

2022

LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY

Exercise of call-in powers DA202139349 - Block 1 Section 51 McKellar  
Pursuant to the *Planning and Development Act 2007*

Mr Mick Gentleman MLA  
Minister for Planning and Land Management  
SEPTEMBER 2022





***PLANNING AND DEVELOPMENT ACT 2007***  
**STATEMENT PURSUANT TO SECTION 161(2)**

1. On 28 October 2021, Development Application No 202139349 (the application) was lodged with the planning and land authority (the authority) for development approval.
2. On 14 April 2022, in accordance with section 158 of the *Planning and Development Act 2007* (the Act), I directed the authority to refer the application to me.
3. On 4 August 2022, I decided to refuse the application under s 162 of the Act.
4. As required under s 161 of the Act, I provide the following statement in relation to the application:
  - a) The application (202139349) seeks approval for demolition of existing concrete pad, construction of one mixed use and one commercial building, carparking and associated carport structure, internal driveway, landscaping, verge crossing and verge works and associated site and off-site works.
  - b) Construction works associated with DA202139349 are proposed to take place on Block 1 Section 51 McKellar.
  - c) The application was lodged by Kasperek Architects, on behalf of the lessee Bennetts Close Pty Limited.
  - d) On 4 August 2022 I decided to refuse the application subject to conditions, as detailed in the attached Notice of Decision.
  - e) The grounds for my decision are set out in the attached Notice of Decision.
  - f) Community consultation was not required pursuant to section s 138AE of the Act.

  
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Mick Gentleman MLA  
Minister for Planning and Land Management

4/8/2022

## NOTICE OF DECISION

Made under part 7 of the *Planning and Development Act 2007*

### THE DECISION

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

I, **Mick Gentleman MLA, Minister for Planning and Land Management**, pursuant to section 162 of the Act, **refuse**, the proposal for:

- demolition of existing concrete pad;
- construction of a commercial building;
- construction of a mixed-use residential and commercial building
- construction of carparking and associated carport structure;
- construction of internal driveway and verge crossing
- associated landscaping, verge works, site and off-site works.

The proposed works are located at Block 1 Section 51 McKellar, in accordance with the plans, drawings and other documentation forming part of this refusal.

DA Number: 202139349  
202139349 S141A  
202139349 S141B  
202139349 S144C

Block: 1  
Section: 51  
Suburb: McKellar

Application lodged: 28 October 2021  
Assessment track: Merit

My decision contains the following information:

Part A– sets out the Reasons for the Decision

Part B – provides a summary of issues arising from the public notification of the application and from referral of the application to relevant entities

Attachment 1 – contains administrative information relating to my decision

**NOTICE OF DECISION**

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*A copy of the development application and this refusal may be inspected at the planning and land authority's office from 8.30 am to 4.30 pm, Monday to Friday at 480 Northbourne Avenue, Dickson, ACT 2602*

**DECISION MAKER**



**Mick Gentleman MLA**

Minister for Planning and Land Management

*4/15/2022*

**CONTACT OFFICER**

Trent Varlow

Phone: (02) 6205 2888

Email: [Trent.Varlow@act.gov.au](mailto:Trent.Varlow@act.gov.au)

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### PART A – REASONS FOR THE DECISION

The application was refused because it was found to be inconsistent with the relevant rules, criteria and objectives of the Territory Plan and section 119 and 120 of the Act.

In deciding to refuse the application, I considered each of the matters or issues set out in sections 119(1) - (4) and 120(a) - (h) of the Act and provide a summary of findings below.

In relation to section 120(a), the proposed development does not meet all the relevant objectives of the *CZ4 Local Centres Zone*; having considered all objectives as relevant.

CZ4 Local Centres Zone Objectives:

- a) *Provide for convenience retailing and other accessible, convenient shopping and community and business services to meet the daily needs of local residents, particularly those with mobility issues.*
- The proposal provides for limited convenience retail, convenient shopping, community and business services as the vast majority of the development is for residential units. Although the development offers convenience for local residents by providing strong connectivity to the existing pedestrian networks, insufficient detail is provided to deem whether the site provides the same convenience for those with mobility issues. The Dumas Street commercial tenancies are noted as posing some issues in terms of convenience with there being no opportunity for parking on Dumas Street and no direct route to these tenancies from the proposed visitor parking. Further issues are noted in terms of convenience with the parking demand for this development being proposed on the adjacent carpark and exceeding its capabilities, i.e. a 50 space car park needing to service 58 space car parking requirement. It is noted this carpark must also service the wider local centre, not just this development. This proposal fails to demonstrate how it will adequately service the access needs of the local residents.
- b) *Provide opportunities for business investment and local employment.*
- The development provides a degree of opportunity for business investment and local employment by providing some commercial spaces. However, given the amount of residential use proposed, it can be concluded that the proposed development limits the potential for these opportunities given the capabilities of the site. The orientation of the site allows for an opportunity to utilise the frontage to Bennetts Close and establish a sole or predominant commercial façade. The proposed commercial entry points to Dumas Street conflict with the existing configuration of the local centre and are restricted by the limited access provided along Dumas Street. The amount of commercial GFA proposed could be largely improved and refined.
- c) *Ensure the mix of uses is appropriate to this level of the commercial hierarchy and enable centres to adapt to changing social and economic circumstances.*
- It is not evident from the submitted documentation how the proposal will respond to any changing social and economic circumstances. The suburb and wider community of McKellar require a commercial hub for the resident population to respond to the needs of the residents of McKellar. The subject site, a local centre, offers the best opportunity to provide such services; however, the proposal lacks integration with the surrounding local centre and

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appears to prioritise residential use over commercial use. Although pedestrian connectivity is well maintained in and around the site, the use of commercial tenancies on Dumas Street takes away the opportunity to enhance the current commercial local centre fronting Bennetts Close. Further commercial aspects should be considered fronting Bennetts Close to allow for a variety of uses that would complement the centre and better service the needs of McKellar.

d) *Maintain and enhance local residential and environmental amenity through appropriate and sustainable urban design*

- It is noted that any development or rejuvenation of the site would enhance residential and environmental amenity given the site has been unutilised for a long period of time. However, appropriate and sustainable standards must be applied to the design. Given the wider needs of the McKellar community and requirement for a commercial centre in the suburb, the development cannot be deemed as appropriate in terms of urban design. The design prioritises residential use over commercial use despite being in a commercial zone with a boundary frontage to an existing local centre. This frontage is underutilised with the bulk of the development not presenting to the local centre, which misses the opportunities for commercial use and to enhance the local centre. This impacts residential amenity for the potential to establish a local centre / commercial hub in McKellar in association with the local centre's existing tenancies. By proposing commercial tenancies without direct/ efficient access along Dumas Street, the existing and proposed commercial development are less likely to be sustained. This decision limits commercial viability for tenants and willingness for these tenancies to be used by businesses. Further to this, amenity is impacted by the inability to service the parking requirements generated by this development.
- The proposed multi-storey development encloses the local centre further by blocking most of the visual connection with the existing local centre from Dumas Street. It is noted that the proposed development also lacks commercial activation on the corner of Dumas Street and Bennett's Close. Any proposed development on the subject site should encourage design permeability and allow a visual connection with the existing local centre.

e) *Promote the establishment of a cultural and community identity that is representative of, and appropriate to, the place.*

- Given the current state of the site, any efforts to develop the site would increase a level of cultural and community identity. However, the development does not provide for the establishment and promotion of community and cultural identity that is appropriate and representative of the local centre in which the development is proposed. The opportunity for further cultural and community identity to be established is limited through availing a large portion of the site for potential exclusive residential use. The proposal limits its interface with the existing local centre by being separated from the majority of commercial spaces within this local centre. Enhancing and connecting with the existing local centre would largely provide for the promotion of a cultural and community identity.

f) *Promote active living and active travel*

- Pedestrian connectivity is well maintained in and around the site, promoting active travel and utilisation of pedestrian infrastructure by residents, occupants and visitors.

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- g) *Provide a high-quality public realm by facilitating active uses on ground floor level that connects with the wider open space, pedestrian and cycle networks to promote active travel and active living.*
- Although the connectivity to the existing public realm and pedestrian networks are well maintained in and around the site, the proposed development in itself does not provide a high-quality public realm. The dominance of the internal driveway paving area does not facilitate a high quality public realm. However, it is acknowledged that linkages to existing active travel opportunities (e.g. footpaths) are available for future residents, occupants and visitors of the proposed residential component.
- h) *Encourage an attractive, safe, well-lit and connected pedestrian environment with convenient access to public transport.*
- Pedestrian connectivity is well maintained in and around the site, promoting active travel and utilisation of pedestrian infrastructure by residents, occupants and visitors. This is done in a way that is convenient and safe for users and creates an attractive pedestrian environment. This proposed pedestrian environment is well lit and continues existing connectivity to local bus stops.

In relation to section 120(b), I am not satisfied that the subject land is suitable for the proposed development. The above response to the *CZ4 Local Centre Zone* objectives outline reasons why this proposal is not considered suitable for the land. Further justification is provided below, outlining the inconsistencies with the development codes and general codes within the Territory Plan. The subject site is capable of providing both commercial and residential uses, but further investigation into providing a development that addresses the concerns outlined in the Territory Plan assessment and the inconsistencies with the zone objectives is required.

In relation to section 120(c), I note that there is no environmental significance opinion in force for the development proposal.

In relation to section 120(d), I have considered all of the representations received by the planning and land authority (the authority) in relation to the application. In Part C of my decision, I have provided a list of key concerns raised in the representations.

In relation to section 120(e), I note that the proposal was not required to be presented to the National Capital Design Review Panel (NCDRP).

In relation to section 120(f), I note that most of the entities that gave advice on the application provided support for the proposal on the basis that conditions were imposed to protect or address different kinds of matters. Icon Water issued a “failed to comply” statement and Transport Canberra and City Services provided advice stating that further information was required to support the proposal. I have considered the advice received from all the relevant entities and included the advice received in Part C of this Decision.

In relation to section 120(g), I note that no public land management plan has been identified for the land.

In relation to section 120(h), I considered the probable impacts, including potential social and environmental impacts that the proposed development may have. In this regard, I have read and considered the supporting documentation provided by the proponent with the development

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application, and representations received by the authority in relation to the application. I have also read and considered the advice and responses from relevant entities to which the application was referred. I have determined that the probable social, environmental and other impacts that might arise from the development have not been adequately address and warrants a refusal of the development application.

### Territory Plan Issues

Following assessment against the relevant aspects of the Territory Plan, the view was formed the proposal could not be considered consistent with all applicable development and general codes. The key inconsistencies include, but are not limited to:

- The proposed mixed use residential and commercial building not being compatible with the desired character of the area in which it is proposed.
- The building offers several undesirable planning outcomes that potentially affects the amenity of future occupants, existing residents and users of the locality.
- The bulk and scale of development caused by the proposed encroachments into the required setbacks result in an unsatisfactory presentation to the street and impacts pedestrian scale.
- Additional elements of the development result in additional non-compliances by way of bulk and scale, building setbacks, outdoor amenity, parking, vehicle manoeuvring, waste management and access.

### Documentation Issues

The documentation had significant shortfalls in detail with required components missing from the submission. In addition to this, the outline of the proposed works provided by the applicant was unclear and inconsistent. The description of the proposal was inconsistent with the set of plans provided and no further clarity was provided through any of the supporting documentation to help understand the proposal. Noting this, it is considered that an approval cannot be issued when the description of the proposal is unclear and contradictory. Having regard to inconsistencies in the details in the submitted documentation, for the purpose of this Notice of Decision, the description of works has been generalised to best outline the proposal as a whole.

The following evidence formed part of the assessment of this application:

Development Application:	<i>202139349, 202139349 (S141A), 202139349 (S141B) &amp; 202139349 (S144C)</i>
Territory Plan Zones:	<i>CZ4 – Local Centres Zone</i>
Development Codes:	<i>Commercial Zones Development Code &amp; Multi-Unit Housing Development Code</i>
Precinct Code:	<i>McKellar Precinct Map</i>
Crown Lease:	<i>Volume 2082 and Folio 7</i>
Legislative requirements:	<i>Sections 119 and 120 of the Planning and Development Act 2007</i>
Representations Entity advice:	<i>Addressed in Part B of this Decision</i>

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### PART B – PUBLIC NOTIFICATION AND ENTITY ADVICE

#### PUBLIC NOTIFICATION

Pursuant to Division 7.3.4 of the Act, the application was publicly notified from 5 November 2021 until 26 November 2021.

Twelve written representations were received during public notification period.

Key issues raised in representations are listed below. Comments are provided as appropriate.

- Tree Removal

Comment: The proposal does not propose the removal of any regulated trees on the site as displayed on the tree survey plans lodged with the application. The two trees that are proposed for removal are on the verge with the Composite Landscape Verge Plan showing the planting of new verge trees to offset the removal. Urban Treescapes - a branch within Transport Canberra and City Services (TCCS), administer the management of verge trees and did not raise concern with proposed tree removals or plantings.

- Materiality

Comment: The external materials and finishes were deemed suitable and of an appropriate quality. However, it is noted the proposal as whole requires further refinement.

- Desired character

Comment: The proposal was assessed against all relevant aspects of the Territory Plan. The assessment found that proposed mixed use residential building is not compatible with the desired character of the area. The current local centre consists of building heights that, at maximum, are two storeys whereas this proposed building for mixed use servicing both residential and commercial tenancies is 3 storeys and in part 4 storeys. This 4-storey component is not a desirable outcome as it is two storeys more than any other development in the existing centre and is not sympathetic to the existing building heights. Further consideration must be given to the proposed height, setback treatments and landscaping to reduce the bulk and scale of the development, this would additionally provide for improved amenity for all users. The proposed mixed-use building encroaches into the setback of every boundary it fronts, proposing a boundary-to-boundary presentation (North to South). This, in conjunction with the scale and bulk of the building, cannot be deemed consistent with desired character. The implications of these encroachments directly impact the streetscape, pedestrian scale and the amenity of the local centre. The inconsistencies with the desired character in part informed the decision to refuse the application.

- Density

Comment: The application has been refused. The bulk and scale of the development, which adds to the densification of the site, in part informed the decision to refuse the application.

- Traffic and parking:

Comment: The proposal was assessed against the Parking and Vehicular Access General Code (PVAGC), it was determined that the parking requirements that the proposal generates is too

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large to be managed through existing infrastructure (adjacent car park) as proposed. The overspill of cars parking in surrounding streets and infrastructure, in order to use the proposed development and the existing local centre, has the potential to generate traffic hazards. Insufficient documentation was provided to support how traffic will be managed. Additionally, it is noted that application was referred to TCCS who administer traffic and road network issues. TCCS raised concerns surrounding the impacts of the proposed waste collection on both Bennetts close and Dumas Street. TCCS provided advice that the development as proposed will negatively impact traffic in the area, with the proposed collection areas being considered by TCCS as not safe for all road users. The implications the proposed development will have on traffic in part informed the decision to refuse the application.

- Insufficient commercial space and failure to address the needs of the community

Comment: The authority notes that the commercial spaces are limited in terms of ability to meet the needs of the McKellar community. The development offers a proposal that lacks integration with the surrounding local centre and places residential use over commercial. This proposal has the potential to limit commercial viability for tenants and opportunity for these tenancies to be used by businesses. The development did not utilise the opportunities the site provides to enhance the current commercial local centre fronting Bennetts Close. Further commercial aspects should be considered fronting Bennetts close to allow for a variety of uses that would complement the centre and better service the needs of McKellar. The development, as described above, conflicts with the zone objectives of the commercial zone (CZ4) in which it is proposed. In order to preserve the local centre and opportunities for commercial development the application has been refused.

- Lack of outdoor amenity

Comment: The assessment of the requirement of outdoor amenity and more specifically Principle Private Open Space, found that the proposed development falls short of meeting the relevant provisions of the Territory Plan. With it being concluded that the balconies provided for each residential dwelling do not provide proportionate outdoor space or reasonable extension of function for residents given the size of the proposed dwellings. Factors informing this conclusion, amongst others were; there being no provision of private open space provided at ground level, the communal spaces proposed on site being insufficient in offsetting the notable shortfall in PPOS area and the proposed areas for services both A/C units and clothes drying proposed in the nominated PPOS areas, providing further reductions to the already limited useable space. The proposed development being inconsistent with the provisions of Territory Plan in place to provide sufficient outdoor amenity for residents in part informed the decision to refuse the application.

- Services

Comment: The development provides appropriate spaces for services associated with the development and have been screened from view where provided.

- Privacy

Comment: Whilst not explicitly addressed by the Territory Plan regarding developments of this nature in this zone, the residential amenity and privacy of neighbouring properties was considered in the assessment of this development. The implications the proposed development has on the amenity of surrounding residential blocks was noted. If approved further considerations/ action would have been taken to address privacy concerns and maintain the amenity of the surrounding residential blocks. The requirement for privacy to be maintained could

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have potentially been achieved through conditions requiring privacy screens or frosted glass. However, given the proposal is to be refused no such measures are required. Privacy will be considered in any further applications that may be lodged regarding the subject site.

- Zone objectives

Comment: Please see the response to the CZ4 local centre zone objective in part A of this decision.

- Community consultation

Comment: Pre-DA Community consultation is not required for such developments under the Territory Plan or legislation. Public notification of this development application was undertaken in accordance with the *Planning and Development Act 2007* and representations have been considered in the making of this decision.

- Works commencing on site

Comment: No works have commenced on site. This was confirmed through a site inspection. Construction fencing erected on site is likely in place to reduce the hazards the current site condition proposes.

### ENTITY ADVICE

Pursuant to Division 7.3.3 of the *Planning and Development Act*, the application was referred to the below entities. A summary of entity comments can be found below.

- Transport Canberra and City Services (TCCS)

TCCS provided advice stating that the proposal requires further information. The further information required by TCCS is as follows:

*Comments:*

*Applicant needs to come back with solutions for below issues and provide new update plan with response statement to TCCS*

*Traffic and Parking:*

*The proponent is seeking to utilise the adjacent carpark at Bennetts Close for all visitor parking and commercial parking required for the proposed development at 1/51 McKellar. It is also unclear what the commercial GFA of this site is and what type of commercial land use is proposed (e.g. office, retail).*

*The proponent must calculate the parking requirement for the commercial component of the development as per the ACT Parking and Vehicular Access General Code.*

*The proponent must also undertake a parking utilisation survey using past aerial images and justify the adequacy of the parking available off-site.*

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### *Waste:*

*The submission for the waste management is incomplete. Please provide the documents as per the DCC Waste Code 2019 or later. TCCS does not collect the commercial and industrial waste.*

*The waste collection for the two units located on southwest corner are close to the bus stop. The Territory has a requirement that vehicles must be 7m or 15m from a bus stop or something like that. It is not a Waste Code requirement as such, but we will still not collect from or near a bus stop.*

*Apart from being incomplete, the Applicant should consider shared MGBs to reduce the number of MGBs on the kerb or onsite collection.*

- Evoenergy Electricity

Evoenergy Electricity provided advice stating that the proposal is supported subject to conditions. The advice has been included as an attachment to this Decision.

- Icon Water

Icon Water issued a “failed to comply” statement. The statement has been provided as an attachment to this decision.

- Environment Protection Authority (EPA)

The EPA provided advice stating that the proposal is supported subject to conditions. A copy of the advice provided by EPA has been included as an attachment to this decision.

- Evoenergy Gas

Evoenergy Gas provided advice stating that the proposal is supported subject to conditions. The advice has been included as an attachment to this Decision.

- Emergency Services Agency (ESA)

The ESA provided advice stating that the proposal is supported subject to conditions. A copy of the advice provided by ESA has been included as an attachment to this decision.

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### ATTACHMENT 1

#### ADMINISTRATIVE INFORMATION RELATING TO NOTICE OF DECISION

##### **Inspection of the Application and Decision**

A copy of the application and the decision can be inspected between 8:30am and 4:30pm weekdays at the Environment, Planning and Sustainable Development Directorate Dickson Customer Service Centre at 480 Northbourne Avenue, Dickson, ACT.

##### **Reconsideration of the Decision**

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

More information is available online at <https://www.planning.act.gov.au/build-buy-rotate/build-buy-or-rotate/approvals/development-applications/appeal-a-da-decision>.

Please contact Access Canberra Customer Services if you wish to lodge a reconsideration application.

##### **Review by the ACT Civil and Administrative Tribunal (ACAT)**

1. Decisions that are reviewable by the ACAT are identified in Schedule 1 of the Act, except for matters that are exempted under Schedule 3 of the *Planning and Development Regulation 2008* (matters exempt from third party review).
2. The notice of decision and this advice have been sent to all people who made a representation in relation to the application.
3. The ACAT is an independent body. It can review a large number of decisions made by ACT Government ministers, officials and statutory authorities on their merits. The ACAT can agree with, change or reject the original decision, substitute its own decision or send the matter back to the decision maker for reconsideration in accordance with ACAT recommendations.
4. **If** you think you have a right of appeal, you may apply to the ACAT for a review of the decision. Application forms can be obtained from the ACAT at the website listed below. You can also download the form from the ACT Legislation Register.
5. More information on appeal rights is available online at <https://www.planning.act.gov.au/build-buy-rotate/build-buy-or-rotate/approvals/development-applications/appeal-a-da-decision>.
6. 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.
7. The time limit to make a request for a review is 28 days from the date of this notice of decision. The time limit can be extended in some circumstances (refer to sections 10 (2), 10(3), 25(1)(e) and 25(2) of the *ACT Civil & Administrative Tribunal Act 2008*; and rule 38 of the *ACT Civil and Administrative Tribunal Procedures Rules 2020*).
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

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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 0300ACT
  - 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 planning and land authority's web site at <https://www.environment.act.gov.au/about/access-government-information> or by contacting us by phone on 02 6207 1923.
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>.

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### Contact details for relevant agencies

<p><b>ACT Civil and Administrative Tribunal</b>            Level 4, 1 Moore Street            CANBERRA CITY ACT 2601            GPO Box 370, CANBERRA, ACT 2601</p>	<p><a href="http://www.acat.act.gov.au">www.acat.act.gov.au</a>  <a href="mailto:tribunal@act.gov.au">tribunal@act.gov.au</a>            02 6207 1740            02 6205 4855</p>
<p><b>ACT Supreme Court</b>            4-6 Knowles Place,            CANBERRA CITY ACT 2601            GPO Box 1548, CANBERRA CITY, ACT 2601</p>	<p><a href="http://www.courts.act.gov.au">www.courts.act.gov.au</a>            02 6205 0000</p>
<p><b>Environment, Planning and Sustainable Development Directorate</b>            480 Northbourne Avenue            DICKSON ACT 2602            GPO Box 158, CANBERRA 2601</p> <ul style="list-style-type: none"> <li>• <i>Planning and land authority</i> <ul style="list-style-type: none"> <li>- list of certifiers for building approval</li> <li>- demolition information</li> <li>- asbestos information</li> </ul> </li> <li>• <i>Environment Protection Authority</i> <ul style="list-style-type: none"> <li>- environment protection</li> <li>- water resources</li> <li>- asbestos information</li> </ul> </li> <li>• <i>Conservation, Planning and Research</i> <ul style="list-style-type: none"> <li>- threatened species/wildlife management</li> </ul> </li> </ul>	<p><a href="http://www.planning.act.gov.au">www.planning.act.gov.au</a>            02 6207 1923</p> <p><a href="http://www.environment.act.gov.au">www.environment.act.gov.au</a>            132 281</p> <p><a href="http://www.environment.act.gov.au">www.environment.act.gov.au</a>            132 281</p>
<p><b>Transport Canberra and City Services</b></p> <ul style="list-style-type: none"> <li>- tree damaging activity approval</li> <li>- use of verges or other unleased Territory land</li> <li>- works on unleased Territory land - design acceptance</li> <li>- damage to public assets</li> </ul>	<p><a href="http://www.tccs.act.gov.au">www.tccs.act.gov.au</a></p> <p>132 281            02 6207 0019 (place coordination)</p>
<p><b>Health Directorate</b></p>	<p><a href="http://www.health.act.gov.au">www.health.act.gov.au</a>            02 6205 1700</p>
<p><b>Utilities</b></p> <ul style="list-style-type: none"> <li>- Telstra (networks)</li> <li>- TransACT (networks)</li> <li>- Icon Water</li> <li>- Electricity reticulation</li> </ul>	<p>02 8576 9799            02 6229 8000            02 6248 3111            02 6293 5738</p>

### 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.

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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-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 ihtiyacımız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

### TRANSLATING AND INTERPRETING SERVICE

# 131 450

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