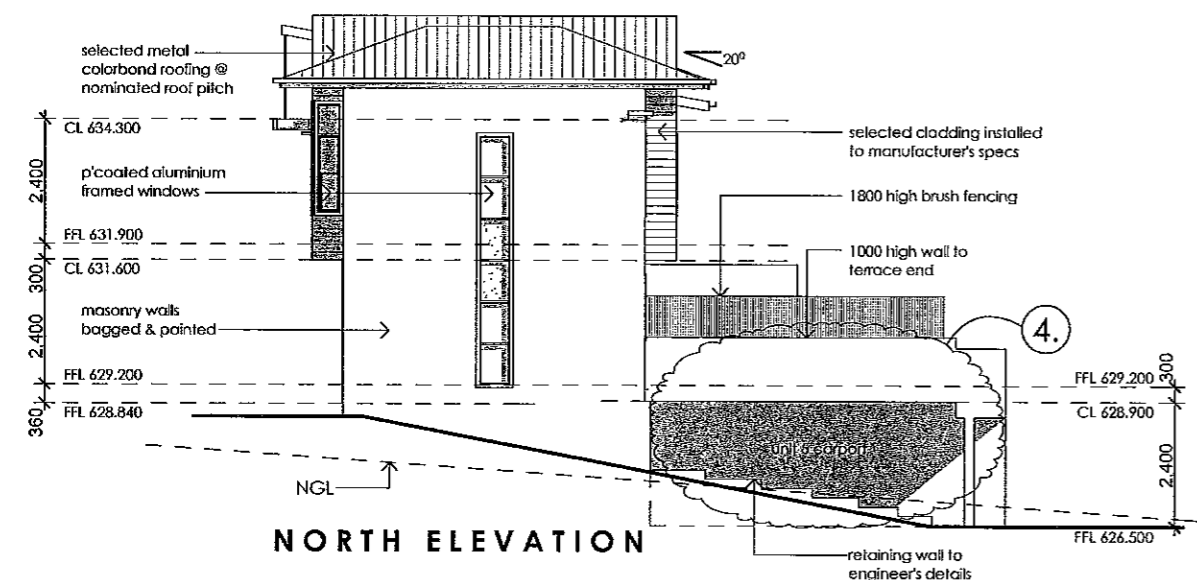
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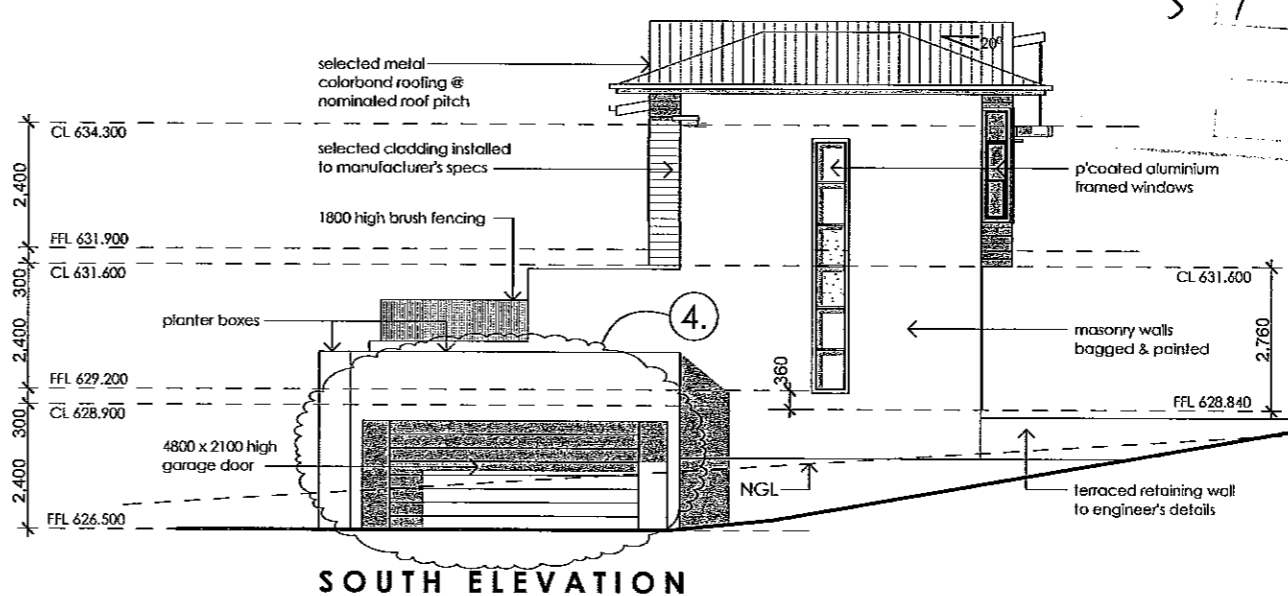
TREE MANAGEMENT PROTECTION PLAN, DEMOLITION PLAN & SEDIMENT AND EROSION CONTROL PLAN



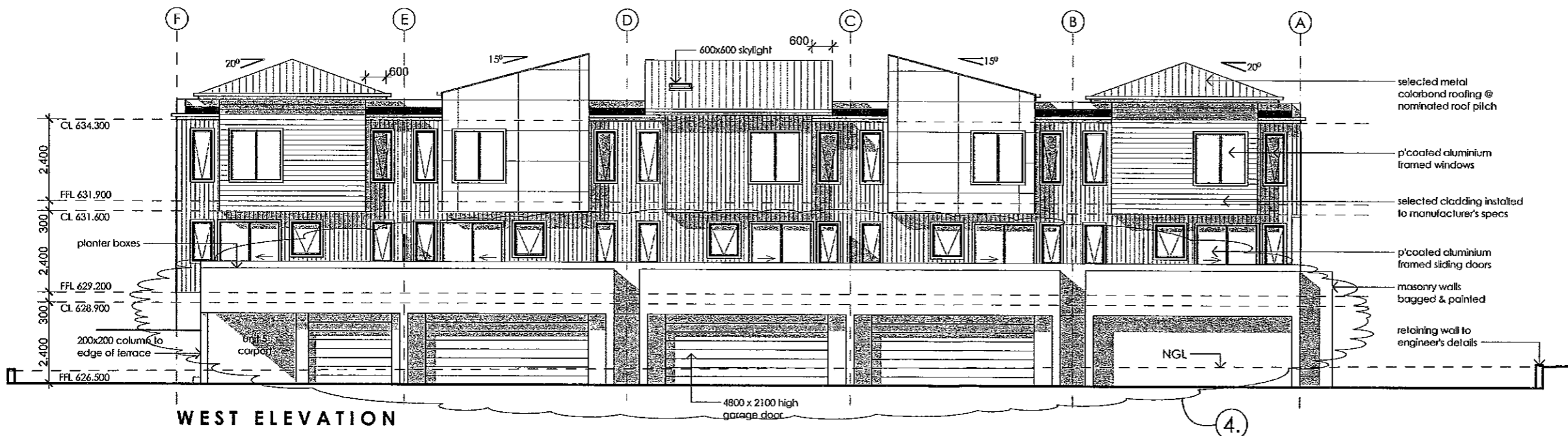
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

ActewAGL acts as agent for ACTEW Corporation
ActewAGL
 Application number
 5 | 1 | 5 | 9 | 1 |
 Sheet
 6 | of | 7

- A Dec. 2008 Revision
1. Increase floor levels of units 6-9 by 700mm.
 2. Create basement parking under units 6-9 (9 spaces) accessed via a vehicular ramp.
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 6. Provide enclosure for units 6-9 waste bins.
- | Issue | Date | Event |
|-------|------|-------|
| | | |

Project
Multi Unit Housing

Site
 blocks 16+17
 section 13,
Mawson, ACT.

Title
Elevations Units 1-5

Scale
 1:100

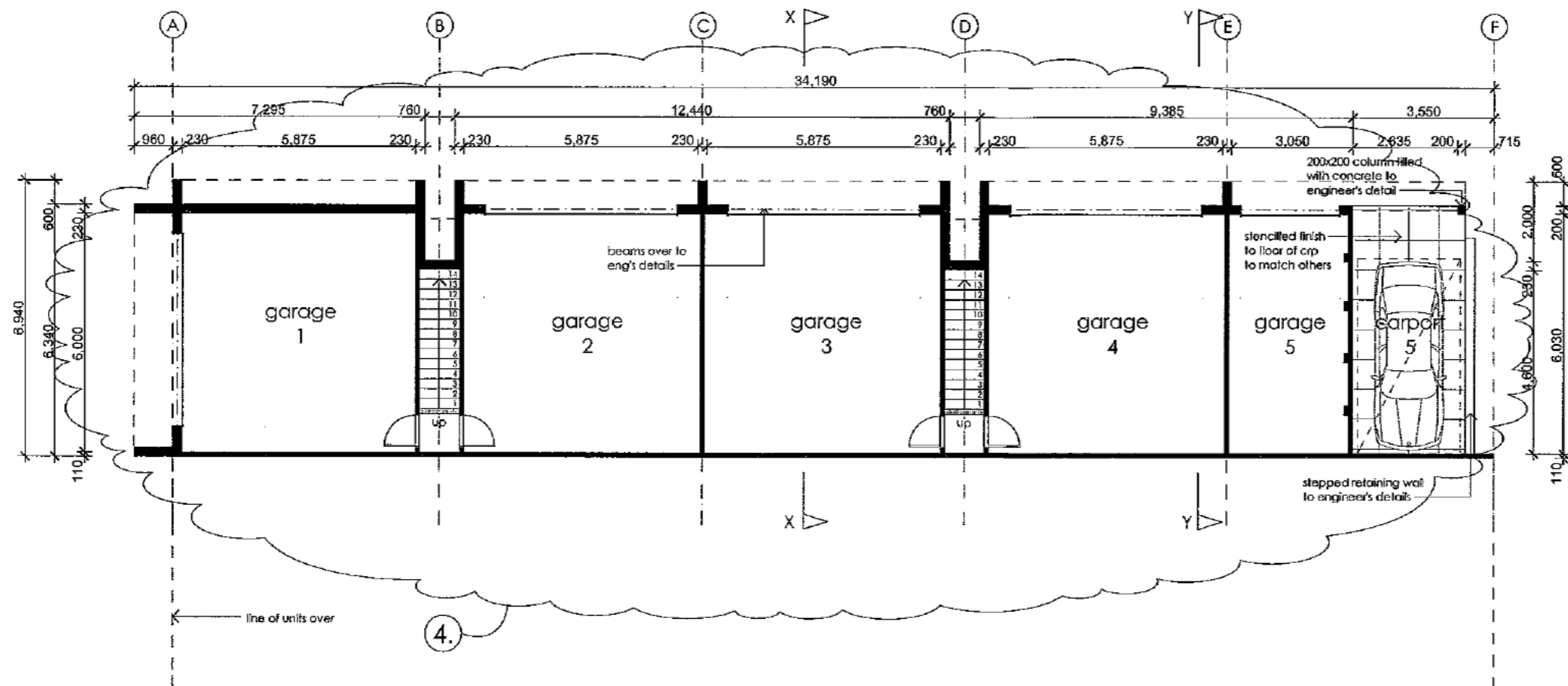
Drawn By
 SA

Date
 May 2008

Drawing No.
 1284 - D

PETER BYFIELD + Associates
 Suite A, 34 Taylor Street, Annandale NSW 2038
 Phone 02 9660 2255 Fax 02 9660 2254

This drawing is copyright and may not be used without written consent. Do not scale off this drawing. Use figured dimensions only. Verify all dimensions on site prior to starting any work.



LOWER LEVEL FLOOR PLAN

ActewAGL acts as agent for ACTEW Corporation
ActewAGL
 Application number
 5 1 5 9 1
 Sheet
 4 of 7

- A** Dec. 2008 Revision
1. Increase floor levels of units 6-9 by 700mm.
 2. Create basement parking under units 6-9 (9 spaces) accessed via a vehicular ramp.
 3. Relocated unit 10 to achieve a rear setback of 4m.
 4. Convert car parking under units 1-5 to allow for 2 car spaces per unit (1-5).
 5. Relocated 3 visitor car spaces.
 6. Provide enclosure for units 6-9 waste bins.
- | Issue | Date | Event |
|-------|------|-------|
| | | |

Project
Multi Unit Housing

Site
 blocks 16+17
 section 13,
Mawson, ACT.

Title
Garage Level Floor Plan & Sections

Scale
 1:100

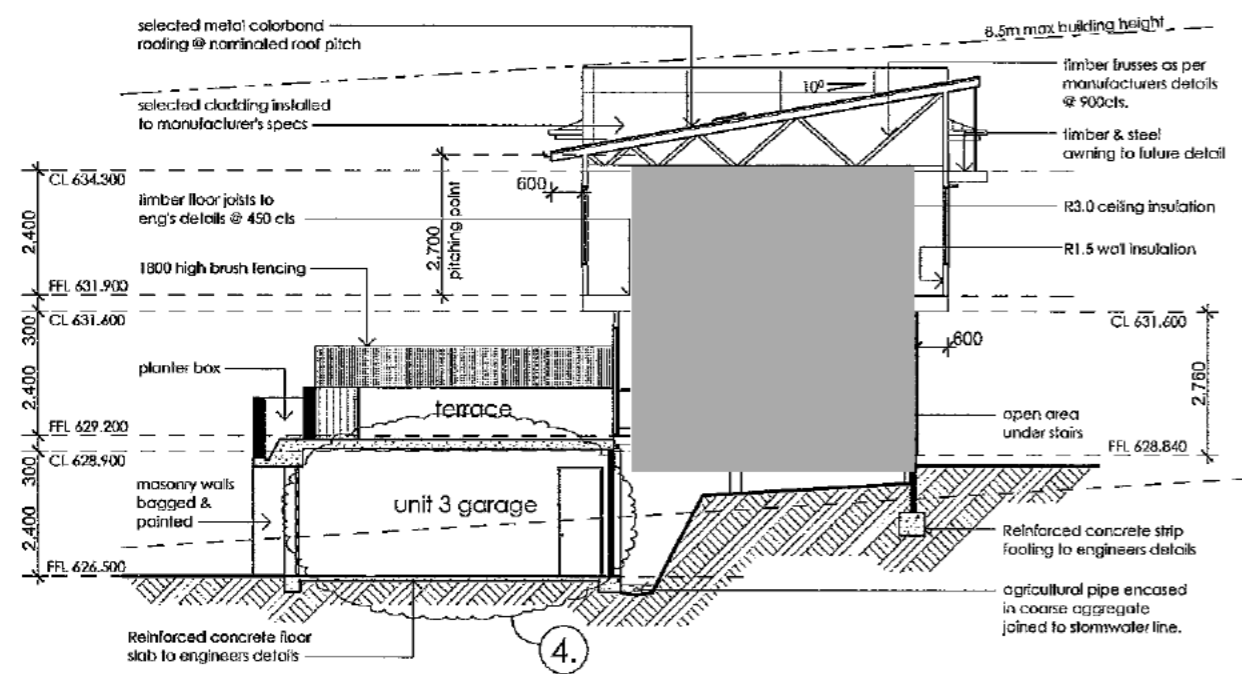
Drawn By
 SA

Date
 May 2008

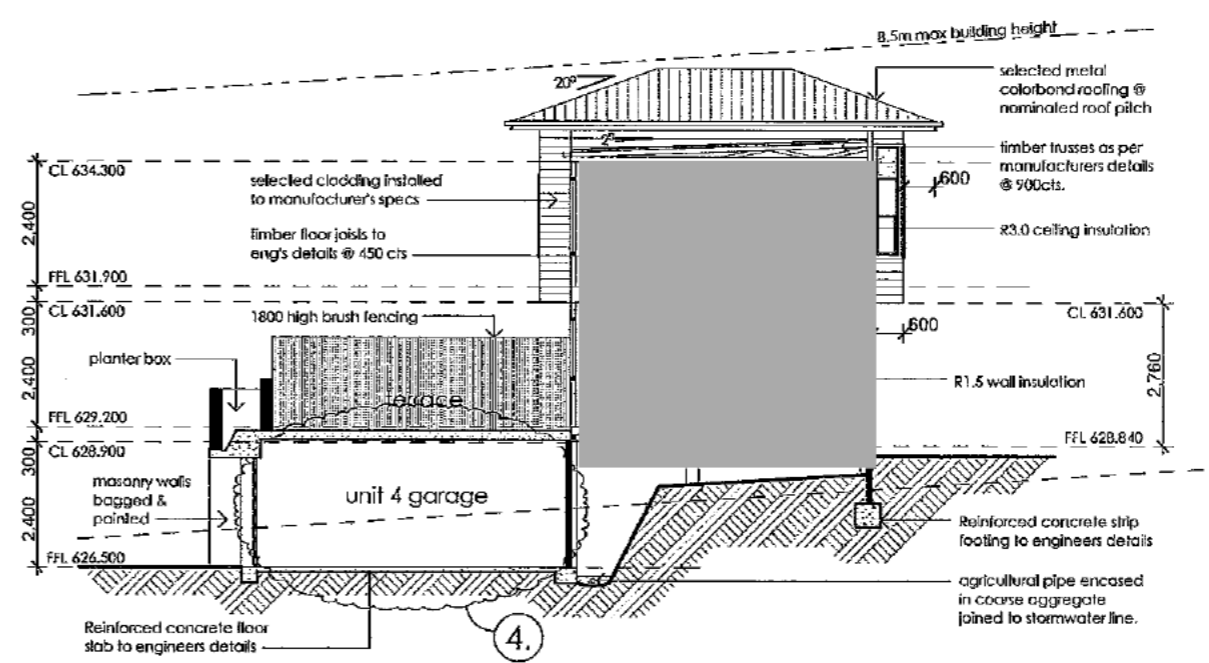
Drawing No.
 1284 - E

PETER BYFIELD + Associates
 Suite A, 34 Taylor Street, Annandale NSW 2038
 Phone 02 9660 2255 Fax 02 9660 2254

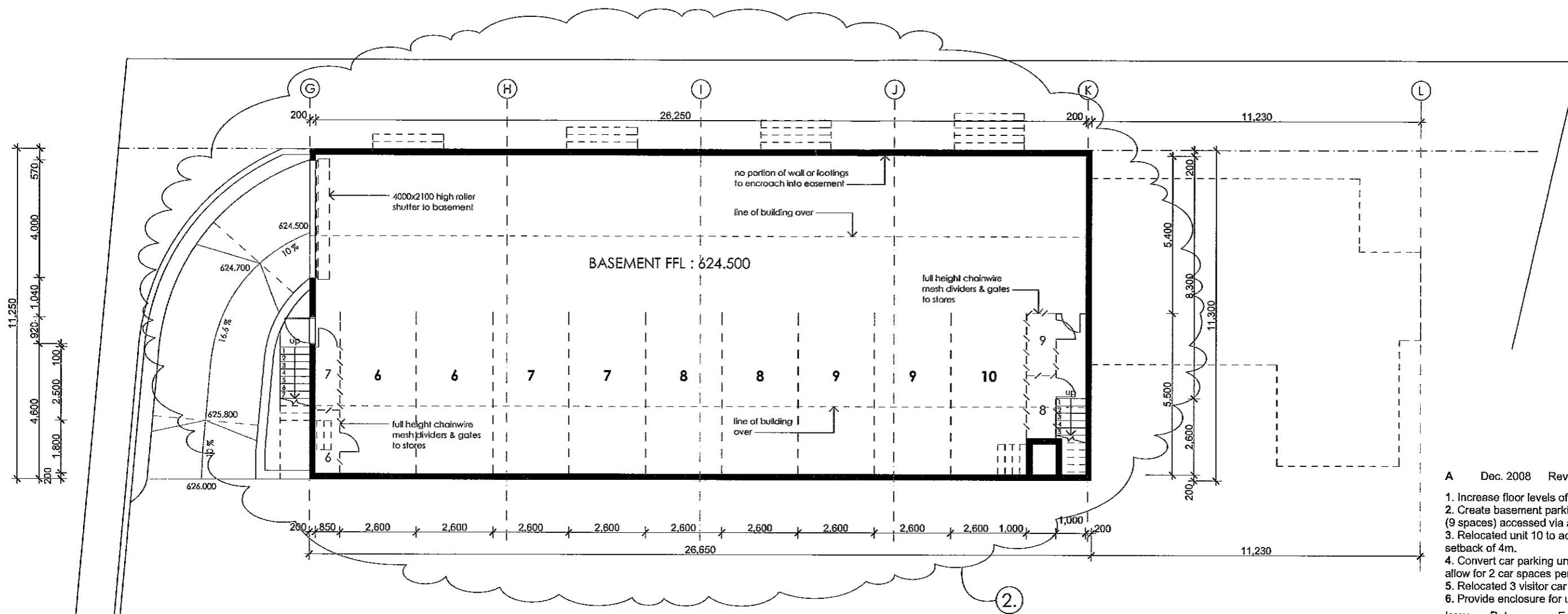
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SECTION X-X



SECTION Y-Y



 **BASEMENT LEVEL FLOOR PLAN** BASEMENT AREA 299.9m²

ActewAGL acts as agent for ACTEW Corporation
ActewAGL
 Application number
 5 1 5 9 1
 Sheet
 7 of 7

- A Dec. 2008 Revision
1. Increase floor levels of units 6-9 by 700mm.
 2. Create basement parking under units 6-9 (9 spaces) accessed via a vehicular ramp.
 3. Relocated unit 10 to achieve a rear setback of 4m.
 4. Convert car parking under units 1-5 to allow for 2 car spaces per unit (1-5).
 5. Relocated 3 visitor car spaces.
 6. Provide enclosure for units 6-9 waste bins.
- | Issue | Date | Event |
|-------|------|-------|
| | | |

Project
Multi Unit Housing

Site
 blocks 16+17
 section 13,
Mawson, ACT.

Title
Basement Level Floor Plan

Scale
 1:100

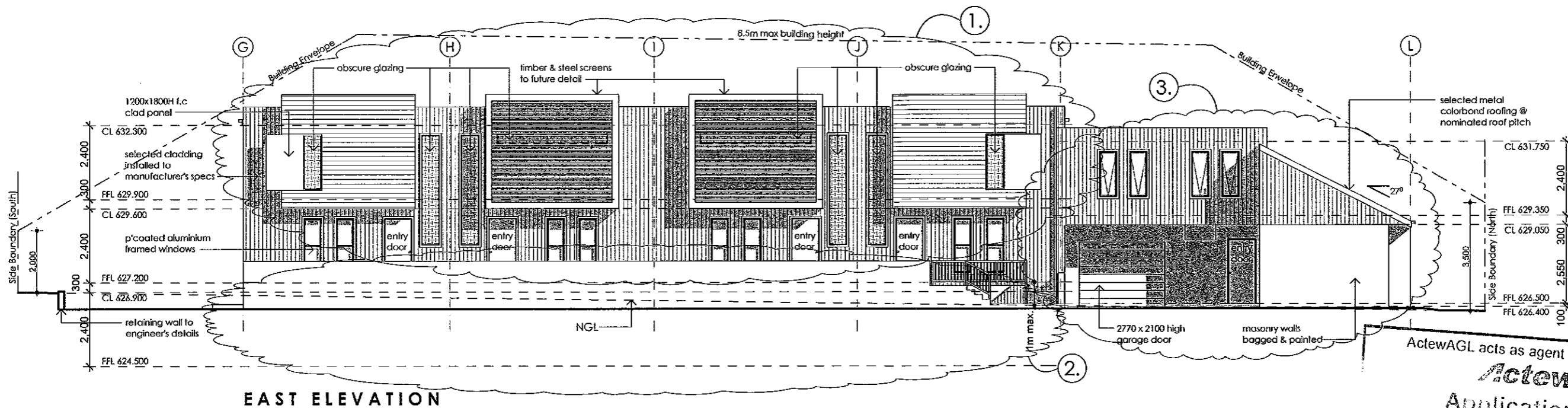
Drawn By
 SA

Date
 May 2008

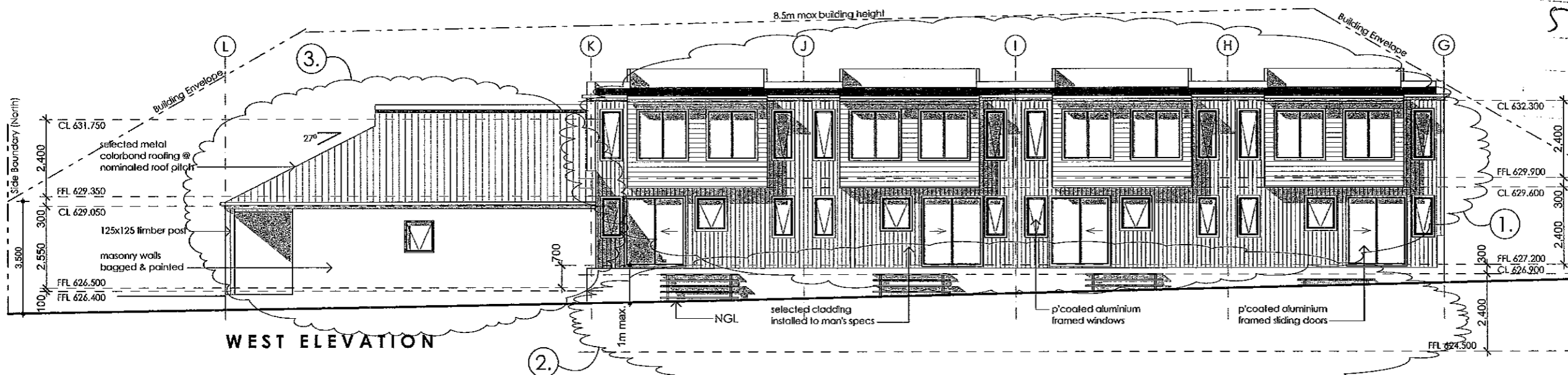
Drawing No.
 1284 - G

PETER BYFIELD + Associates
 Suite A, 34 Taylor Street, Annandale NSW 2038
 Phone 02 9660 2255 Fax 02 9660 2254

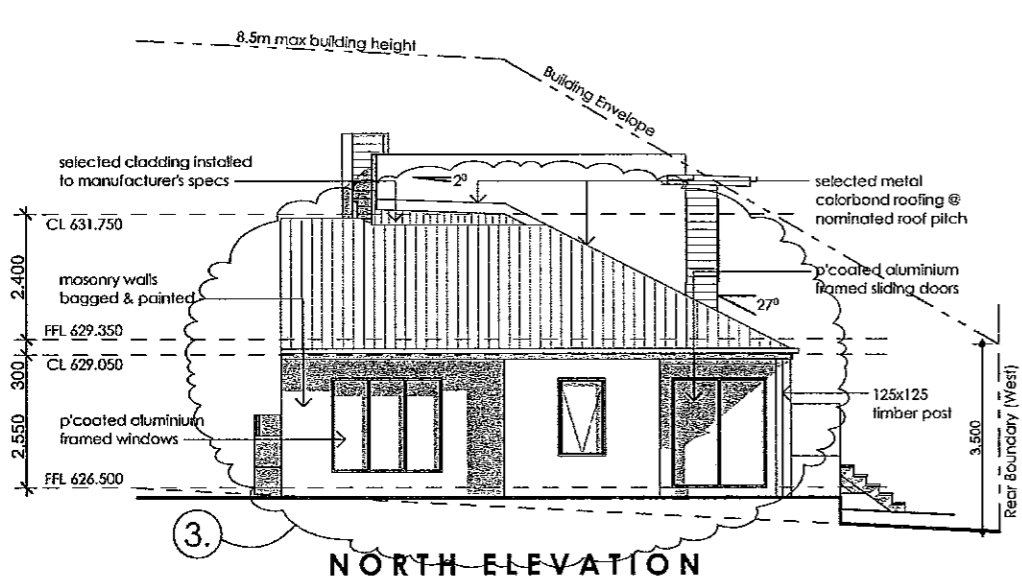
This drawing is copyright and may not be used without written consent. Do not scale off this drawing. Use figured dimensions only. Verify all dimensions on site prior to starting any work.



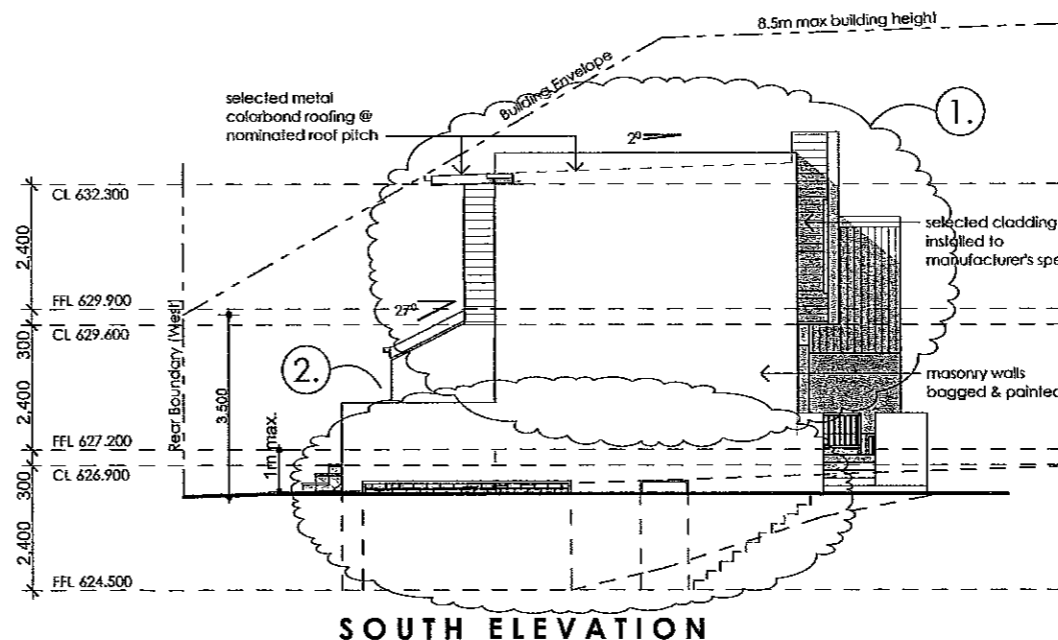
EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

ActewAGL acts as agent for ACTEW Corporation

ActewAGL

Application number

5 1 5 9 1

Sheet

5 of 7

A Dec. 2008 Revision

1. Increase floor levels of units 6-9 by 700mm.
2. Create basement parking under units 6-9 (9 spaces) accessed via a vehicular ramp.
3. Relocated unit 10 to achieve a rear setback of 4m.
4. Convert car parking under units 1-5 to allow for 2 car spaces per unit (1-5).
5. Relocated 3 visitor car spaces.
6. Provide enclosure for units 6-9 waste bins.

Issue	Date	Event

Project
Multi Unit Housing

Site
blocks 16+17
section 13,
Mawson, ACT.

Title
Elevations Units 6-10

Scale
1:100

Drawn By
SA

Date
May 2008

Drawing No.
1284 - H

PETER BYFIELD + Associates
Suite A, 34 Taylor Street, Annandale NSW 2038
Phone 02 9660 2255 Fax 02 9660 2254

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From: [Thurtell, Denise](#)
To: [Pradhan, Jyoti](#)
Subject: RE: Referral-ActewAGLelectricity-200812307-16 & 17/13 Mawson-reconsideration-01 URGENT
Date: Monday, 23 February 2009 1:30:29 PM
Attachments: [20090219_115525.pdf](#)

Hi Jyoti,

Please find Statement of Compliance attached.

Regards,

Denise

-----Original Message-----

From: Edwards, Anthony

Sent: Thursday, 19 February 2009 2:27 PM

To: 'actplaactewaglcomments@act.gov.au'

Subject: Building Plans Mawson blk 16&17 sec 13

Please fine the attached Plans

From: Pradhan, Jyoti [<mailto:Jyoti.Pradhan@act.gov.au>]
Sent: Monday, 23 February 2009 1:06 PM
To: Thurtell, Denise
Subject: FW: Referral-ActewAGLelectricity-200812307-16 & 17/13 Mawson-reconsideration-01 URGENT
Importance: High

Hi Denise,

Sorry to bother you again.

I would appreciate if you could please chase this one up for me. This is a reconsideration application and I am waiting for Actew's comments. My decision is largely dependent on Actew's response to the revised proposal. The reconsideration is due on 25 Feb.

Please do the needful at your earliest.

Regards,

Jyoti Pradhan

From: Johnson, MichaelR (ACTPLA) **On Behalf Of** aatSecretariat
Sent: Monday, 16 February 2009 10:52 AM
To: 'BASubmission_Electricity'
Subject: Referral-ActewAGLelectricity-200812307-16 & 17/13 Mawson-reconsideration-01 URGENT

The ACT Planning and Land Authority has received an Application for Reconsideration for the following Development Application:

The ACT Planning and Land Authority has received an Application for Reconsideration for the following Development Application:

**Blocks: 16 & 17 Section: 13 Suburb: Mawson
Development Application Number: 200812307**

The Application for Reconsideration is being applied against conditions of approval.

Attached is a copy of the additional information supplied by the applicant in relation to the issues they seek to have reviewed.

Your advice ASAP would be greatly appreciated to ensure the reconsideration application can be determined by 25 February 2009.

Please forward any written advice via email to the Applications Secretariat at app.sec@act.gov.au

If you require any further information please contact the Applications Secretariat on 6207 1687.

Regards

Michael Johnson
AAT Coordination Unit
ACT Planning and Land Authority

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.

ELECTRICITY NETWORKS - ASSET PROTECTION ADVICE MANAGEMENT

EN17966

Location Details

Suburb	Block	Section
Mawson	16&17	13

Address:

Leaseholder / Owner

Surname:

First Name:

Application Details

Request Category: Development Application Certification

Applicant Company:

Company Phone:

Company Fax:

Applicant Surname: APP

First Name: APP

Applicant Type: Accredited Building Certifier / Surveyor

Demolition and New Residence	<input type="checkbox"/>	Carport	<input type="checkbox"/>	Patio	<input type="checkbox"/>	Other	<input type="checkbox"/>
New Residence	<input checked="" type="checkbox"/>	Deck	<input type="checkbox"/>				
Alterations / Extension	<input type="checkbox"/>	Pergola	<input type="checkbox"/>				
Garage	<input type="checkbox"/>	Swimming Pool	<input type="checkbox"/>				

Date Received:	12/Feb/2009	Entered By:	Anthony Edwards	Date Entered:	12/Feb/2009
----------------	-------------	-------------	-----------------	---------------	-------------

Assessment Details

Action Officer:	Julian Powell	Ph:	(02) 6293 5768	Mob:	0414 510 884
-----------------	---------------	-----	----------------	------	--------------

Assessment: Approved With Conditions

Conditional Approval/Advice Details:	THAT REAR UNITS BE 2.7M AWAY FROM O/H POWER LINES THAT RUN ALONG REAR BOUNDARY
--------------------------------------	--

Date Completed: 18/Feb/2009

Comments:

Service MarkingService Marking Required: Service Marking Number:



Electricity Networks

STATEMENT OF
CONDITIONAL COMPLIANCE

Application N^o: EN17966 Drawings in set _____

Block: 16e17 Section: 13

Suburb: MAWSON

This application has been assessed against legislation protecting ActewAGL's infrastructure and access to it.

This application is approved subject to compliance with the following conditions:

- The location and area allocated for the substation is to comply with ActewAGL standards
- Installation of the Point-Of-Entry cubicle will be the responsibility of the proponent
- Installation of electrical conduits (on or off block) will be the responsibility of the proponent
- Change of Service is required (see attached form)
- Development is to comply with minimum clearances to overhead conductors Ref ActewAGL Drawing 3811-004 Rev K (attached)
- Development is to comply with minimum separation requirements
- Ref ActewAGL Drawing 3832-018 Rev E (attached)
- Proponent is required to contact ActewAGL prior to the commencement of any development activity to negotiate the connection of new and/or relocation of existing electricity assets
- WARNING: ActewAGL underground cables are in or adjacent to this block. ActewAGL Asset Location Advice may be required
- Insufficient clearance for Point of Entry/Meter Box
- Fence/gate to be repositioned to allow access to Meter Box

Please note:

- If ActewAGL approval conditions are not met, a breach of the law may result.
- Separate applications are required for water & sewerage, gas and communication network services.
- A failure of this document to show or accurately locate electricity assets may result in damage and costs for which the property owner will be liable. Damage to network assets must be reported to ActewAGL
- Utility conditions may also apply to minor structures and landscaping works that may not have been depicted in this document. Consultation with ActewAGL staff is advised.
- Construction of unapproved works may result in action being taken to require the property owner to remove non-compliant structures and/or the property owner to fund rectification works on ActewAGL's electricity network

Signed..... J. Powell Date 19/2/09

J. Powell G. Wolk E Turnsek J. Capello A. Scanes

For further information please phone ActewAGL 6248 3555 (then 1).

Edwards, Anthony

From: Pradhan, Jyoti [Jyoti.Pradhan@act.gov.au]
Sent: Tuesday, 10 February 2009 12:07 PM
To: Thurtell, Denise
Subject: Mawson 16&17/13 200812307 - S165A - re-referral

Importance: High

Attachments: 20080906_153419.pdf; %FLOORASSESS-200812307-S165A-units 1-5-01.PDF; %FLOORASSESS-200812307-S165A-units 6-10-01.PDF; FLOORREG-200812307-S165A-Basement level-01.PDF; FLOORREG-200812307-S165A-garages-01.PDF; SITE-200812307-S165A-01.PDF



20080906_153419. %FLOORASSESS-2 %FLOORASSESS-2 FLOORREG-200812 FLOORREG-200812SITE-200812307-S1
pdf (3 MB) 0812307-S165A-u.0812307-S165A-u.307-S165A-Basem...307-S165A-garag... 65A-01.PDF (2...

Hi Denise,

Please find attached resubmission for the above mentioned application. The applicant has revised the drawings as per Actew's requirements (copy of previous advice also attached). Please note that it is a reconsideration application and the Authority is required to respond before 23 February. I would appreciate if you could please provide your advice on the revised drawings at your earliest.

Regards,

Jyoti

-----Original Message-----

From: Thurtell, Denise [mailto:Denise.Thurtell@actewagl.com.au]
Sent: Saturday, 6 September 2008 3:39 PM
To: ACTPLA ACTEWAGL Comments
Subject: Mawson 16&17/13 200812307

Please find attached, Statment of Compliance from our Electrical Division for 16&17/13 Mawson.

Regards,

Denise Thurtell
ActewAGL

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.

From: [Rossow, Hilary](#)
To: [App Sec](#)
Subject: FW: Comm-EACT-200812307-16 & 17/13 MAWSON-01 [Scanned]
Date: Thursday, 29 January 2009 1:19:12 PM

No issues of concern.

Regards,

Hilary Rossow

EPA Coordinator

Environment Protection Authority

Department of Environment, Climate Change, Energy and Water

GPO Box 158 Canberra ACT 2601

Phone: 02 6207 5732

Fax: 02 6207 6084

Part-time: Mondays, Tuesdays and Thursdays

From: App Sec
Sent: Monday, 18 August 2008 11:08 AM
To: McKeown, Helen
Subject: REFERRAL-EACT-200812307-16 & 17/13 MAWSON-01 [Scanned]

DEVELOPMENT APPLICATION NO: 200812307
BLOCK: 16 & 17 SECTION: 13 DIVISION: MAWSON

Pursuant to Section 148(1) of the *Planning and Development Act 2007* the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice (8th Sept 08).

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

Please forward any written advice via email to the Applications Secretariat
ACTPLAACTEWAGLComments@act.gov.au

Please use the following format in the subject line of the email when providing advice:

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

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

Applications Secretariat

18/08/08

From: [Edwards, Marc](#)
To: [Pradhan, Jyoti](#)
Subject: RE: DA200812307 - Bls 16 & 17 Sec 13 Mawson - re-referral - ASSET
Date: Friday, 20 February 2009 2:30:26 PM

Jyoti

Tams can now support this proposal

The following will still apply

Works on Territory land

In accordance with the Roads and Public Places Act 1937 no work is to be undertaken on road verges and other unleased Territory Land without the approval of the Territory. The following approvals are to be obtained prior to the commencement of any work on site.

Design Acceptance

- A Certificate of Design Acceptance from the Manager, Asset Acceptance, Community & Infrastructure Services, TAMS. In order to obtain this certificate fully detailed drawings (civil, landscape) prepared by a suitably qualified persons for all off-site works including roads, driveways, footpaths, street lighting, storm water, landscaping (and any other issues that may be found by audit of the plans), shall be submitted to the Manager, Asset Acceptance. A Waste Management Plan in accordance with the Development Control Code for Best Practice Waste Management in the ACT should also be included if not approved at the Development Application stage.
- A detailed construction parking plan for the building phase is required. This plan is required to take into account all construction/demolition vehicles and equipment, and construction workers vehicles, and how and where they will be accommodated within the site. This plan is to be submitted to and approved by the Manager Asset Acceptance prior to the commencement of any works on site. If this plan is not approved, and adhered to by the developer or his contractor's, a formal stop work will be issued by compliance section

Landscape Management Protection Plan (LMP)

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

On-site Stormwater Detention and Retention (OSD/R) (Water Sensitive Urban Design)

- The existing stormwater tie is to be used and is not to be upgraded. The applicant is to provide evidence to Manager Asset Acceptance, TAMS that he/she will manage storm water run-off in such a way that it does not exceed the capacity of the existing storm water tie prior to the commencement of construction.

Notice of Commencement of Construction

Notice of Commencement of Construction shall be submitted to the Manager Asset Acceptance one week prior to the commencement of works. The Notice shall also include the confirmation of any protective measures installed in accordance with the approved LMP and programmed implementation of the TTM.

Marc-Ian Edwards
Development Applications Coordinator
Asset Acceptance
Asset Services Group
Ph 02 6207 6594
Mob 0438 489 852

-----Original Message-----

From: Pradhan, Jyoti
Sent: Tuesday, 10 February 2009 12:18 PM
To: Edwards, Marc
Subject: DA200812307 - Bls 16 & 17 Sec 13 Mawson - re-referral - ASSET
Importance: High

Good Afternoon Marc,

Please find attached resubmission lodged for the above application. Also attached is a copy of your previous advice. Applicant has revised the drawings as per your advice. I would appreciate if you could provide your comments on the revised drawings at your earliest (Please note that this is a reconsideration application and Authority has to respond by 23 February).

Regards,

Jyoti

From: [Pradhan, Jyoti](#)
To: [App_Sec](#)
Subject: DA200812307 - 16 & 17 sec 13 Mawson - Reconsideration - Actew ele comments
Date: Monday, 16 February 2009 9:41:46 AM
Attachments: [ObjRef.obr](#)
Importance: High

Hi,

Could you please request Actew Electricity Division to provide their comments ASAP. The reconsideration is due on 25 Feb 09. My decision is largely dependent on Actew's support.

Regards,
Jyoti

From: [Pradhan, Jyoti](#)
To: ["Thurtell, Denise"](#)
Subject: FW: Referral-ActewAGLelectricity-200812307-16 & 17/13 Mawson-reconsideration-01 URGENT
Date: Monday, 23 February 2009 1:06:04 PM
Importance: High

Hi Denise,

Sorry to bother you again.

I would appreciate if you could please chase this one up for me. This is a reconsideration application and I am waiting for Actew's comments. My decision is largely dependent on Actew's response to the revised proposal. The reconsideration is due on 25 Feb.

Please do the needful at your earliest.

Regards,

Jyoti Pradhan

From: Johnson, MichaelR (ACTPLA) **On Behalf Of** aatSecretariat
Sent: Monday, 16 February 2009 10:52 AM
To: 'BASubmission_Electricity'
Subject: Referral-ActewAGLelectricity-200812307-16 & 17/13 Mawson-reconsideration-01 URGENT

The ACT Planning and Land Authority has received an Application for Reconsideration for the following Development Application:

The ACT Planning and Land Authority has received an Application for Reconsideration for the following Development Application:

**Blocks: 16 & 17 Section: 13 Suburb: Mawson
Development Application Number: 200812307**

The Application for Reconsideration is being applied against conditions of approval.

Attached is a copy of the additional information supplied by the applicant in relation to the issues they seek to have reviewed.

Your advice ASAP would be greatly appreciated to ensure the reconsideration application can be determined by 25 February 2009.

Please forward any written advice via email to the Applications Secretariat at app.sec@act.gov.au

If you require any further information please contact the Applications Secretariat on 6207 1687.

Regards

Michael Johnson
AAT Coordination Unit

ACT Planning and Land Authority

From: [Edwards, Marc](#)
To: [aatSecretariat](#)
Subject: RE: Referral-Asset Acceptance-200812307-16 & 17/13 Mawson-reconsideration-01
Date: Tuesday, 10 February 2009 1:23:30 PM

This reconsideration is now supported with the following conditions

Works on Territory land

In accordance with the *Roads and Public Places Act 1937* no work is to be undertaken on road verges and other unleased Territory Land without the approval of the Territory. The following approvals are to be obtained prior to the commencement of any work on site.

Design Acceptance

- A Certificate of Design Acceptance from the Manager, Asset Acceptance, Community & Infrastructure Services, TAMS. In order to obtain this certificate fully detailed drawings (civil, landscape) prepared by a suitably qualified persons for all off-site works including roads, driveways, footpaths, street lighting, storm water, landscaping (and any other issues that may be found by audit of the plans), shall be submitted to the Manager, Asset Acceptance. A Waste Management Plan in accordance with the *Development Control Code for Best Practice Waste Management in the ACT* should also be included if not approved at the Development Application stage.
- A detailed construction parking plan for the building phase is required. This plan is required to take into account all construction/demolition vehicles and equipment, and construction workers vehicles, and how and where they will be accommodated within the site. This plan is to be submitted to and approved by the Manager Asset Acceptance prior to the commencement of any works on site. If this plan is not approved, and adhered to by the developer or his contractor's, a formal stop work will be issued by compliance section

Landscape Management Protection Plan (LMP)

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

On-site Stormwater Detention and Retention (OSD/R) (Water Sensitive Urban Design)

- All development where the hard surfaced area and/or GFA is increased

from the pre-existing GFA and/or hard surface area will require the implementation of on-site stormwater detention/retention principles. The existing stormwater tie is to be used in single block redevelopments and is not to be upgraded. In all multi block redevelopments, the maximum discharge flow is not to exceed the pre-existing flow conditions for the number of blocks being redeveloped. Any unused ties are to be removed and capped. These measures are required to reduce the flow from the site during the 1 in 3 month or greater rain fall events and to minimise the effect of flooding down stream through these rain fall events.

Notice of Commencement of Construction

Notice of Commencement of Construction shall be submitted to the Manager Asset Acceptance one week prior to the commencement of works. The Notice shall also include the confirmation of any protective measures installed in accordance with the approved LMP and programmed implementation of the TTM.

Marc-Ian Edwards

Development Applications Coordinator
Asset Acceptance
Asset Services Group
Ph 02 6207 6594
Mob 0438 489 852

From: Johnson, MichaelR (ACTPLA) **On Behalf Of** aatSecretariat
Sent: Thursday, 29 January 2009 11:23 AM
To: Edwards, Marc
Subject: Referral-Asset Acceptance-200812307-16 & 17/13 Mawson-reconsideration-01

The ACT Planning and Land Authority has received an Application for Reconsideration for the following Development Application:

Blocks: 16 & 17 Section: 13 Suburb: Mawson
Development Application Number: 200812307

The Application for Reconsideration is being applied against conditions of approval.

Attached is a copy of the additional information supplied by the applicant in relation to the issues they seek to have reviewed.

Your advice by 12 february 2009 would be greatly appreciated to ensure the reconsideration application can be determined within the prescribed period of 28 calendar days from the date of lodgement.

Please forward any written advice via email to the Applications Secretariat at app.sec@act.gov.au

If you require any further information please contact the Applications Secretariat on 6207 1687.

Regards

Michael Johnson
AAT Coordination Unit
ACT Planning and Land Authority

From: [Johnson, MichaelR \(ACTPLA\)](#) on behalf of [aatSecretariat](#)
To: ["devapp@actewagl.com.au"](mailto:devapp@actewagl.com.au)
Subject: Referral-ActewAGL-200812307-16 & 17/13 Mawson-reconsideration-01
Date: Thursday, 29 January 2009 11:17:21 AM

The ACT Planning and Land Authority has received an Application for Reconsideration for the following Development Application:

**Blocks: 16 & 17 Section: 13 Suburb: Mawson
Development Application Number: 200812307**

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Regards

Michael Johnson
AAT Coordination Unit
ACT Planning and Land Authority

From: [Johnson, MichaelR \(ACTPLA\)](#) on behalf of [aatSecretariat](#)
To: ["BASubmission_Electricity"](#)
Subject: Referral-ActewAGLElectricity-200812307-16 & 17/13 Mawson-reconsideration-01 URGENT
Date: Monday, 16 February 2009 10:52:26 AM

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Regards

Michael Johnson
AAT Coordination Unit
ACT Planning and Land Authority

From: [Johnson, MichaelR \(ACTPLA\)](#) on behalf of [aatSecretariat](#)
To: [Edwards, Marc](#)
Subject: Referral-Asset Acceptance-200812307-16 & 17/13 Mawson-reconsideration-01
Date: Thursday, 29 January 2009 11:22:31 AM

The ACT Planning and Land Authority has received an Application for Reconsideration for the following Development Application:

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Development Application Number: 200812307**

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Regards

Michael Johnson
AAT Coordination Unit
ACT Planning and Land Authority

From: [Johnson, MichaelR \(ACTPLA\)](#) on behalf of [aatSecretariat](#)
To: [McKeown, Helen](#)
Subject: Referral-EACT-200812307-16 & 17/13 Mawson-reconsideration-01
Date: Thursday, 29 January 2009 11:23:20 AM

The ACT Planning and Land Authority has received an Application for Reconsideration for the following Development Application:

**Blocks: 16 & 17 Section: 13 Suburb: Mawson
Development Application Number: 200812307**

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If you require any further information please contact the Applications Secretariat on 6207 1687.

Regards

Michael Johnson
AAT Coordination Unit
ACT Planning and Land Authority