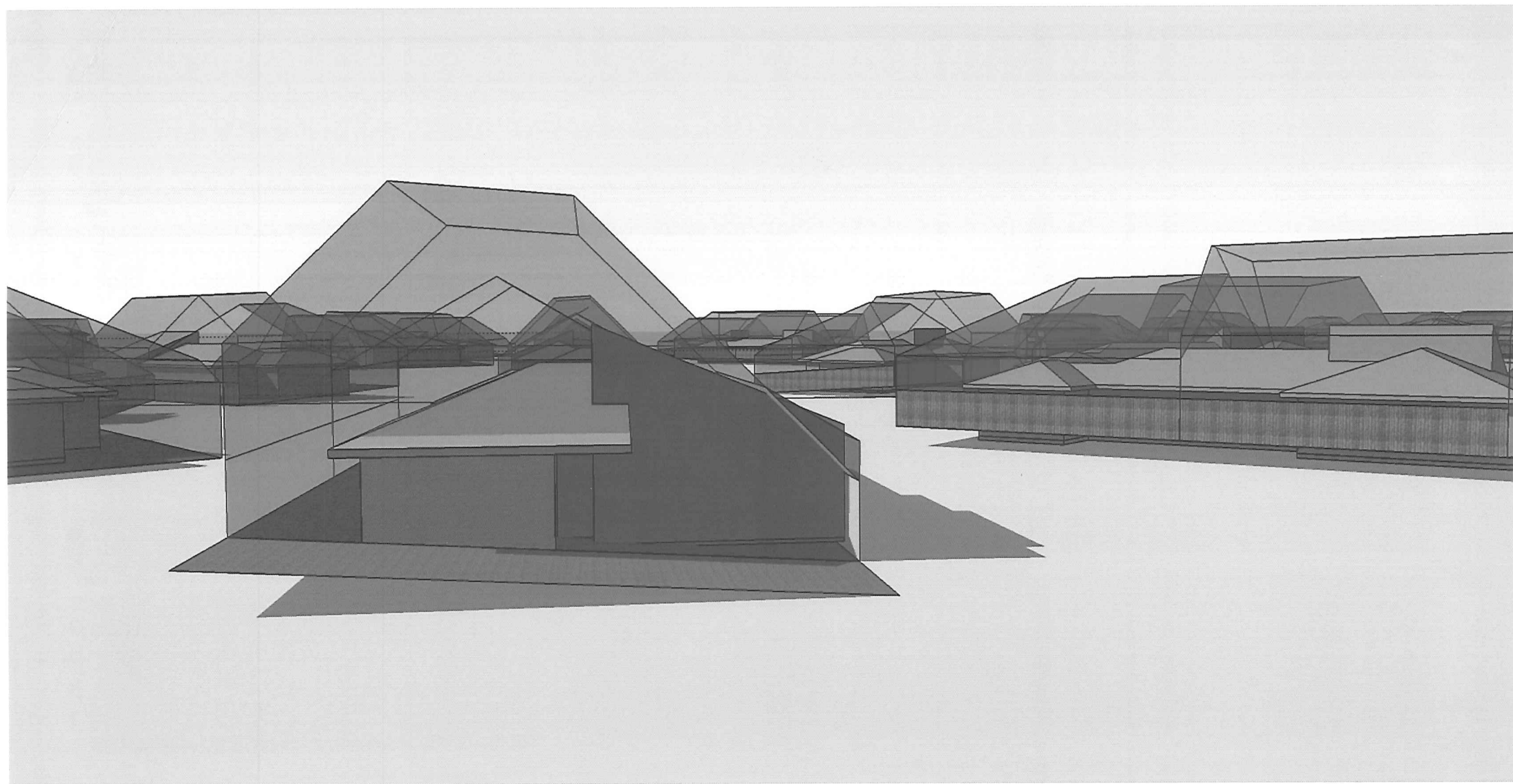
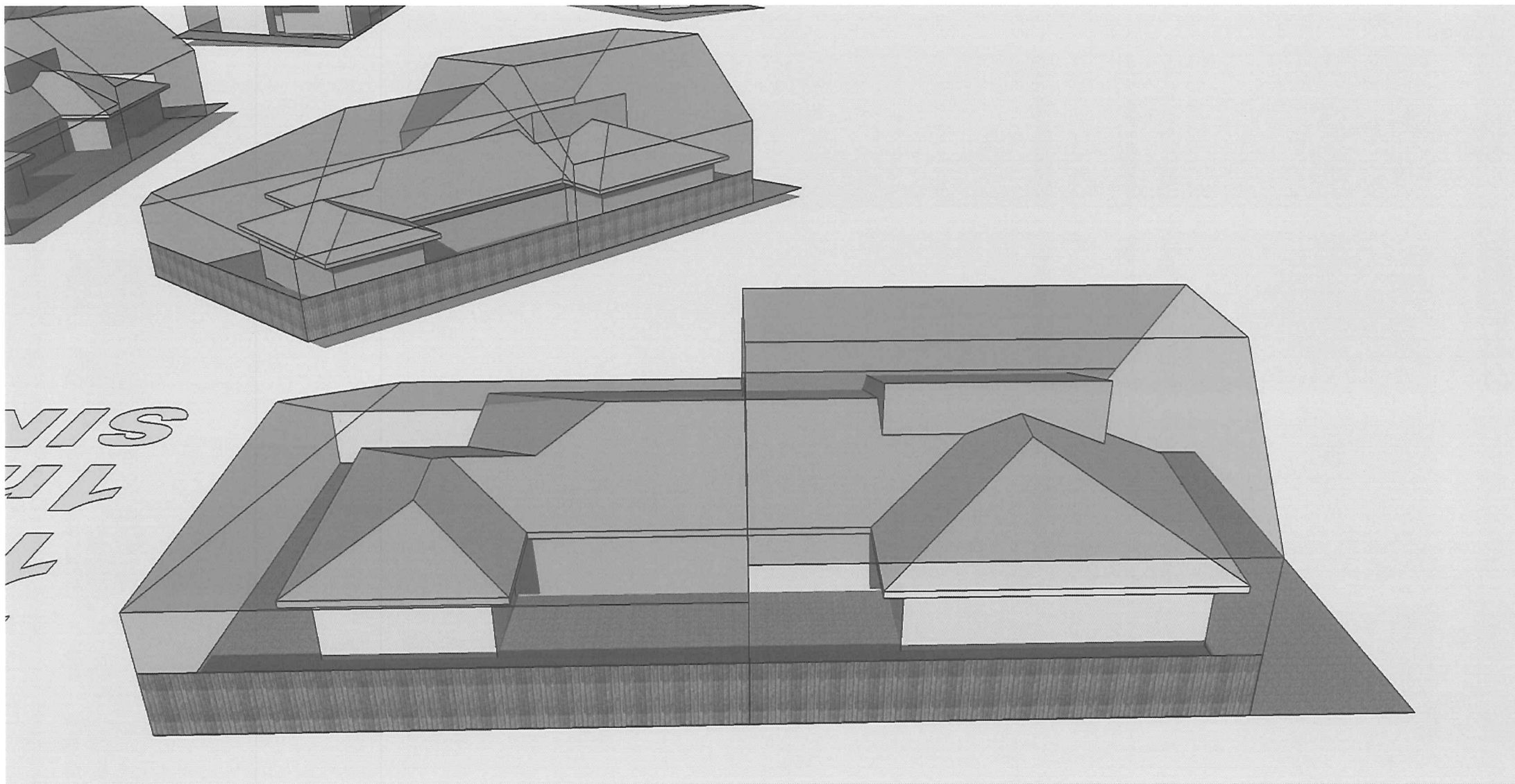
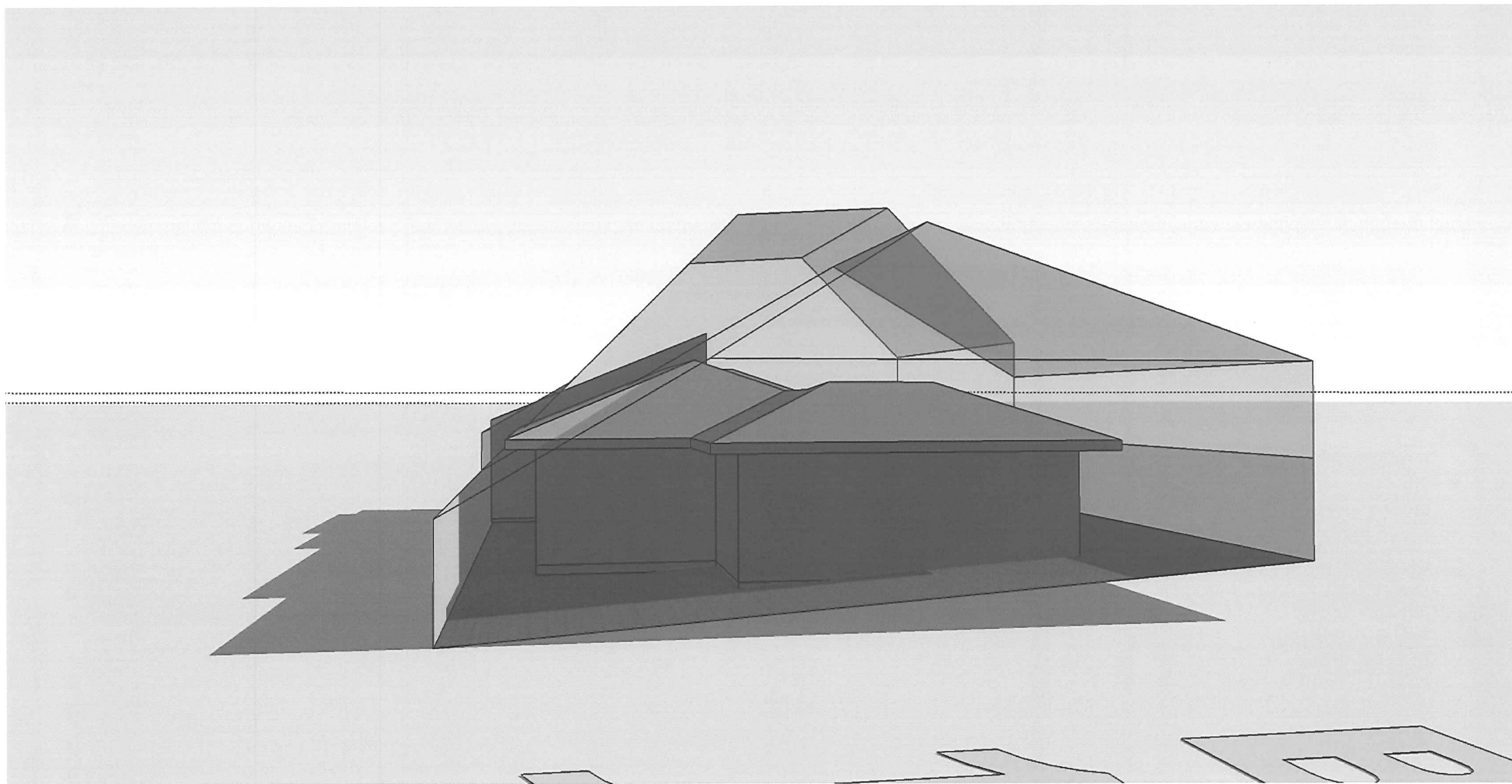
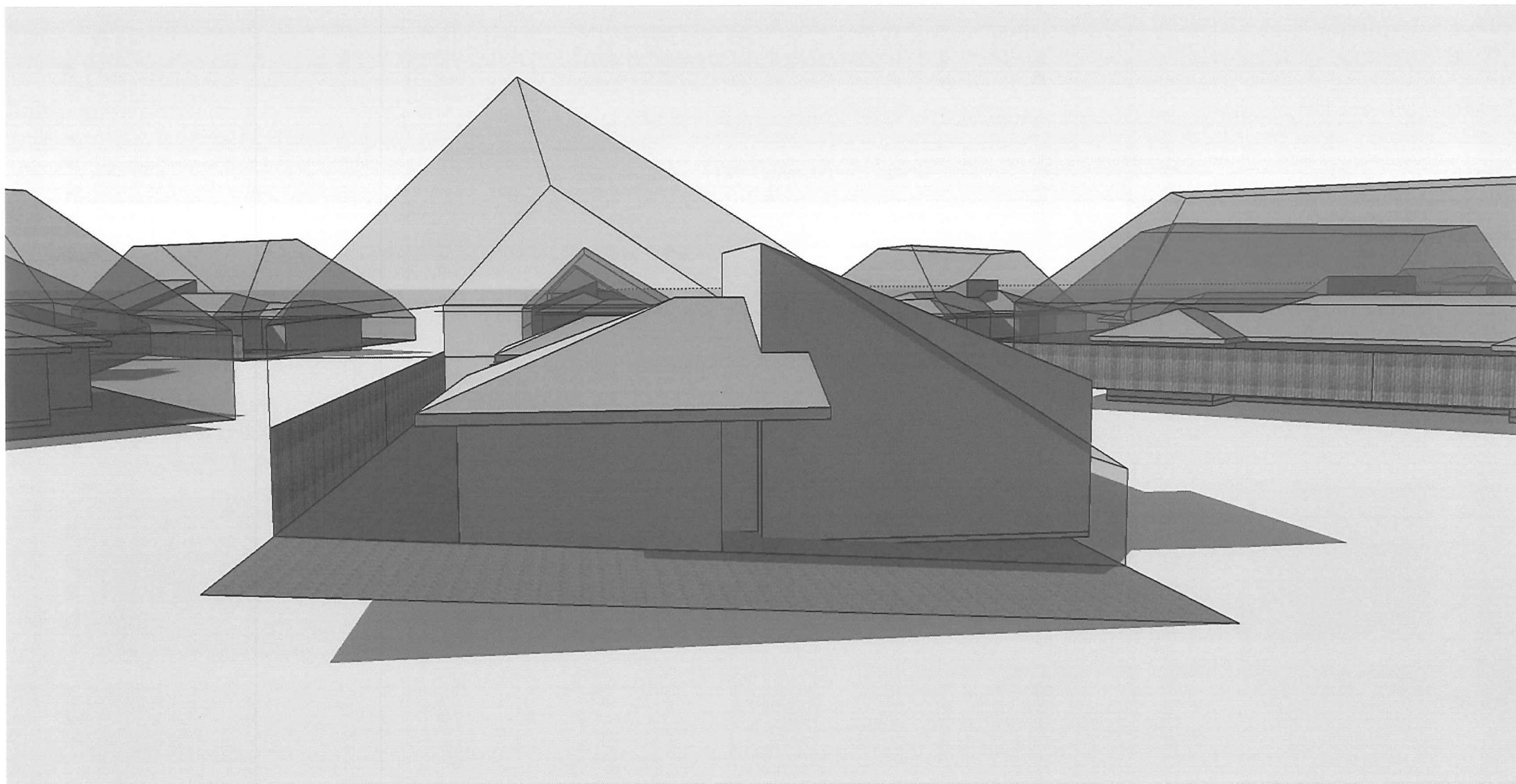
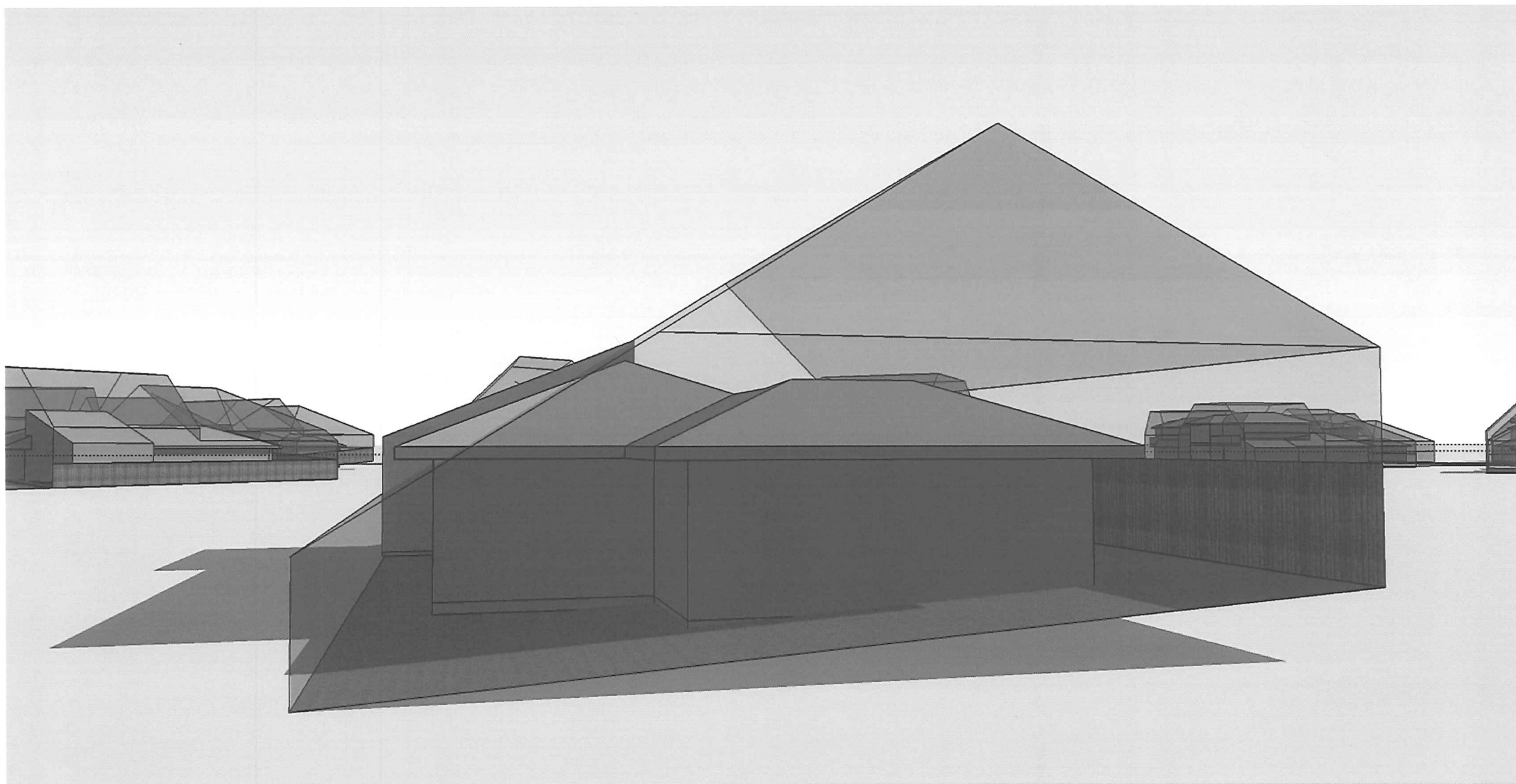


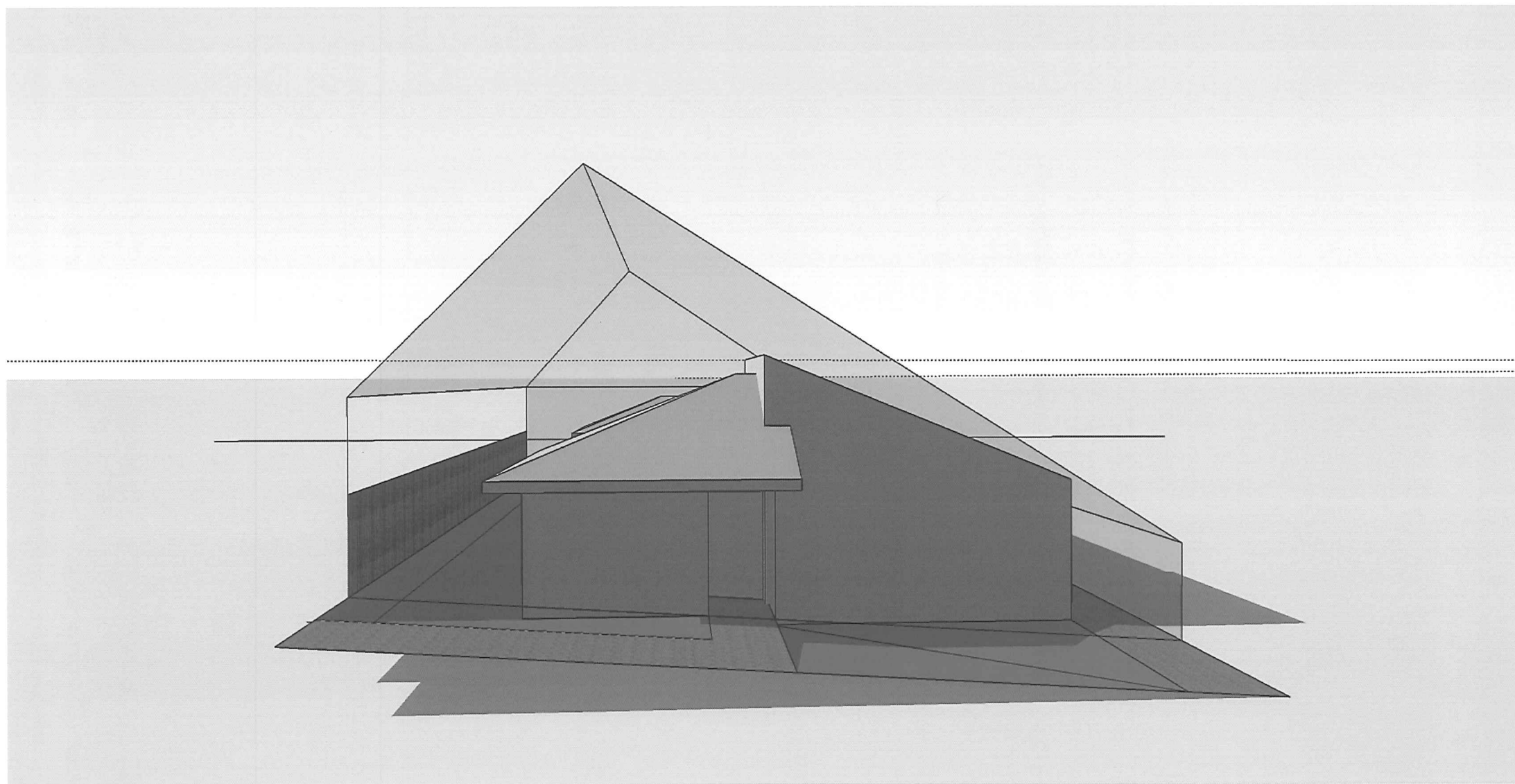


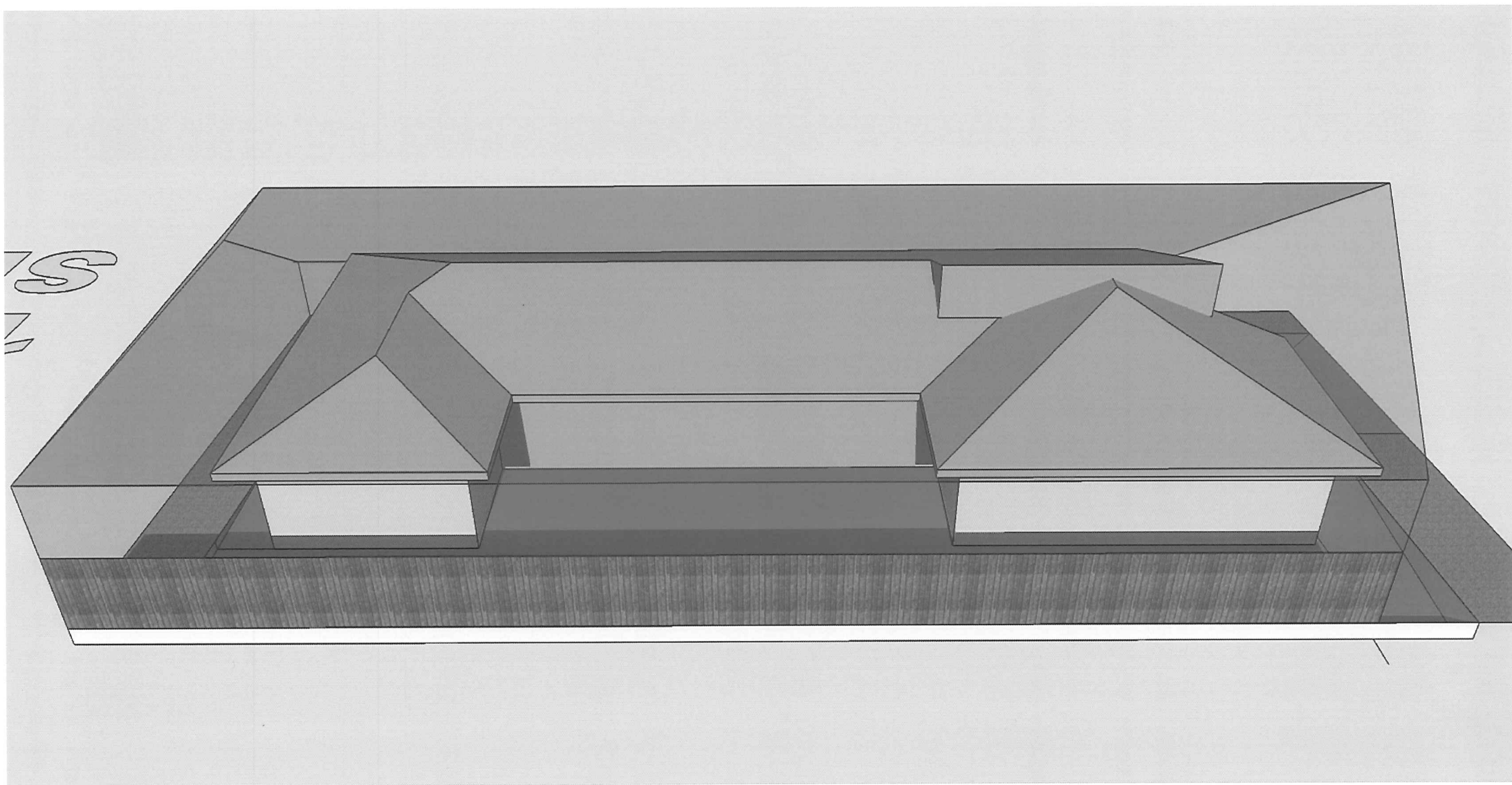


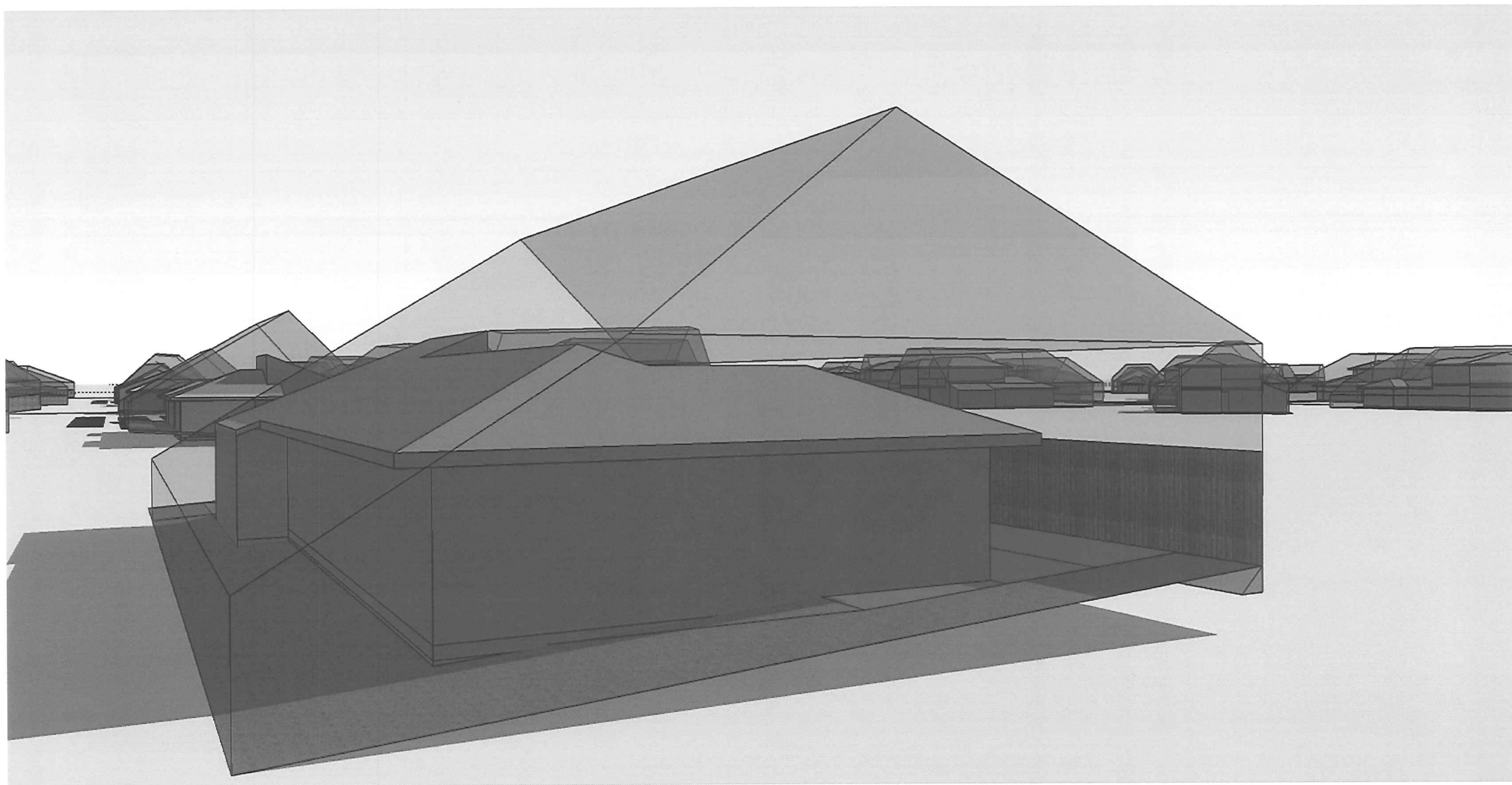


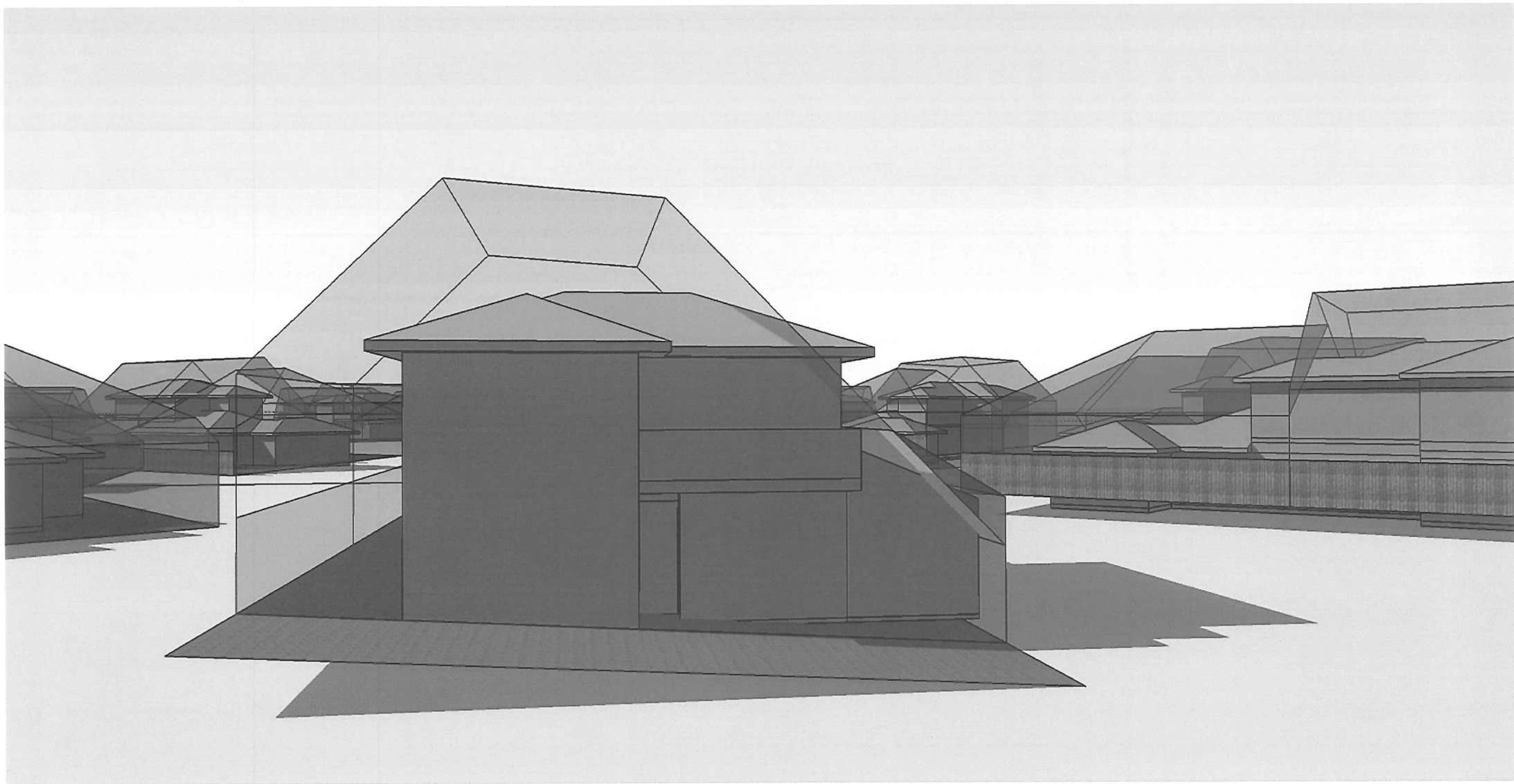


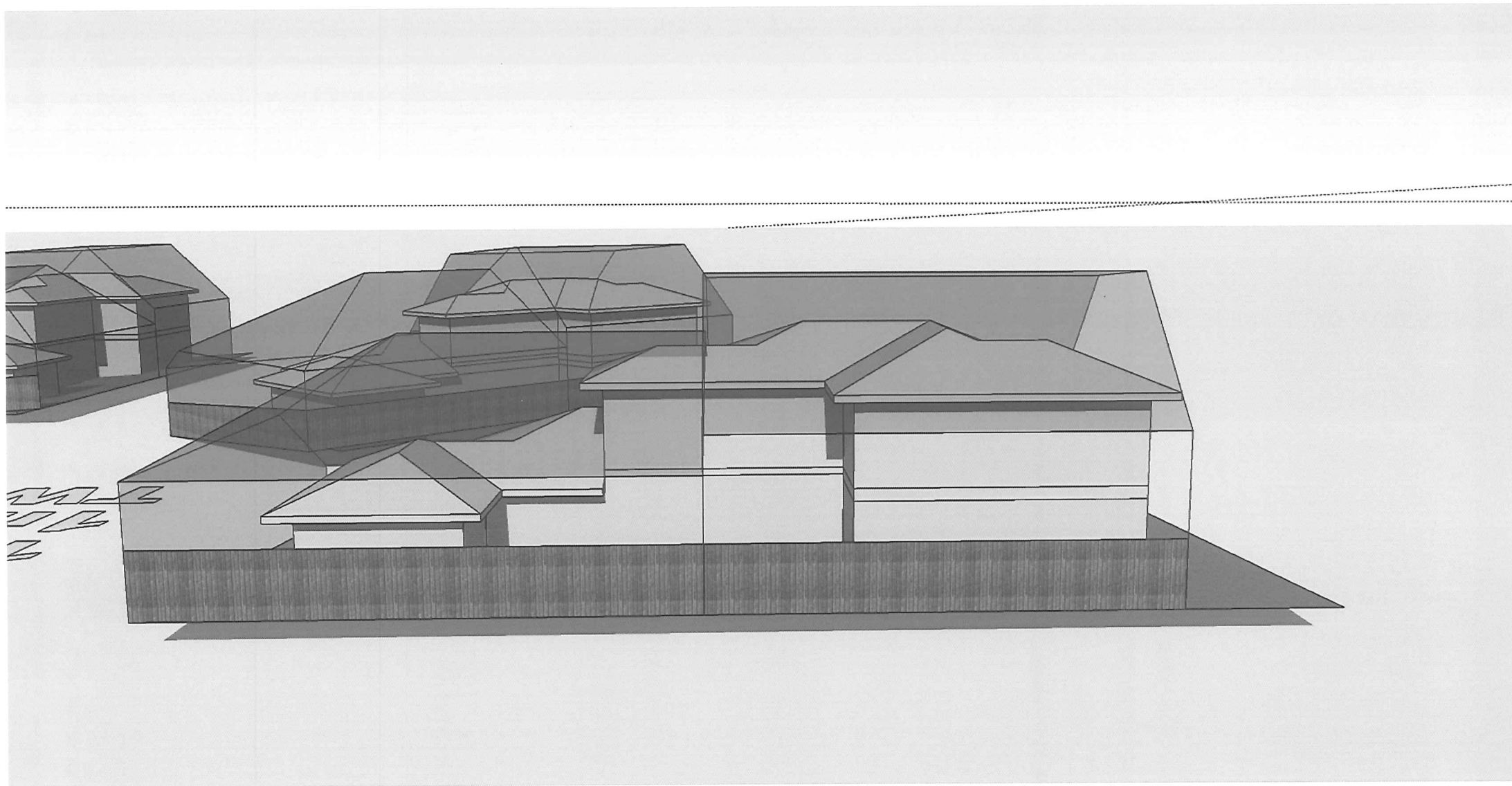


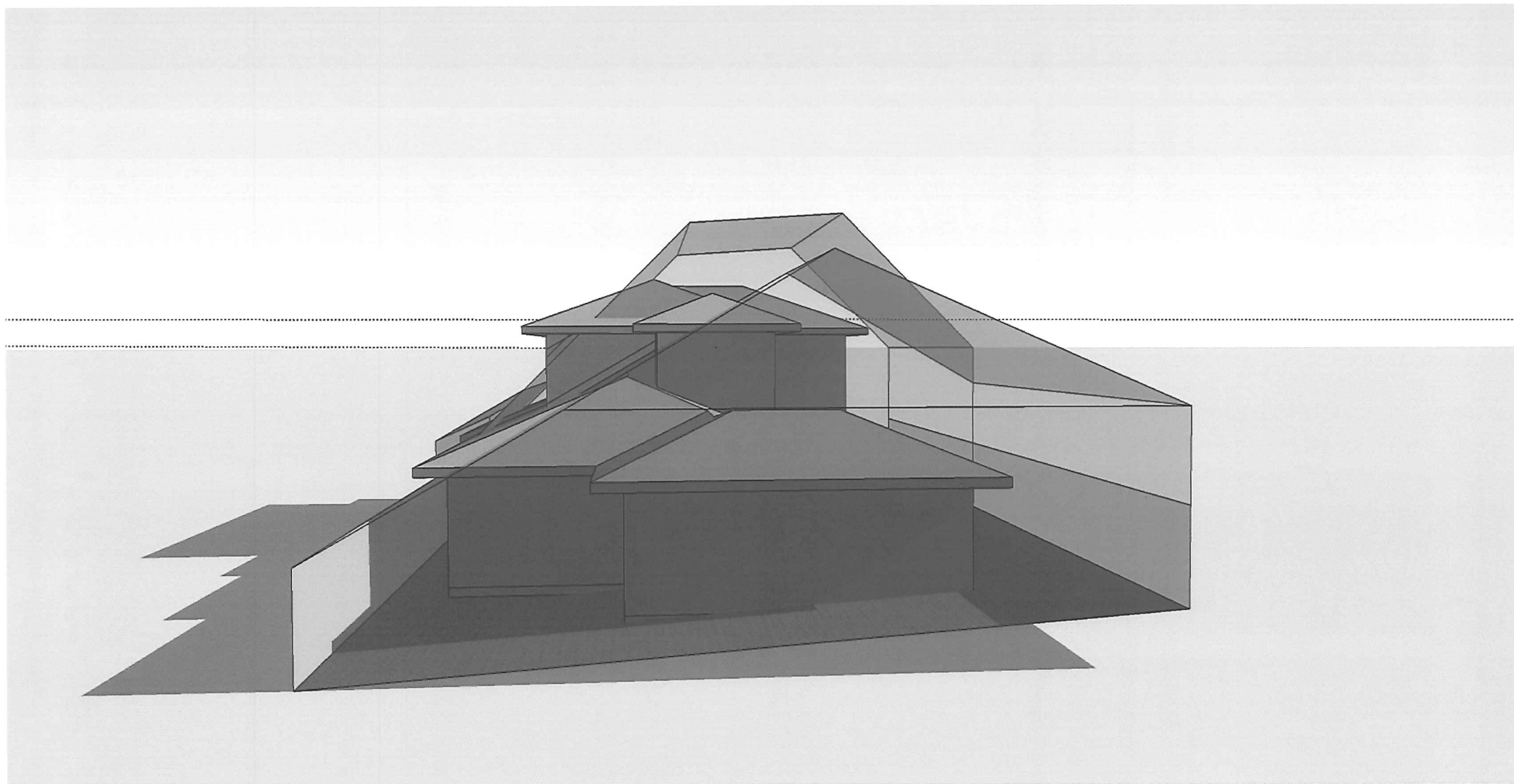


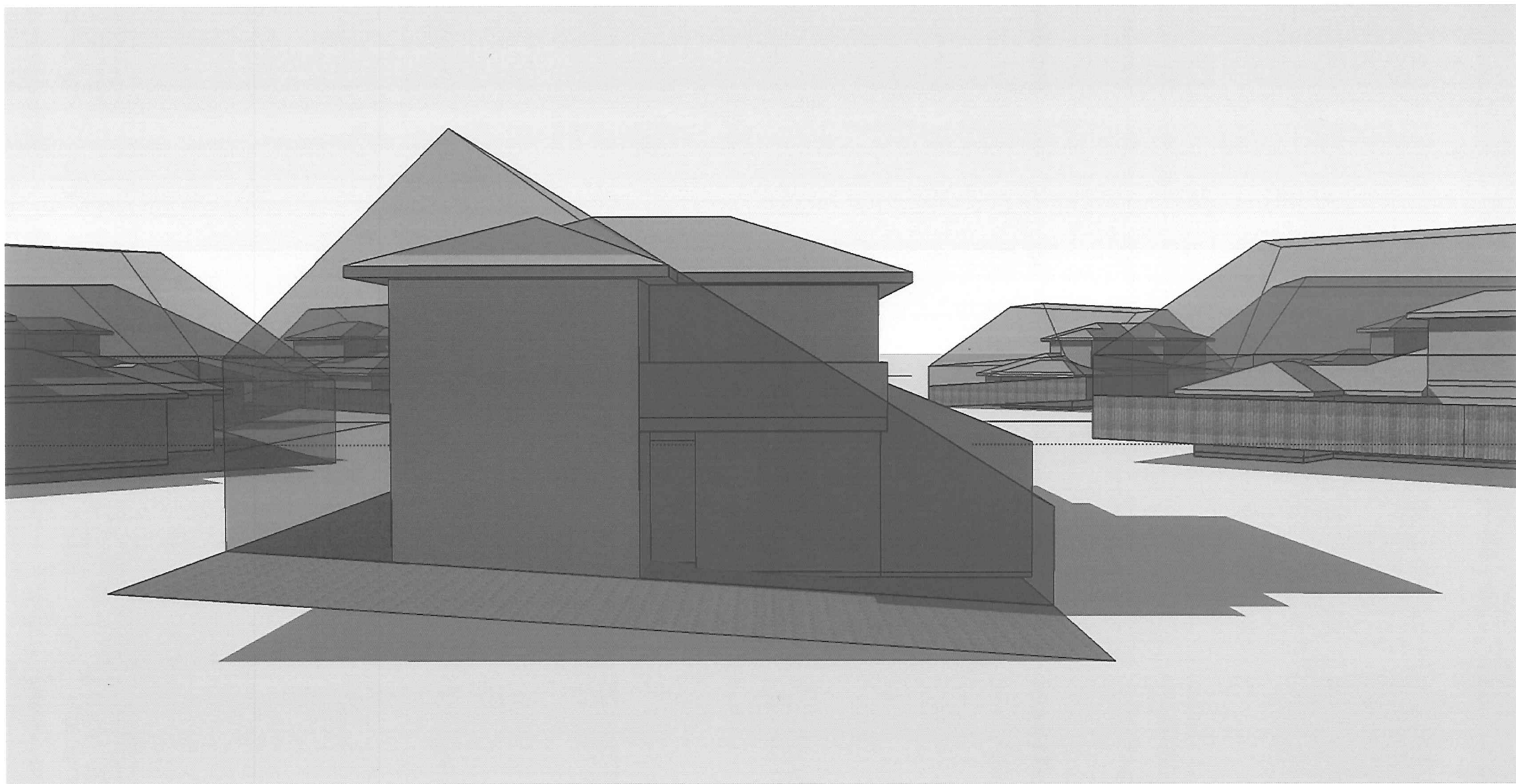


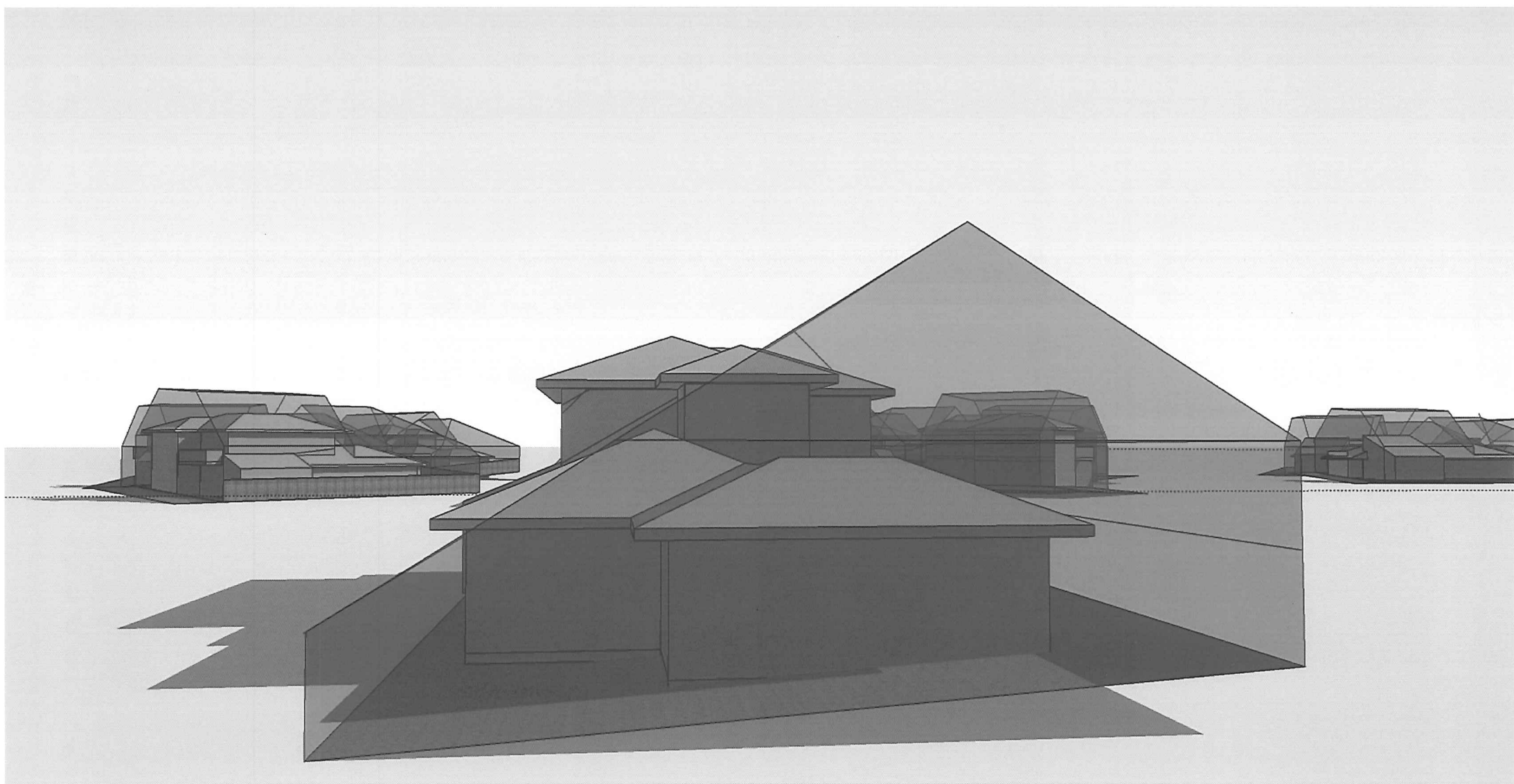


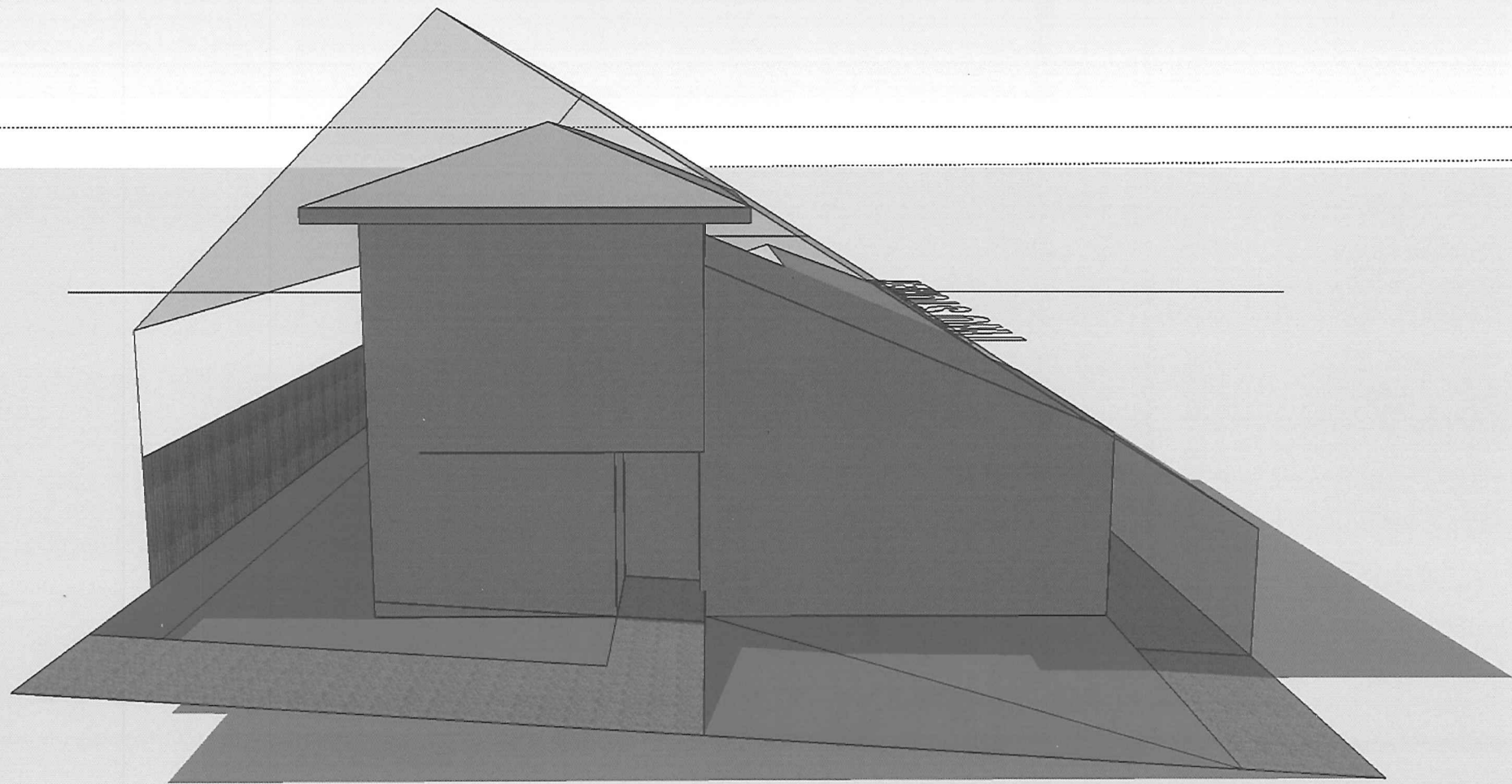


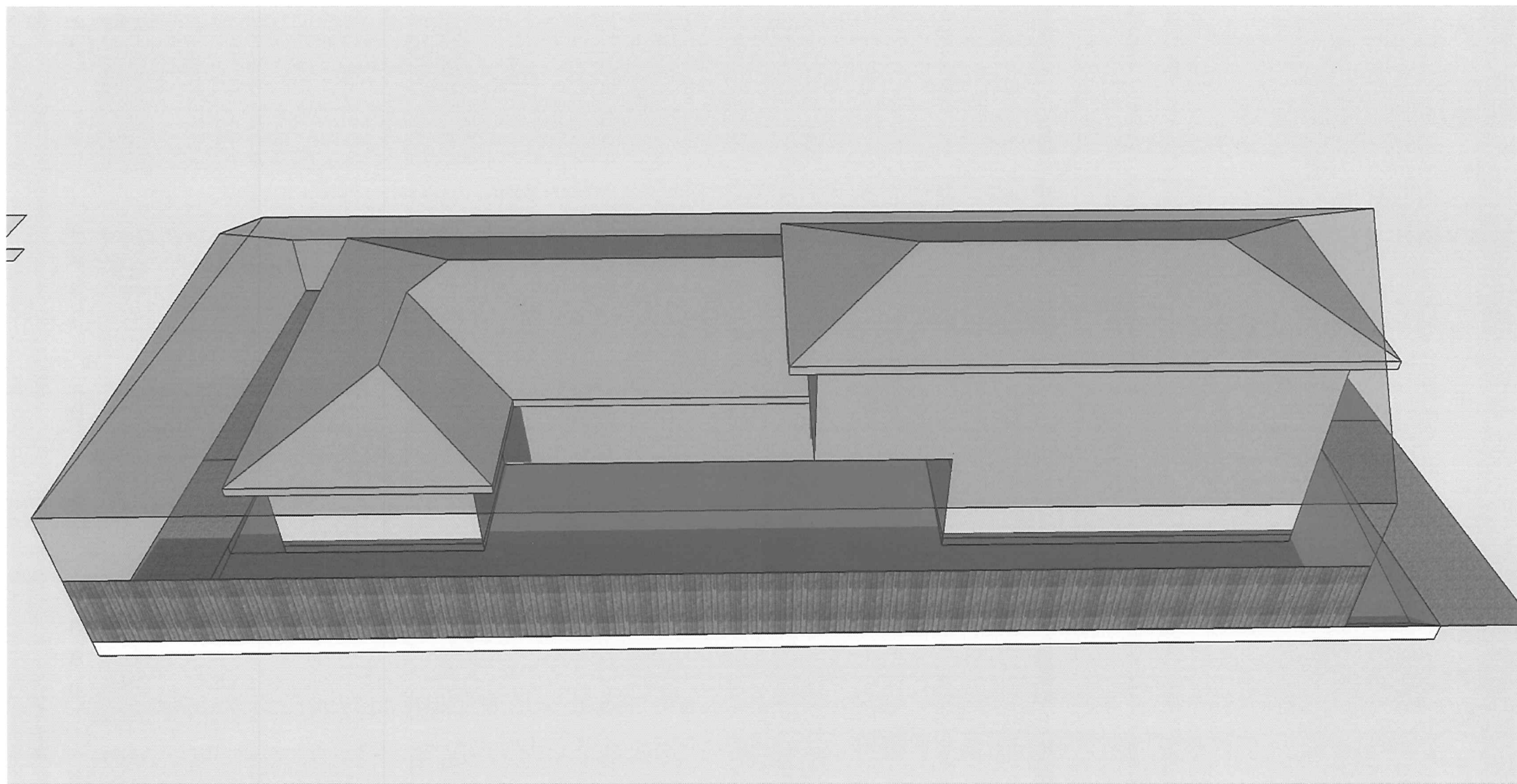


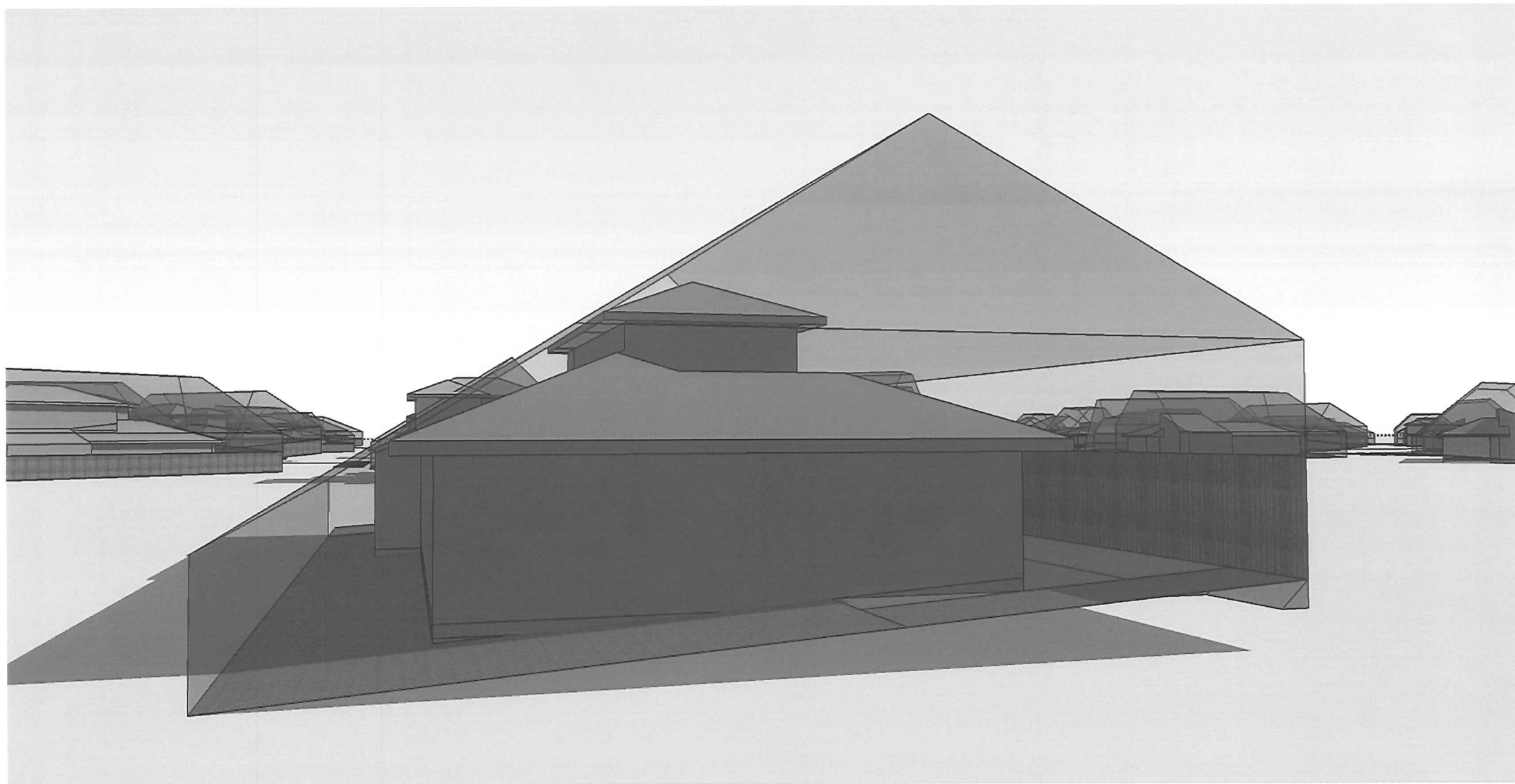












5AAP

MEMO

TO	Whom It May Concern	EASD Territory Plan Unit
FROM	Alastair MacCallum	DATE 3 rd September 2011 PAGES 1
ITEM	Draft Variation No. 306	

Dear Sir / Madam,

5AAP are a group of Canberra-based architectural practices who, since 2005, have been providing constructive feedback to ACTPLA (now EASD) on a range of planning issues and EASD service delivery. As a group we have recently reviewed DV 306 and provide the following comments for your consideration noting that we have also included a number of examples of completed residential developments including single dwelling to small and larger scale multi-unit development to demonstrate the impact of the proposed new Solar Envelopes. We believe there could be value in 5AAP meeting with EASD to present these 3d models to assist your team visualise the outcomes of the new solar envelopes against a range of previously approved developments.

As discussed with Ben Ponton and others in the EASD Executive, we are using DV306 to make comment on a number of planning policies which predate DV 306 which are identified separately.

GENERAL COMMENTS

Firstly we are concerned that despite suggestions to the contrary, DV306 is not a policy neutral document with a number of significant changes to the Territory Plan proposed. Some of these we believe are improvements in terms of planning policy and clarity about the Territory Plan. However we also believe there are some negatives associated with DV306 which we will make comment on. Generally speaking we believe that DV 306 is a backward step in terms of single residential development where on the whole it is an improvement for multi-unit development noting the following:

- DV306 seems to be discouraging urban infill and densification of core areas in favour of Greenfield sites – we do not believe this is a sustainable or responsible outcome for Canberra
- We believe that in trying to be more prescriptive on a range of issues, DV 306 is unnecessarily complicating the territory plan and indeed making it a much longer document. This is exacerbated when all zones are contained in the one document making it unwieldy. If after industry feedback ESDA are still of a mind to adopt the new, more detailed and prescriptive approach to the Territory Plan as implied with DV306 we believe it may be worth considering a separate document for each zone.
- DV306 seems to allow for more innovation and associated with this more Criteria, however these opportunities are often limited by other planning clauses for which there are only Rules. We are happy to provide examples of such circumstances if required but believe that there needs to be more consistency around encouraging innovative and responsive design and to accommodate inevitable unforeseen situations such as site constraints and indeed opportunities. It would be our preference that most Rules have corresponding Criteria.

- We are very concerned that new envelope controls associated with residential subdivisions will result in repetitive design solutions, particularly when it comes to smaller block sizes. DV306 increases the level of planning control and in doing so restricts diversity. Of particular note the new building envelope requirements are forcing houses on smaller blocks to two storey solutions that are further restricted to a small strip / zone in the centre of the block (the *wedding cake* solution) which is increasingly evident in new suburbs. At the same time it may make it more difficult for residents to adapt their homes to meet the changing/ growing needs of the family which we also see as a negative outcome given it will be harder to extend residences with tighter controls.
- We are very concerned that further restrictions associated with southern overshadowing will force houses to the northern side of their block. We contend that this is the opposite of what we should be designing. Maximising open space on the northern side should be a priority, even if it is overshadowed at certain times of the day. It is our experience that north facing windows and associated internal living areas and bedroom will still benefit from direct sunshine. We do not believe that increasing southern setbacks will achieve EASD's desired outcome and we are concerned that DV 306 has focused too much on protecting neighbouring amenity rather than the rights of the owner of the block such that balance has been lost.
- Significantly, there also needs to be acknowledgement of existing development rights - new rules will be very onerous on older subdivisions / suburbs that were masterplanned at the time with less onerous planning rules noting that these suburbs tend to include a greater number of poorly oriented blocks when more restrictive solar envelopes are applied.
- If new solar envelopes are adopted, we believe that future subdivisions may need to have new block configurations which will need to be wider to accommodate typical dwelling designs - particularly on southern sloping sites. This may decrease yield and in return raise development costs per block and in the end the price of land.
- We understand that under DV 306 it is now a requirement to get entity endorsement prior to lodging a DA. This makes no sense at all to 5AAP. Agencies are involved in pre-application meetings and most developers meet with relevant agencies as part of developing a DA concept and as such we believe it is counterproductive to demand agency approval prior to DA lodgement as it denies an integrated DA Assessment process where all elements are looked at concurrently. We believe that this approach was/is more efficient noting that there are no statutory time frames for assessment of DA information by agencies unless it is linked to the EASD approvals process.

ESTATE DEVELOPMENT CODE

Part B – Estate Planning In Residential Zones and CZ5

- The requirements for integrated housing development needs clarification as the Criteria can be excessive for normal subdivision given the inclusion of Appendix A-Block compliance tables
- R58 minimum size of parks can be seen as limiting not allowing for pocket-parks as part of an overall solution noting that there is no Criteria to allow for such alternatives

Part C Estate Planning In Industrial Zones

- R64 requires a minimum block size of 5,000m² - we believe there should be associated Criteria to allow smaller block sizes if required / appropriate

Part D- Endorsement by Government Agencies

- Where in the past there was some flexibility with *Community Title* schemes with road, facilities and services however it now appears that all such facilities are to be designed to comply with TAMS or other relevant agencies. Our preference would be to retain the previous flexibility
- R112 – The tree retention requirement seems onerous as a mandatory rule where effectively gives the Conservator ultimate decision making power for the removal of significant trees – we would prefer that EASD have ultimate power on the basis of *all design options explored*.

Appendix A – Block Compliance Tables

- Generally speaking we are supportive of these other than concerns related to restriction on the orientation of compact blocks and mid-sized block with a north-south axis

SINGLE RESIDENTIAL

- Second residences should be encouraged where it supports an immediate family and their aging parent(s) or other family members with a particular need for support. As such plot ratio should be the main approach to development control. Requiring a lease variation and the associated charge that goes with this will also discourage this type of accommodation.
- The solar setback restrictions on southern sides of the block will push houses to the north creating wasted open space on the southern side. It would be a better planning solution to have open space to the north even with a little overshadowing noting the previous rule requiring access to three hours of winter sunlight was adequate.
- Attics should be allowed in all single residential development, even when in addition to two storeys. This is a way of increasing density without increasing bulk or scale. This could have a condition that it does not result in a three storey façade. Attics should be increased to 45 deg from 36 deg as it is approximately the angle of the shoulder to the head so that you can stand against the side of the attic. In our collective experience this angle makes this a more viable option on smaller blocks.
- The solar envelope diagrams at Fig. 1 and Fig 2 seem to be inconsistent with the new requirements for the solar setback. They still show 2m and 30 deg to the south. The * refers to nothing.
- R33 - It is and has been standard practice to have the opportunity to park a car in front of a garage in the *front zone*. This is the reason for the 5.5 – 6.0m setback. We do not understand why DV306 seems to be disallowing this. Cars should be encouraged off the street and into driveways to limit congestion of increasingly narrow streets.
- R34 should be deleted. Ramps, by necessity, often start in the front zone in order to not push a residence backwards taking up precious open space and increasing bulk and scale in the rear zone. It has been standard practice in Canberra to start ramping down to Garages under the house from the property line noting that basement garages have less impact on the streetscape and should be allowed where necessary. We can provide numerous examples of how this can work if required.
- Basement parking should be allowed in addition to two storeys as it has no effect on streetscape or building bulk. This could have a condition that it does not result in a three storey façade. We can provide numerous examples of how this can work if required
- We note that a secondary residence can only be associated with an existing single dwelling. This is too prescriptive as someone may be looking to knock down an existing residence and build a new one including a secondary residence.

MULTI-UNIT HOUSING DEVELOPMENT CODE

- Although Criteria have been added to a number of rules to allow more flexibility, fundamental rules such as plot ratio remain and in many ways nullify opportunities based on design merit and or site opportunities and constraints. If there is a will to allow additional height in RZ2 – RZ7 zones plot ratios need to be revisited or a criteria added. We also confirm that other related codes such as the Inner North Precinct Code are out of step with the Multi-Unit Housing Development Code with more onerous provisions that seem, at least in some cases, too be non-sensical. We can provide numerous examples of how this can work if required.
- The replacement policy necessitating that 3 bed units be included in all multi-unit development is a bad policy. The apartment market generally does not accept an oversupply of 3 bed units as there is not often high demand, end up being hard to sell and may even devalue a development. We believe that it should be mandatory to provide a mixture of 1 and 2 bedroom units and suggest that incentives could be offered to increase the number of 3 bedroom + apartment units including:
 - Higher Plot Ratio

➤ Lease variation / CUC discount

- Residential setbacks on commercial sites seem too onerous with DV 306. The nature of such sites will often allow for development to go much closer to the site boundary without adversely impacting on amenity or overshadowing of adjoining development. Indeed working to normal residential setback requirements on commercial sites may reduce development rights to the point that redevelopment is no longer viable. We can provide numerous examples of how this can work if required.
- There are a number of new rules in RZ2 zones including a maximum number of units of 4 per building and limiting car parking configurations. This is unreasonably prescriptive and does not make account for a range of different site configurations and orientations which may lend themselves a greater number of integrated units. We can provide many examples of high quality successful developments in RZ2 zones which would not meet the proposed new provisions and suggest that these rules be deleted.
- R63 should be deleted. Ramps must be started in the front zone in order to not waste precious open space in the rear zone. It has been standard practice in Canberra to start ramping down to garages under the house from the property line. Basement garages have less impact on the streetscape and should be encouraged.
- New building envelope diagrams will be problematic for small RZ2, RZ3, etc. sites resulting in a strange built form, inefficient building design and significantly reducing redevelopment viability in areas that have been specifically zoned for urban infill and higher density. We have provided examples as attached.
- In existing areas it would appear that a secondary residence can only be associated with an existing single dwelling which negates the opportunity to knock down an existing house and undertake a new development
- Table A8 related to the number of dwellings designed to meet AS4299 needs the Total Number of Dwellings column corrected in the bottom 4 rows

OTHER COMMENTS

5AAP has been catching up with ESDA for some years now and have been suggesting the following changes to the Territory plan which might be considered as part of DV 306

- Basement storage and associated circulation space should not be included in GFA
Calculations given a basement has minimal if any impact on bulk or scale of a development.
- The Territory plan often talks about Desired Character of a suburb however we contend that the word Future should be included to read Future Desired Character
- The rule that a basement more than 1m out of the ground is counted as a storey is non-sensical for sites where:
 - There is a limit in the number of storeys associated with the site zoning
 - The development site is larger such that basements end up being larger and over longer distances, even with quite flat sites, end up encroaching the 1m rule. We can provide numerous examples of how this rule, when applied on larger sites, makes no sense at all
- Basements, as discussed above, should be allowed in residential zones without being counted as a storey noting that on some steep sloping sites it is impossible to extend an existing house with encroaching the current rules
- Attics, as discussed above, should be allowed in residential zones without being counted as a storey
- Other codes such as the Inner North Precinct Code should be reviewed to align more closely with the multi-unit housing development code

Thankyou for the opportunity to provide comment on DV306. We again confirm our commitment to working with ESDA to achieve positive planning outcomes.

5AAP

AMC Design + Management - Alastair MacCallum / Dean McPherson

David Clarke Architects - David Clarke

DNA Architects - Glen Dowse / Ross Norwood

Oztal Architects - Dominic Maiuto

TT Architecture - Tony Trobe

APPENDIX - EXAMPLES OF DV306 SOLAR ENVELOPE APPLIED AGAINST EXISTING APPROVED DEVELOPMENT

Appendix 1 - AMC Design + Management

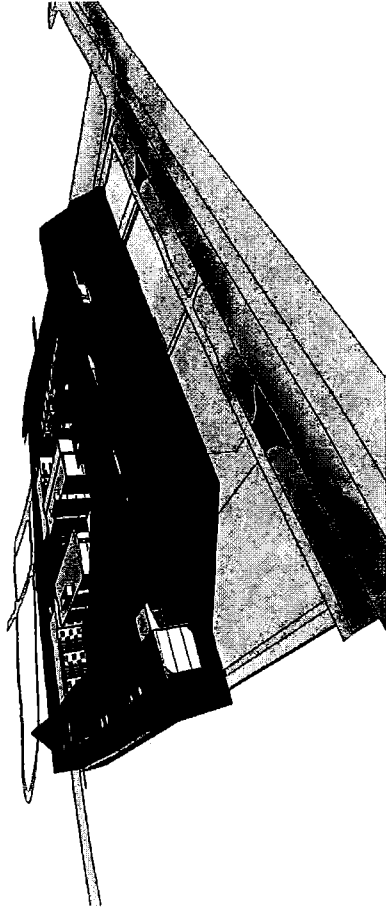
Example 1 - Eclipse Mixed Use Development – 5.91 Bruce

Example 2 - Social Housing Development – Block 1 Section 13 Braddon

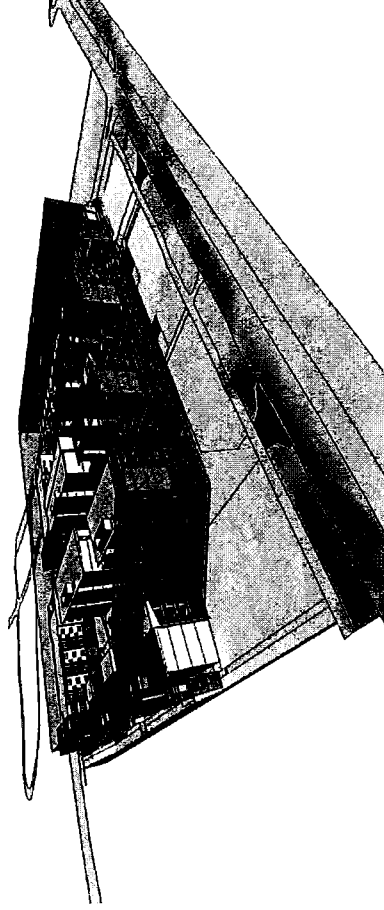
Example 3 - Single Dwelling – Narrabundah

CZ5 - MULTI UNIT DEVELOPMENT

BLOCK 5 SECTION 91, BRUCE



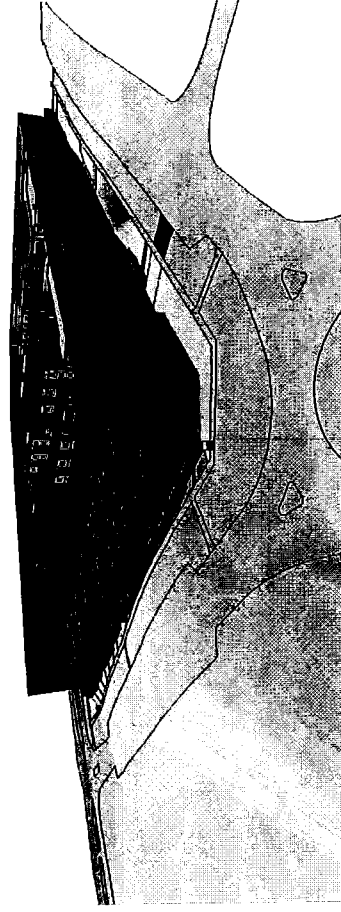
PROPOSED ENVELOPE - VIEW 1



PROPOSED SETBACKS - VIEW 1



PROPOSED ENVELOPE - VIEW 2

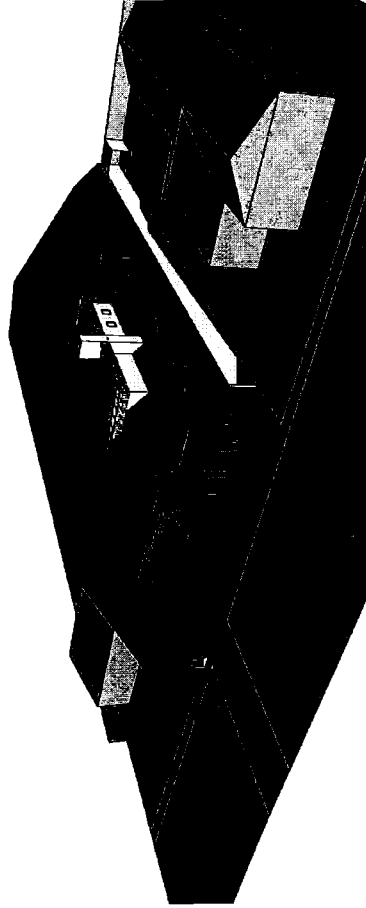


PROPOSED SETBACKS - VIEW 2

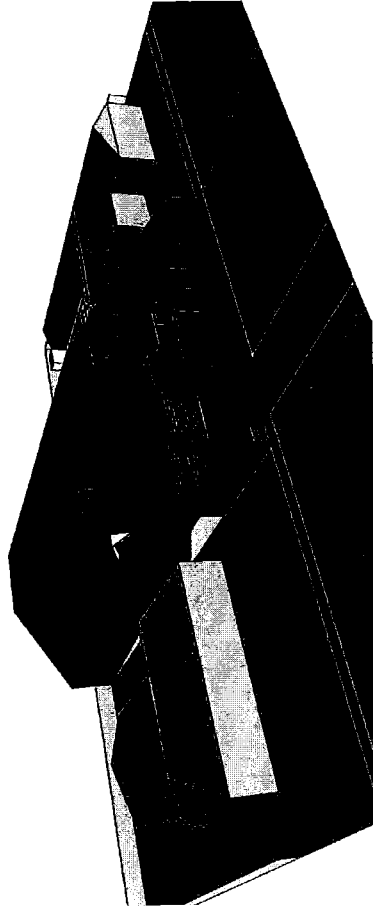
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RZ1 - SIGNLE DWELLING

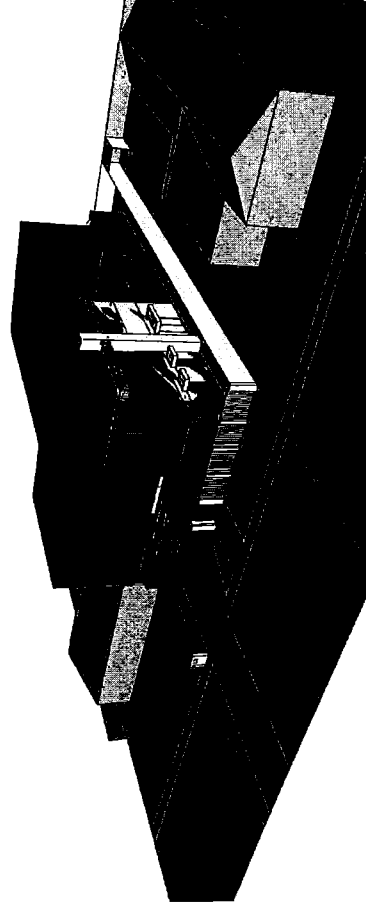
BLOCK 18 SECTION 56, NARRABUNDAH



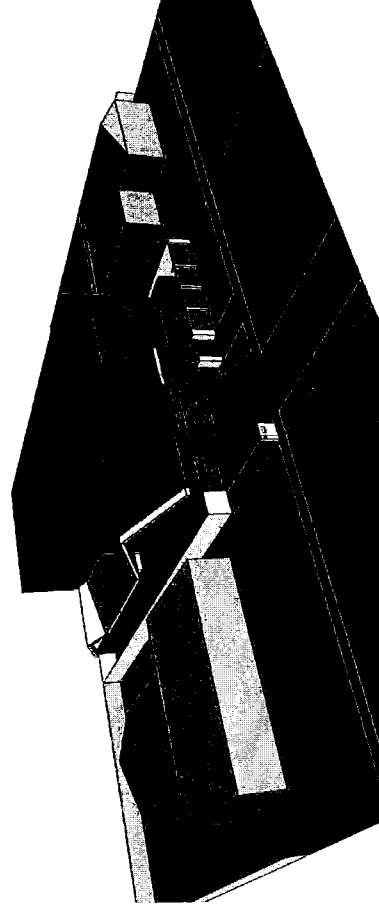
PROPOSED ENVELOPE - VIEW 1



PROPOSED ENVELOPE - VIEW 2



PROPOSED SETBACKS - VIEW 1



PROPOSED SETBACKS - VIEW 2

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Appendix 2 - DNA

Example 4 – Building Envelope Comparison 1 – Multi-unit (Existing vs Proposed)

Example 5 – Building Envelope Comparison 2 – Multi-unit (East & West)

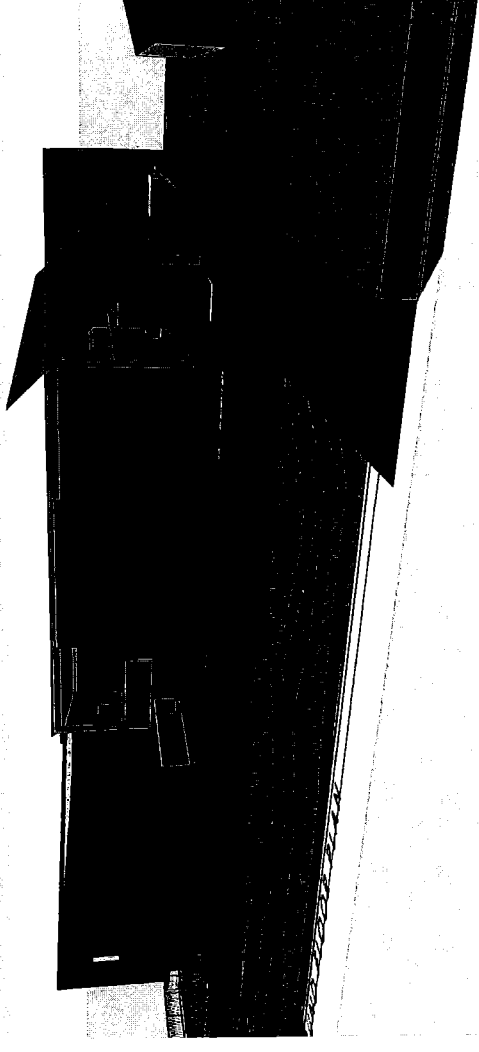
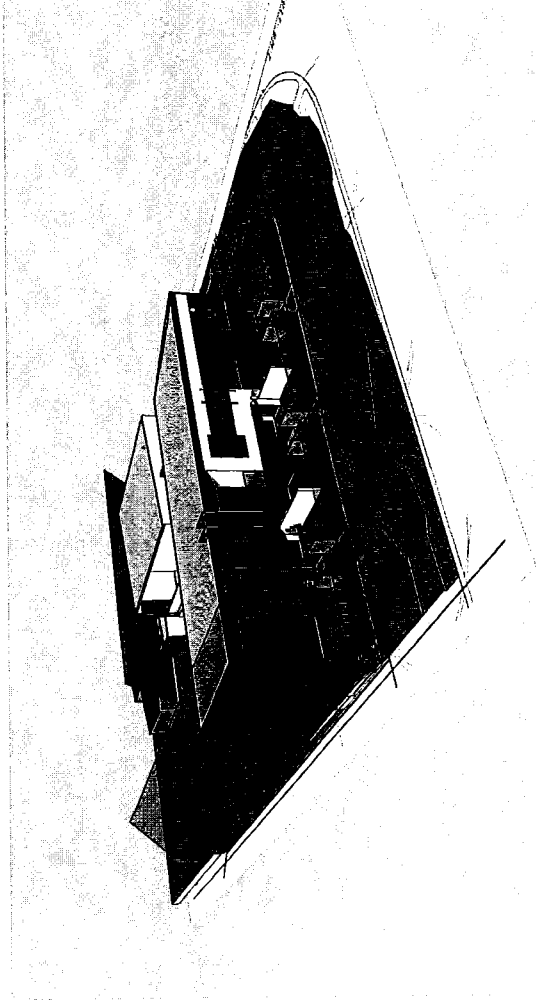
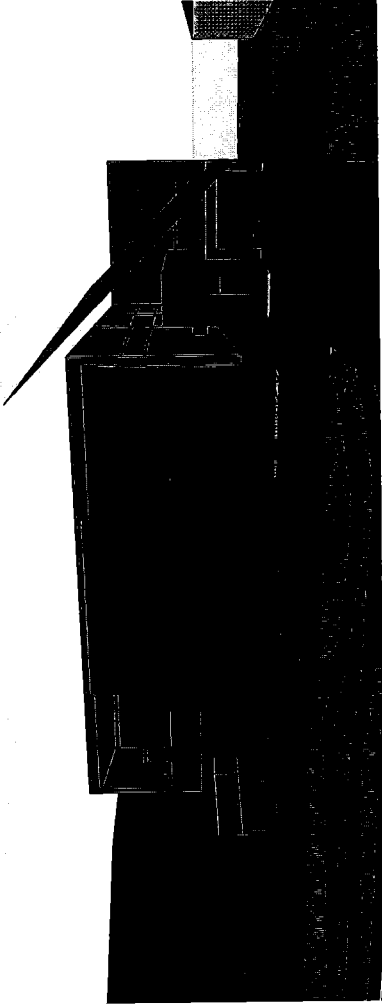
Example 6 – Building Envelope Comparison 3 – Single detached residences

Example 7 – Building Envelope Comparison 4 – Single detached residences



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CURRENT BUILDING ENVELOPE

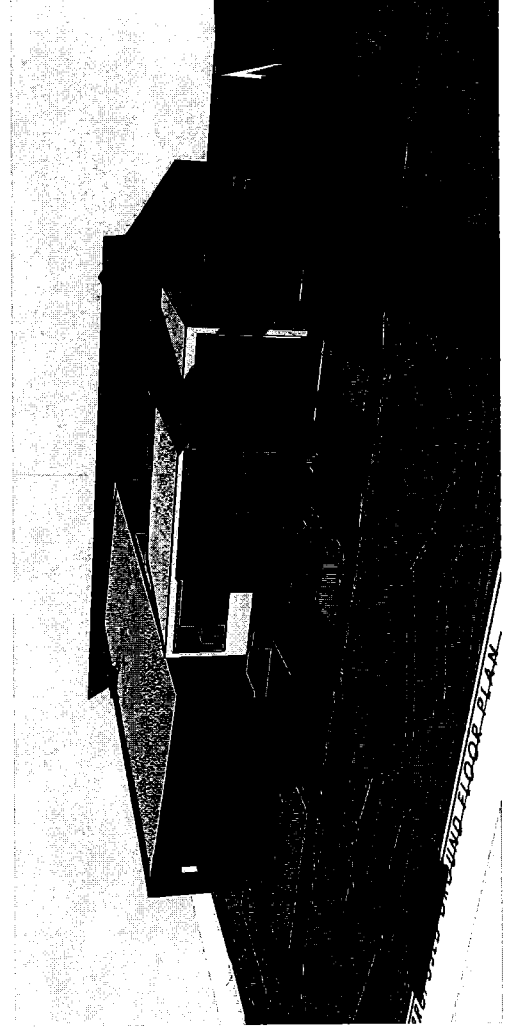
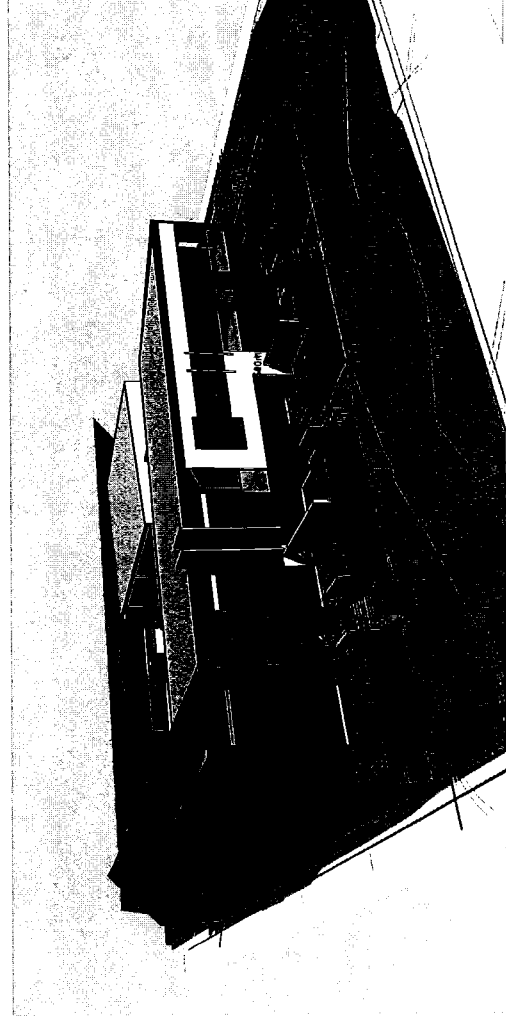
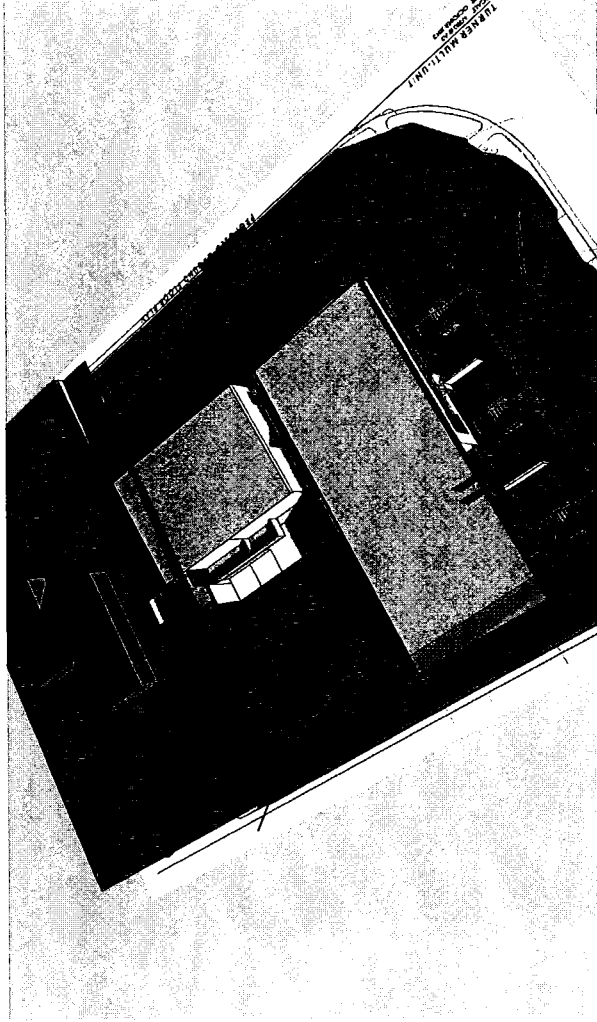
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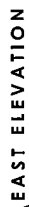


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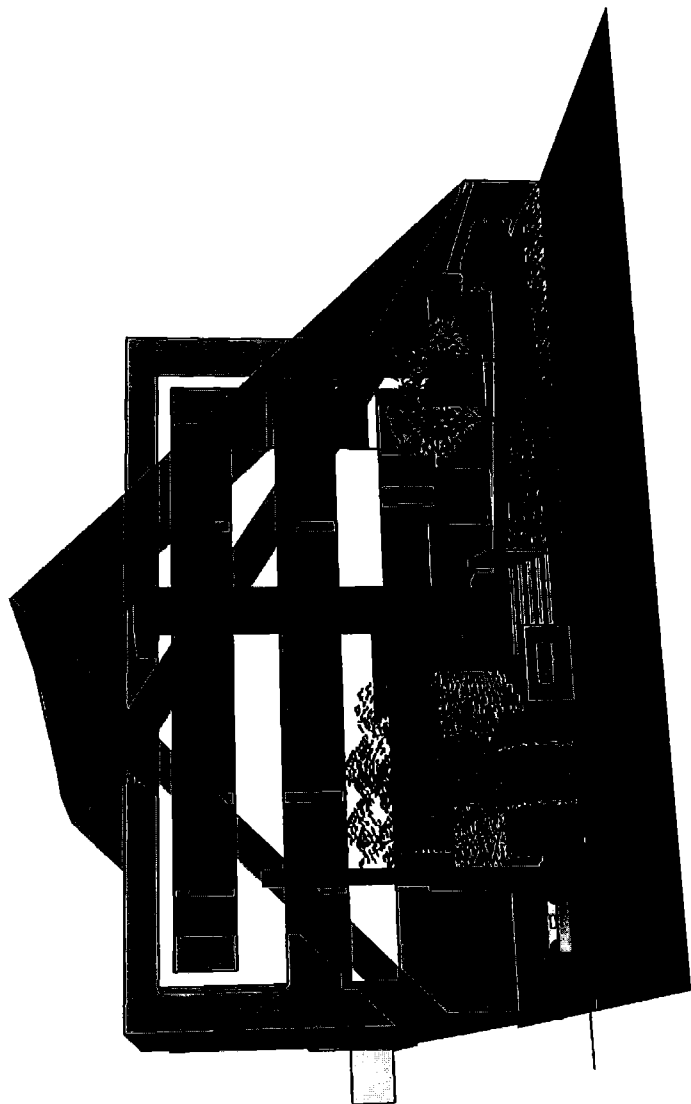
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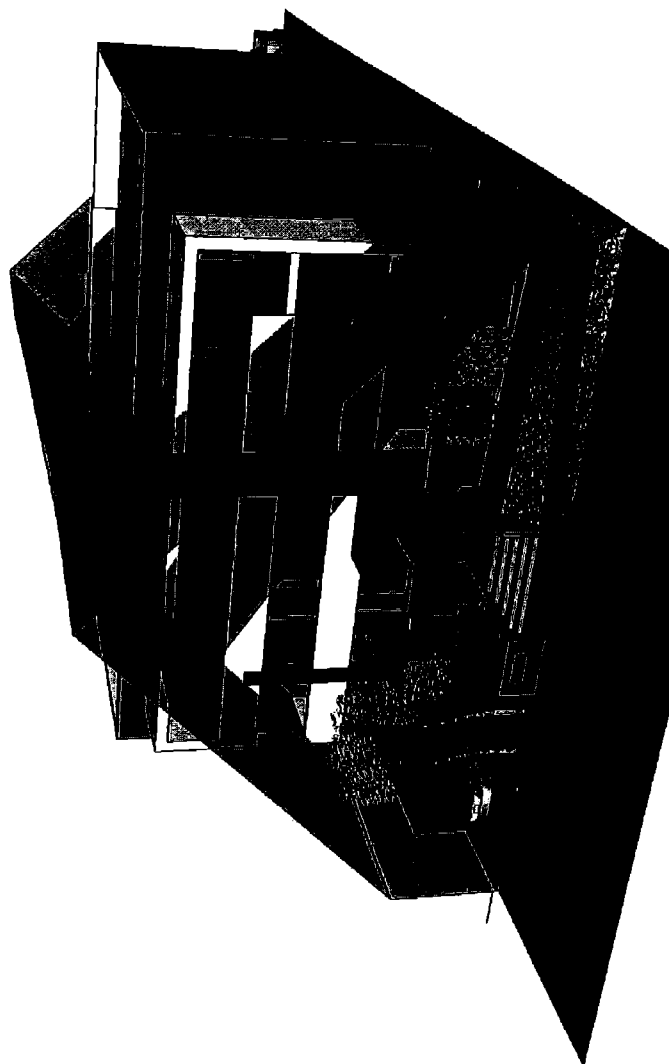
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Elena Pissinatti de Jesus e da Silva é professora do Departamento de Psicologia da Universidade Federal do Rio de Janeiro.



WEST ELEVATION



WEST ELEVATION

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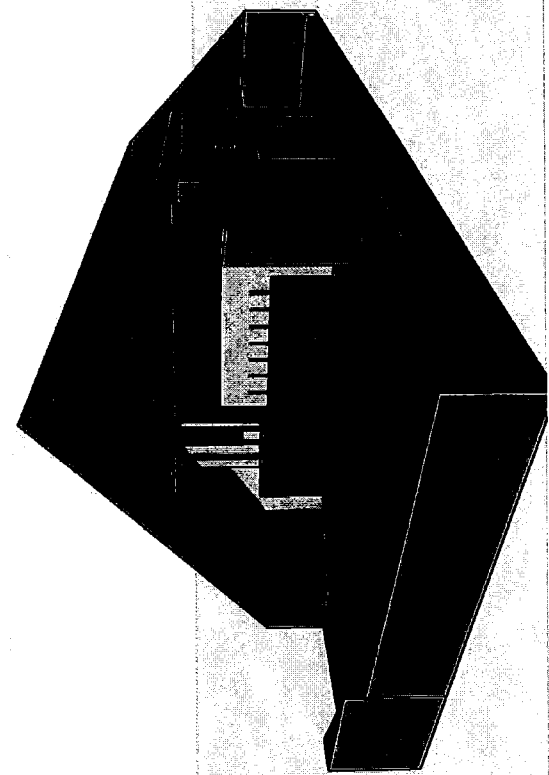
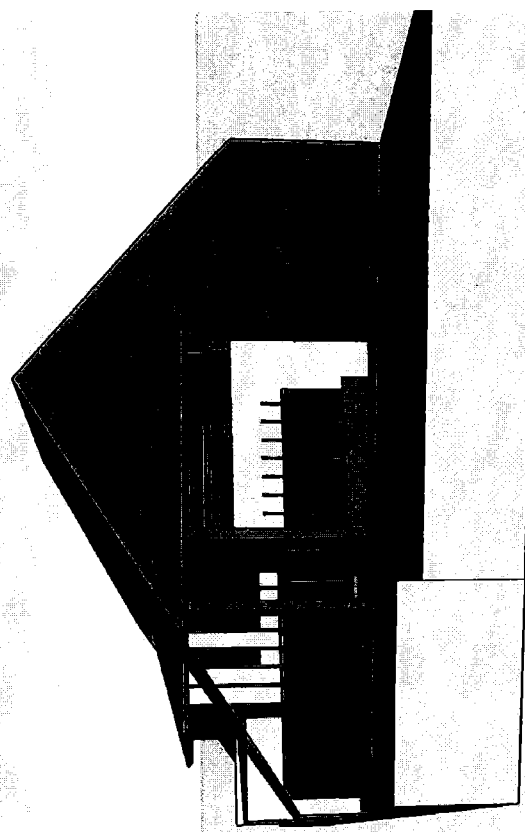
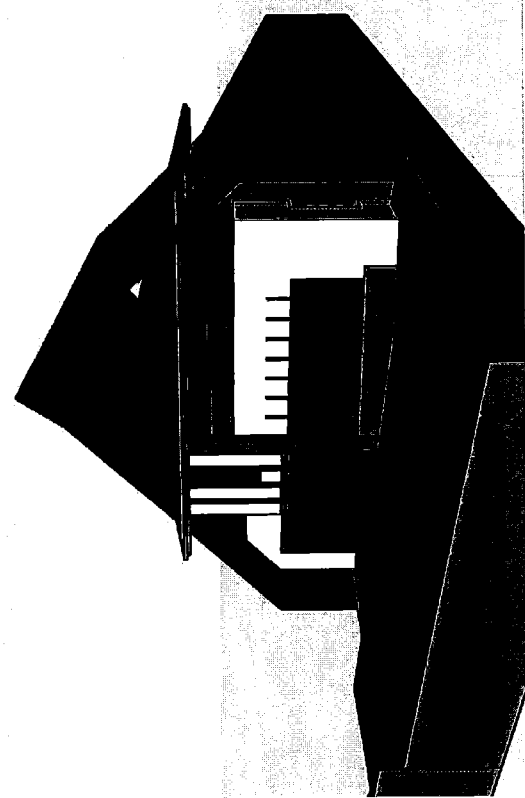
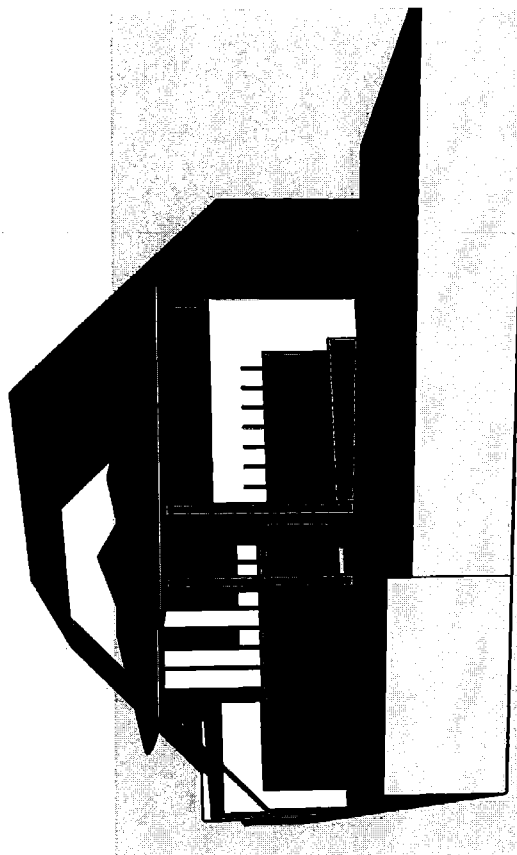
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								DRAWING NO. ELEVATIONS 1	DATE 29.07.2011

COMPARISON

BUILDING ENVELOPE

BUILDING ENVELOPE	
ARCHITECT Dove Norwood Architects Pty Ltd	
	
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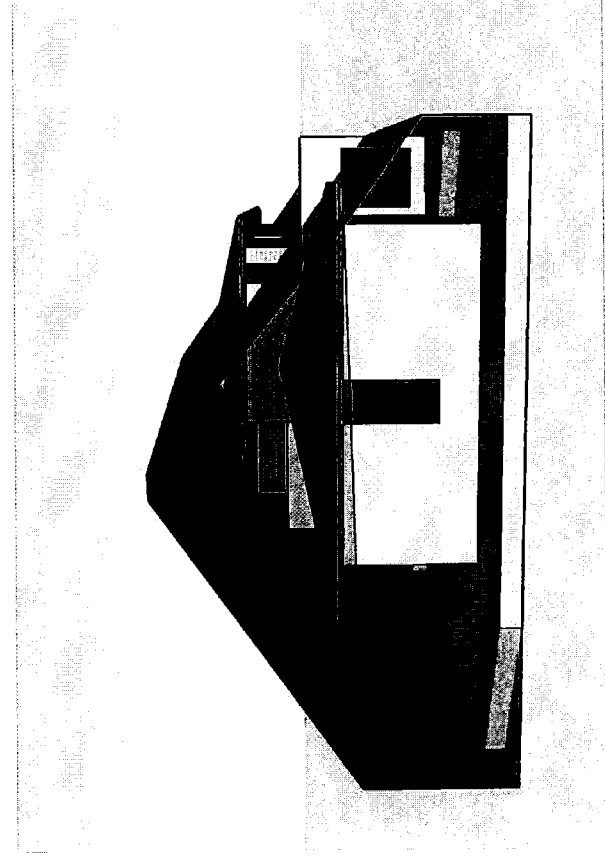
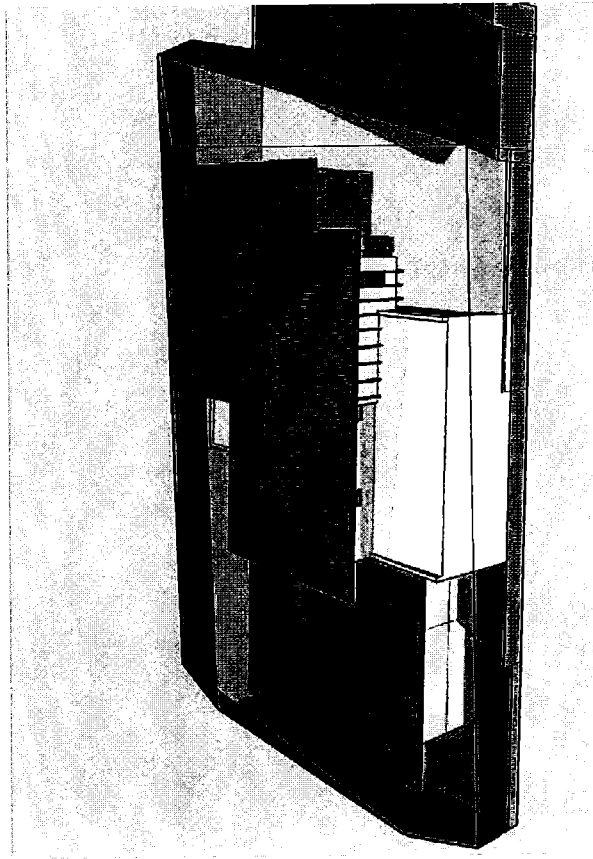
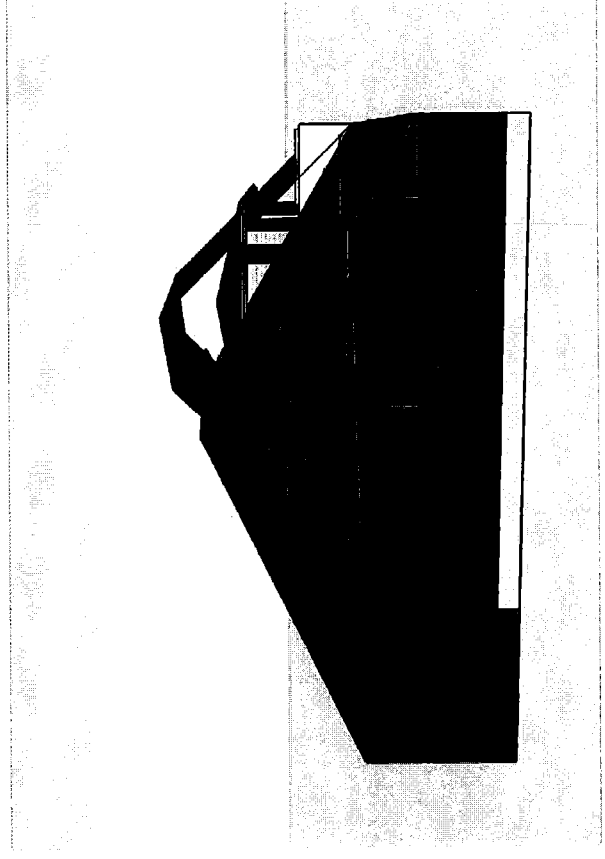
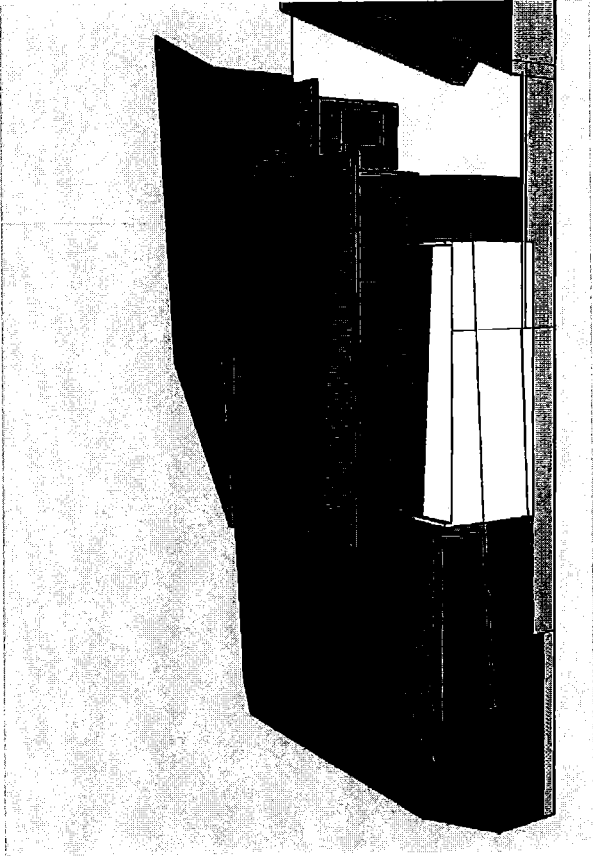
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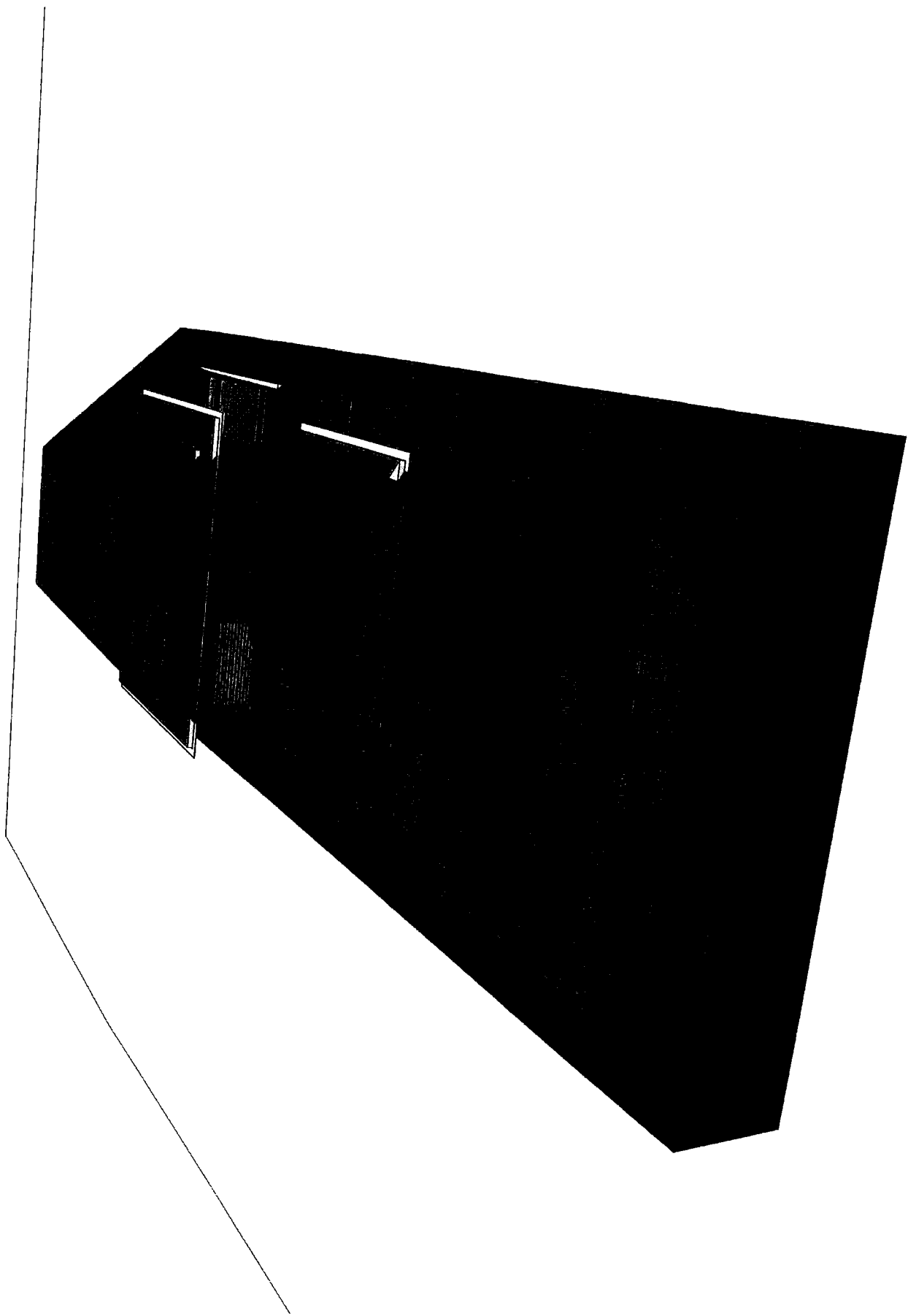
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Appendix 3 - TT Architecture

Example 8 - Building Envelope Comparisons – Single detached residences



BUILDING ENVELOPE COMPARISONS

ACTP/A

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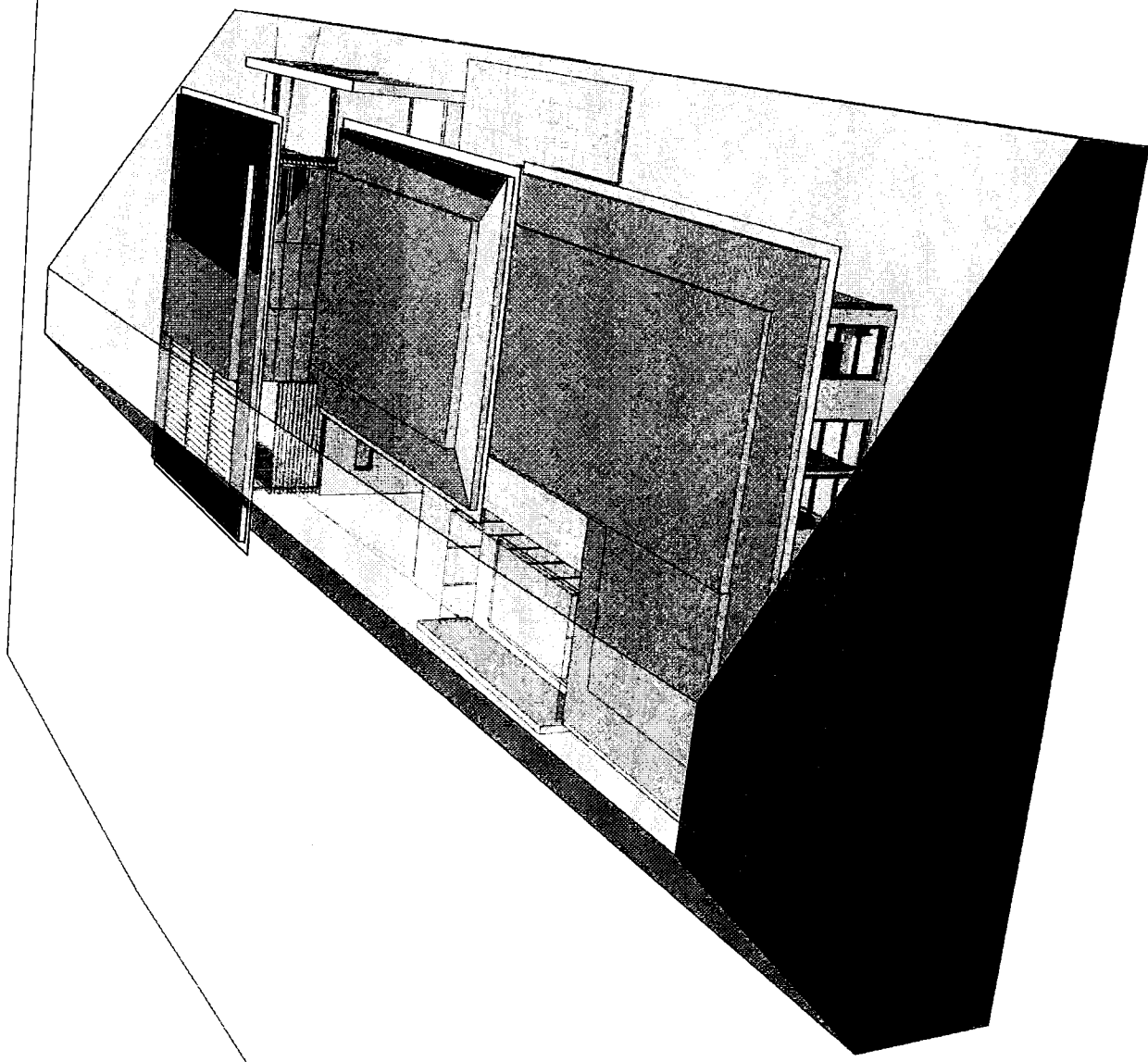
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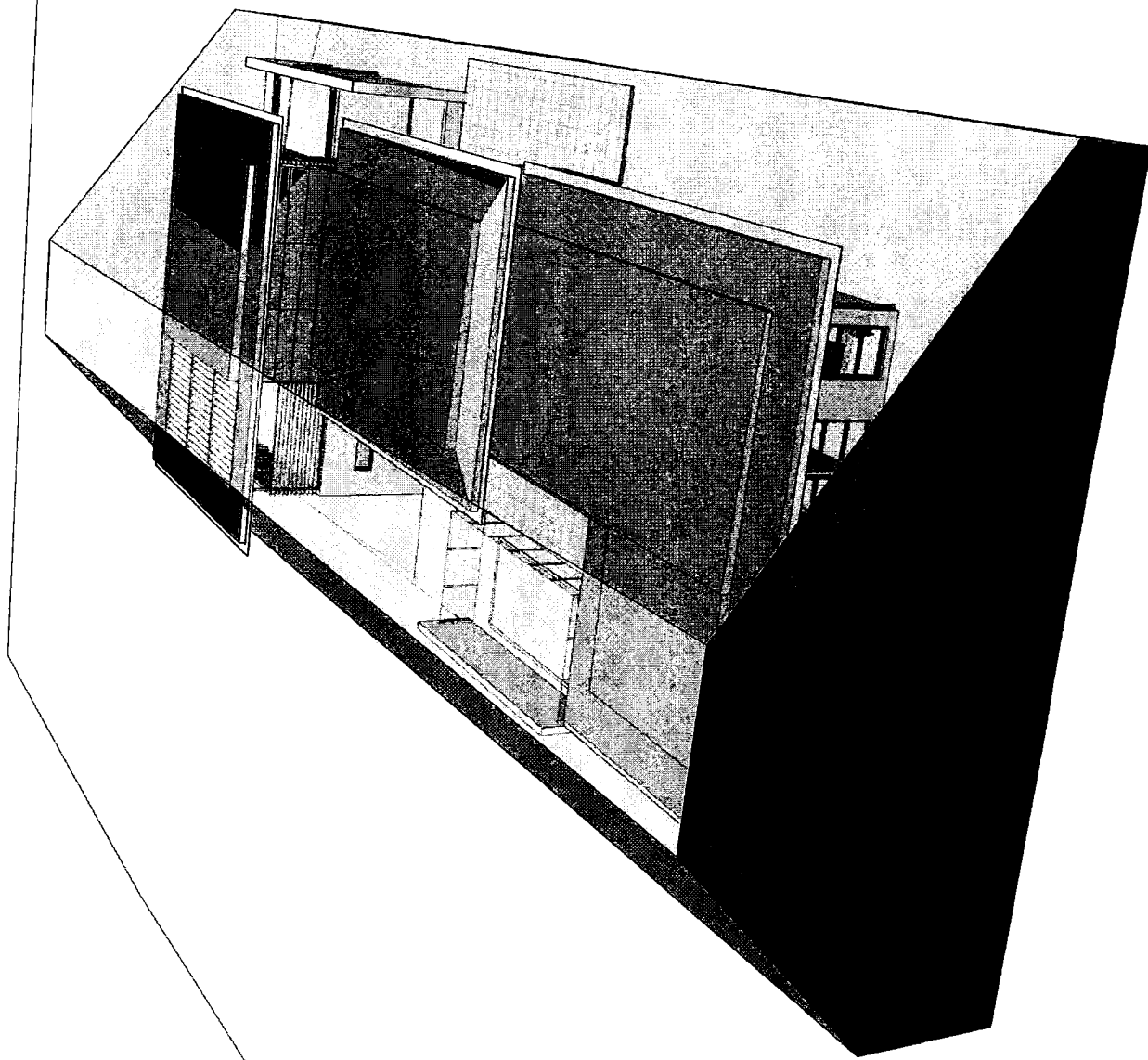
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EXISTING ENVELOPE

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TT ARCHITECTURE





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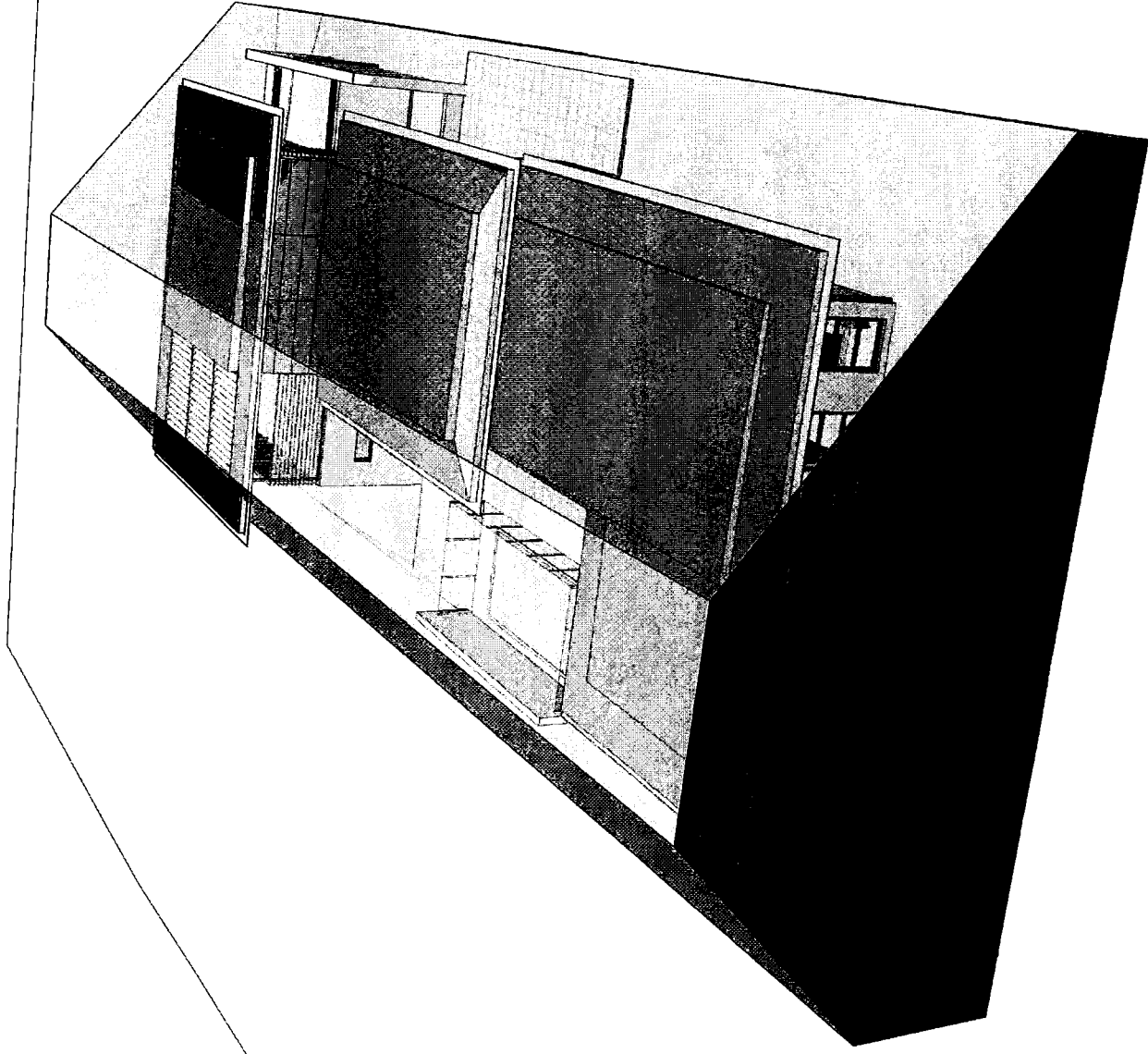
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DA17

ENVELOPE 35°

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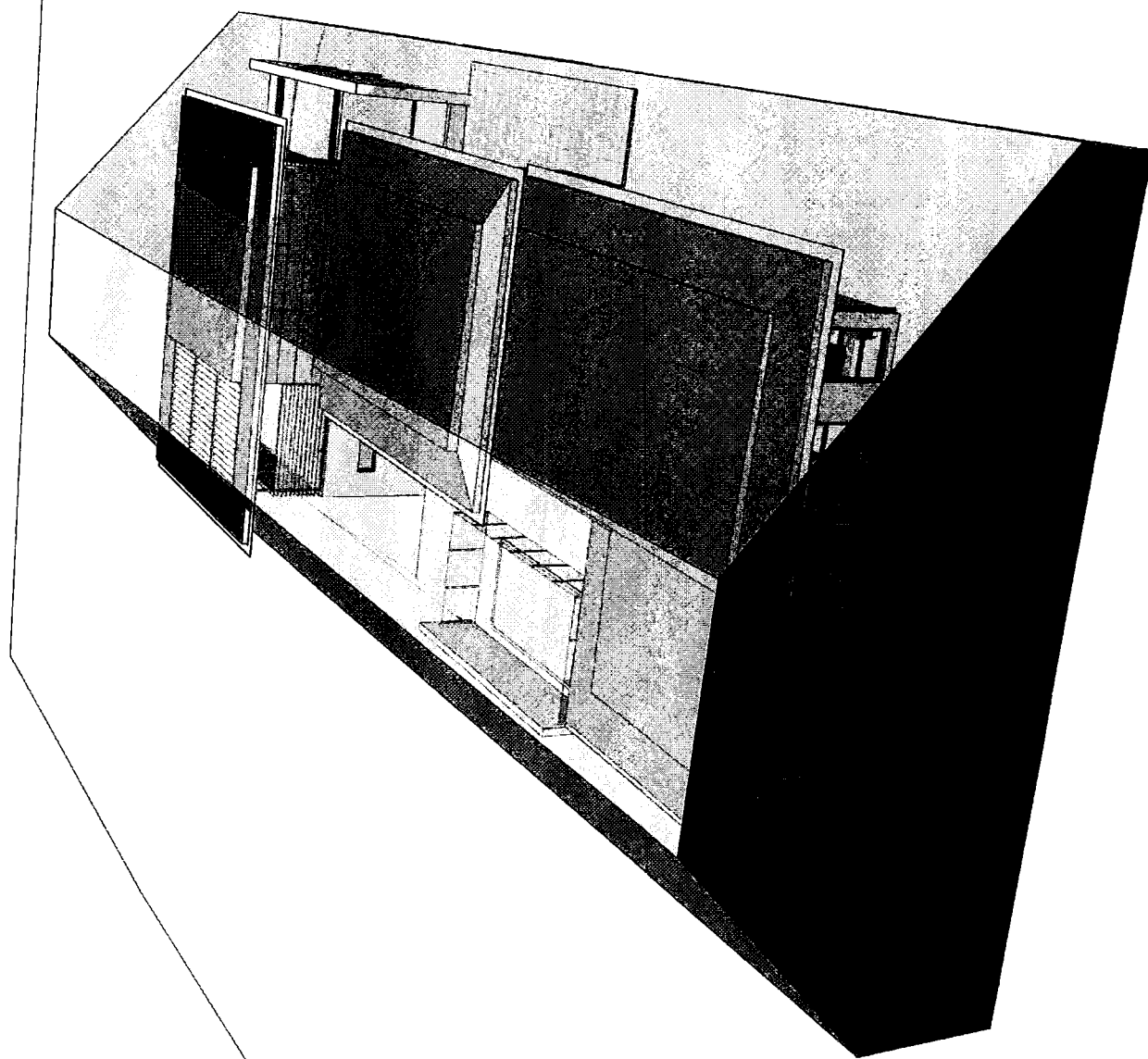
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DA1S

ENVELOPE 37°

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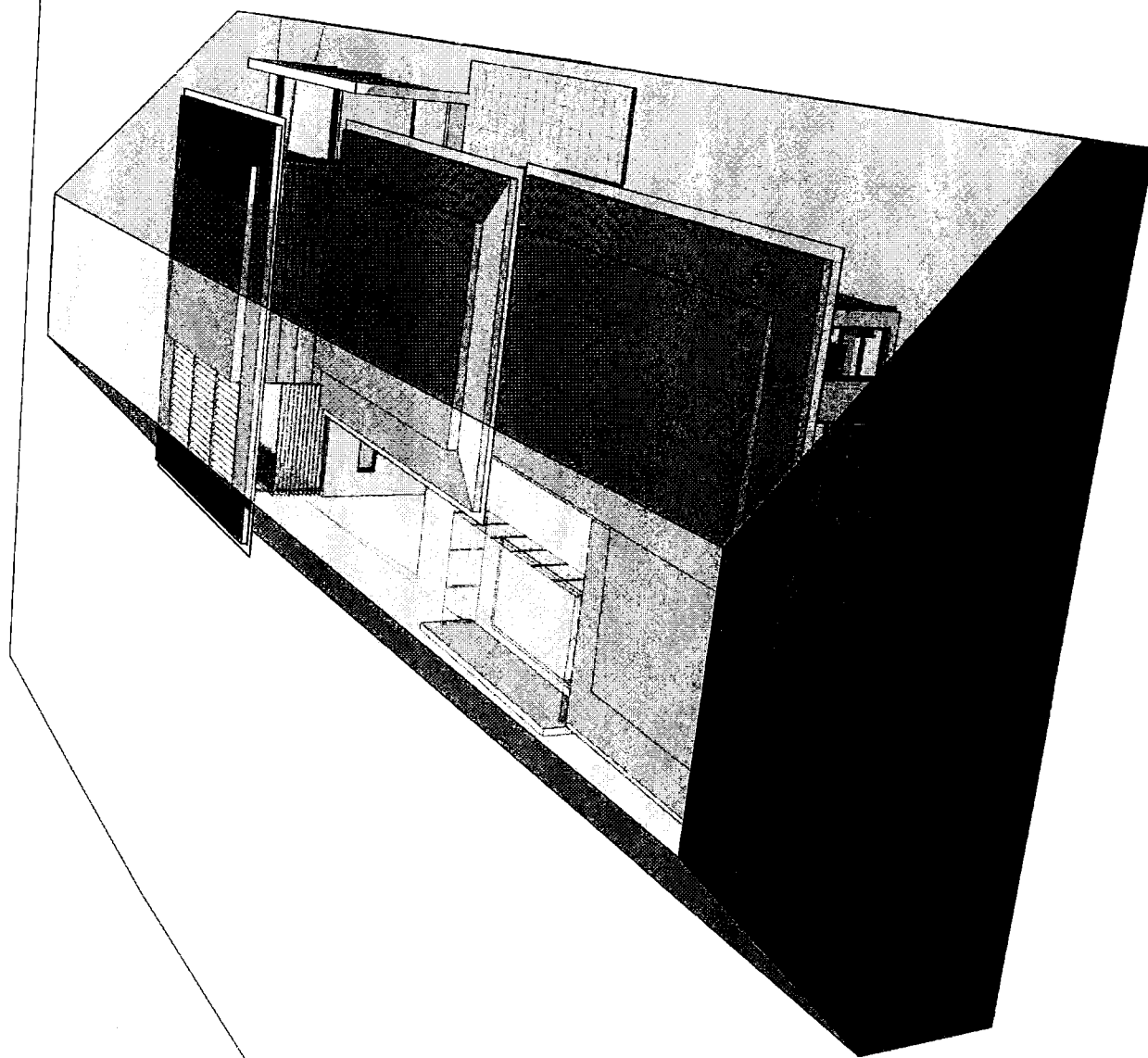
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DA19

ENVELOPE 39°

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DA20

ENVELOPE 41°

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