ACT Government | Territory Planning Authority

NOTICE OF DECISION

Made under part 7.6 of the *Planning Act 2023*

DEVELOPMENT APPLICATION DETAILS This Notice of Decision relates to the below development application	
Application Number	**DA 202543965**
Lodgement date	23 April 2025
Site Description	Block 1 Section 15 Suburb Curtin
Crown Lease	Volume: 3024 Folio: 139
Type of Development	Multi-Unit and Lease Variation
Type of Application	Significant Development
Proposal Description	Construction of 83 affordable dwelling units, 15 supportive units and one caretaker's unit in three buildings up to 6 storeys. Resident parking for 54 cars, 26 visitor parking spaces, demolition of existing dwelling, tree removal, landscaping and associated works. Lease Variation to add Community and Supportive Housing as permissible uses.

DECISION The below is made pursuant to section 185 of the *Planning Act 2023.*	
Decision	**APPROVED SUBJECT TO CONDITIONS**
Decision Date	**13 October 2025**
Reasons for the Decision and Considerations	**PART 1: Application and Assessment Summary** **PART 2: Statutory Considerations:** - **Public notification and representations** - **Entity advice** - **The Territory Plan and Design Guides** - **Other Statutory Considerations**
Conditions, Administrative Information and other Appendices	**APPENDIX A: Conditions of approval and advisory notes** **APPENDIX B: Attachments of relevant entity advice** **APPENDIX C: Administrative Information** **APPENDIX D: Assessment and Environment Advisory Panel Advice**

CONTACT / ENQUIRIES
DA Gateway team
Phone: (02) 6207 6383
Online Form:
https://services.accesscanberra.act.gov.au/s/forms/land-planning-and-building-enquiry

Chris Gell
Delegate of the Territory planning authority

REASONS FOR THE DECISION AND CONSIDERATIONS

PART 1 APPLICATION AND ASSESSMENT SUMMARY

The plans and documentation submitted as part of the development application and any subsequent information or amendments, as outlined in **Table 1** below, were considered throughout the assessment and decision-making process. All conditions of approval and advice is noted in **APPENDIX A**.

Table 1: Timeline of application

	Reference	Lodgement(L)/ Request (R) Date	Public notification period	Number of representations received	Entity referrals
Development Application (S166)	202543965	L-23 April 2025	5 May 2025 to 30 May 2025	139 (& 5 out of time)	29 April 2025 to 27 May 2025
Further information requested (S167)	167A	R-6 June 2025			
Response to further information	168B	L-15 August 2025	21 August 2025 to 3 September 2025	19	18 August 2025 to 1 September 2025

THE ASSESSMENT

The Territory Planning Authority (the Authority) utilises a 6-stage process when assessing and determining all DAs. This allows different officers to work on different aspects of the same application to ensure probity and integrity is upheld during the assessment process.

More information about the 6-stage assessment process and what's involved is available online at https://www.planning.act.gov.au/applications-and-assessments/development-applications/after-you-apply.

For this DA:

- Stage 5 (Quality and Outcomes Assurance) consisted of all of the following:
  - Review and advice by a senior officer
  - Review and advice by the Assessment and Environment Advisory Panel (AEAP). AEAP advice is available in **APPENDIX D.**
- A total of 13 assessment officers were involved in the assessment and decision-making process, which included 10 during the stage 5 review.

PART 2 STATUTORY CONSIDERATIONS

PUBLIC NOTIFICATION AND REPRESENTATIONS – S186(H)

Pursuant to Division 7.5.4 of the Act, the application was publicly notified for the periods outlined in **Table 1** and a total of 158 representations were received. The notification incorrectly referred to a five-storey building. The application form did not specify a height in storeys.

The issues raised in the representations were considered in the assessment and making of the decision for this development application. The key issues and a brief response are provided below:

INADEQUATE CAR PARKING PROVISION

The development proposes 54 resident carparking spaces and 26 visitor spaces. The Community Facility Zone technical specification recommends 126 spaces and 25 visitor spaces. There is concern this will result in resident's cars being parked in surrounding streets. The applicant states that the facility will be managed and a condition of living in the development is that residents do not own a car.

This site is close to the amenities; public transport and a future light rail stop. The reduced parking provision was supported by the National Capital Design Review Panel, which considered this an ideal site for the proposed use. Evidence was provided that the site has substantial areas of bedrock close to the surface which significantly restrict construction of basement parking. The development will likely be unviable if additional basement parking is required.

TRAFFIC CONGESTION AND SAFETY

Concerns were raised with increased traffic congestion on Theodore, Carruthers and Martin Streets, together with concerns about rat running. TCCS raised no concern with the impact of the development on traffic in the area. Given the location it is unclear how the development will contribute to rat running.

BUILDING HEIGHT AND SCALE

The building height is in accordance with Territory Plan controls for this site. Building heights were recommended through the Curtin Masterplan, along with the specific uses of supportive or community housing, and subject to extensive community consultation. The site is adjacent to the group centre, fronts onto main roads and is significantly underutilised. With housing availability and affordability an issue for our community, this site is considered an ideal site for the proposed development.

OVER DEVELOPMENT, LACK OF OPEN SPACE, SOCIAL IMPACTS

The proposal was considered at several meetings of the National Capital Design Review Panel and supported prior to being lodged as a DA. The density of the site, along with the provision of open space, is comparable to other apartment developments of this scale. There is no evidence this proposal will have any social impact.

LOSS OF AMENITY & NEIGHBOURHOOD CHARACTER, INCREASED NOISE AND REDUCED LIVABILITY

It is unclear how the large predominantly vacant site contributes to contributes to neighbourhood amenity or character. This development will likely add to the character of Curtin. While views of the site will change for the residents opposite the development, it is unclear how the development will reduce 'liveability' for the broader community.

LOSS OF GREENSPACE AND REMOVAL OF EXISTING TREES

The site is underutilised given the proximity to the group centre. While the removal of seven regulated trees is unfortunate, the proposal includes 82 new trees, resulting in a canopy coverage to 40% of the site.

CONCERN WITH OVERHADOWING TO EXISTING MARTIN STREET DWELLINGS

Unfortunately, overshadowing diagrams were not provided for public notification. These were requested and indicate all existing dwelling will have solar access from 9am until 3pm on 21 June. After 3pm the two dwellings to the east side of Martin Street will be overshadowed. The 6 hours of solar access is considered reasonable.

INADEQUATE PEDESTIAN AND CYCLING INFRASTRUCTURE, LIMITED PUBLIC TRANSPORT

TCCS condition require upgraded footpaths to Theodore and Carruthers Streets, along with safe pedestrian crossing points. Note the site is within walking distance two bus stops, with route 58 having four services per hour. In addition, a condition to provide a new east-west shared path is to be constructed within the Martin Street verge, to meet TCCS requirements. This path was a recommendation of the Curtin Master Plan. It is noted this verge is 15m wide, which is sufficient for the proposed parking, shared path and street trees.

CONCERNS FOR SAFETY, REQUEST ALTERNATIVE SITES BE CONSIDERED

This site is considered ideal for the proposed use. Alternative sites are unable to be considered through this assessment. Supportive Housing residents pose no greater safety risk than anyone else in our community.

ENTITY ADVICE – S186(I) AND S189(1)

Pursuant to Division 7.5.3 of the Act, the application was referred to entities for the periods stated in **Table 1**.

The following entities were referred the original DA for advice:

1. TRANSPORT CANBERRA AND CITY SERVICES (TCCS)

   TCCS were referred the original DA and S168B for advice.

   TCCS provided advice stating that they support the proposal subject to conditions. In providing this advice they considered issues including traffic, waste management, stormwater, onsite & visitor parking, driveways, street trees and active travel networks.

   Please refer to **APPENDIX A** for conditions consistent with the TCCS advice.

2. ENVIRONMENTAL PROTECTION AUTHORITY (EPA)

   EPA were referred the original DA and S168B for advice.

   EPA provided advice stating that they support the proposal subject to conditions. In providing this advice they considered issues including hazardous materials from demolition and noise intrusion to the new development.

   Please refer to **APPENDIX A** for conditions consistent with the EPA advice.

3. CONSERVATOR OF FLORA AND FAUNA (TREE PROTECTION UNIT) (the Conservator)

   The Conservator were referred the original DA and S168B for advice.

   The Conservator provided advice stating that they do not support the proposal. In providing this advice they considered the proposed removal of seven regulated trees.

   The trees were agreed to be removed on planning grounds at a meeting of the Assessment and Environment Advisory Panel (AEAP), where the staff from the tree protection unit attended.

   Please refer to the AEAP minutes at **APPENDIX D**.

4. ACT EMERGENCY SERVICES AGENCY (ACTESA)

   ACTESA were referred the original DA and S168B for advice.

   ACTESA provided advice stating that they support the proposal subject to conditions. In providing this advice they considered water supply, hazardous materials and landscaping.

   Please refer to **APPENDIX A** for conditions consistent with the ACTESA advice.

5. ICON WATER

   ICON Water were referred the original DA and S168B for advice.

   ICON Water provided advice stating that they do not support the proposal. In providing this advice they considered infrastructure requirements on this site.

   Please refer to **APPENDIX A** for conditions consistent with the ICON WATER advice.

6. EVOENERGY (ELECTRICITY)

   EVOENERGY (ELECTRICITY) were referred the original DA and S168B for advice.

   EVOENERGY (ELECTRICITY) provided advice stating that they support the proposal. In providing this advice they considered infrastructure requirements on this site.

   Please refer to **APPENDIX A** for conditions consistent with the EVOENERGY (ELECTRICITY) advice.

7. EVOENERGY (GAS)

EVOENERGY (GAS) were referred the original DA and S168B for advice.

EVOENERGY (GAS) provided advice stating that they support the proposal. In providing this advice they considered infrastructure requirements on this site.

Please refer to **APPENDIX A** for conditions consistent with the EVOENERGY (GAS) advice.

8. INFRASTRUCTURE CANBERRA – LIGHT RAIL

Infrastructure Canberra – Light Rail were referred the original DA for advice. Infrastructure Canberra provided advice regarding the proposal.

Please refer to **APPENDIX A** for advice consistent with Infrastructure Canberra comments.

Note – Australia Post, CED Land Strategy and CED Climate Change provided no comment on this application.

THE TERRITORY PLAN AND DESIGN GUIDES– S186(A)-(B)

In making this decision, the decision-maker considered the applicable policies in the Territory Plan and applicable guidance in relevant design guides. These include:

- The Woden District Policy
- The Community Facility Zones Policy
- The Housing Design Guide
- The Urban Design Guide

In accordance with section 189 of the Act, the DA was **approved subject to conditions** as it was found that the proposal was **consistent with** the Territory Plan, including the above Policies.

While the decision-maker considered all relevant sections in the applicable policies and guides, below provides details on some key assessment themes.

BULK AND SCALE

Concerns raised through representations were considered. The proposed development is consistent with Assessment Requirement 7 from the Woden District Policy and Assessment Outcomes 1 and 5 of the Community Facility Zones Policy. It was demonstrated that the height, bulk and scale of the development was appropriate in the area with minor impact on the surrounding location. The scale of the development is considered appropriate given proximity to the Curtin Group Centre.

CAR PARKING

Consistent with Assessment Outcomes 24 and 25 of the Community Facility Zones Policy, it was demonstrated that sufficient car parking would be provided to support the development. With consideration of the site location, constraints and proximity to public transport, together with the method to manage car ownership proposed by the lessee, the provision of car parking was considered appropriate. The reduced provision of parking was also supported by the National Capital Design Review Panel.

SOLAR ACCESS AND OVERSHADOWING

Consistent with Assessment Outcomes 9 and 12 of the Community Facility Zones Policy, it was demonstrated that the proposed residences, private open space and public area would receive reasonable levels of solar access. Diagrams indicate that 100 % of the supportive housing dwellings and 95% of the affordable dwellings would receive three hours or more of solar access on 21 June. Diagrams also indicate that overshadowing to existing adjacent dwellings will be reasonable, with a minimum of 6 hours solar access available on 21 June.

TREE REMOVAL AND LANDSCAPING

The proposed removal of seven existing regulated trees on the site was considered in detail. These trees are not native and generally medium quality. The removal did not meet criteria for removal under the Urban Forrest Act and required consideration of removal on design grounds. Alternative layouts to retain the trees

were not considered feasible due to the tree location. Given the proposal to plant 82 new trees, the removal of trees was supported by the Assessment and Environment Advisory Panel. The proposed replacement landscaping is consistent with Assessment Outcomes 15 and 16 of the Community Facility Zones Policy.

OTHER STATUTORY CONSIDERATIONS

SUITABILITY OF THE DEVELOPMENT IN THE CONTEXT OF THE SITE AND SURROUNDS – S186(E)

Considering the nature of the area as a mix of uses, including the group centre, community facility uses, open space and residential, and the permissible uses for that area, the proposed development was considered to be suitable. The proposed use is appropriate given proximity to the group centre and lack of shared boundaries with existing residential development.

THE PROBABLE IMPACT OF THE PROPOSED DEVELOPMENT – S186(F)

The probable impact of the proposed development, including the nature, extent and significance of probable environmental impacts, were considered as part of the assessment. It is noted that any development will have a level of impact, however the proposed development's impacts were reasonable based on the assessment of the Territory Plan.

APPROPRIATE TRANSITION BETWEEN ZONES (WHERE THE SITE ADJOINS ANOTHER ZONE) – S186(D)

The development proposal is in the Community Facility Zone (CFZ) zone and adjoins land zoned Urban Open Space (PRZ1) to the east. The proposal is considered to achieve an appropriate transition between the zones because the development landscaping opens into the space and a level of passive surveillance is provided of the open space.

PRE-DECISION ADVICE – S186(C)

N/A

ENVIRONMENTAL SIGNIFICANCE OPINION – S186(J)

N/A

NATIONAL CAPITAL DESIGN REVIEW PANEL ADVICE AND THE PROPONENT'S RESPONSE – S186(L)

The development proposal was presented to the National Capital Design Review Panel (NCDRP) on 20 November 2024 and 29 January 2025. NCDRP provided advice on the development proposal on 11 February 2025. The NCDRP's advice and the proponent's response was submitted as part of the application and was considered in the making of this decision.

In their advice the NCDRP provided advice relating to landscape, functionality and build quality, diversity and amenity and visual appearance.

The Panel provided comments emphasising its support for affordable community and supportive housing at this location, noting the site's high suitability for these uses. The scale of the proposal was considered appropriate, and the reduced car parking allocation supported, considered the anticipated demographics, and the site's access to amenities, public transport, and active travel networks.

The applicant has responded to all concerns raised by the design review panel. Specifically, paths of travel were improved by replacing a lift with a pedestrian ramp, additional planting provided over waterproofed concrete slabs and the design of the small park at the corner of Carruthers Street revised, including screening to the substation provided.

The panel recommended further consideration of waste arrangements, privacy and security of units and redesign units to the west to have living spaces facing Theodore Street rather than bedrooms. The panel also requested revisions to the end elevations of building to improve the appearance. The applicant is considered to have suitably addressed all issues raised by the panel in their advice.

APPENDIX A CONDITIONS OF APPROVAL AND ADVISORY NOTES

This development application is approved subject to the following conditions being satisfied. Some conditions of the approval require attention before work commences or before approved drawings will be released.

ADMINISTRATIVE AND GENERAL CONDITIONS

1. END OF DEVELOPMENT APPROVAL

   a) Pursuant to section 211 of the *Planning Act 2023*, this development approval ends **five years** from the date when this approval take effect.

   b) The development must be finished (completed) within this period, or within such further time as approved in writing by the territory planning authority.

      Note: The territory planning authority may extend the development approval timeframe more than once for a cumulative period of up to two years.

      An extension to the development approval timeframes can only be granted if:
      - *a) an application is made within 6 months after the end of the 5-year period;*
      - *b) the development has started and is substantially progressed; and*
      - *c) the works would be approved if were subject to a DA submitted on the same day as the application for the extension.*

      The territory planning authority may also extend this approval timeframe if an appeal is made to a court in relation to the approval and if satisfied that more time is needed to start or complete the development accounting for the appeal timeframes.

   *Note: Further administrative information is also available in **APPENDIX C.***

CONDITIONS RELATING TO LEASE VARIATION

2. COMMENCEMENT OF BUILDING WORK
   That no building work in relation to this Development Application except *demolition, decontamination site/servicing works and/or excavation* is to commence on the site until documents giving effect to the variation of the lease are registered at Access Canberra Land Titles.

3. INSTRUMENT OF VARIATION
   Documents giving effect to the variation of the Crown lease to permit community housing and supportive housing must be registered at Access Canberra Land Titles prior to the expiry of the leasing component of this approval.

   This includes, but is not limited to, the applicant/lessee arranging:

   (i) payment of any lease variation charge;
   (ii) obtaining mortgagee and relevant interested parties consent to register the documents;
   (iii) payment of any fee for the lodgement of the documents at Access Canberra Land Titles.

DEVELOPMENT-SPECIFIC CONDITIONS

4. FURTHER INFORMATION

The applicant shall lodge with the territory planning authority, an application under section 187 of the *Planning Act 2023* (the Act) seeking approval to address the following conditions:

a) Revised site plan, area plan, demolition plan, floor plans, landscape plan and elevations and sections, based on the relevant drawings submitted as part of the application, showing:

i) The existing street trees to the Carruthers Street verge are required to remain. There is concern that the indicated landscape retaining walls, combined with the TCCS requirement for a 3m wide community path to the Carruthers Street verge will significantly compromise these street trees. Please redesign these retaining walls to ensure they are located outside of the tree protection zones.

ii) Revise site and landscape plans to indicate a 3m wide east-west shared path in accordance with TCCS requirements and as recommended by the Curtin Master Plan. Update the site and landscape plans to co-ordinate the proposed car parking bays, the path, street trees and additional landscape elements to the satisfaction of the territory planning authority. Paths to run continuously and have priority over driveways.

iii) Provide additional information on the proposed retaining walls, including materials and heights. Note the perspectives appear to indicate a brick finish and while other images suggest concrete.

iv) Indicate a suitable location on site or floor plans for removalist truck parking.

v) Indicate the location of letters boxes for each building, designed in accordance with Australia Post requirements.

Notes:

i) consider providing all requested information under a single s187 application. This will assist the Authority in providing you a response in the most efficient manner.

ii) any changes to the development required to comply with the above conditions will need to be submitted for the approval of the territory planning authority under s187 of the Planning Act 2023. For any substantial amendments, an application to amend the approval under s205 of the Planning Act 2023 may be required.

ENTITY REQUIREMENTS

5. ICON WATER – WORKS NOT TO COMMENCE

a) No construction works in relation to this development approval is to commence until the lessee/applicant has obtained a Statement of Acceptance from ICON Water in relation to water and sewerage networks and submit the Statement of Acceptance to the territory planning authority as satisfying this condition of approval under s187 of the *Planning Act 2023.*

b) The lessee/applicant must address and comply with any additional conditions imposed by ICON Water at **APPENDIX B**.

Note:

Any changes to the development required to comply with the above conditions will need to be submitted for the approval of the territory planning authority under s187 of the Planning Act 2023. For any substantial amendments, an application to amend the approval under s205 of the Planning Act 2023 may be required.

6. EVOENERGY

The lessee/applicant must address and comply with the requirements of Evoenergy at **APPENDIX B**.

7. ACT EMERGENCY SERVICES AGENCY (ESA)

The lessee/applicant must address and comply with the requirements of the ESA at **APPENDIX B**.

8. CITY AND ENVIRONMENT DIRECTORATE – FORMALLY TRANSPORT CANBERRA AND CITY SERVICES (TCCS) WORKS NOT TO COMMENCE

a) No works, except for demolition and excavation, in relation to this development approval is to commence until the lessee/applicant has addressed TCCS **Condition 9 k**). Evidence is to be provided to the territory planning authority as satisfying this condition of approval under s187 of the *Planning Act 2023.*

b) The lessee/applicant must address and comply with any additional conditions imposed by TCCS.

Note: changes to the development required to comply with the above conditions will need to be submitted for the approval of the territory planning authority under s187 of the Planning Act 2023. For any substantial amendments, an application to amend the approval under s205 of the Planning Act 2023 may be required.

9. CITY AND ENVIRONMENT DIRECTORATE- FORMALLY TRANSPORT CANBERRA AND CITY SERVICES (TCCS)

The development shall comply with the following conditions to the satisfaction of TCCS:

DRIVEWAY / VERGE CROSSING

a) The driveway must be designed and constructed in accordance with TCCS MIS Design Standards.

b) The levels on the verge must not be altered as a result of the new constructed driveway.

c) Any infrastructure assets such as street lighting, mini-pillars, signage, etc, must be a minimum of 1.5m away from the closest edge of the driveway. In the case of stormwater sumps this minimum distance is 1.2m.

d) Maximum gradient for the first 6m of the access driveway within the block boundary must not exceed 5% in accordance with the Section 3.3 of the Australian Standard for Parking facilities AS 2890.1 Off-street Car Parking.

e) A clear sight triangle must be provided in accordance with the Section 3.2.4 of AS 2890.1 Off-street Car Parking.

f) A maximum skew of 10% will be allowed for a new driveway if necessary. This must be checked either DA or Design Review stage.

g) The proponent must demonstrate that adequate queuing area is provided at the control points of the car park entry in accordance with section 3.4 of the Australian Standard 2890.1 and TCCS Engineering Advisory Note (EAN) 06 : Queuing at Carpark Entrances. This is to ensure that no queuing on the public road will occur and traffic operation on the public road will not be impacted.

PEDESTRIAN NETWORK

h) The pedestrian walkway / footpath must take precedence over the driveway.

i) All verge protective fencing (LMPP) must be placed in a way such that the verge is protected but access to the pedestrian network is maintained at all times.

j) The proposed path links to the existing pedestrian networks must be installed in accordance with TCCS drawing ACTSD-0501 which requires 100mm thick concrete with SL82 centrally placed reinforcement. The paths must be appropriately jointed to the existing pedestrian path subject to Design Review approval. The path connections remain the responsibility of the developer.

ACTIVE TRAVEL

k) The Community Path along Carruthers Street in front of this site is designated as a Local Route and provides a direct connection between the Curtin Activity Centre and the C4 Principal Route to Woden and the CBD. It also provides access to Bus Stops and will be used by future residents of this development. Therefore, the applicant will need to update the drawings to demonstrate the upgrade of the pedestrian path to 3m wide around the whole development.

LMPP / STREET TREES

l) A copy of the calculation was provided with the landscaping plans, which demonstrates that the proposed provision exceeds the existing canopy cover.

m) In accordance with the Urban Forrest Act you are required to enter into a Canopy Contribution Agreement for the removal of trees that do not meet exemption criteria. Further information and calculator can be found here: https://www.cityservices.act.gov.au/trees-and-nature/trees/canopy-cover/canopy-contribution-framework/tree-calculator

n) Amended plans have been provided. Therefore, the LMPP must be provided and revised at Design Review (DR) stage to SHOW tree protection methodology.

o) The footpath design has kept the current configuration. The footpath alignment is proposed to facilitate flush accessible access points across the site relative to the existing verge footpath levels. Pathway connections are provided linking pedestrian crossing points. ie the pathway connection adjacent to the substation.

p) Furthermore, a central pedestrian pathway linkage provides connectivity across the site as well as a visual linkage / connection to the Curtin Shops and the proposed development

q) The proposed design encourages uncontrolled pedestrian crossing of Theodore street.

r) The path to the Theodore Street verge must be widened to better facilitate accessible pedestrian movements to designated, safe crossing points. Alternatively, adjust levels on block to direct pedestrians to a safe crossing points & existing kerb ramp. Please refer to Active Travel comment 11 above for more information regarding the conditions for this pedestrian path.

s) There must be no encroachments on Territory Land.

t) There must be no storage of materials or parking on the verge during construction.

STORMWATER

u) For large redevelopment site: As per section 1.1.1.2 of MIS 08: Stormwater the applicant must demonstrate how development peak flow will be equal or less than pre-development scenario for minor and major system design AEP. Please refer to section 2.1.1 and 2.1.2 for major and minor system design AEP events. For Light Rail Corridor minor system design AEP would be 10%.

TRAFFIC / PARKING

v) The proponent states that they possess the ability to select tenants in a manner that will prevent excess vehicle ownership through annual confirmation of illegibility criteria (DACORRESPONDENCE-202543965-S179B-02 / Response to Submissions Report 8 Aug 25; s.3.1 Table 1 item 12). This an acceptable solution to the parking shortfall conditional on the eligibility process being legally acceptable and enforceable.

STREETLIGHT

w) Existing streetlights must be a minimum of 1.5m from the edge of any driveway within the verge.

x) Streetlights must be a minimum of 1.0m from the edge of the pedestrian path, which is the minimum accepted by the asset owner and complies with TCCS MIS014.

y) A Letter of Design Review must be obtained for the relocation of streetlight.

WASTE

z) The proposed waste management plan as part of this development application is endorsed with the condition to obtain approval for the detailed design of the waste management plan at CED DCB Design Review (DR) stage. Refer to images 5 to 11 below.

aa) The applicant will need to provide the Waste and Recycling Management Plan (WRMP) and all the mandatory documentation as part of the next submission at the DR stage.

TCCS STANDARD CONDITIONS

The following general conditions will apply, as appropriate, for the Works and use of Territory land and potential impacts on TCCS services in addition to any specific conditions imposed in the DA Notice of Decision. In accordance with the Public Unleased Land Act 2013 no Works are to be undertaken without the approval of the TCCS. Such approval must be obtained from the relevant Senior Director of the TCCS Development Coordination Branch by the ways of a Letter of Early Works Approval, or a Letter of Design Review prior to the commencement of any Works.

Design Review generally applies to a residential development of more than 3 dwellings or any commercial or industrial developments or subdivision of any block requiring a new stormwater tie. Early Works approvals are required if the applicant wishes to expedite the process for this category of development ahead of the Design Review process.

Early Works Approval

Early works typically include site preparation and establishment, implementation of temporary traffic management plan and landscape management and protection plan and earthworks / excavations. Early Works do not include any building works or offsite works.

Fees and charges will apply for Early Works Approval as per TCCS "GEN-06 - Submissions and Inspections Guideline Principles and Related Fees and Charges for TCCS and Industry".

Design Review

In order to obtain the Letter of Design Review, fully detailed drawings (civil, landscape) prepared by suitably qualified persons for all off-site works including roads, driveways, footpaths, street lighting, stormwater, landscaping (and any other issues that may be found by audit of the plans) and a design report in accordance with TCCS "REF-06 - Requirements for Design Review Submissions", must be certified by a Chartered Engineer/Registered Landscape Architect and submitted to the relevant Senior Director of the TCCS Development Coordination Branch.

Waste and Recycling Management Plan (WRMP) review

Unless a fully completed WRMP and mandatory submission documents (in accordance with 2019 Development Control Code for Best Practice Waste Management in the ACT) have been submitted and endorsed by TCCS at the DA stage, then ***noncompliance will not be supported. A performance-based-application*** *can only be considered if a pre-application meeting is held (before a DA is submitted) and TCCS provides the Applicant with a* ***letter of endorsement*** *which is presented to EPSDD at the DA stage.*

Operational Acceptance/Soft Landscape Consolidation Commencement

On completion of the Works, a Certificate of Operational Acceptance is required from the relevant Senior Director of the TCCS Development Coordination Branch, prior to the issuance of a Certificate of Occupancy.

Where required, a Certificate of Soft Landscape Consolidation Commencement must also be obtained from the relevant Senior Director of the TCCS Development Coordination Branch for the placement of soft landscape works on consolidation.

A Chartered Engineer/Registered Landscape Architect must certify compliance with TCCS "REF 08 - Requirements for Works as Executed Quality Records Requirements" when the request for Operational Acceptance and/or Consolidation Commencement is made to the relevant Senior Director of the TCCS Development Coordination Branch on completion of all Works.

Final Acceptance/Soft Landscape Handover

A Certificate of Final Acceptance for all civil and hard landscape works must be obtained from the relevant Senior Director of the TCCS Development Coordination Branch at the end of the required Defects Liability Period (DLP) as noted in the Certificate of Operational Acceptance.

A Certificate of Soft Landscape Handover for all soft landscape works must be obtained from the relevant Senior Director of the TCCS Development Coordination Branch at the end of the required Consolidation Period as noted in the Certificate of Consolidation Commencement.

Temporary Traffic Management (TTM)

A TTM plan approval from the Manager of TCCS Traffic Management & Safety, Roads ACT, must be obtained prior to commencement of Works. This plan must be prepared by a suitably qualified person and address, as a minimum, measures to be employed at all times during construction activities to manage all traffic, including construction and regular traffic in and around the site, provision of safe pedestrian movement around the site, the provision of parking for construction workers, and associated temporary traffic control devices.

Landscape Management & Protection Plan (LMPP)

LMPP approval must be obtained from the relevant Senior Director of the TCCS Development Coordination Branch or the delegated authority. During construction, all existing vegetation (trees, shrubs and grass) located within the verge and unleased Territory land immediately adjacent to the development must be managed, protected and maintained in accordance with the approved LMPP. This plan must be implemented before the commencement of any Works, including demolition on the site, and must be in accordance with TCCS "REF 04 - Requirements for the Protection of Public Landscape Assets Adjacent to Development Works".

Use of verges or other unleased Territory land

In accordance with the Public Unleased Land Act 2013, road verges and other unleased Territory land must not be used for carrying out of Works, including storage of materials or waste, without prior approval from TCCS. If required, a license can be obtained from TCCS Licensing and Compliance.

Repair of damage to public assets

Before the Works commence TCCS must be notified of any existing damage to public assets via a Dilapidation Report. The applicant/lessee is held responsible for repairing any damage to ACT Government's assets, caused by the development activities, to the satisfaction of TCCS. If a Dilapidation Report is not provided, any pre-existing damage must also be repaired at the applicant/lessee's cost.

Notice of Commencement of construction

A Notice of Commencement for the Works within Unleased Territory Land must be submitted to TCCS one week prior to the commencement of Works. The notice must also include the confirmation of any protective measures installed in accordance with the approved LMPP and the programmed implementation of TTM.

DCB Contact details for development related submissions:

Email: tccs.dcdevelopmentcoordination@act.gov.au

10. ENVIRONMENT PROTECTION AUTHORITY (EPA)

The development shall comply with the following conditions to the satisfaction of the EPA:

Hazardous Materials

a) Appropriately ACT licensed contractors and consultants able to perform the full range of licensable duties in the ACT must be engaged for the assessment, removal, transport, and disposal of all hazardous materials found on the site.

b) All hazardous materials found on the site must be disposed of at a facility lawfully authorised/licensed to accept the waste.

Construction

c) All works must be carried out in accordance with "Environment Protection Guidelines for Construction and Land Development in the ACT, August 2022" available at Environment Protection Policies & Guidelines or by calling 132281.

d) As the site is greater than 0.3 hectares, the construction is an activity listed in Schedule 1 as a Class B activity under the Environment Protection Act 1997.

e) The contractor/builder developing the site must hold an Environmental Authorisation or enter into an Environmental Protection Agreement with EPA in respect of that activity prior to works commencing.

f) An Erosion and Sediment Control Plan (ESCP) must be submitted to and be endorsed by EPA prior to works commencing on site.

g) Any subsequent changes to the ESCP must be endorsed by EPA prior to implementation.

h) All sediment and erosion control measures must be in place prior to works commencing and must be maintained until development completion.

i) Adjacent roads must be swept clean at all times.

Noise

j) The Noise Management Plan (NMP) titled "Curtin Wesley - Affordable Rental and Supportive Housing, Block 1 Section 15, Curtin ACT 2605", revision 4, dated 03/07/2025, prepared by Northrop Consulting Engineers Pty Ltd is endorsed by EPA on the basis all assumptions and recommendations included in the report must be incorporated into the final building construction and design.

k) The NMP must be included in the approved plans stamped by the ACT Planning & Land Authority to ensure all recommendations and assumptions included in the document are confirmed and signed off by the building certifier prior to a certificate of occupancy and use being issued.

l) Noise from equipment, which is installed permanently or used temporarily during development, including air conditioning units, heat pumps, pool pumps, etc. must comply with the noise standard at the site boundary at all times as per the Environment Protection Regulation 2005.

m) Please consider the type and location of noise generating equipment prior to installation.

n) Written assurance should be sought from the supplier/installer of the equipment confirming it complies with the Noise Zone Standard as per the Environment Protection Regulation 2005.

11. CONSERVATOR OF FLORA AND FAUNA – TREE PROTECTION AUTHORITY (The Conservator)

The development shall comply with the following conditions to the satisfaction of the Conservator:

The Office of Water have supported the updated erosion and sediment plans and requested compliance with the *2022 ACT EPA Guidelines for Construction and Land Development.*

STANDARD CONDITIONS

12. WASTE MANAGEMENT – DURING CONSTRUCTION PHASE

All building waste is to be stored on the site in suitable receptacles/containers 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.

13. SIGHTLINE

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 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).

14. SERVICES

Any service connections including, point of entry, meter boxes and gas meters, are to be located clear of areas approved for car parking space(s) to ensure these services do not reduce the minimum area of the parking spaces and/or restrict vehicular access.

15. HAZARDOUS MATERIALS

Appropriately ACT Licensed contractors must be engaged for the removal, transport and disposal of all hazardous materials found on the site. All hazardous materials found on the site must be disposed of at a facility suitably authorised/licensed to accept the waste.

16. ASBESTOS REMOVAL

Any asbestos removal (including loose fill asbestos) and demolition works shall be undertaken in accordance with all relevant legislative requirements.

17. LANDSCAPING AND TREE PLANTING

Any tree planting as part of the approved landscape design is to be planted as semi-mature stock.

ADVISORY NOTES

This application is approved with the following advisory notes. It is recommended that careful consideration be given to advisory notes prior to commencing work.

1. LEASING ADVISORY NOTES

a) UNIMPROVED LAND VALUE FOR RATING PURPOSES

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

b) LEASE VARIATION CHARGE

Prior to the registration of the documents giving effect to the approval, the lessee must, as is required under the *Planning Act 2023*, pay any assessed Lease Variation Charge. Once advised of the lease variation charge, the charge should be paid not less than 6 months prior to the expiration of this approval. This will ensure that sufficient time remains to enable the relevant documents to be registered at Access Canberra Land Titles prior to expiry of this approval.

c) EXPIRY OF LEASE VARIATION APPROVAL

In accordance with section 212 of the *Planning Act 2023* (Act) the lease variation part of this approval will **expire 2 years** after the date this approval takes effect. Under section 212 of the Act, the applicant may apply to the territory planning authority to extend the prescribed period to register the documents giving effect to the approval, but such an application must be made prior to the expiry of the lease variation part of the DA approval.

d) CROWN LEASE REQUIREMENTS

This is a concessional lease. Restrictions on dealing with concessional leases – the Lessee shall deal with the premises only in accordance with section 306 /307 of the *Planning Act 2023.*

2. ENVIRONMENT PROTECTION AUTHORITY (EPA) ADVISORY NOTES

a) CONSTRUCTION NOISE

Building work, by its nature, is noisy. Within the identified area, any noisy activities including material deliveries and work site preparation are only permitted between the following hours:

- 7:00am to 6:00pm, Monday to Saturday (excluding public holidays)
- At all other times, noise emissions must not exceed the zone noise standard:

45 dB daytime and 35 dB nighttime (Zone F adjacent to Zone G).

b) LIGHTS

All external lights must comply with Australian Standards AS4282:2023 Control of the obtrusive effects of outdoor lighting.

c) DUST

Where building work generates dust, all reasonable and practicable measures must be taken to minimise that dust. This can often be achieved by damping the ground with a light water spray.

d) FIRE

Burning of waste materials on site, including building waste such as plastics, chemicals, or wood that is painted, chemically treated, or contaminated with chemicals is illegal.

A fire may be permitted for heating purposes provided it is in a brazier or constructed fireplace.

Only seasoned untreated timber can be burnt for heating purposes.

For further information, please contact the EPA Planning Liaison Officer at EPAPlanningLiaison@act.gov.au.

3. INFRASTRUCTURE CANBERRA – LIGHT RAIL

Infrastructure Canberra (iCBR) has reviewed the Development Application materials for DA202543965 for the proposed development on Block 1, Section 15 Curtin. iCBR notes that the proposed development sits in proximity to the proposed Light Rail Stage 2B (LRS2B) Delivery Phase Area at approximately 300 metres west of the proposed Carruthers Street Stop.

The LRS2B project is currently completing an Environmental Impact Statement (EIS) that proposes to:

- Deliver light rail to Woden via the Yarra Glen road corridor including one grade separated stop located immediately to the south of Carruthers Street in the median of Adelaide Avenue. A new pedestrian and cyclist bridge would also be provided over Yarra Glen at Carruthers Street, with lifts and stairs provided from the new bridge to the Carruthers stop platform

- Undertake other supporting works such as utilities, bus stops, path upgrades, urban realm and peripheral infrastructure works within this area.

Based on the documentation provided for this proposal, iCBR is supportive of the proposed development's thorough consideration of pedestrian access to the proposed LRS2B Carruthers Street Stop along Carruthers Street and Martin Street as well as the consideration of reduced parking provision due to the proximity to the future light rail stop.

Noting that delivery of the LRS2B project is yet to be funded, depending on proposed construction timeframes for this development, iCBR recommends the proponent consider:

- Coordination with nearby or affected stakeholders in the development of any Traffic Guidance Schemes necessary to enable the construction of the proposal.

- Given the proximity of the proposal to Yarralumla Creek, consideration of flooding impacts associated with any level changes in the proposal in consultation with EPSDD and TCCS.

- Consideration of any additional opportunities to enhance active travel and public transport access within the site, including:
    - further improvements to passive surveillance or activation of the street, and
    - opportunities to enhance the interface between the public realm and the development and
    - opportunities to reduce conflicts between vehicle and active travel movements.

4. CONNECTION TO THE GAS NETWORK

In accordance with the *Climate Change and Greenhouse Gas Reduction Regulation 2010* (the CCGGR Regulation), this development is likely unable to connect to the gas network, unless an exemption from the CCGGR Regulation is granted. An exemption must be granted prior to seeking Building Approval.

For more information about the Regulation and exemptions from the CCGGR Regulation, please visit the Everyday Climate Choices website: https://www.climatechoices.act.gov.au/policy-programs/preventing-new-gas-network-connections.

5. RELEASE OF APPROVED PLANS

Final stamped plans may not be released till all relevant conditions of the decision (including Leasing, s187 further Information, Entity non-compliance) are complied with to the satisfaction of the planning authority.

6. SIGNAGE

a) This development application does not include an assessment of any proposed signage.

   Any proposed signage at the site must be the subject of a separate DA for approval by territory planning authority, unless exempt in accordance with the *Planning (Exempt Development) Regulation 2023*.

b) All signage installed at the site, including advertising signage and hoarding, should comply with the Australian Association of National Advertisers (AANA) Code of Ethics and the ACT Government's *Hoarding Signage Advertising Guidelines* available online at https://www.planning.act.gov.au/professionals/resources/resource-articles/hoarding-signage-guidelines

7. ENVIRONMENT PROTECTION – NOISE

Noise from equipment which may be installed or used at the site, including air conditioning units, must comply with the noise standard at the block boundary at all times as per the *Environment Protection Regulation 2005*. Please consider the type and location of noise generating equipment prior to installation. Written assurance should be sought from the supplier/installer of the equipment that it complies with the Noise Zone Standard as per the *Environment Protection Regulation, 2005*.

8. BUILDING APPROVAL

Most building work requires building approval under the *Building Act 2004* to ensure it complies with building laws such as the *Building Code of Australia*. The lessee should engage a private building certifier to determine whether building approval is required and assess and approve the building plans before construction commences. A list of certifiers can be obtained from https://www.planning.act.gov.au/community/build-or-renovate/before-you-start/find-a-professional.

9. TREE DAMAGING ACTIVITY APPROVAL

A Tree Management Plan under the *Urban Forest Act 2023* 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 Transport Canberra and City Services Directorate at https://www.tccs.act.gov.au/city-living/trees.

10. USE OF VERGES OR OTHER UNLEASED TERRITORY LAND

In accordance with the *Public Unleased Land Act 2013*, road verges and other unleased Territory land must not be used for the carrying out of works, including the storage of materials or waste, without prior approval of the Territory. More information is available from the Transport Canberra and City Services Directorate at https://www.cityservices.act.gov.au/public-land/use.

11. WORKS ON UNLEASED TERRITORY LAND

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

(a) a certificate of design acceptance prior to the commencement of any work; and

(b) a certificate of operational acceptance on completion of all works to be handed over to TCCS.

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

APPENDIX B ENTITY ADVICE

All entity attachments to this decision must be complied with, any changes may result in non-compliance with entity requirements. Entity advice attached to this decision as follows.

ICON WATER NOTICE (ATTACHMENT 1)

EVOENERGY (ELECTRICITY) ENDORSEMENT NOTICE (ATTACHMENT 2)

EVOENERGY (GAS) ENDORSEMENT NOTICE(ATTACHMENT 3)

ACT EMERGENCY SERVICES AGENCY ENDORSEMENT NOTICE (ATTACHMENT 4,5)

APPENDIX C ADMINISTRATIVE INFORMATION

DATE THIS APPROVAL TAKES EFFECT

Unless a condition of approval provides for otherwise, this approval takes effect 21 working days after the day notice of the approval is given under s196 of the *Planning Act 2023*. The effective date for development applications approved subject to conditions may also be adjusted if the approval is reconsidered by the territory planning authority or if an application is made to the ACT Civil and Administrative Tribunal.

DEVELOPMENT APPROVAL EXPIRY

Pursuant to section 211 of the *Planning Act 2023* (the Act), approval related to the design and siting elements of the development will expire **5 years** after the approval takes effect. Under section 211 of the Act, the applicant may apply to the territory planning authority to extend the approval timeframe within 6 months after the end of the 5-year period.

Extensions to the approval timeframe can only be granted where the territory planning authority are satisfied that the development which the approval related has started and is substantially progressed, and if the works would be approved should they be subject to a DA submitted on the same day as the extension application.

A development approval may also be revoked by the territory planning authority under section 204 of the Act where satisfied the approval was obtained by fraud or misrepresentation, or, if the approval relates to a place registered or nominated for provisional registration under the *Heritage Act 2004*, if the applicant for the approval is convicted of an offence against chapter 13 of the *Heritage Act 2004*.

INSPECTION OF THE APPLICATION AND DECISION

A copy of the application and the decision can be inspected on the territory planning authority website and between 9.00am and 4:00pm weekdays at the Land, Planning and Building Shopfront at 8 Darling Street in Mitchell, ACT, 2911.

RECONSIDERATION OF THE DECISION

If the applicant is not satisfied with a conditional approval or refusal decision made by the territory planning authority, they are entitled to apply to the territory planning authority for reconsideration within 20 working days of being told of this decision (or any longer period allowed by the territory planning authority) in accordance with section 199 of the Act.

A reconsideration application is able to be made electronically through the Access Canberra SmartForms.

REVIEW BY THE ACT CIVIL AND ADMINISTRATIVE TRIBUNAL (ACAT)

1. Decisions that are reviewable (sometimes referred to as appealable) by the ACAT are identified in Schedule 5 of the Act, except for matters that are exempted under Schedule 6 of the Act.
2. The time limit to make a request for a third-party review is 20 working days from the date the notice of decision is given to the recipient, pursuant to section 507 of the *Planning Act 2023*. This time limit cannot be extended under the *ACT Civil & Administrative Tribunal Act 2008*.
3. The notice of decision and this advice have been sent to all people who made a representation in relation to the application.
4. The ACAT is an independent body. It can review a large number of decisions made by ACT Government ministers, officials and statutory authorities on their merits. The ACAT can agree with, change or reject the original decision, substitute its own decision or send the matter back to the decision maker for reconsideration in accordance with ACAT recommendations.

5. More information on appeal rights is available online at https://www.planning.act.gov.au/applications-and-assessments/development-applications/amend-or-appeal-an-application and in the *Development Applications: Appeals to a court or tribunal factsheet*, available from https://www.planning.act.gov.au/professionals/resources.

6. The ability to review the Authority's decision is a matter of law. If you think you have a right of review, you may apply to the ACAT for a review of the decision. Application forms can be obtained from the ACAT website. You can also download the form from the ACT Legislation Register. It is recommended you seek independent advice in regard to such reviews (e.g. from a legal practitioner).

7. If you are applying on behalf of an organisation or association, 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.

8. Applications to the ACAT, including an application to be joined as a party to a proceeding, require payment of a fee (the Tribunal Registry will advise of the current fee), unless you are receiving legal or financial assistance from the ACT Attorney-General. You can apply to have the fee waived on the grounds of hardship, subject to approval (refer to section 22T of the *ACT Civil and Administrative Tribunal Act 2008*). Decisions to grant assistance are made on the grounds of hardship and that it is reasonable, in all the circumstances, for the assistance to be granted. Applications should be made in writing to: the Director General, Justice and Community Safety Directorate, GPO Box 158, CANBERRA ACT 2601. You can ask the ACAT for more details.

9. The ACAT is required to decide appeals in land and planning and tree protection cases within 120 days after the lodging of the appeal, unless that period is extended by the ACAT upon it being satisfied that it is in the interests of justice to do so.

10. The following organisations may be able to provide you with advice and assistance if you are eligible:

    - ACT Law Society, telephone 6274 0300
    - ACT Legal Aid Office, telephone 1300 654 314
    - ACT Council of the Ageing, telephone 02 6154 9740
    - Welfare Rights Centre, telephone 1800 226 028
    - Environmental Defender's Office (ACT), telephone 02 6243 3460.

11. You will have to pay any costs involved in preparing or presenting your case. The ACAT also has the power to award costs against a party in the circumstances specified in s 48 of the *ACT Civil and Administrative Tribunal Act 2008*. This power is in addition to the power of the ACAT to strike out a party and to dismiss an application for failure to comply with the ACAT's directions.

12. You may apply for access to any documents you consider relevant to this decision under the ACT *Freedom of Information Act 2016*. Information about Freedom of information requests is available on the territory planning authority's web site at https://www.environment.act.gov.au/about-us/access-government-information.

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

REVIEW BY THE ACT SUPREME COURT

1. The Authority's decision may also be subject to judicial review by the ACT Supreme Court under the *Administrative Decisions (Judicial Review) Act 1989* (ADJR Act).
2. Under the ADJR Act, an *eligible person* may make an application for review of a decision.
3. An *eligible person* must demonstrate that their interests are adversely affected by the decision and that the application raises a significant issue of public importance.
4. Section 5 of the ADJR Act sets out the grounds on which a decision can be reviewed.
5. The time limit to make an application for review is 28 days from the date the Notice of Decision is provided to the applicant and those people who made a representation.
6. The ACT Supreme Court is a costs jurisdiction where costs generally follow the event. This means that the unsuccessful party is required to pay the costs of the successful party.
7. For more information on ACT Supreme Court processes and fees, please visit https://courts.act.gov.au/home.

CONTACT DETAILS FOR RELEVANT AGENCIES

ACT Civil and Administrative Tribunal Level 4, 1 Moore Street CANBERRA CITY ACT 2601 GPO Box 370, CANBERRA, ACT 2601	www.acat.act.gov.au tribunal@act.gov.au 02 6207 1740 02 6205 4855 (Fax)
ACT Supreme Court 4-6 Knowles Place, CANBERRA CITY ACT 2601 GPO Box 1548, CANBERRA CITY, ACT 2601	www.courts.act.gov.au 02 6205 0000
City and Environment Directorate 480 Northbourne Avenue DICKSON ACT 2602 GPO Box 158, CANBERRA 2601 • *Territory planning authority* - list of certifiers for building approval - demolition information - asbestos information • *Office of the Surveyor-General and Land information* - *Requests for new or amended address* • *Environment Protection Authority* - environment protection - water resources - Conservation, Planning and Research - threatened species/wildlife management • *WorkSafe ACT* - asbestos information • *ACT Heritage Council* - Aboriginal, historic and natural heritage management • Tree Protection Unit - *Development Applications (DA) issue:* - *Tree Damaging Activity Applications (TDAA) issue:*	www.planning.act.gov.au 02 6207 1923 DigitalData@act.gov.au EPAPlanningLiaison@act.gov.au 6207 5642 worksafe@worksafe.act.gov.au 132 281 www.environment.act.gov.au 132 281 TCCS.TreeProtectionACTPLARef@act.gov.au TCCS.TreeProtection@Act.gov.au
City and Environment Directorate - **(Formally Transport Canberra and City Services)** • landscape management and protection plan approval • use of verges or other unleased Territory land • works on unleased Territory land - design acceptance • driveway inspections or building applications • damage to public assets	www.tccs.act.gov.au 132 281 02 6207 0019 (development coordination) tccs.dcdevelopmentcoordination@act.gov.au
Health Directorate	www.health.act.gov.au hps@act.gov.au 02 5124 9700
Education Directorate	www.education.act.gov.au 02 6205 5429
Utilities • Telstra (networks) • TransACT (networks) • Icon Water • Electricity reticulation	 02 8576 9799 02 6229 8000 02 6248 3111 02 6293 5749

TRANSLATION AND INTERPRETATION SERVICES

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

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

APPENDIX D ASSESSMENT AND ENVIRONMENT ADVISORY PANEL (AEAP) ADVICE

The AEAP reviews and provides advice on the assessment and determination of major DAs. It is attended by senior assessing officers of the authority and other members, such as referral entities and external experts, where required. This application was presented for advice on tree removal and design and sitting aspects.

AEAP meeting date	7 October 2025
Members present	• Chief Planner • Outcomes Manager, DA Assessment • Landscape Officer, DA Assessment • Senior Director, DA Assessment • Directors, DA Assessment • Director, Leasing • TCCS representative • Conservator of Flora and Fauna representative
AEAP advice and action items	Tree Removal: - Concern was raised with the need to remove Carruthers Street verge trees (T19 & T20) to due to the position of retaining walls and the requirement of a 3m wide Community Path. It was agreed that these walls should be redesigned to retain the existing verge trees. - Concern was also raised with the removal of tree T1 located in a courtyard – it was considered a redesign may enable retention of this tree. However, the courtyard was noted as being over lower-level parking, so retention would be difficult. - The strong comments requesting the retention of T28 by the TPU were noted. However, the retention of the tree would likely result in at least 18 units being removed and it was unclear how these units could be accommodated elsewhere in the development. In this case it was agreed the indicated regulated trees on the site may be removed. Parking: - The reduced provision of parking was outlined. The method of on-site management was discussed and that a similar approach is taken with the 'My Home' facility in Queanbeyan. Given evidence of a lower rate of car ownership for the targeted residents, the indication in the development outcomes report that shallow bedrock will limit basement excavation, the NCDRP support for a reduced parking rate and the need to ensure project viability; it was agreed to support the reduced parking provision. Concessional Lease issue - Leasing confirmed an opinion that a requirement to de-concessionalise the lease is not required as the development will be retained and managed by the Uniting Church. A lease variation on to permit community and supportive housing forms part of this application. Other issues: - It was noted that no overshadowing diagrams were provided. This is a concern given the 6 storey building to the north of existing single storey dwellings on Martin St. It was agreed these should be obtained prior to the decision being finalised.

FAILED TO COMPLY

Application No: 02995/2025

Suburb: CURTIN **Block/Section** 1 / 15

Application Details:

Non-Residential

New Construction

Inclusions
Nil

Additional Block and Sections
Nil

This statement is in relation to DA 202543965S168B with additional details and amendments (if provided) submitted to Icon Water directly.

The following plans and documentation have been included in our assessment of your application.
TURNTEMPLATE-202543965-S179B-02.pdf
SITEANALYSIS-202543965-S179B-01.pdf
LSCAPE-202543965-S179B-09.pdf
WASTE-202543965-S179B-01.pdf
SEDIMENT-202543965-S179B-01.pdf
UTILITIESSERVICEPLAN-202543965-S179B-01.pdf
OFFSITEWORKS-202543965-S179B-01.pdf
TURNTEMPLATE-202543965-S179B-03.pdf
TURNTEMPLATE-202543965-S179B-01.pdf
LSCAPEMASTER-202543965-S179B-01-R.pdf
LSCAPEMASTER-202543965-S179B-02.pdf
LSCAPE-202543965-S179B-01.pdf
INDEX-202543965-S179B-02.pdf

LSCAPE-202543965-S179B-06.pdf
DRIVEWAYPLAN-202543965-S179B-01.pdf
SUPP-202543965-S179B-CIVIL NOTE-02.pdf
WASTE-202543965-S179B-07.pdf
LSCAPE-202543965-S179B-08.pdf
VERGE-202543965-S179B-01.pdf
WASTE-202543965-S179B-03.pdf
FLOORREG-202543965-S179B-02.pdf
LSCAPE-202543965-S179B-04.pdf
LSCAPE-202543965-S179B-05.pdf
APP-202543965-S168B-01.pdf
SUPP-202543965-S179B-CIVIL NOTE-01.pdf
PLAN-202543965-S179B-CIVIL-01.pdf
FLOORREG-202543965-S179B-03.pdf
LSCAPEMASTER-202543965-S179B-03.pdf
WASTE-202543965-S179B-06.pdf
DACORRESPONDENCE-202543965-S179B-03.pdf
WASTE-202543965-S179B-05.pdf
WASTE-202543965-S179B-02.pdf
SWMASTER-202543965-S179B-01.pdf
WASTE-202543965-S179B-04.pdf
SITE-202543965-S179B-01.pdf
FLOORREG-202543965-S179B-01.pdf
INDEX-202543965-S179B-01.pdf
LSCAPE-202543965-S179B-03.pdf
LSCAPE-202543965-S179B-02.pdf
SEDIMENT-202543965-S179B-02.pdf
LSCAPE-202543965-S179B-07.pdf
DACORRESPONDENCE-202543965-S179B-02.pdf

The design depicted in this application has been assessed by Icon Water and FAILS TO COMPLY with their water and sewerage network protection.

Reasons for Failure to Comply.

- Please complete attached Icon Water Design Form Pack - Minor Works and external services plan (if changes proposed to water and sewer services) and email to

hydraulicassetacceptance@iconwater.com.au. Icon Water will then identify whether the Water and Sewerage Capital Contribution Code scheme applies to your development, and will issue a letter to confirm.

On confirmation, please resubmit a Network Protection Compliance application to Icon Water via https://portal.iconwater.com.au/

- Design Acceptance for External Services or off site works must be 'In-Principle' design accepted by Icon Water - Developer Services team. Please call Icon Water - Developer Services on 6248 3111 or email hydraulicassetacceptance@iconwater.com.au .
  On obtaining 'In-Principle' design acceptance, please resubmit a Network Protection Compliance application to Icon Water via https://portal.iconwater.com.au/
- Existing services plan incorrectly labels these critical bulk water supply mains as sewer. Icon Water is unable to assess the current DA application until an 'In-Principle' acceptance of the ESP is obtained. Additional requirements including but not limited to asset survey, driveway/ pavement details over existing bulk water supply mains along South boundary will be required for assessment.

See Additional Comments below.

The following plans and documentation have <u>NOT</u> been included in our assessment of your application.

Nil

A new application must be made to Icon Water in order to ensure that subsequent changes to the plans meet Icon Water compliance requirements. You may also need to resubmit the application to other referral entities to ensure the changes comply with their requirements.

WARNING

Failure to comply with these conditions is likely to result in interference with an Icon Water sewer or water asset. Part 14 of the Utilities (Technical Regulation) Act 2000 applies, which indicates a person who interferes with a utility asset may be subject to prosecution. The current maximum penalty is 200 penalty units, imprisonment for two years, or both. In addition, the landholder can be ordered at their expense to stop the interference, which may involve removal of the building work or that part of the building work that is causing, or is likely to cause, interference.

Comments:

Nil

Signed Bibek Ligal **Date** 01/09/2025

For further information please phone Icon Water 6248 3111.

Electricity Networks

STATEMENT OF

CONDITIONAL COMPLIANCE

Application No: 225353 **Suburb:** Curtin **Block/Section** 1 / 15

Applcn Type: Multi residential (low rise residential) /New Construction with Demolition Inclusions : Garages

Attached Plans
FLOORREG-202543965-S179B-01.pdf
FLOORREG-202543965-S179B-02.pdf
FLOORREG-202543965-S179B-03.pdf
SITE-202543965-S179B-01.pdf
SITEANALYSIS-202543965-S179B-01.pdf
UTILITIESSERVICEPLAN-202543965-S179B-01.pdf

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

Conditions
A Minimum of 1.0M clearance is required within the block boundary for the proposed or existing Meter Box.
A new or relocated electrical service is required. Proponent is to submit a basic connection design application (BDA) via the Evoenergy website within 60 days of the date of required service. https://www.evoenergy.com.au/Forms/Basic-design-application
Development is to comply with minimum 1.5m machinery access clear of obstacles and vegetation to assets within the block.
Development is to comply with minimum clearances to overhead conductors and poles. Ref Evoenergy Drawing 3811-004
Development is to comply with minimum separation requirements to underground assets. Ref Evoenergy Drawing 3832-018
Installation of electrical conduits (on or off block) will be the responsibility of the proponent.
Proponent is required to submit the Request for "Preliminary Network Advice" via https://www.evoenergy.com.au/Forms/PrelimElecNetworkAdvice prior to commencement of any development activity to negotiate the connection of new and/or relocation of existing electricity assets.
Proposed and existing development is to comply with minimum 1.5m machinery access clear of obstacles and vegetation to assets within or adjacent to the block. The development must maintain existing access arrangements to Evoenergy assets that located within or adjacent to the block at all time. • No development activity shall be undertaken a) within an electricity easement or, b) that restricts access to Evoenergy asset/s
The location of the proposed or existing Point of Entry/ Meter Box is to comply with Evoenergy's Service and Installation rules.
The proponent is responsible for ensuring that Evoenergy's Design and Siting requirements for substations are met. This includes but not limited to meeting all the requirements of Evoenergy Drawing 3832-018, in particular that no underground uninsulated metal work, metal pipes, metal fencing or metal clad buildings are within 7 meters of any part of a padmount substation. Unhindered direct access to the substation will be required 24/7.
Proponent to comply with terms and conditions of Evoenergy project 20012644

Please Note

- WARNING Evoenergy underground assets may be in or adjacent to this block. It is your responsibility to ascertain the location of such assets.
- Development and Building Applications will need to include any proposed Evoenergy works.
- If Evoenergy approval conditions are not met, a breach of the law may result.
- Separate applications are required for water & sewerage and communication network services.
- 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 Evoenergy's electricity network.
- Any attached reticulation or servicing plan is preliminary only. Contact Evoenergy for final plans prior to the commencement of any construction activity.
- A failure of this application to show accurately located electricity assets may result in damage and costs for which the proponent will be liable. Damage to network assets must be reported to Evoenergy.

Comments:

Signed Peter Drummond **Date** 27 Aug 2025

For further information please phone Evoenergy Electricity Networks: 6293 5770

Gas Networks

STATEMENT OF

CONDITIONAL COMPLIANCE

For Residential except High Rise

Application No: 225353 **Drawings in set:** 35

Block: 1 **Section:** 15

Suburb: Curtin

NOTE: Since 8 December 2023, new gas connections are prevented in some zones and buildings as per ACT Government regulation. More information is available on the ACT Government website.

These changes do not apply in NSW.

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

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

☑ Development is to comply with minimum separation requirements to underground assets
- 300mm minimum clearance from major plastic and steel gas mains and steel gas services
- 150mm minimum clearance from other plastic gas mains and services

☑ If a meter relocation or service pipe relocation is required in order to comply with Evoenergy standards, please contact your gas retailer and book a meter relocation. Only people accredited by Evoenergy can carry out this work.

Other:

☐

☑ **Please note**:
WARNING: Evoenergy underground gas pipes may be in or adjacent to this block. Evoenergy Asset Location Advice may be required. Contact BYDA https://www.byda.com.au/

☑ Development and Building Applications will need to include any proposed Evoenergy works. If Evoenergy approval conditions are not met, a breach of the law may result.

☑ Separate applications are required for water & sewerage, electricity and communication network services.

☑ 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 Evoenergy's gas network.

For further information please phone Jemena 02 9867 7034

ACTESA | 9 Amberley Avenue | Fairbairn Business Park | Majura ACT 2609

DEVELOPMENT APPLICATION NO: 202543965

DATE RECEIVED: 29.4.25

BLOCKS: 1	**SECTION: 15**	**DIVISION: Curtin**

DESCRIPTION OF THE PROPOSAL:
Proposal for multi-unit residential development combining both 83 Affordable Housing units, 15 Supportive units and an additional unit for a Supportive Caretaker. In support of these units an internal waste management system is proposed, involving chutes; a waste hoist; internal waste handling rooms; and a single to-TCCS standard waste room situated at the lower eastern end of the site; and a reverse-in/front-out waste truck drive.

COMMENTS PROVIDED FROM:

ACTF&R ☒ **ACTRFS** ☐ **ACTSES** ☐ **ACTAS** ☐

ACT Emergency Services Agency's (ACTESA) position on the Development Application is:	
That the proposal is supported	
That the proposal is supported with conditions	X
That the proposal is not supported	
That further information is required for assessment	

ACTF&R Advice

ACT Fire & Rescue (ACTF&R) has assessed the proposal regarding the following:

Criteria	Assessed	Not Applicable
Fire Station Response Area	**X**	
Water Supply	**X**	
Fire Brigade Access		**X**
Bushfire Protection Requirements		**X**
Hazardous Materials	**X**	
Street Furniture, Landscaping and Tree Planting	**X**	
Building Fire Safety Systems		**X**

ACTF&R Advice

1. Fire Station Response Area:

The proposed development's location indicates that ACTF&R will be able to respond operationally to the area and its surroundings.

ACTF&R Support with Conditions

2. Water Supplies:

Fire Risk Type (FRT) is designated based on land use zones aligned with the ACT Territory Plan 2023 and a risk-based assessment considering building classification, occupancy, building size, and other factors that may demand specific water flow and hydrant spacing requirements.

Based on the above, the subject site has been assessed as FRT3, requiring a minimum firefighting flow provision of 60 l/s.

The proponents must seek clarification from ICON Water to determine the adequacy of existing infrastructure, including hydrant spacing, for the proposed development.

Hydrants During construction

Buildings over an effective height of 12m must have provisions for fire protection during construction compliant with NCC performance requirement E1P5. For more information, please see fire safety guideline FSG-06 (https://esa.act.gov.au/be-emergency-ready/fire-safety). Where fire water supply is required during construction, the developer is advised to contact ICON water during the early design stage.

3. Alternative Energy Supplies and Storage

With the ACT Government leading the way in renewable energy, new alternative energy and energy storage systems have significantly been incorporated into new building designs and on-site infrastructure. These include but are not limited to, Battery Energy Storage Systems (BESS), EV charging stations, hydrogen technology, and large-scale solar panels.

A local renewable energy facility guideline is currently under development. In the interim, the CFA document **Design Guidelines and Model Requirements for Renewable Energy Facilities** can provide guidance when designing these facilities.

The ACT Fire and Rescue Fire Safety Guideline—**FSG-22 Electric Vehicles and EV Charging Equipment in the Built Environmen**t—is accessible on the ESA website.

Where development proposals include battery energy storage systems, a Fire Safety Study will be required as part of the overall safety assessment of the development and building proposals.

Fundamental fire safety issues should be considered early in the planning and design of a development. ACT Fire and Rescue should be consulted at this time. Fire safety studies should be carried out in the detailed design stage as early as possible, with modifications incorporated into the design as necessary.

Fire Safety Studies involve case-specific hazard analyses and the design of fire safety arrangements to meet those hazards. This approach is particularly important where significant quantities of hazardous materials are involved. The level of detail warranted for each element of a fire safety study will vary with the nature and scale of the development. The case-specific approach offers the benefit that fire safety measures can be tailormade and cost-effective.

Any new developments incorporating alternative energy systems and storage on their site are required to contact the ACTF&R Fire Safety Section at 62078370 or ACTFR.FireSafety@act.gov.au to discuss the proposal and seek assurance that the design is compliant with ACTF&R requirements.

4. Hazardous Materials:

Where works include demolishing existing buildings, the proponent must undertake asbestos management per the Building Act 2004, Dangerous Substances Act 2004, Work Health and Safety Act 2011 and Work Health and Safety (How to Safely remove asbestos Code of Practice) approval 2014.

ACTF&R requests notification on the commencement and completion of all significant asbestos removal. Submit notifications to ACTF&R Communication Centre at 62004111.

5. Street Furniture, Landscaping and Tree Planting:

ACTF&R has the following requirements concerning the location of street furniture, landscaping, existing trees and tree planting with the following criteria applying:

- Street furniture, landscaping, and trees must not impede or cover in-ground and above-ground hydrants, other water supplies and all service shut-offs;

- Hydrants are identified, easily accessible and do not have vehicles parking over them, and
- Street furniture, landscaping, and trees must allow the progress of emergency service vehicles attending the facility. The minimum height clearance for ACTF&R vehicles is 4.5 metres. Site maintenance should include pruning any overhanging branches over driveways and pathways.

6. Building Fire Safety System:

Compliance with the National Construction Code and inbuilt fire safety systems are **outside** the scope of this document and will be assessed separately by the ACTF&R Fire Safety Section at the building approval stage.

All significant alterations, construction, alternate building solutions or extensions of buildings greater than 500m2 will require a fire safety review at the building application to ensure NCC compliance.

For further information regarding building fire safety reviews, please get in touch with ACTF&R Fire Safety Section at 62078370 or ACTFR.FireSafety@act.gov.au

7. ACTF&R Further Information:

Please email actfr.riskplanning@act.gov.au for further information regarding these comments.

8. ACTESA Further Information:

Please email ACTESA Emergency Management at EmergencyManagement@act.gov.au for further information regarding Development Applications.

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Greg Mason
A/g Chief Officer,
ACT Fire & Rescue
21/5/25