

ACT Division
Planning Institute of Australia
11 National Circuit
Barton ACT 2600

The Secretary
Standing Committee on Planning, Public Works
and Territory and Municipal Services
ACT Legislative Assembly
London Circuit
CANBERRA ACT 2601

Dear Madam

COMMITTEE INQUIRY INTO DRAFT VARIATION TO THE TERRITORY PLAN
NO.288 – LYONS ESTATE 'BURNIE COURT' REDEVELOPMENT AND
RELATED CHANGES TO RESIDENTIAL ZONES ETC

The ACT Division of the Planning Institute of Australia (PIA ACT) appreciates the opportunity to make a submission to this inquiry, having commented on the earlier version of this Draft Variation.

PIA ACT supports the redevelopment of this site and the general approach outlined in the planning report attached to the original draft variation. However, we have concerns about the treatment of proposed building heights and these concerns have not been adequately addressed in the recommended final draft variation.

PIA ACT previously commented (email to ACTPLA 24 July 2008):

- *up to 6 storey development along the Melrose Drive frontage of the site is supported, with building heights stepping down across the site to be no more than two storeys adjacent to Burnie Street (rather than the three storeys proposed in this area, in order to provide a higher level of visual compatibility with residential development on the west side of Burnie Street)*
- *we have some concern about the location and indicative form of the 10 storey building across the northern end of the site (as shown on the concept site development plan), as it is likely to create extensive overshadowing in the area to the south of this building. There does not*

appear to be a compelling urban design case for the 10 storey building towards the corner and generally 4 storeys for most of the rest of the Melrose Drive frontage. A more consistent 'edge' of 6 storey buildings along the Melrose Drive frontage would be preferable.

The report on consultation prepared by the ACT Planning and Land Authority states (section 2.1 para.2) that:

"The key issues raised in the consultation are; concern regarding the ten-storey element proposed on Block 4 Section 69 Lyons and its potential impacts like overshadowing, lack of sustainability, increased traffic and inconsistency with Lyons character. A total of 20 submissions, including the petition, and the Planning Institute of Australia (PIA), raised concern regarding the ten-storey element."

And further (2.1 para.3):

"The general concern appears to relate principally to the ten storey building element proposed at the corner of Melrose Drive and Launceston Street."

However, the consultation report deals superficially with this issue and no change has been made to the draft variation in this regard.

The 'Response' to issue 2.2.1 "Overshadowing" does little more than repeat assertions in support of the development proposal from the planning report prepared by CBRE consultants on behalf of the developers, eg: the first sentence of the Response: "The orientation of the proposed buildings across the site has been designed to maximise the solar aspect of all proposed buildings" is taken from section 4.2.5 para.1 of the consultant report (except for the word 'proposed').

Similarly, the wording in the same paragraph of the Response: "the majority of proposed units have a strong northerly orientation at the main frontage, with the remainder predominantly facing east or west" is taken from section 4.2.5 para.2 of the consultant's report. In fact, from figure 4.5 of the consultant's report it appears that the majority of units probably have an east or west orientation. Figures 4.6-4.8 show the 10 storey building casting significant shadow over buildings Q and M and the open space between them.

In the Response to issue 2.2.17 "Objection to height" is the unattributed assertion: "allowing an increase in building height on part of the site provides the opportunity to significantly reduce the building site coverage (by approximately 25 per cent) when compared to how the site could be developed under the existing Territory Plan policies and the 2001 Master Plan, where the coverage was 40 per cent. This efficiency translates directly into opportunities for creating a high quality urban design outcome."

This assertion is again taken directly from the consultant's report (first dot point page 2) supporting the development proposal. ACTPLA has however added the words "on part of the site" and appear to be trying to suggest that ten storey building by itself reduces the overall site coverage by 25 per cent, which is of course nonsense.

This Response does not provide a "compelling urban design case", the lack of which was a concern raised by PIA. The assertion in the Response that: "The ten storey building introduces a level of interest that has a stronger visual impact, which accentuates the Melrose Drive/Launceston Street intersection. It will relate to future development of nearby town centre sites." is very weak justification for ignoring the significant level of concern raised in the consultation about the 10 storey building.

The Response to issue 2.2.19 "Inconsistent with Lyons character" states that: "The proposed ten storey building is consistent with the location, being opposite a town centre with buildings up to 23 storeys". What may be appropriate in a high-order commercial centre is not necessarily appropriate in a residential area.

The consultation report also fails to deal at all with the suggestion by PIA that the building height should be *no more than two storeys adjacent to Burnie Street (rather than the three storeys proposed in this area, in order to provide a higher level of visual compatibility with residential development on the west side of Burnie Street)*.

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