

2022

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**Variation to the Territory Plan 368 –
City and Gateway South Northbourne Avenue Corridor**

**Presented by Mick Gentleman MLA
Minister for Planning and Land Management
May 2022**

Australian Capital Territory

Planning and Development (Plan Variation 368) Approval 2022

Notifiable instrument NI2022-

made under the

Planning and Development Act 2007, s 76 (Minister's powers in relation to draft plan variations)

1 Name of instrument

This instrument is the *Planning and Development (Plan Variation 368) Approval 2022*.

2 Approval of draft plan variation

- (1) I approve under section 76 (2) (a) of the *Planning and Development Act 2007* the plan variation 368 to the Territory Plan.
- (2) In this section:

plan variation 368 to the Territory Plan means the plan variation in the schedule.



Mick Gentleman MLA
Minister for Planning and Land Management

4/5/2022



ACT
Government

Environment, Planning and
Sustainable Development

Schedule

Planning and Development Act 2007

Variation to the Territory Plan 368

City and Gateway South
Northbourne Avenue Corridor
(Barry Drive/Cooyong Street to
Antill/Mouat Street)

Final variation prepared under s76 of the
Planning and Development Act 2007

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1. EXPLANATORY STATEMENT

1.1 Background

The variation seeks to implement the key planning controls recommended in the City and Gateway Urban Design Framework for the Northbourne Avenue Corridor for the section of the gateway corridor from Barry Drive/Cooyong Street to Antill/Mouat Street.

The Australian Government through the National Capital Authority (NCA) and the ACT Government share planning responsibility in the ACT. The City and Gateway Urban Design Framework (the Framework) was jointly prepared by the NCA and ACT Government to set the principles for development and growth in the city centre and along the gateway corridor of Northbourne Avenue and Federal Highway. The Framework provides a long-term vision and principles for this important location, drawing upon the legacy of historic planning and contemporary design.

1.2 Summary of the proposal

The variation will amend the Territory Plan by:

- Implementing key recommendations of the City and Gateway Urban Design Framework;
- modernising and clarifying existing provisions of the Northbourne Avenue Precinct Code to create the Northbourne Avenue Corridor Precinct Code;
- incorporating changes and updates to the Territory Plan to remain consistent with the recent City and Gateway related amendments to the National Capital Plan;
- retain the existing Inner North Precinct Code with refinements to the consolidation and amalgamation provisions in response to issues raised in the public submissions; and
- updating other associated precinct codes (Braddon, Turner, Dickson and Lyneham) to provide consistency with the changes to the Northbourne Avenue Corridor Precinct Code.

1.3 The National Capital Plan

The Australian Capital Territory (Planning and Land Management) Act 1988 established the National Capital Authority (NCA) with two of its functions being to prepare and administer a National Capital Plan (NCP) and to keep the NCP under constant review and to propose amendments to it when necessary.

The NCP, which was published in the Commonwealth Gazette on 21 January 1990 is required to ensure that Canberra and the Territory are planned and developed in accordance with their national significance. The Planning and Land Management Act 1988 also required that the Territory Plan is not inconsistent with the NCP.

In accordance with section 10 of the Australian Capital Territory (Planning and Land Management) Act 1988, the NCP defines the planning principles and policies for Canberra and the Territory, for giving effect to the object of the NCP and sets out the general policies to be implemented throughout the Territory, including the range and nature of permitted land uses.

It also sets out the detailed conditions of planning, design and development for areas that have special significance to the National Capital known as designated areas and identifies special requirements for the development of some other areas.

1.4 Site Description

The subject area covered by this variation is the Northbourne Avenue Corridor between Barry Drive/Cooyong Street and Antill/Mouat Street as shown in **Figure 1**.

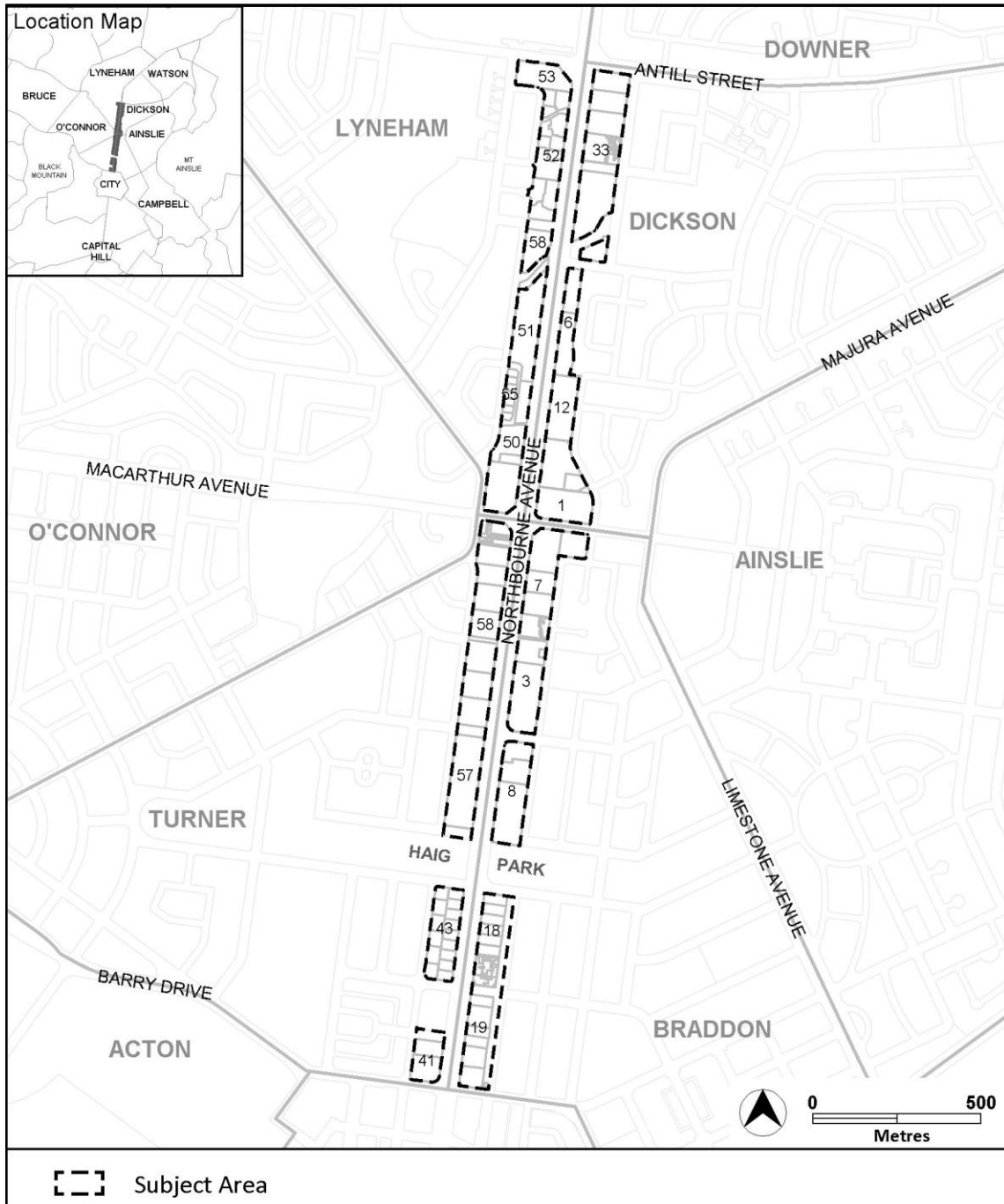


Figure 1: Location map

1.5 Current Territory Plan Provisions

The Territory Plan map for the area subject to this variation is shown in **Figure 2**. The Variation does not seek to change the zoning of land along the Northbourne Avenue Corridor.

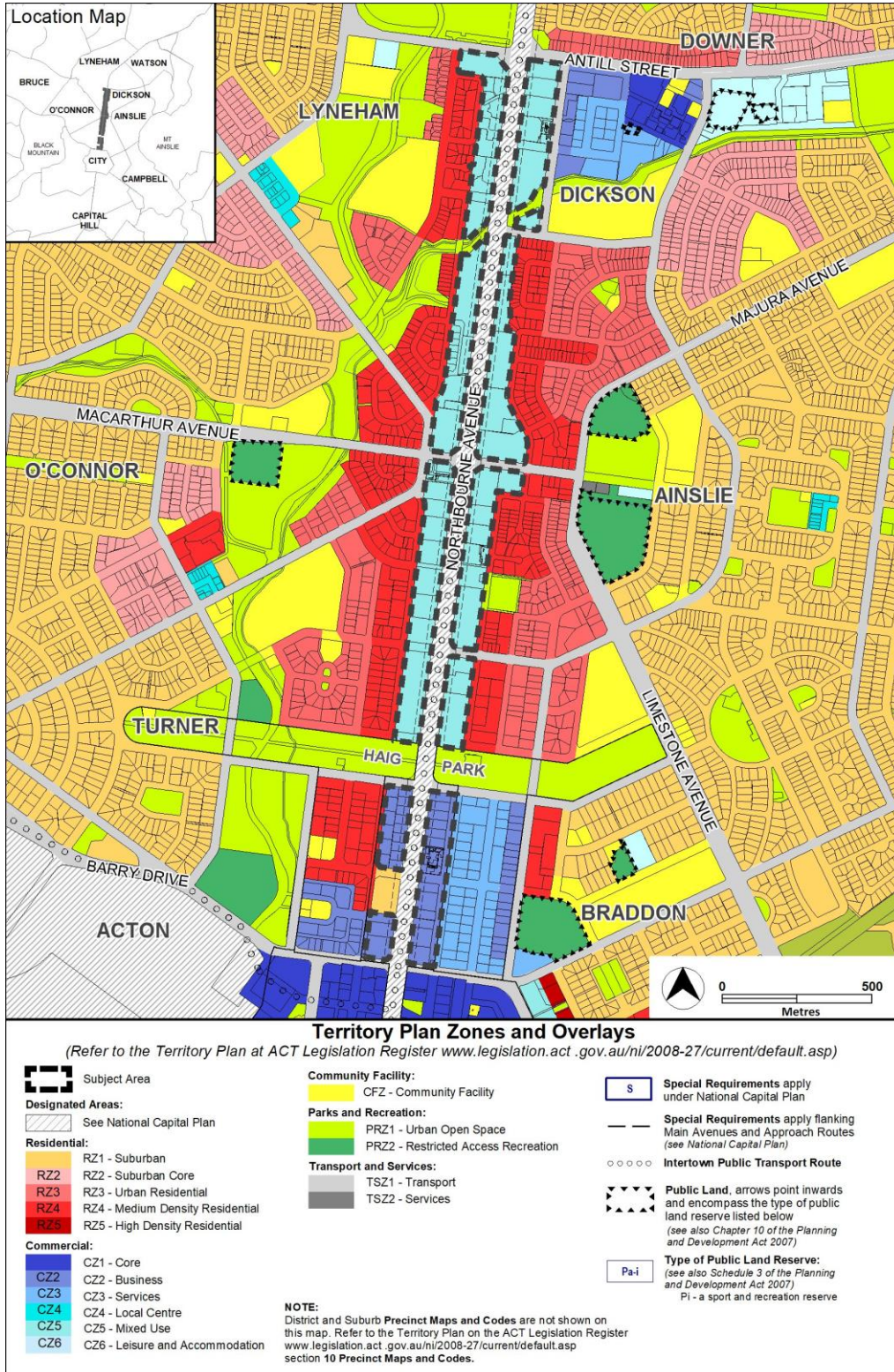


Figure 2 Territory Plan Zones Map

1.6 Changes to the Territory Plan

Detailed changes to the Territory Plan are noted in section 2 of this document.

1.7 Consultation on the Draft Variation

The Draft Variation No 368 (DV368) was released for public comment between 19 December 2019 and 28 February 2020. A consultation notice under section 63 of the Planning and Development Act 2007 (P&D Act) was published on the ACT Legislation Register on 18 December 2019 and on the Community Noticeboard on 18 December 2019.

A total of 19 written submissions were received in relation to DV368. One further submission was considered in 2021, in relation to current development proposals for sites located within the Northbourne Avenue Corridor.

There were 15 submissions from individuals, many of whom represent lessees or consultants with an interest in the area. The remaining five submissions were lodged by North Canberra Community Council, the Downer Community Association, The Property Council and Master Builders Association (jointly), the Planning Institute of Australia and the National Trust. The following comments, in Table 1, were considered and were detailed in a report on consultation.

Changes to DV368 were informed by the issues raised in the public submissions. The outcomes of consultation were considered by the Minister responsible for planning prior to approval of this variation.

Comments	No.
General Comments	
DV368 - RC2 - Inner North provisions	12
Overlap between the National Capital Plan and Territory Plan provisions	7
DV368 – provisions generally	5
DV368 - consultation processes	4
Heritage	3
Public open space	3
Housing affordability	2
Scope and extent of the City and Gateway Urban Design Framework	2
Apartment designs	2
Planning system review and reform	2
Population density	1
Specific Comments	
Car parking –R37 and R50	10
Mix of dwellings - R19 & C19 and R57 & C57	9
Consolidation - R43 & C43, R44 & C44 and Figures 5 & 6	6
Ceiling heights - R15 & C15, and R59 & C59	5
Habitable room dimensions - R16 & C16, and R17 & C17	4
Vehicular Access – C33 and R34 & C34	4
Planting Areas - R48	4
Internal floor areas - R54 & C54	4
Operable windows - R28 and R55	4
Supermarket size - R1 and R2	3
Ground floor uses - R3, R4 and C4	3
Separation distances - R14 & C14	3
Solar access internal to the dwelling - R27, R28 and R56 & C56	3
RC2 – Inner North - Setbacks – front and side - R46 & C46 and R47	3
Utilities - R51 & C51	3
Ventilation - R60	3
Cross ventilation - R61& C61	3
Setbacks - R9 & C9, R10, R11, R12 and R13	2
Private Open Space - R30 and R53	2
Parking structures - R40 & C40	2
Retaining walls - C46	2
Basement - vehicle access - R49	2
Housing Diversity – building separation - R58 & C58	2
Diversity of unit designs - C18	1
Pedestrian Shelters - R21 & C21	1
Awnings - R22 & C22	1
Courtyard walls - C26	1
Solar access to adjoining properties - R29 & C29	1
External facilities - C31	1
Noise - C32	1
Other Comments	
National Capital Design Review Panel	1
Plot ratio	1
Gross floor area	1
Active travel	1
Downer Precinct Map and Code	1
Leases	1
Development applications	1

Table 1: Summary of public submissions

1.8 Revisions to the Draft Variation Recommended to the Minister

A ministerial direction was issued to make amendments to DV368 for clarity and workability of a small number of provisions. These are detailed in the following section 1.9

1.9 Ministerial Direction

Ministerial direction was issued under section 76 (2) (b) (iv) of the *Planning and Development Act 2007*.

The ministerial direction states that DV368 be revised *to amend the Northbourne Avenue Corridor Precinct Code in the following ways:*

- *Amend criterion C6 for clarity consistent with the National Capital Plan requirement that any two storey apartments are located above the finished ground level.*
- *Amend the 'notes' in Rules R14 – R16 to reflect where the National Capital Plan applies.*
- *Amend criterion C27 to better reflect the solar access provisions of the Multi-Unit Housing Development Code.*

The direction further states that *DV368 be revised to update the Lyneham Precinct Map consistent with recently commenced changes to the Territory Plan. These changes are policy neutral.*

The variation has been amended to comply with the directed revisions.

4. VARIATION

4.1 Variation to the Territory Plan

The Territory Plan is varied in all of the following ways:

Inner North Precinct Map and Code
--

Substitute

Mandatory Rule R3 with:

Rules	Criteria
2.1 Consolidation and subdivision	
<p>R3</p> <p>Where <i>multi-unit housing</i> development is proposed, required minimum <i>block consolidations</i> are shown in the Control Plans (Part B).</p> <p>In all other cases, minimum <i>block consolidations</i> are required between two or more <i>blocks</i> where:</p> <ul style="list-style-type: none"> a) existing single <i>dwellings</i> have shared walls b) sites are less than 16m wide at the front <i>building line</i> c) single <i>block development</i> cannot provide minimum <i>private open space</i> dimensions for all <i>dwellings</i> d) TCCS does not support vehicle access for a single <i>block development</i> e) development would otherwise result in an <i>isolated block</i>. <p>For the purposes of this rule, an <i>isolated block</i> is a <i>standard block</i> with <i>multi-unit development</i> existing or proposed to each <i>side boundary</i> and/or <i>rear boundary</i> that cannot be reasonably developed in a manner consistent with the objectives of the <i>zone</i></p> 	<p>C3</p> <p>The minimum <i>block consolidation</i> is not required where the lessee(s) of the <i>block(s)</i> to be developed demonstrate to the satisfaction of the Authority that:</p> <ul style="list-style-type: none"> a) suitable redevelopment of the remaining <i>block(s)</i> can be achieved, through the submission of a concept design b) the concept design required at a) includes a sufficient level of detail to enable assessment of the feasibility and demonstrate integration of a possible future <i>development</i> on the adjoining <i>block(s)</i> with the proposed <i>development</i> c) redevelopment of the <i>block(s)</i> that are to be <i>developed</i> can be achieved while ensuring the amenity of any existing <i>dwelling(s)</i> on the remaining <i>block(s)</i> is/are protected d) the <i>development application</i> includes suitable justification why the nominated <i>blocks</i> could not be <i>consolidated</i>, with written confirmation that all lessees of nominated <i>blocks</i> required to be included in the <i>consolidation</i> have sighted the concept design.

Delete

Rule R4

Substitute

Mandatory Rule 22 with:

Rules	Criteria
5.2 Private open space	
R22 Each dwelling above ground floor level provides a primary balcony that complies with the requirements as set out in Table 1. For ground floor or podium level dwellings, a private open space area is provided with a minimum area of 15m ² and minimum dimension of 3m.	C22 Dwellings provide appropriately sized areas of private open space to enhance residential amenity.

Insert after Rule R22:

Type	<i>dwellings located entirely on an upper floor level</i>	
	minimum area	minimum dimension
<i>studio apartment</i>	4m ²	nil
1 bedroom dwelling	8m ²	2m
2 bedroom dwelling	10m ²	2m
3 or more bedroom dwelling	12m ²	2m

Table 1: Balcony area requirements for dwellings above ground floor level

Northbourne Avenue Precinct Map and Code

Delete

Northbourne Avenue Precinct Map and Code

Northbourne Avenue Corridor Precinct Map and Code

Insert

Northbourne Avenue Corridor Precinct Map and Code at Appendix A

Braddon Precinct Map and Code

Substitute

Braddon Precinct Map with Appendix B

Substitute

Table 1 – Additional prohibited development and

Table 2 – Additional merit track development, with Appendix C

Dickson Precinct Map and Code

Substitute

Dickson Precinct Map with Appendix D

Substitute

Table 2 – Additional merit track development with Appendix E

Lyneham Precinct Map and Code

Substitute

Lyneham Precinct Map with Appendix F

Substitute

Table 2 – Additional merit track development with Appendix G

7. Turner Precinct Map and Code

Substitute

Turner Precinct Map with Appendix H

Substitute

Table 1 – Additional prohibited development and

Table 2 – Additional merit track development with Appendix I

Interpretation service

ENGLISH	If you need interpreting help, telephone:
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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-għajjnuna t'interpretu, ċempel:
PERSIAN	اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
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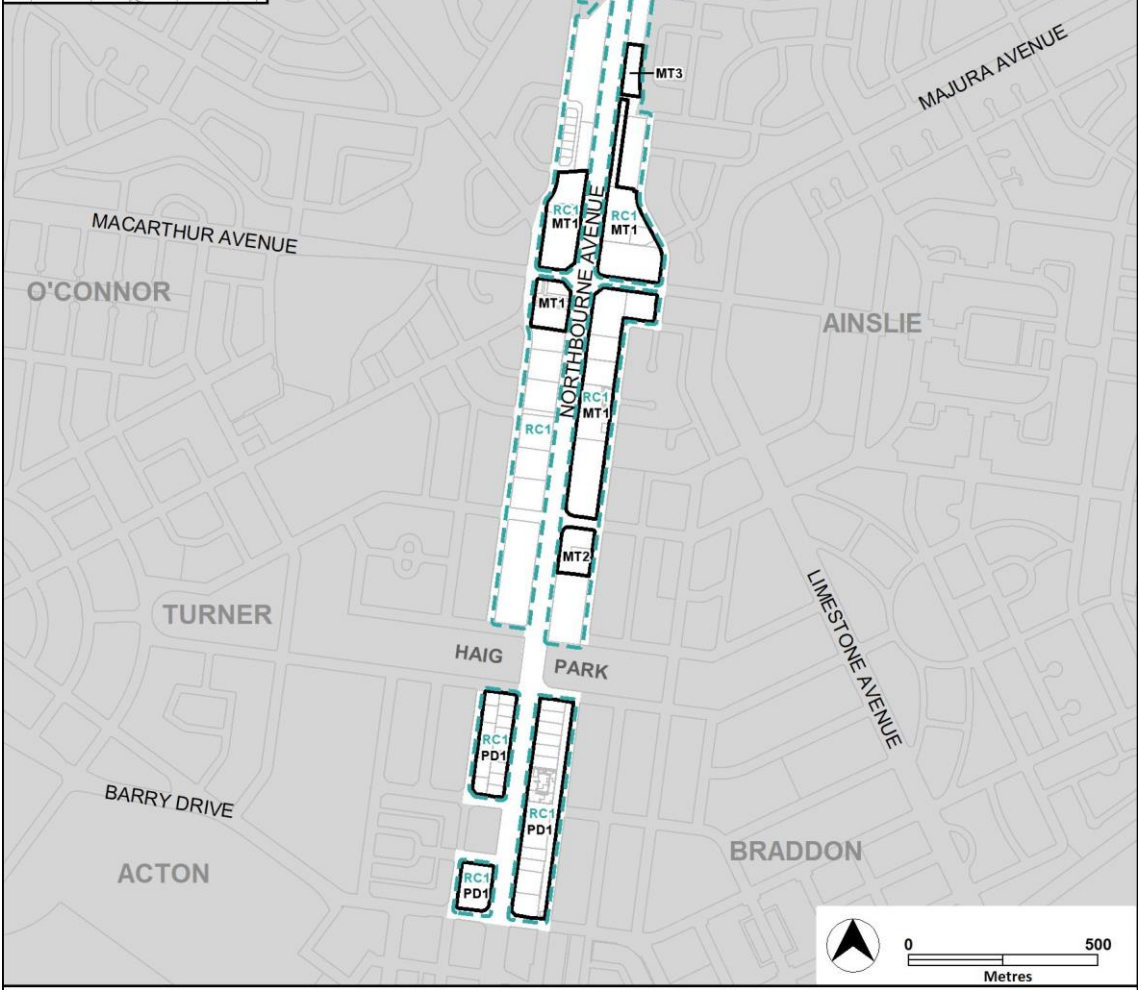
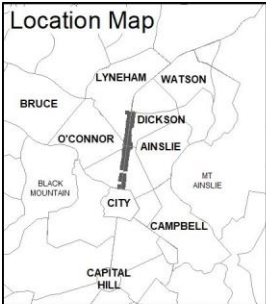


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Appendix A

Northbourne Avenue Corridor Precinct Map and Code



- PDn** Additional prohibited development applies. See Table 1
- MTn** Additional merit track development applies. See Table 2
- RCn** Additional rules and criteria apply see Northbourne Avenue Corridor Precinct Code
- Refer to suburb precinct code

Assessment Tracks

The following tables identify the additional prohibited development and additional merit track development for blocks and parcels shown in the Northbourne Avenue Corridor Precinct Map (identified as PDn or MTn). Development that is exempt from requiring development approval, other prohibited development and the minimum assessment track applicable to each development proposal is set out in the relevant zone development table.

The following tables constitute part of the relevant zone development table.

Table 1 – Additional prohibited development

Additional prohibited development		
Suburb precinct map label	Zone	Development
PD1	CZ2	<i>place of assembly place of worship</i>

Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	CZ5	<i>club scientific research establishment</i>
MT2	CZ5	<i>club</i>
MT3	CZ5	<i>tourist facility (tourist information centre only)</i>

Northbourne Avenue Corridor Precinct Code

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Introduction

Name

The name of this code is **Northbourne Avenue Corridor Precinct Code**.

Application

The code applies to any block identified on the Northbourne Avenue Corridor Precinct Map. Part RC1 applies to sites adjoining Northbourne Avenue.

National Capital Plan

Where a development is subject to special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, the development must not be inconsistent with the special requirements or development control plan. Where any provision of this code is inconsistent with special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, that provision has no effect, to the extent of the inconsistency. Development in RC1 of this code must be read in conjunction with the relevant provisions of the National Capital Plan.

Purpose

This code provides additional planning, design and environmental controls for specific areas or blocks and may also contain references to provisions in other codes.

In conjunction with other relevant codes it will be used by the *Authority* to assess development applications and offer guidance to intending applicants in designing development proposals and preparing development applications.

Structure

This code contains additional rules and/or criteria for particular blocks or parcels identified as areas RCn on the precinct map, to be read in conjunction with the relevant development code. It may also contain sub-parts.

Each element has one or more rules and, unless the respective rule is mandatory, each rule has an associated criterion. Rules provide quantitative, or definitive, controls. By contrast, criteria are chiefly qualitative in nature.

In some instances rules are mandatory. Such rules are accompanied by the words "This is a mandatory requirement. There is no applicable criterion." Non-compliance with a mandatory rule will result in the refusal of the development application. Conversely, the words "There is no applicable rule" is found where a criterion only is applicable.

Code hierarchy

Under the *Planning and Development Act 2007*, where more than one type of code applies to a development, the order of precedence if there is inconsistency of provisions between codes is: precinct code, development code and general code.

If more than one precinct code applies to the site, the most recent precinct code takes precedence to the extent of any inconsistency.

Definitions

Defined terms, references to legislation and other documents are italicised.

Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, either associated with the respective rule or listed below:

TCCS Transport Canberra and City Services

Additional rules and criteria

This part applies to blocks and parcels identified in the Northbourne Avenue Corridor Precinct Map (RCn). It should be read in conjunction with the relevant zone development and general codes.

RC1 – Northbourne Avenue

This part applies to blocks and parcels identified in area RC1 shown on the Northbourne Avenue Corridor Precinct Map.

Element 1: Restrictions on use

Rules	Criteria
Shop – floor area limit	
R1 The maximum <i>gross floor area per supermarket</i> is 750m ² .	This is a mandatory requirement. There is no applicable criterion.
Community use – minimum floor area	
R2 This rule applies to the hatched area shown in Figure 1. A <i>COMMUNITY USE</i> development is provided within the development that complies with all of the following: a) minimum <i>gross floor area</i> – 500m ² b) located at ground floor level and/or first floor level.	This is a mandatory requirement. There is no applicable criterion.

Rules	Criteria
Residential use – ground floor	
<p>R3</p> <p>This rule applies to the Dickson node and Macarthur node shown in Figure 1.</p> <p><i>RESIDENTIAL USE</i> is not permitted at the ground floor.</p>	<p>C3</p> <p>Development at ground floor level achieves all of the following:</p> <ul style="list-style-type: none"> a) On the frontage of Northbourne Avenue, Wakefield Avenue, Antill Street or Mouat Street: <ul style="list-style-type: none"> i) <i>RESIDENTIAL USE</i> is not permitted ii) Buildings incorporate uses on the ground floor that generate activity in the public space iii) where building access is provided, direct pedestrian access is provided at street level iv) buildings provide opportunities for views into and out of the building v) buildings avoid extensive lengths of blank walls unrelieved by doors, display windows or the like. b) where not on the frontage of Northbourne Avenue, Wakefield Avenue, Antill Street or Mouat Street, <i>RESIDENTIAL USE</i> at the ground floor: <ul style="list-style-type: none"> i) is designed to comply with the Australian Standard AS4299 – Adaptable housing (class C) and the Access and Mobility General Code. ii) is designed to be adaptable for commercial uses iii) is separated and screened from commercial accesses and services including waste disposal areas, loading docks, delivery areas, driveways and basement ramps.

Rules	Criteria
Additional uses	
<p>R4</p> <p>This rule applies to the Dickson node and Macarthur node shown in Figure 1.</p> <p>Only the following uses are provided in <i>buildings</i> at ground floor level on frontages to Northbourne Avenue, MacArthur Avenue, Wakefield Avenue and Antill Street:</p> <ul style="list-style-type: none"> c) <i>business agencies</i> d) <i>commercial activity centres</i> e) <i>financial establishments</i> f) <i>indoor entertainment facilities</i> g) <i>indoor recreation facilities</i> h) <i>public agencies</i> i) <i>restaurants</i> j) <i>SHOP</i> <p>In addition to these uses, <i>COMMUNITY USE</i> is permitted in the hatched area shown in Figure 1.</p>	<p>C4</p> <p><i>Buildings</i> fronting Northbourne Avenue, Macarthur Avenue, Wakefield Avenue and Antill Street incorporate uses on the ground floor that generate activity in the public space, in a form that is with the needs of the area.</p>

Element 2: Building controls and design

Rules	Criteria
National Capital Plan	
<p>R5</p> <p>Development applications for development in Area A shown in Figure 1 are supported by written documentation demonstrating compliance with the relevant requirements of the National Capital Plan.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
Height of building	
<p>R6</p> <p>This rule applies to Area A shown in Figure 1. The minimum <i>height of building</i> is 20m and the maximum <i>height of building</i> is 25m.</p> <p>For the purpose of this rule and associated criterion <i>height of building</i> means the vertical distance between <i>datum ground level</i> at the <i>front boundary</i> to Northbourne Avenue and the highest point or points of the <i>building</i>.</p>	<p>C6</p> <p>Maximum <i>height of building</i> is 27.5m where the <i>building</i> includes an <i>apartment</i> which complies with all of the following:</p> <ul style="list-style-type: none"> a) the apartment is at least partially or wholly two storeys high b) the apartment includes at least two storeys that are above <i>finished ground level</i>. <p>'Minor building elements' may exceed the maximum <i>height of building</i> where they do not increase the scale of the <i>building</i> when viewed from a public street.</p> <p>For the purpose of this criterion 'minor building elements' include but are not limited to: rooftop plant, photo-voltaic panels, antennas, pergolas and rooftop garden structures. <i>Habitable room</i>, or part thereof, occupiable room and fully enclosed pergolas are not 'minor building elements'.</p>
<p>R7</p> <p>This rule applies to Area B shown in Figure 1. The minimum <i>height of building</i> is 14.5m, and the maximum <i>height of building</i> is 18m.</p> <p>Area B extends from the common boundary with Area A in Figure 1 to the street front boundary parallel to Northbourne Avenue.</p>	<p>C7</p> <p>Maximum <i>height of building</i> may be increased to 25m where development complies with all of the following:</p> <ul style="list-style-type: none"> a) adequate transition in building height from the building to the <i>adjacent residential zone</i> b) reasonable amenity for residents of the <i>adjacent residential zone</i>. <p>'Minor building elements' may exceed the maximum <i>height of building</i> where they do not increase the scale of the <i>building</i> when viewed from a public street.</p> <p>For the purpose of this criterion 'minor building elements' include but are not limited to: rooftop plant, photo-voltaic panels, antennas, pergolas and rooftop garden structures. <i>Habitable room</i>, or part thereof, occupiable room and fully enclosed pergolas are not 'minor building elements'.</p>

Rules	Criteria
<p>R8</p> <p>This rule applies to the Dickson node and Macarthur node shown in Figure 1.</p> <p>a) For the Dickson node:</p> <ul style="list-style-type: none"> i) The minimum <i>height of building</i> is 25.5m, and ii) the maximum <i>height of building</i> is 32m. <p>b) for the Macarthur node:</p> <ul style="list-style-type: none"> i) The minimum <i>height of building</i> is not less than 80% of the maximum building height for each site as described in the National Capital Plan ii) The maximum <i>height of building</i> is as described in the National capital Plan. <p>For the purpose of this rule and associated criterion <i>height of building</i> means the vertical distance between <i>datum ground level</i> at the <i>front boundary</i> to Northbourne Avenue and the highest point or points of the <i>building</i>.</p>	<p>C8</p> <p>'Minor building elements' may exceed the maximum <i>height of building</i> where they do not increase the scale of the <i>building</i> when viewed from a public street.</p> <p>For the purpose of this criterion 'minor building elements' include but are not limited to: rooftop plant, photo-voltaic panels, antennas, pergolas and rooftop garden structures. <i>Habitable room</i>, or part thereof, and occupiable room are not 'minor building elements'.</p>
<p>There is no applicable rule.</p>	<p>C9</p> <p>Where a lawfully constructed <i>building</i> exceeds the <i>height of building</i> stipulated in this code, a new <i>building</i> or <i>buildings</i> up to the height of the existing <i>building</i> may be permitted provided there are no additional adverse impacts on adjoining properties including, but not limited to, solar access.</p>

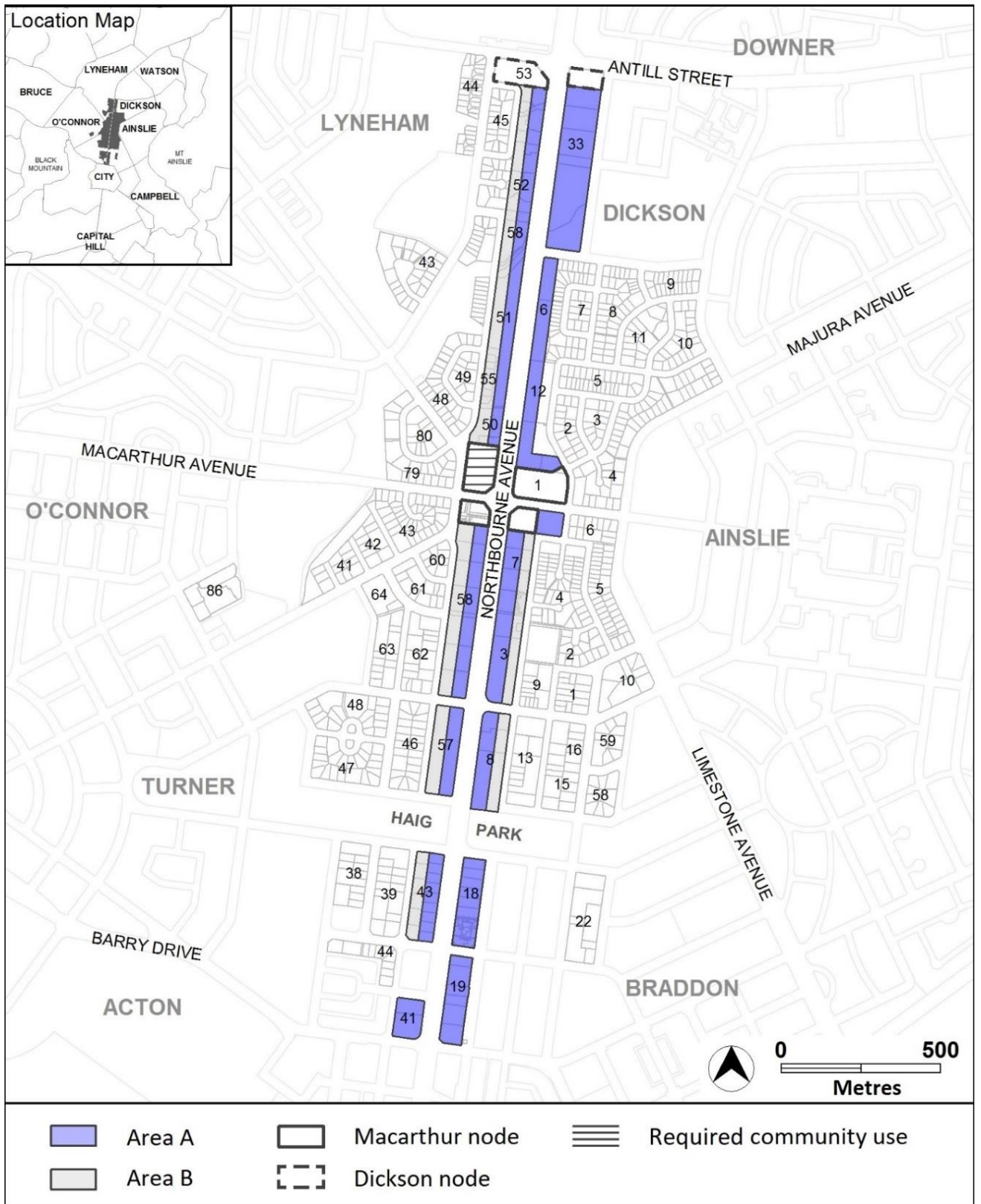


Figure 1: Building heights and required community use area

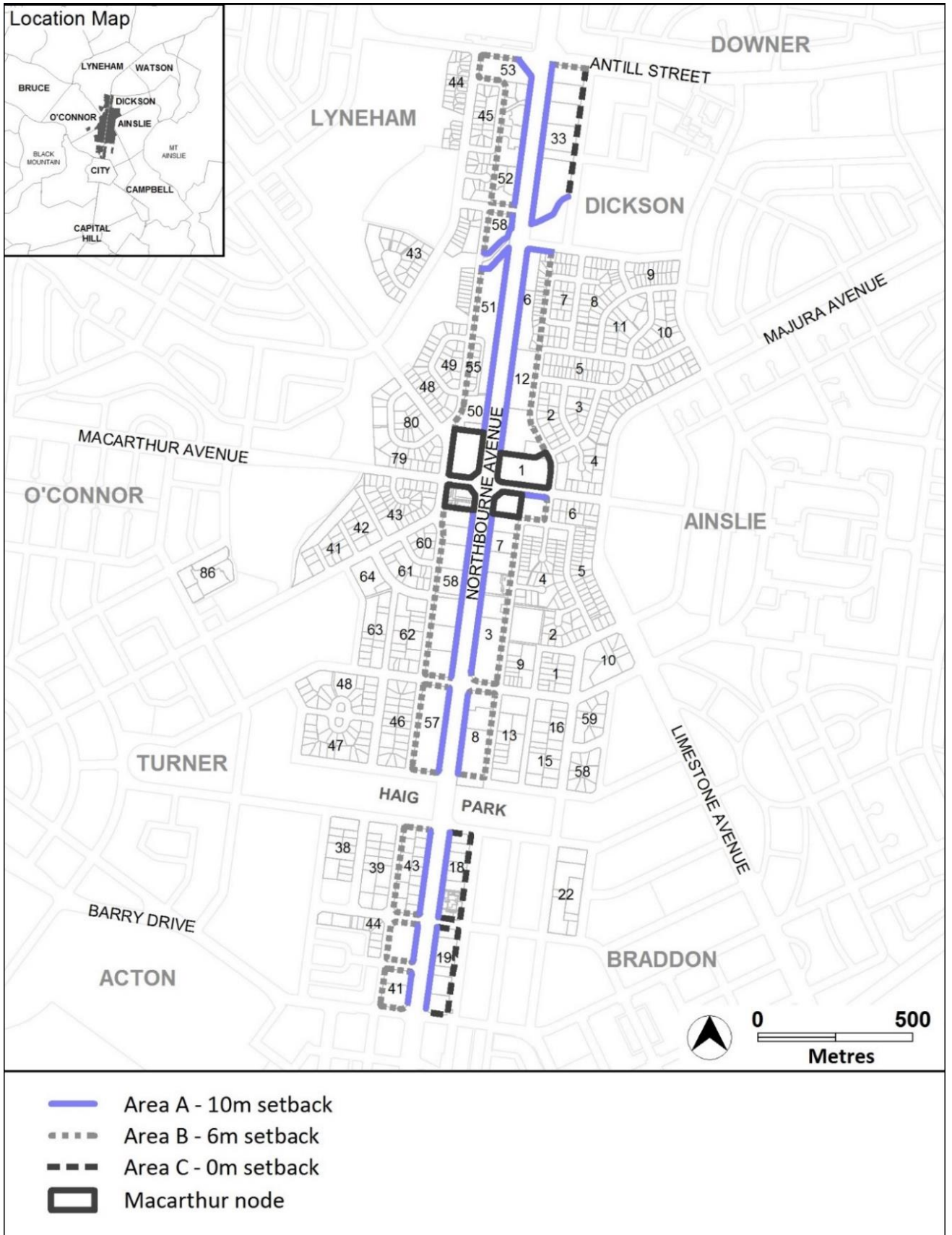


Figure 2: Front boundary setbacks

Rules	Criteria
2.3 Front boundary setback	
<p>R10</p> <p>This rule applies to Area B shown in Figure 2.</p> <p>Minimum <i>front boundary setback</i> is 6m.</p>	<p>C10</p> <p><i>Front boundary setbacks</i> achieve all of the following:</p> <ul style="list-style-type: none"> a) reasonable amenity for residents b) sufficient space for street trees to grow to maturity <p>Where a utility (such as electrical sub station or community battery storage) is required by the utility provider to be incorporated within the building fabric, a reduced front setback is permitted where it demonstrates consistency with the <i>desired character</i>.</p>
<p>R11</p> <p>This rule applies to Area C shown in Figure 2.</p> <p>Minimum <i>front boundary setback</i> is 0m.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
Side and rear boundary setback	
<p>R12</p> <p>This rule applies to <i>blocks</i> in Areas A and B shown in Figure 2.</p> <p>Minimum <i>side boundary and rear boundary setback</i> is:</p> <ul style="list-style-type: none"> a) northern or southern boundary – 5m b) eastern or western boundary – 10m. 	<p>C12</p> <p><i>Side boundary and rear boundary setback</i> provides reasonable amenity for residents.</p>
<p>R13</p> <p>This rule applies to Area C shown in Figure 2.</p> <p>Minimum <i>side boundary and rear boundary setback</i> is 0m.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
Building separation	
<p>R14</p> <p>This rule applies to Areas B1 and B2 shown in Figure 3.</p> <p>Minimum separation distances between a dwelling and another dwelling or non-residential use on the same block is described in Table 1.</p> <p>For the purpose of this rule and associated criterion, building separation is measured to the outer face of external walls, external windows or outer edge of balconies where relevant.</p> <p>Note: This rule does not override the setback requirements of this code.</p> <p>Note: This rule replaces building separation requirements in the relevant development code.</p> <p>Note: Building separation provisions for Area A are contained within the National Capital Plan.</p>	<p>C14</p> <p>Building separation may be reduced where building complies with all of the following:</p> <ul style="list-style-type: none"> a) reasonable levels of visual and acoustic privacy b) suitable areas for soft landscaping and deep root planting between buildings.
<p>R15</p> <p>This rule applies to Areas B1 and B2 shown in Figure 3.</p> <p>A dwelling or non-residential use on the subject block is setback from the common boundary with a commercial zoned block the minimum distances identified in Table 2.</p> <p>For the purpose of this rule and associated criterion, building separation is measured to the outer face of external walls, external windows or outer edge of balconies where relevant.</p> <p>Note: This rule does not override the setback requirements of this code.</p> <p>Note: This rule replaces building separation requirements in the relevant development code.</p> <p>Note: Building separation provisions for Area A are contained within the National Capital Plan.</p>	<p>C15</p> <p>Building separation may be reduced where building complies with all of the following:</p> <ul style="list-style-type: none"> a) reasonable levels of visual and acoustic privacy are achieved b) suitable areas for soft landscaping and deep root planting are provided between buildings c) The physical distances identified in Table 2 can be achieved between dwellings and non-residential uses on the subject block and the adjoining commercial zoned block.

Rules	Criteria
<p>R16</p> <p>This rule applies to area B2 shown on Figure 3. A dwelling or non-residential use on the subject block is setback from the common boundary with a residential zoned block the minimum distances identified in Table 3.</p> <p>For the purpose of this rule and associated criterion, building separation is measured to the outer face of external walls, external windows or outer edge of balconies where relevant.</p> <p>Note: This rule does not override the setback requirements of this code.</p> <p>Note: This rule replaces building separation requirements in the relevant development code.</p> <p>Note: Building separation provisions for the area outside Area A are contained within the National Capital Plan.</p>	<p>C16</p> <p>Building separation may be reduced where building complies with all of the following:</p> <ol style="list-style-type: none"> reasonable levels of visual and acoustic privacy are achieved suitable areas for soft landscaping and deep root planting are provided between buildings the physical distances identified in Table 3 can be achieved between dwellings and non-residential uses on the subject block and the adjoining residential zoned block.

Number of storeys	Between windows in <i>habitable rooms/ balconies</i> (metres)	Between windows in <i>habitable rooms/ balconies</i> and windows in <i>non-habitable rooms</i> (metres)	Between windows in <i>non-habitable rooms</i> (metres)
Up to 4 storeys	12	9	6
5 to 8 storeys	18	12	9
9 storeys and above	24	18	12

Table 1: Minimum building separation for Areas B1 and B2

Number of storeys	Between the block boundary and windows in <i>habitable rooms/ balconies</i> (metres)	Between the block boundary and windows in <i>habitable rooms/ balconies</i> and windows in <i>non-habitable rooms</i> (metres)	Between the block boundary and windows in <i>non-habitable rooms</i> (metres)
Up to 4 storeys	6	4.5	3
5 to 8 storeys	9	6	4.5
9 storeys and above	12	9	6

Table 2: Minimum building separation to commercial zones for Areas B1 and B2

Number of storeys	Between the block boundary and windows in <i>habitable rooms/ balconies</i> (metres)	Between the block boundary and windows in <i>habitable rooms/ balconies</i> and windows in <i>non-habitable rooms</i> (metres)	Between the block boundary and windows in <i>non-habitable rooms</i> (metres)
Up to 4 storeys	7.5	6	4.5
5 to 8 storeys	10.5	7.5	6
9 storeys and above	13.5	10.5	7.5

Table 3: Minimum building separation to residential zones for area B2

Rules	Criteria
Floor to ceiling heights	
<p>R17</p> <p>This rule applies to Area B shown in Figure 3. Minimum <i>finished floor level</i> to ceiling heights are as follows:</p> <ul style="list-style-type: none"> a) <i>storey of dwellings</i> containing the main daytime living area: 2.7m b) non-habitable rooms in a <i>dwelling</i>: 2.4m c) non-residential development: 3.3m. <p>Note: finished floor level to ceiling heights for Area A are contained within the National Capital Plan.</p>	<p>C17</p> <p>Floor to ceiling heights achieve sufficient natural ventilation and daylight access.</p>
Internal dwelling design	
<p>R18</p> <p>Habitable rooms comply with the following:</p> <ul style="list-style-type: none"> a) master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space) b) bedrooms have a minimum dimension of 3m (excluding wardrobe space) c) living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"> i) 3.6m for studio and 1 bedroom apartments ii) 4m for 2 or more bedroom apartments d) the width of cross-over or cross-through dwellings are at least 4m internally to avoid deep narrow dwelling layouts. 	<p>C18</p> <p><i>Habitable rooms</i> are of a size suitable to accommodate the daily activities of their occupants and visitors.</p>

Rules	Criteria
<p>R19</p> <p>Habitable room depths are limited to a maximum of 2.5m x the ceiling height. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m, measured from an external window.</p>	<p>C19</p> <p>Habitable room depth may be increased where finished floor level to ceiling heights are above the minimum permitted, provided reasonable solar access to each habitable room is maintained.</p>
<p>Housing diversity</p>	
<p>R20</p> <p>This rule applies to developments containing 40 or more dwellings.</p> <p>Development contains:</p> <ul style="list-style-type: none"> a) not more than 40% studio or one bedroom <i>dwellings</i> b) not more than 40% two bedroom <i>dwellings</i> c) not less than 20% three or more bedroom <i>dwellings</i>. 	<p>C20</p> <p>Multi-unit residential development provides dwellings with a variety of bedroom numbers.</p>

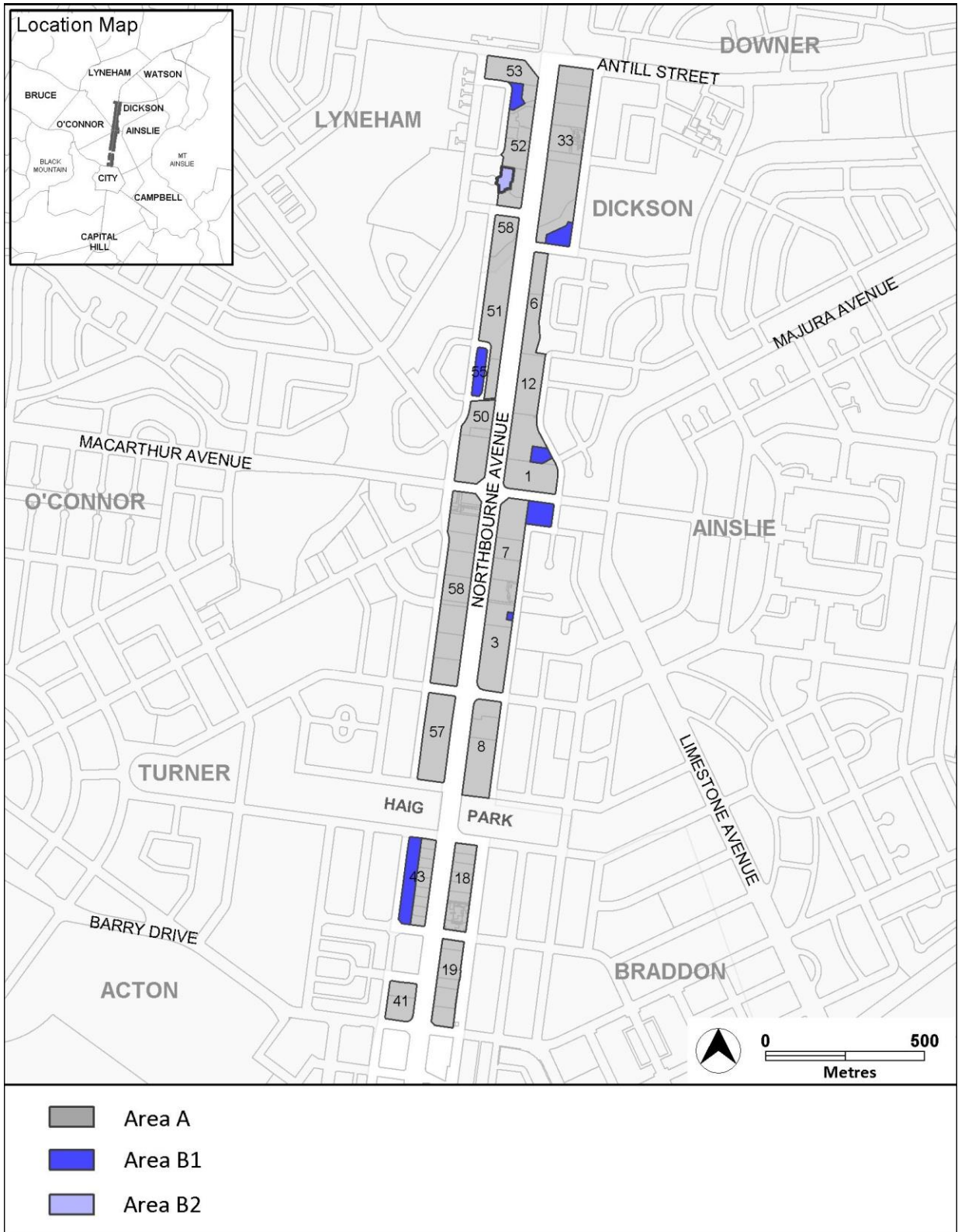


Figure 3: Additional requirements

Element 3: Site controls and design

Rules	Criteria
Landscape design – Deep soil zones	
<p>There is no applicable rule.</p>	<p>C21</p> <p>This criterion applies to development fronting Northbourne Avenue.</p> <p>Deep soil zones are provided that comply with all of the following:</p> <ul style="list-style-type: none"> a) have a minimum horizontal dimension of 5m b) incorporate any <i>protected trees</i> c) allow for the development of healthy root systems and provide anchorage and stability for mature trees d) co-located near deep soil zones on <i>adjacent</i> blocks where possible. <p>Note: <i>Protected tree</i> is defined under the <i>Tree Protection Act 2005</i>.</p>
Pedestrian shelters	
<p>R22</p> <p>This rule applies to all <i>blocks</i>, except for the <i>blocks</i> within the Dickson node or Macarthur node shown in Figure 1.</p> <p>Awnings, canopies or colonnades are provided at each active travel entrance to a building and each active travel path along a building edge.</p>	<p>C22</p> <p>Awnings, canopies or colonnades are provided that achieve all of the following:</p> <ul style="list-style-type: none"> a) provide protection from natural elements along buildings and building entrances b) are integrated with the design of the building.

Rules	Criteria
Mid-block links	
<p>There is no applicable rule.</p>	<p>C23</p> <p>This criterion applies to 'mid-block active travel links' shown in Figure 4, except for the link on the southern boundary on Braddon Section 8, Block 10.</p> <p>'Mid-block active travel links' comply with all of the following:</p> <ul style="list-style-type: none"> a) in a location generally in accordance with Figure 4 and connects with the <i>community path system</i> through the area and public transport connections b) provides unimpeded public access at all times for the length of the active travel mid-block link shown in Figure 4 c) not less than 5m wide d) development within 'mid-block active travel link' is limited to <i>planting area</i>, surface landscaping, <i>buildings</i> and <i>structures</i> which are consistent with active travel pathways or open space and does not limit accessibility e) where vehicular access is designed adjacent or as part of pedestrian mid-block travel links, these are to be well designed spaces coordinating pedestrian, vehicular and landscaping/planting in a safe and desirable environment or shared spaces demonstrating similar attributes f) suitably landscaped to provide a welcoming environment for path users g) adequate lighting and other safety features that promote active, passive and perceived surveillance of the area h) Development of and within 'active travel mid-block links' are to be endorsed by TCCS.

Rules	Criteria
There is no applicable rule.	<p>C24</p> <p>This criterion applies to the mid-block active travel link on the southern boundary of Area A in Figure 4.</p> <p>The mid-block link complies with all of the following:</p> <ul style="list-style-type: none"> a) in the location consistent with Figure 4, and located entirely within the block boundaries b) provides unimpeded public access at all times for the length of the mid-block active travel link shown in Figure 4 c) not less than 10m wide at any point d) development within 'mid-block active travel link' is limited to <i>planting area</i>, surface landscaping, <i>buildings</i> and <i>structures</i> which are consistent with active travel pathways or open space and does not limit accessibility e) suitably landscaped to provide a welcoming environment for path users f) adequate lighting and other safety features that promote active, passive and perceived surveillance of the area.
There is no applicable rule.	<p>C25</p> <p>This criterion applies to 'open space active travel links' shown in Figure 4.</p> <p>'Open space active travel links' provide unimpeded public access at all times for the length of the mid-block active travel link shown in Figure 4.</p>

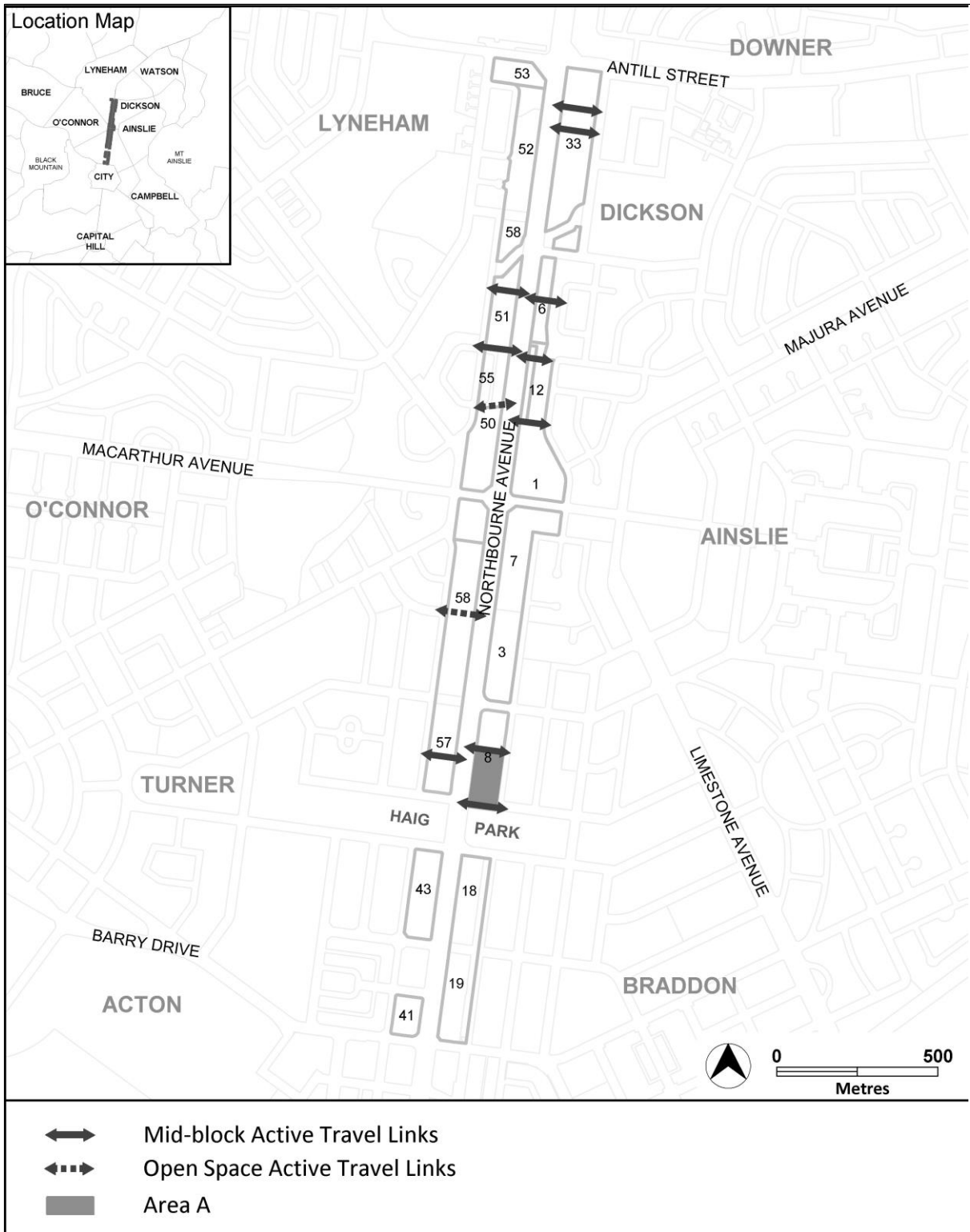


Figure 4: Active travel links

Rules	Criteria
Courtyard walls	
<p>There is no applicable rule.</p>	<p>C26</p> <p>This criterion applies to courtyard walls for <i>dwelling</i>s which have their <i>private open space</i> at ground floor and fronting Northbourne Avenue.</p> <p>Courtyard walls comply with all of the following:</p> <ul style="list-style-type: none"> a) not higher than 1.8m above <i>datum ground level</i> b) non-transparent components not higher than 1m above <i>datum ground level</i> c) constructed of high quality materials, specifically excluding pre-coloured metal, unfinished timber panels, chain-link, barbed or razor wire d) integrated with landscaping e) designed and constructed to match or compliment the design of the associated building f) must not occupy more than 40% of the façade at ground floor level. <p>Note: This criterion replaces the relevant rules and criterion relating to courtyard walls in the relevant development code.</p>

Element 4: Amenity

Rules	Criteria
1 Solar Access to adjoining blocks	
<p>R27</p> <p>This rule applies to <i>buildings</i> with more than three storeys.</p> <p><i>Buildings</i> do not reduce the hours of direct sunlight between 9am-4pm to any <i>habitable room</i> in any adjoining residential or commercial accommodation developments to less than 2 hours.</p>	<p>C27</p> <p>Daytime living areas have reasonable access to sunlight.</p>

Rules	Criteria
Private open space	
<p>R28</p> <p>This rule applies to <i>multi-unit housing</i> or residential components of commercial mixed use development in Area A shown in Figure 3.</p> <p>Each <i>dwelling</i> has at least one area of <i>principal private open space</i> that complies with all of the following:</p> <ul style="list-style-type: none"> a) has a minimum area and dimensions specified in Table 4 b) maintains visual privacy of the occupants from adjoining public streets and public open space c) is directly accessible from, and adjacent to, a <i>habitable room</i> other than a bedroom d) is not located to the south, south-east or south-west of the <i>dwelling</i>, unless it achieves one or more of the following: <ul style="list-style-type: none"> i) not less than 3 hours of direct sunlight onto 50% of the minimum required area between the hours of 9am and 3pm on the winter solstice (21 June) ii) located at an <i>upper floor level</i> and overlooks a public street or public open space. 	<p>C28</p> <p>Principal private open space for each dwelling achieves all of the following:</p> <ul style="list-style-type: none"> a) an area proportionate to the size of the <i>dwelling</i> b) an extension of the function of the <i>dwelling</i> for relaxation, dining, entertainment, recreation c) directly accessible from the <i>dwelling</i> d) service functions such as clothes drying and mechanical services e) reasonable privacy f) reasonable solar access.
External facilities	
<p>There is no applicable rule.</p>	<p>C29</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> a) storage units and plant equipment (including air-conditioning plant) are not permitted on <i>balconies</i> b) clothes drying facilities are only permitted on <i>balconies</i> where they are screened from view of streets and public areas.

Rules	Criteria
Noise	
There is no applicable rule.	<p>C30</p> <p>This criterion applies to <i> dwellings </i>on the <i> block </i>and <i> dwellings </i>on adjoining <i> blocks </i>.</p> <p>Transfer of noise between noise sources and habitable rooms, particularly bedrooms, are minimised through the siting, design and layouts of buildings.</p> <p>For the purpose of this criterion noise sources include, but are not limited to, garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, communal open space and circulation areas.</p>

Type	<i> dwellings </i> wholly or partially at <i> lower floor level </i> or on a podium or similar structure		<i> dwellings </i> located entirely on an <i> upper floor level </i>	
	minimum area	minimum dimension	minimum area	minimum dimension
<i> studio apartment </i>	18m ²	4m	4m ²	nil
1 bedroom <i> dwelling </i>	24m ²	4m	8m ²	2m
2 bedroom <i> dwelling </i>	24m ²	4m	10m ²	2m
3 or more bedroom <i> dwelling </i>	36m ²	6m	12m ²	2m

Table 4: Principal private open space area requirements

Element 5: Parking and vehicular access

Rules	Criteria
Vehicular access	
<p>There is no applicable rule.</p>	<p>C31</p> <p>Vehicular access arrangements must comply with all of the following:</p> <ul style="list-style-type: none"> a) ensure pedestrian and bicycle priority and desire lines and paths are maximised b) contains high quality public realm treatments that add visual interest, including tree planting, landscaping, materials, footpaths and lighting c) where a <i>block</i> has a <i>front boundary</i> to another road which is parallel with Northbourne Avenue, vehicular access continues from Northbourne Avenue through the <i>block</i> to that road at the other frontage. <p>Note: This criterion, particularly b), does not replace TCCS requirements, standards and endorsements relating to waste collection and service vehicles.</p>
<p>There is no applicable rule.</p>	<p>C32</p> <p>Pedestrian and cyclist access to <i>blocks</i> must be clearly separated from vehicular access and be distinguishable through surface materials, level changes and landscaping.</p>
Parking	
<p>R33</p> <p>This rule applies to multi-unit residential development in residential and commercial zones.</p> <p>The maximum parking provision rate is as follows:</p> <ul style="list-style-type: none"> a) studio or one-bedroom <i>dwelling</i> – 1 space maximum b) two-bedroom <i>dwelling</i> – 1.3 spaces maximum c) three or more bedroom <i>dwelling</i> – 1.5 spaces d) every 8 <i>dwellings</i> – 1 visitor space <p>Note: Minimum and maximum parking provision rates contained within the relevant development or general codes do not apply.</p> <p>Note: Parking calculations are rounded up to the nearest whole number.</p>	<p>C33</p> <p>Additional on-site car parking spaces can be provided within the basement of the building compliant with all of the following:</p> <ul style="list-style-type: none"> a) the additional car park areas does not require an expansion to the building footprint or to the basement area b) car parking is endorsed by the ACT Government agency responsible for car parking.

Rules	Criteria
There is no applicable rule.	<p>C34</p> <p>Visitor car parking spaces are allocated for visitors of occupants of the residential parts of the development.</p> <p>Visitor car parks must not be allocated to any other purpose, including private spaces for dwellings or workers of the commercial components of the development.</p>
There is no applicable rule.	<p>C35</p> <p>Adequate spaces and areas, suitably screened from public view, are provided for the loading and unloading of service vehicles.</p>
Parking structures	
<p>R36</p> <p>Vehicle parking is only permitted in a <i>basement</i>. At-grade, podium or other above ground vehicle parking is not permitted.</p>	<p>C36</p> <p>At-grade, podium or other above ground parking is only permitted where the following are met:</p> <ul style="list-style-type: none"> a) the parking area is located away from Northbourne Avenue and intersections of Northbourne Avenue with Macarthur Avenue, Wakefield Avenue, Mouat Street or Antill Street b) the parking area is suitably screened from Northbourne Avenue and major cross streets through use of buildings, <i>communal open space area</i>, <i>private open space</i> and/or landscaping c) podium parking structures are screened with high quality architectural treatment d) In addition to the above, the following requirements also apply to at-grade car parking: <ul style="list-style-type: none"> i) is incorporated into the landscape design for the <i>block</i> ii) does not reduce the amenity of <i>communal open space areas</i> or <i>private open space</i> iii) incorporates the use of materials, including permeable or light coloured paving, to reduce the increase of surface temperature iv) includes shade trees planted at least every 5 vehicle spaces to reduce the car park surface temperature.

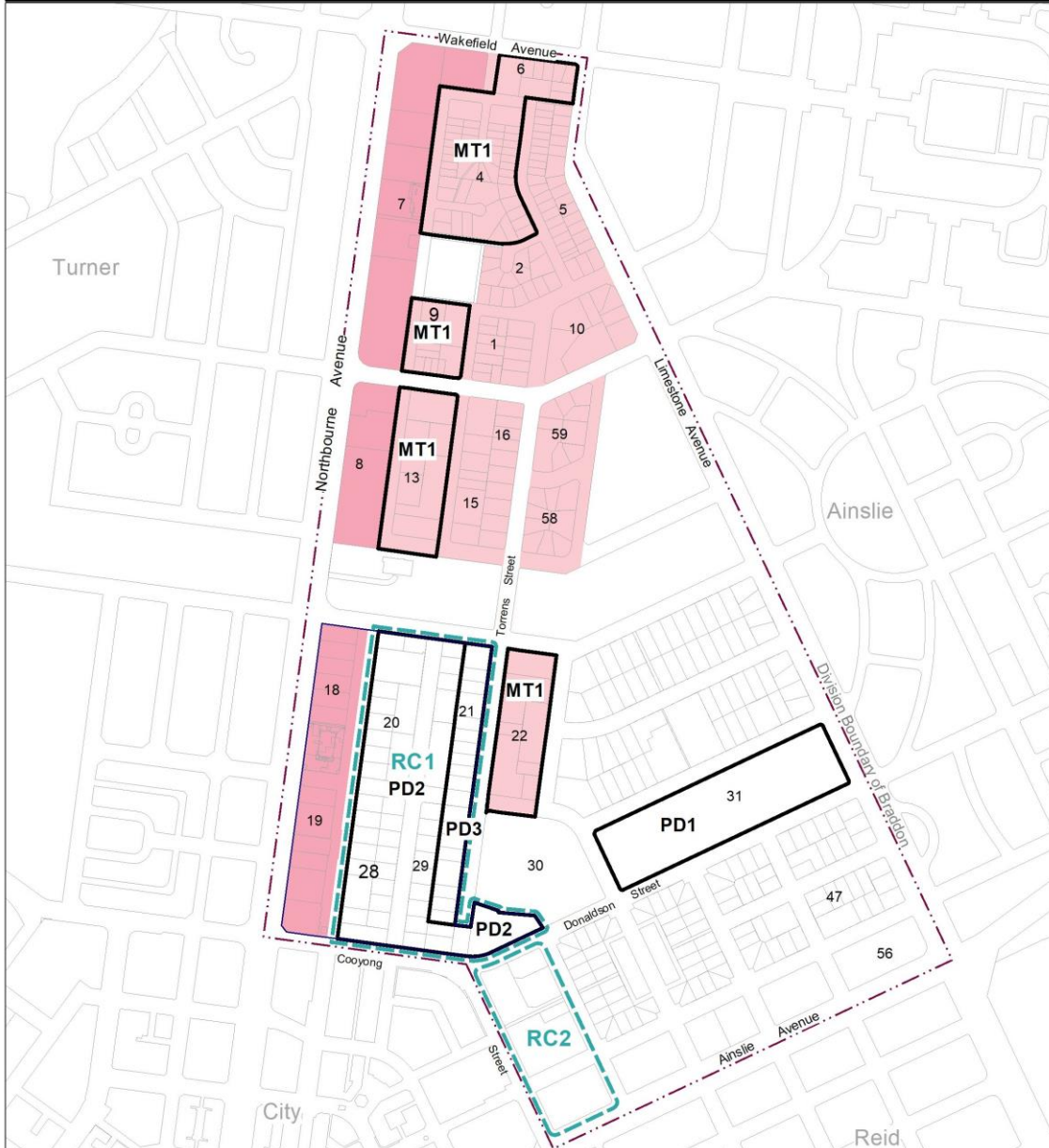
Element 6: Environment

Rules	Criteria
Erosion and sediment control	
<p>R37</p> <p>For sites less than 3,000m², the development complies with the Environment Protection Authority <i>Environment Protection Guidelines for Construction and Land Development in the ACT</i>.</p> <p>Note: If no evidence of compliance with the above guideline is provided, the application may be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

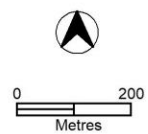
Element 7: Waste management

Rules	Criteria
Post occupancy waste management	
<p>R38</p> <p>Facilities for waste disposal, recycling and composting:</p> <ul style="list-style-type: none"> a) complies with the <i>Development Control Code for Best Practice Waste Management in the ACT 2019</i> b) are suitably screened from public view. <p>Note: This rule does not replace the provisions relating to post occupancy waste management endorsement in the relevant development code.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Braddon Precinct Map



- PDn** Additional prohibited development applies see Table 1
- MTn** Additional merit track development applies see Table 2
- RCn** Additional rules and criteria apply see Braddon Precinct Code
- Northbourne Avenue Corridor Precinct Code applies
- Inner North Precinct Code applies



Assessment Tracks

The following table identifies the additional prohibited development for blocks and parcels shown in the Braddon Precinct Map (identified as PDn). Development that is exempt from requiring development approval, other prohibited development and the minimum assessment track applicable to each development proposal is set out in the relevant zone development table.

The following table constitutes part of the relevant zone development table.

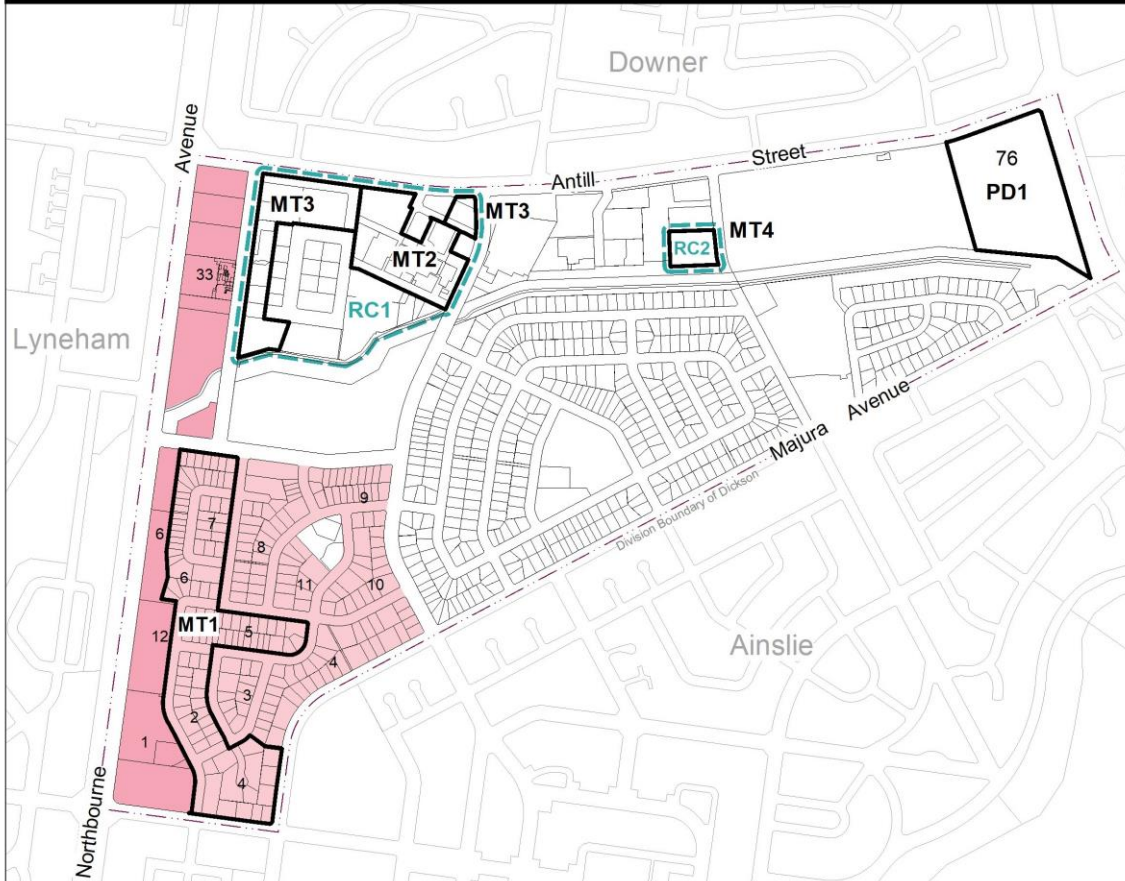
Table 1 – Additional prohibited development

Additional prohibited development		
Suburb precinct map label	Zone	Development
PD1	CFZ	<i>retirement village</i> <i>supportive housing</i>
PD2	CZ3	<i>place of assembly</i> <i>place of worship</i> <i>religious associated use</i> <i>tourist facility</i> <i>tourist resort</i>
PD3	CZ2	<i>club</i> COMMERCIAL ACCOMMODATION USE <i>community theatre</i> <i>cultural facility</i> <i>drink establishment</i> <i>educational establishment</i> <i>emergency services facility</i> <i>financial establishment</i> <i>indoor entertainment facility</i> <i>indoor recreation facility</i> <i>outdoor recreation facility</i> <i>place of assembly</i> <i>place of worship</i> <i>religious associated use</i> <i>restaurant</i> SHOP <i>tourist facility</i>

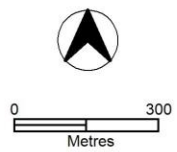
Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	RZ4	<i>business agency</i> <i>office</i> <i>restaurant</i> SHOP

Dickson Precinct Map



- PDn** Additional prohibited development applies see Table 1
- MTn** Additional merit track development applies see Table 2
- RCn** Additional rules and criteria apply see Dickson Precinct Code
- Northbourne Avenue Corridor Precinct Code applies
- Inner North Precinct Code applies

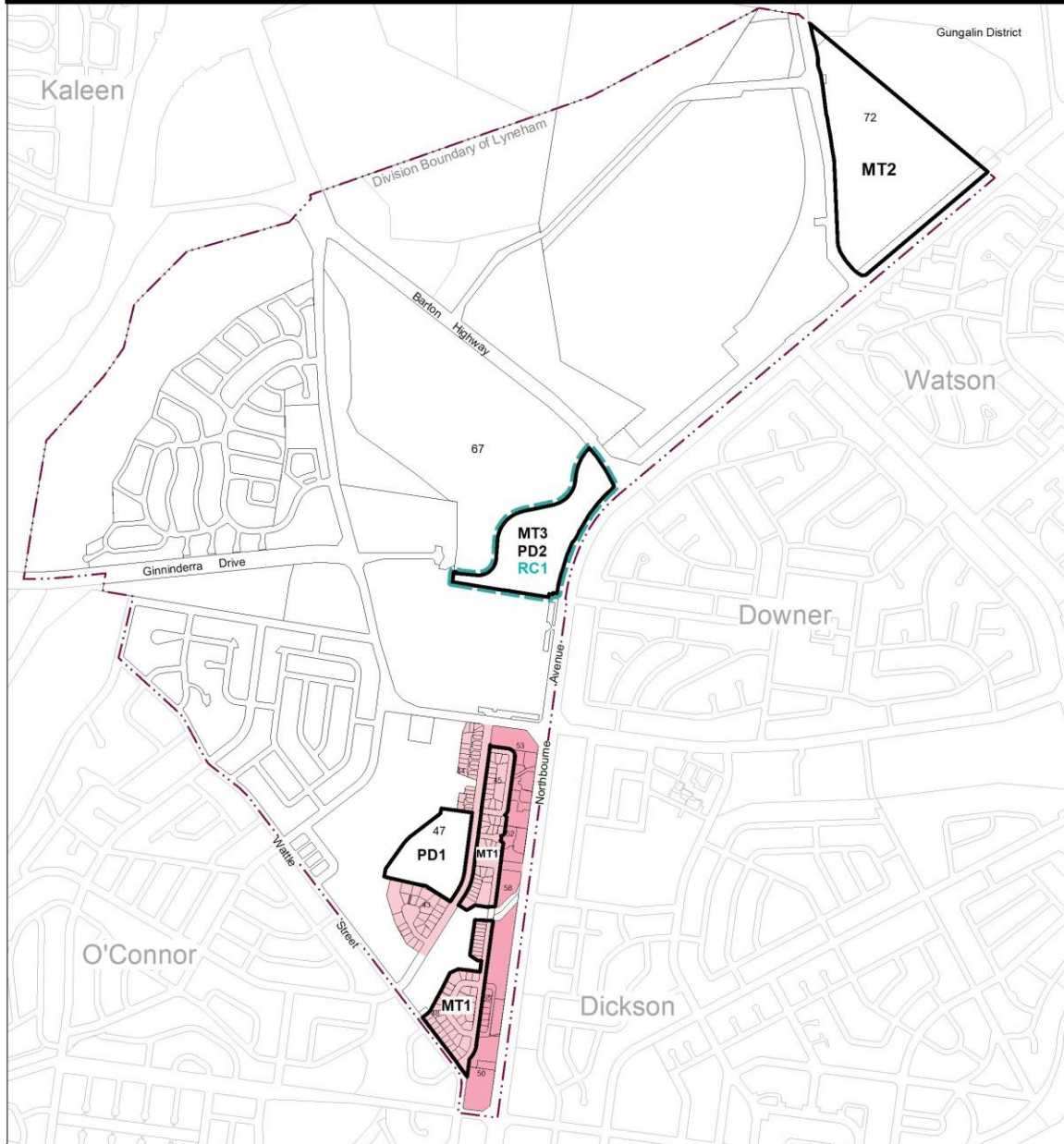


Appendix E

Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	RZ4	<i>business agency office restaurant SHOP</i>
MT2	CZ1	<i>industrial trades municipal depot store</i>
MT3	CZ2	<i>funeral parlour light industry service station veterinary hospital</i>
MT4	CFZ	<i>craft workshop community housing pedestrian plaza social enterprise</i>

Lyneham Precinct Map



- PDn** Additional prohibited development see Table 1
- MTn** Additional merit track development see Table 2
- RCn** Additional rules and criteria apply see Lyneham Precinct Code
- Northbourne Avenue Precinct Code applies
- Inner North Precinct Code applies

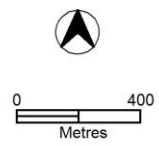


Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	RZ4	<i>business agency office restaurant SHOP</i>
MT2	NUZ1	<i>place of assembly</i>
MT3		<i>Drink establishment</i>

Turner Precinct Map



- PDn** Additional prohibited development applies see Table 1
- MTn** Additional merit track development applies see Table 2
- RCn** Additional rules and criteria apply see Turner Precinct Code
- Northbourne Avenue Corridor Precinct Code applies
- Inner North Precinct Code applies
- X** Urban open space - not public land. These areas may be reviewed.

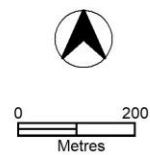


Table 1 – Additional prohibited development

Additional prohibited development		
Suburb precinct map label	Zone	Development
PD1	CFZ	<i>retirement village supportive housing</i>
PD2	CZ2	<i>COMMERCIAL ACCOMMODATION USE (except guest house) drink establishment emergency services facility financial establishment indoor entertainment facility place of assembly restaurant serviced apartment</i>

Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	RZ4	<i>business agency office restaurant SHOP</i>
MT 2	RZ1	<i>COMMUNITY USE</i>
MT3	PRZ1	<i>public transport facility</i>

Planning and Development (Draft Variation 368) Direction 2022

Notifiable instrument NI2022-

made under the

Planning and Development Act 2007, s 76 (Minister's powers in relation to draft plan variations)

1 Name of instrument

This instrument is the *Planning and Development (Draft Variation 368) Direction 2022*.

2 Commencement

This instrument commences on the day after its notification day.

3 Direction

- (1) Under section 76 (2) (b) (iv) of the *Planning and Development Act 2007* (the *Act*), I direct the planning and land authority to revise DV368 to amend the Northbourne Avenue Corridor Precinct Code in the following ways:
 - (a) Amend criterion C6 for clarity consistent with the National Capital Plan requirement that any two storey apartments are located above the finished ground level.
 - (b) Amend the 'notes' in Rules R14–R16 to reflect where the National Capital Plan applies.
 - (c) Amend criterion C27 to better reflect the solar access provisions of the Multi-Unit Housing Development Code.
- (2) I further direct that DV368 be revised to update the Lyneham Precinct Map consistent with recently commenced changes to the Territory Plan. These changes are policy neutral.

4 Dictionary

In this instrument:

DV368 means the recommended version of the *Draft Variation to the Territory Plan 368 – City and Gateway South – Northbourne Avenue Corridor* November 2021, submitted to the Minister under section 69 of the Act and available online at: www.act.gov.au/recommendedvariations



Mick Gentleman MLA
Minister for Planning and Land Management

4/5/2022



LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING, TRANSPORT AND CITY SERVICES

Jo Clay MLA (Chair), Suzanne Orr MLA (Deputy), Mark Parton MLA

Mr Mick Gentleman MLA

Minister for Planning and Land Management

Legislative Assembly for the ACT

Dear Mr Gentleman,

Thank you for your letter of 1 February 2021 in which you referred Draft Plan Variation 368 entitled *City and Gateway – Northbourne Avenue Corridor*, to the Committee under Section 73(2) of the *Planning and Development Act 2007* for its consideration.

The Committee discussed the DV368 referral at its meeting on 17 February, but deferred consideration upon receipt of Appendix B, the submission under community consultation. Consequently, the Committee met on 24 February 2022 and further discussed the DV368. The Committee notes that there is considerable public interest in this *DV368 City and Gateway – Northbourne Avenue Corridor* as a major planning issue and impacting many stakeholders. The Committee has therefore decided comments are provided direct to your Office as soon as possible, for your review (see Table 1, below).

On this occasion, the Committee agreed not to inquire and report on the Draft Plan Variation 368. However, the Committee would welcome responses to these questions to assist our understanding on this and future planning matters.

- How does DV368 interact with DV369?
- How does DV368 interact with the Government's Living Infrastructure targets?
- There is not much social and affordable housing in this development, but it is ideally located to services. How will we ensure we get enough social and affordable housing in the Northbourne corridor developments?
- There has been significantly reduced the scope of DV368 to limit its consideration only to Northbourne Ave. Why was this change made?

Please also note that the Committee needs access to public submissions on a DV in order to make an informed assessment about opening an inquiry. If you could provide access to submissions along with the original referral, that will assist us to perform our scrutiny role.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'Jo Clay', written in a cursive style.

Jo Clay MLA
Chair

28 February 2022



ACT

Government

Environment and
Sustainable Development

Planning and Development Act 2007

REPORT ON CONSULTATION

Draft Variation
to the Territory Plan
368

City and Gateway South
Northbourne Avenue Corridor
(Barry Drive/Cooyong Street to Antill/Mouat Street)

November 2021

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1. INTRODUCTION

This consultation report was prepared in accordance with s 69 of the *Planning and Development Act 2007* (the Act).

The report describes the consultation undertaken on the draft variation with the public, the National Capital Authority (NCA), the Conservator of Flora and Fauna, the Environment Protection Authority (EPA), ACT Heritage Council and Land Custodian, and responds to the issues raised.

2. COMMENTS FROM THE PUBLIC

2.1 Details

Draft variation 368 (DV368) was released for public comment on 19 December 2019. The closing date for comments was 28 February 2020. A copy of the draft variation released for public comments is at **Appendix 1**.

Copies of submissions received from the public are provided in **Appendix 2**.

The comments from the National Capital Authority (NCA), the Conservator of Flora and Fauna, the Environment Protection Authority, the ACT Heritage Council and Suburban Land Agency were received, assessed and documented in DV368 prior to its statutory public notification which is located at **Appendix 1**. More details are provided at item 3.2 below. This includes additional consultation with the NCA, in relation to changes made to DV368 in response to the issues raised during public consultation.

2.2 Summary of matters raised

A total of 19 written submissions were received in relation to DV368. One further submission was considered in 2021, in relation to current development proposals for sites located within the Northbourne Avenue Corridor.

There were 15 submissions from individuals, many of whom represent lessee or consultants with an interest in the area. The remaining five submissions were lodged by North Canberra Community Council, the Downer Community Association, The Property Council and Master Builders Association (jointly), the Planning Institute of Australia and the National Trust.

The following Table 1 provides a summary of the considerations raised in the public submissions, as well as the number of submissions that raised the matter.

Table 1 Summary of matters raised in the public submissions:

Comments	No.
General Comments	
DV368 - RC2 - Inner North provisions	12
Overlap between the National Capital Plan and Territory Plan provisions	7
DV368 – provisions generally	5
DV368 - consultation processes	4
Heritage	3
Public open space	3
Housing affordability	2
Scope and extent of the City and Gateway Urban Design Framework	2
Apartment designs	2
Planning system review and reform	2
Population density	1
Specific Comments	
Car parking –R37 and R50	10
Mix of dwellings - R19 & C19 and R57 & C57	9
Consolidation - R43 & C43, R44 & C44 and Figures 5 & 6	6
Ceiling heights - R15 & C15, and R59 & C59	5
Habitable room dimensions - R16 & C16, and R17 & C17	4
Vehicular Access – C33 and R34 & C34	4
Planting Areas - R48	4
Internal floor areas - R54 & C54	4
Operable windows - R28 and R55	4
Supermarket size - R1 and R2	3
Ground floor uses - R3, R4 and C4	3
Separation distances - R14 & C14	3
Solar access internal to the dwelling - R27, R28 and R56 & C56	3
RC2 – Inner North - Setbacks – front and side - R46 & C46 and R47	3
Utilities - R51 & C51	3
Ventilation - R60	3
Cross ventilation - R61 & C61	3
Setbacks - R9 & C9, R10, R11, R12 and R13	2
Private Open Space - R30 and R53	2
Parking structures - R40 & C40	2
Retaining walls - C46	2
Basement - vehicle access - R49	2
Housing Diversity – building separation - R58 & C58	2
Diversity of unit designs - C18	1
Pedestrian Shelters - R21 & C21	1
Awnings - R22 & C22	1
Courtyard walls - C26	1
Solar access to adjoining properties - R29 & C29	1
External facilities - C31	1
Noise - C32	1
Other Comments	
National Capital Design Review Panel	1
Plot ratio	1
Gross floor area	1
Active travel	1
Downer Precinct Map and Code	1
Leases	1
Development applications	1

2.3 Issues and responses

The issues raised in the submissions are detailed below, and responses provided.

General comments

2.3.1 **DV368 - RC2 - Inner North provisions** - R43 to R61 - 12 submissions

The majority of comments raised in public submissions about DV368 related to the proposed RC2 - Inner North provisions. Concerns were raised that DV368 does not resolve some inherent issues contained in the existing Inner North Precinct Code, particularly in relation to the section master plans.

Response

Agreed. A more holistic review of the Inner North Precinct Code provisions is required. Accordingly, the RC2 Inner North provisions (Rule 43 to R61 inclusive) will be removed from DV368 and will be considered as part of a future review of the Inner North Precinct Code.

Notwithstanding this, a small number of the Inner North provisions proposed in DV368 have been retained and will now form amendments to the existing Inner North Precinct Code under the revised DV368. This is because the existing subdivision, amalgamation and private open space mandatory provisions of the Inner North Precinct Code are not currently providing sufficient flexibility in achieving the desired outcomes of the precinct. The proposed changes will increase options for subdivision, amalgamation and private open space under the Inner North Precinct Code.

The amendments to the existing Inner North Precinct Code are:

- Subdivision and amalgamation provisions:
 - insert a new Criterion C3 for mandatory Rule R3 based on the provisions proposed in DV368; and
 - delete mandatory Rule R4 as a consequence of the new Criterion C3.
- Private open space – replace the existing mandatory Rule R22 ground floor private open space with the DV368 proposed Rule and Criterion R53 and C53 for private open space.

2.3.2 **Overlap between the National Capital Plan and Territory Plan provisions** - 7 submissions

Concerns were raised in the submissions about the overlap between the provisions of the National Capital Plan and the Territory Plan in DV368. The submissions indicated that the National Capital Plan provisions should not be replicated in Territory Plan.

Response

Agreed. The publicly notified version of DV368 included a number of provisions from the National Capital Plan. This was intended to avoid the need for cross referencing between DV368 and the National Capital Plan during the public notification process for DV368.

Now that the National Capital Plan amendments are completed, the following provisions have been removed from DV368:

- Front boundary setback - Rule R9 and Criterion C9;
- Housing diversity - Criterion C18;
- Pedestrian shelters - Rule R21 and Criterion C21;
- Solar access apartments – Mandatory rules R27 and R28; and
- Vehicular access – Criterion C33 and Rule R34 and Criterion C34.

The provisions that have been retained in DV368 that correspond with provisions in the National Capital Plan, have done so as they provide more detail than, or clarification of, the National Capital Plan provisions. This is to make sure the recommendations of the City and Gateway Urban Design Framework are implemented.

It is important that the public and development proponents are aware of the need to obtain works approval from the National Capital Authority for areas of the Northbourne Avenue Corridor that are subject to the National Capital Plan requirements. For this reason, a new Mandatory Rule R5 will be included into DV368, requiring the approval from the National Capital Authority for development on sites where the National Capital Plan provisions apply.

2.3.3 DV368 – provisions generally - 5 submissions

The following general comments were received in relation to DV368:

- DV368 is overly prescriptive and doesn't provide incentive-based provisions. There is too much subjectivity in some of the criteria. Some rules read as mandatory rules and the associated criteria don't provide clarity.
- DV368 should have included a traffic impact analysis and environmental impact analysis and heritage assessment.
- DV368 doesn't describe all changes to the existing precinct codes. Nor does it identify which of the existing provisions are being retained and which are new provisions.
- DV368 contains a bundle of significant planning policy departures that are unexplained and untested.
- The rules have been designed for larger developments anticipated along Northbourne Avenue but could disadvantage and impact smaller developments away from the Northbourne corridor.
- DV368 doesn't respond to climate change.

Response

It is noted that many of the general comments relate to the RC2 – Inner North provisions of DV368. As previously mentioned, the RC2 – Inner North provisions will be removed from DV368 and will be considered as part of a future review of the Inner North Precinct Code.

The revised DV368 will focus entirely on the Northbourne Avenue corridor. In relation to the public comments, a number of additional criteria have been added to the provisions to increase flexibility in complying with the design elements of the code.

The draft variation seeks to implement the City and Gateway Urban Design Framework consistent with the related National Capital Plan amendments. The City and Gateway Framework was an extensive planning project that involved consideration of potential development impacts (environmental, traffic, character and amenity). It was also prepared in the context of a range of ACT Government policy initiatives including climate change. However, there is the concurrent variation process for DV369 Living Infrastructure in Residential Zones and future policy reviews that will specifically implement the Climate Change policies of the ACT Government.

2.3.4 DV368 Consultation processes - 4 Submissions

The submissions made the following comments about the consultation process for DV368:

- A review of the consultation process for DV368 is requested including an extension of time for the lodgement of submissions. There was a lot of social disruption due to the bushfires and the hail storm and more time was needed;
- New controls in DV368 such as windows, room sizes depth, and the like should not be included without further consultation;
- Public consultation on the City and Gateway Urban Design Framework was inadequate and the submissions were ignored; and
- The National Capital Authority consultation process ignored community comments.

Response

DV368 implements the City and Gateway Framework and reflects the National Capital Plan amendments both of which were extensively consulted.

The consultation for DV368 was in accordance with the statutory requirements of the *Planning and Development Act 2007*. No requests to extend the consultation process were received however comments regarding extending the consultation period during times of social disruption will be noted for future consultation processes.

The consultations processes conducted by the National Capital Authority are not within the control of the ACT Government.

2.3.5 Heritage - 3 submissions

The submissions indicated that DV368 needed to specifically address heritage sites in the corridor. It was suggested that DV368 needs to be amended to explicitly respect heritage places and ensure a good design outcome in an urban context. The places affected are those listed in the ACT Heritage Council advice as detailed in DV368 but also include the vistas from Majura Avenue to Black Mountain, Havelock House, Dickson/Lyneham Flats, Holy Trinity Lutheran Church in Turner and SDA Church Turner.

Concerns were raised about the likely adverse impacts of increased building heights at the Northbourne-Macarthur/Wakefield intersection on a fundamental element of the Griffin Plan, the Majura-Black Mountain landscape axis embodied in Majura Avenue and its vistas. There is a cursory mention of respecting the Griffin Plan as a key element, but the design of the Macarthur node ignores his vision for Majura Avenue as an axis.

Response

The ACT Heritage Council is responsible for the conservation and management of heritage places on the ACT Heritage Register. The Council is a mandatory agency for all Territory Plan variations and its comments were included in DV368.

The Council's advice and/or approval is also required for development affecting heritage places within the City and Gateway Corridor. The ACT Government has an obligation to ensure that identified assets and heritage values are appropriately conserved, protected and managed in accordance with the *Heritage Act 2004*.

The City and Gateway Urban Design Framework recommended works within and adjacent to the road reservations are carried out to the highest standards. Works are to reinforce and, where possible, express the integrity of the Griffin Plan's visual structure by strengthening the geometry and form of main avenues, vistas and public spaces.

2.3.6 Public open space - 3 submissions

The submissions indicated that more public open space is needed to accommodate increased development density in the corridor.

Response

The City and Gateway Urban Design Framework seeks to enhance access to and use of Haig Park and the Sullivan's Creek corridor as a key element in improving existing urban open space to accommodate the needs of the future population in the corridor. This does not require an amendment to the Territory Plan. Additionally, parks are also permitted in the existing CZ5 Mixed Use Zone and the Commercial CZ2 Business Zone which apply throughout the Northbourne Avenue Corridor

The City and Gateway Urban Design Frameworks objectives included:

Strategically plan and design public open space for qualitative improvements and increase capacity, quality, diversity, usability and accessibility. This should include consideration of maintenance and priorities for upgrade works to meet future community needs.

2.3.7 **Housing affordability** - 2 submissions

The submissions requested more consideration be given to housing affordability in the provisions contained in DV368.

Response

There are a range of government initiatives and mechanisms that provide incentives for affordable housing across the entire urban area of Canberra and this is not limited to DV368.

The provisions of DV368 implement the recommendations of the City and Gateway Urban Design Framework as well as the associated National Capital Plan amendments. Notwithstanding this, criteria have been added to some of the mandatory provisions in DV368. This will increase flexibility in complying with the provisions and assist in reducing development costs.

2.3.8 **Scope and extent of the City and Gateway Urban Design Framework** - 2 submissions

One submission requested that the 'other' City and Gateway Urban Design Framework recommendations should be included in DV368 so that they do not get forgotten.

The other submission suggested that development sites at Yowani and Kamberra should not be included in any future City and Gateway Territory Plan variations.

Response

DV368 is intended to implement the planning related recommendations of the City and Gateway Urban Design Framework into the Territory Plan. Other (non-planning related) elements of the framework will be implemented through a range of Government initiatives and various capital works and programs.

Both the Yowani and Kamberra sites fall within the spatial area of the City and Gateway Urban Design Framework and, as such, may be included in future Territory Plan variations. However, both these sites are currently under consideration through separate Territory Plan variation processes. The Yowani site is the subject of Variation 370 and Kamberra will be commencing a Territory Plan variation process soon.

2.3.9 **Apartment designs** - 2 submissions

The submissions indicated that the apartment design guidance in DV368 should be applied more broadly across the ACT, and not limited to the area covered by the City and Gateway Urban Design Framework.

Response

DV368 implements the City and Gateway Urban Design Framework and related amendments to the National Capital Plan. The broader application of policy for apartment designs and guidance can be achieved through future planning projects. In this regard, the provisions introduced as part of DV368 can be evaluated and used to inform broader planning policy for apartment design and guidance.

2.3.10 Planning system review and reform - 2 submissions

The submissions suggested that the ACT Government should not progress so many Territory Plan variations and should focus on a thorough review of the Territory Plan. Releasing multiple and overlapping draft variations together make it difficult to assess each. This is the case for DV368 and DV369 Living Infrastructure.

Response

The *Planning and Development Act 2007* provides options for the review of the Territory Plan provisions. In recent years, the ACT Government has undertaken a systematic review of and continuous improvements to the Territory Plan through a series of variations targeting different policy areas. In this regard, DV368 implements the City and Gateway Urban Design Framework and related amendments to the National Capital Plan. Notwithstanding this, the ACT Government is undertaking a planning system review and reform project which will consider the planning system as a whole, including the planning legislation and the Territory Plan.

2.3.11 Population Density - 1 submission

The submission indicated that a higher density is required along Northbourne and at Dickson to accommodate future population growth.

Response

The draft variation seeks to implement the recommendations of the City and Gateway Urban Design Framework – 2018 which recommends high density residential development at the nodes along Northbourne Avenue (including at Dickson). The balance of the corridor is to be primarily RZ4 Medium Density and RZ3 Urban Residential Zones. The City and Gateway Urban Design Framework considered this to be sufficient to meet the predicted population as follows:

Canberra's population growth is anticipated to reach around half a million people by 2031. The population of the city and gateway study area, currently about 54,000, is projected to reach 71,000 by 2031.

Population growth in the city and gateway corridor must be carefully managed to ensure it builds, rather than diminishes, the attractiveness and liveability of our city. It will be important to ensure that development delivers a variety of housing, services and facilities that support a diverse urban community, and generates economic benefits.

Specific Comments about DV368 provisions

The following sections provide details of and responses to public submissions on the specific provisions of DV368.

2.3.12 Car parking - R37 and R50 - 10 submissions

One submission supported the cap on car parking numbers in mandatory Rules R37 and R50 and indicated that the parking restrictions contained in DV368 should apply more broadly to the city and the town centres.

The other nine submissions opposed the car parking limit as follow:

- The car parking rules will increase parking on the streets and on the verges.
- There should be no limit on what is provided in basements. This will reduce on-street car parking and will enable visitor overflow and trades to use the streets.
- High end residential developments and 3 and 4 bedroom apartments require more car parking than is provided for in DV368.
- The maximum parking rates should align with the ACT Parking and Vehicular Access General Code.
- Clarification is required that these provisions only apply to multi-unit residential. Flexibility is needed for smaller developments.
- Clarification is required that the minimum number of car parks permitted is zero.

Response

The City and Gateway Urban Design Framework promotes a reduction in the number of private vehicle parking spaces for individual developments. It also promotes improved access to other forms of transport, including light rail, buses and car share. However, the concerns raised in the public submissions are noted, and a Criterion C37 will be added to DV368 to allow greater car parking numbers to accommodate the needs of apartment residents.

R50 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.13 Mix of dwellings - R19 and R57 - 9 submissions

One submission indicated that the apartment standards in DV368 should be applied to all apartments in the ACT and not just along Northbourne Avenue.

The remaining submissions indicated that the unit mix of dwellings for one, two and three bedrooms should be determined by the market. It is suggested that R19, and R57 of DV368 do not provide enough flexibility for industry to meet housing market demands.

Response

The City and Gateway Urban Design Framework 2018 found that *“Investment market decisions have a significant impact on the type of higher-density dwellings being built in Canberra. The current trend along Northbourne Avenue is to build one- and two-bedroom apartments for a high-density housing market. However, this trend may not be resulting in diverse housing forms that genuinely meet household size and family type preferences.”*

DV368, Rule R19 stipulates bedroom numbers only for developments of 40 or more dwellings. It is also subject to Criterion C19 which provides flexibility in determining bedroom numbers, should it be difficult to meet the rule.

Rule and Criterion R57 and C57 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.14 Subdivision and Amalgamation - R43 & C43, R44 & C44 and Figures 5 & 6 - 6 submissions

The submissions raised concerns about the consolidation provisions of the RC2 – Inner North area under DV368 including:

- The base maps for consolidation (Figure 6) are out of date as some consolidations have already occurred.
- The consolidation provisions won't work for all blocks on figures 5 and 6. For example:
 - 72-74 Macarthur Avenue has a sewerage easement between them which would prevent consolidation.
 - 11 Verdon St, O'Connor will have difficulty consolidating as its partner site has built a new dual occupancy. This will result in it being undevelopable or at best underdeveloped.
 - Blocks 1-3 section 46 Turner unable to be consolidated due to sewer mains in between.
 - Blocks 1, 24 and 25 section 10 Dickson as middle block is already redeveloped with single dwelling
- DV368 should be amended to delete reference to figures 5 and 6 and a criterion added so that consolidation is not required where utilities are in the way.
- Rule R44 reads as a “single continual street frontage” not “frontage to streets that is continuous”. This could be interpreted as a single street.

Response

Agreed. The amalgamation provisions are contained in the RC2 - Inner North area of DV368 which is to be removed from the draft variation along with figures 5 and 6. These provisions will be considered as part of a broader review of the Inner North Precinct Code.

Additionally, DV368 will include a new Criterion (C3) to accompany the existing Mandatory Rule R3 of the Inner North Precinct Code. This is because the existing mandatory Rule R3 applies to a large number of blocks not all of which can readily comply with the mandatory requirements of the rule. The new criterion will provide flexibility for redevelopment, including for blocks that are impacted by utilities.

2.3.15 **Ceiling heights** – R15 & C15 and R59 & C59 - 5 submissions

The submissions raised concerns about the increased ceiling heights in Rules R15 and R59. Of concern was the additional heating & cooling loads, which would generate the need for more power requirements and effect the capacity of office building to achieve acceptable energy ratings.

It was suggested that Rule R15 should apply to area A in figure 3 only.

One submission sought clarification as to whether the taller ceiling heights are meant to apply to storeys of a commercial office tower.

Response

The intent of these provisions is to improve apartment designs and specify the minimum ceiling height that applies to a dwelling (habitable and non-habitable spaces), as well as to non-residential uses. The rules are supported by criteria that provide sufficient flexibility in determining ceiling heights.

Rule and Criterion R15 and C15 are intended to reflect the provisions of the National Capital Plan and as such are applicable to Area B on Figure 3.

R59 and C59 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.16 **Habitable room dimensions** - R16 & C16, and R17 & C17 - 4 submissions

The following comments were made in relation to habitable room dimensions:

- Rule R16 apartment standards should be applied to all apartments and not just along Northbourne Avenue.
- Rule R17 room depth should be increased to 10m, to allow 4m living, 3m dining and 3m kitchen.
- Two submissions indicate that it is beyond the scope of the legislative powers of the National Capital Plan and the Territory Plan to regulate habitable room dimensions.

Response

The primary intent of Rules R16 and R17 is to improve internal dwelling design and to avoid long skinny or odd shaped apartments. The Criteria C16 and C17 allow for flexibility in design should the rule not be able to be met. The internal size of an apartment impacts the overall bulk and scale of a development and it is appropriate for such a provision to be located in the Territory Plan.

2.3.17 **Vehicular Access** – C33 and R34 & C34 - 4 submissions

Three submissions made comments about the vehicle access requirements of Criterion C33:

- One submission indicated that C33 - Access should be encouraged from streets other than Northbourne Avenue.
- Two submissions indicated that access should be promoted from Northbourne to take the pressure off the surrounding streets.

Two submissions also commented on the provisions of Rule R34 and Criterion C34 as follows:

- Co-locating driveway access points at side boundaries will cause confusion.
- Location of access points should be design based and not stipulated by DV368.

Response

DV368 seeks to restrict access to Northbourne Avenue consistent with the recommendations of the City and Gateway Urban Design Framework 2018 which identifies Northbourne Avenue as a transit boulevard with a greater public transport and local traffic distribution function.

Notwithstanding this, both C33 and Rule and Criterion R34 and C34 will be removed from DV368 to avoid duplication with the National Capital Plan.

2.3.18 **Planting Areas** - R48 - 4 submissions

Some submissions indicated that the planting area in R48 is too much and others stated that it is too little. Comments included:

- Clarification is sought as to whether the dimensions are linear or square metres;
- the introduction of a minimum of 2.5m for planting areas is excessive. It ignores the validity of small strip gardens in courtyards and light wells or along boundaries as being valid contributors to the permeability of a site.
- DV368 reduces planting area while DV369 – Living Infrastructure seeks to increase planting areas.
- Mandatory Rule R48 should be increased to 3m and increase cubic metre area to meet current Inner North Precinct Code requirements of 7mx7mx2m deep.

Response

The dimensions are linear metres. The dimensions for planting areas for residential zones are currently under review through a separate Territory Plan variation DV369 - Living Infrastructure. However, DV369 does not apply to commercially zoned land.

Notwithstanding this, Rule R48 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.19 **Internal floor areas** - R54 & C54 - 4 submissions

One submission indicated that Rule R54 doesn't allow for development of smaller 3 bed units with only one bathroom.

Other submissions found Rule R54 to be confusing and raised concerns that it may result in additional gross floor area (GFA) requirements.

The submissions also indicated that the R54(f) requirement for an extra 5m² for additional bathrooms is not necessary.

Response

The criterion C54 in DV368 provides flexibility for smaller bathrooms if the rule R54 cannot be met.

Notwithstanding this, Rule and Criterion R54 and C54 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.20 **Operable windows** - R28 and R55 - 4 submissions

The submissions requested that a criterion be added to the rule to exempt rooms that do not need operable windows such as media rooms and the like.

It is argued that a prohibition on 'snorkel' arrangements is not necessary. In many other jurisdictions around the country 'snorkel' arrangements are better regulated by requiring a minimum width to depth ratio.

One submission indicated that the snorkel restriction is not needed as the 15% requirement already controls room sizes.

Response

The comments are noted.

Mandatory Rule R28 is a requirement of the National Capital Plan and will be removed from DV368 to avoid duplication.

Mandatory Rule R55 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.21 **Supermarket size** - R1 and R2 - 3 submissions

The submissions indicated that the supermarket Gross Floor Area (GFA) limit of 750m² is insufficient and that at least 1,000m² will be needed for a suitable supermarket to be established.

Response

The City and Gateway Urban Design Framework identifies nodes at the light rail stops at Dickon and at Macarthur Avenue. These nodes are not intended to function as local or group commercial centres but rather as transit stations with associated commercial activity. A smaller supermarket meets the 'transit node'

model and is less likely to compete with supermarkets in the surrounding local and group centres.

2.3.22 **Ground floor uses** - R3 and R4 & C4 - 3 submissions

The submissions argue that prescribing commercial uses on the ground floor is not useful outside of core employment or work nodes. There is not sufficient demand and ideally it should be left to the market to determine.

One submission indicated ancillary residential uses should be permitted on ground floors including lobbies and communal spaces.

One submission indicated that their particular blocks at 7/9 Braddon is permitted to have residential ground floor as currently allowed by the Crown Lease.

Response

The primary intent of the nodes along Northbourne Avenue is to co-locate mixed use commercial development and transit stations. For this reason, residential uses are restricted on ground floors of buildings in the Dickson and Macarthur nodes under DV368.

Notwithstanding this, DV368 will be amended to include a new Criterion C3 to allow residential ground floor uses that do not open onto the primary frontages of the transit nodes. This will allow sufficient flexibility to fill ground floor spaces that are not used or needed for commercial purposes.

The existing Rule R4 and Criterion C4 allow sufficient flexibility for a range of uses, that are not strictly commercial.

Use rights permitted by existing leases are protected.

2.3.23 **Separation distances** - R14 & C14 - 3 submissions

The submissions raised concerns about Rule R14. In particular, it is argued that increasing the separation between windows as a building gets higher appears to be about the increased angle of overlooking rather than direct line of sight. Otherwise, the lower level setback would apply all the way through. It is suggested that some articulation of this might be appropriate to inform design of innovative alternatives that would bring buildings closer together. There is a risk that prescriptive setbacks at each storey could develop a cookie cutter form down Northbourne Ave.

One submission questioned the application of Rule R14 in that it should only apply to Area A and not to Area B on Figure 3. The same submission questioned the application of Rule R14 to commercial uses and suggested it should only apply to habitable rooms in dwellings.

Response

Rule R14 of DV368 is applicable to 'Area B'. It is intended to complement the National Capital Plan which applies this same provision to Area A. Rule R14 is therefore a continuation of the National Capital Plan building separation policy that applies along most of the corridor.

The rule, as written is complicated, and has been divided into 3 separate rules for separation distances between:

- dwellings on the same block;
- dwellings on adjoining commercial zoned blocks; and
- dwellings on adjoining residential zoned blocks.

The rules also have associated criteria to provide flexibility if needed in the building design.

2.3.24 **Solar access internal to the dwelling** - R27, R28 and R56 & C56 – *3 submissions*

The submissions indicate that the Northbourne grid is slightly to the east of north. This makes it very hard for east facing dwellings to achieve the 3 hours of solar access as mandated under Rules R27, R28 and R56. The submissions stated that this will increase housing costs.

Further Rule R28 may hinder provision of rooms such as secondary living spaces and the like.

The submissions have requested that a criterion should be provided to allow flexibility in complying with the rule. It is also requested that terms such as a snorkel need clarification i.e. How deep / how wide before it is considered part of the bedroom.

Response

Rules R27 and R28 are currently requirements of the National Capital Plan and will be removed from DV368 to avoid duplication.

R56 is a rewording of existing Multi-Uni Housing Development Code provision. It does have a criterion which provides flexibility if the rule cannot be met. Notwithstanding this, Rule R56 and Criterion C56 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.25 **Setbacks - Inner North-** R46 & C46 and R47 – *3 submissions*

The submissions made the following comments about setbacks:

- the 4m setbacks contained in the Inner North Precinct Code are sufficient.
- Rule R47 is a mandatory rule. It needs a criterion to allow for minor encroachments.
- Rule R47 should be amended to clarify rear setback in which 6m is suggested.

Response

Rule and Criterion R46 and C46 and Mandatory Rule R47 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.26 **Utilities** - R51 & C51- 3 submissions

Two submissions indicated that underground wiring can be expensive.

Response

This is an existing requirement of the Inner North Precinct Code (R23 and C23). It is subject to a criterion to allow flexibility.

Notwithstanding this, R51 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.27 **Ventilation** - R60 - 3 submissions

The submissions made the following comments in relation to mandatory Rule R60:

- The rule should be amended to allow other forms of ventilation;
- The rule can be deleted as it duplicates R55; and
- The rule is more onerous than the existing requirements of the Inner North Precinct Code and is likely lead to poor outcomes.

Response

The intent of this provision is to improve apartment designs.

Notwithstanding this, mandatory Rule R60 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.28 **Cross ventilation** - R61 & C61 - 3 submissions

The submissions indicated that Rule R61 is more onerous than the existing code provisions and will be difficult to implement. It is suggested that R61 should allow alternatives to cross ventilation, such as air purifier heat exchangers.

Response

The Rule R61 doesn't mandate all dwellings to have cross ventilation and it can be reduced via Criterion C61 as needed on any given site. In this regard, Rule R61 does not prevent use of purifier heat exchanges in addition to cross ventilation. The provision is similar to existing C66 in Multi Unit Housing Development Code.

Notwithstanding this, R61 and C61 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.29 **Setbacks Northbourne Avenue Corridor**- R9 & C9, R10, R11, R12 and R13 - 2 submissions

The two submissions commented about the setbacks including:

- Rule R9 places mandatory restrictions on basements and balconies that are inconsistent with existing development.
- There are a number of corner sites that would be so affected by the combination of a 10m street setback and then a 9m side boundary setback (as required by National Capital Plan) as to be rendered undevelopable, in which case the current buildings would remain in place until such time as this oversight is repaired.

- At one site on Northbourne Avenue development is impacted by an existing 1kv electricity substation. Redevelopment on the site will involve an update of the substation to a 2kv facility in response to increased electricity demand in the area. Criterion C10 provides scope for flexibility in design but it requested that it be amended to accommodate the substation and other similar scenarios.
- At one site in Braddon a design review of this site shows that a 10m street setback and an associated 9m side boundary setback to development south of it on Northbourne Avenue will result in a building just 8 metres wide.

Response

Rule and Criterion R9 and C9 is currently a requirement of the National Capital Plan and will be removed from DV368 to avoid duplication.

The setback provisions generally have criteria that will provide flexibility in relation to setbacks.

C10 will be amended to allow for provision of new and/or upgraded utilities into the overall siting and design considerations, including reduced setbacks.

2.3.30 Private Open Space - R30 and R53 - 2 submissions

Two submissions commented on the private open space provisions of Rule R30 and R53 of DV368:

- R30 should have a criterion to provide flexibility in the provision of private open space; and
- R53 clarification is requested as to whether principal private open space requirements of the Multi- Unit Housing Development Code apply in addition to RC 2- Inner North.

Response

Rule R30 reflects a requirement of the National Capital Plan. However, a criterion will be added to DV368 to ensure consistency with similar provisions of the Multi-Unit Housing Development Code (Rule R61 and Criterion C61).

In relation to Rule R53, the provisions of a precinct code take precedent over other Territory Plan codes where a conflict exists. This means that Rule R53 would apply in place of the Multi Unit Housing Development Code.

Rule R53 and Criterion C53 will be retained in DV368 as an amendment to the Inner North Precinct Code (rule 22) to increase flexibility in the provision of private open space in the inner north.

2.3.31 Parking structures - R40 & C40 - 2 submissions

One submission supported the requirements for parking structures.

The other submission indicated that the provisions are too subjective and do not give clarity.

Response

Rule and Criterion R40 and C40 will be revised to improve their application. However, no policy changes will be made to these provisions.

2.3.32 Building heights - Rule R45 - 2 submissions

Two submissions questioned the merits of limiting building heights to two storeys under mandatory R45. Some areas of Turner are already built to three storeys. The two storey building height limit will impact on the ability to develop sites within the culs-de sac identified in figures 5 and 6 and to comply with the various other code requirements such as planting areas and the like.

Response

Noted. Mandatory Rule R45 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.33 Retaining walls - C46 - 2 submissions

Two submissions requested that consideration be given, under Criterion C46, to allowing retaining walls forward of the building line to a height taller than 1metre so they can be more than just a landscape feature.

Response

Retaining walls are dealt with through the Planning and Development Regulation 2008 S1.53. This is beyond the scope of DV368. Where a retaining wall is no longer a landscaping feature (i.e. it is not retaining soil), it would need to comply with the requirements for courtyard walls.

Additionally, Criterion C46 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.34 Basement - vehicle access - R49 - 2 submissions

One submission requested that mandatory Rule R49 should be deleted because it cannot be achieved for development of one or two blocks. It is only suitable for development of three or more blocks.

The other submission suggested that mandatory Rule R49 needs a criterion to allow for multiple basement entry points where necessary.

Response

Mandatory Rule R49 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.35 Housing Diversity – building separation - R58 & C58 - 2 Submissions

Two submissions requested that Rule R58 is either:

- deleted as it conflicts with 0m setback elsewhere in the code; or
- re-worded to clarify that it applies to setbacks between windows.

Response

Rule R58 and Criterion C58 will be removed from DV368 and will be considered as part of a broader review of the Inner North Precinct Code.

2.3.36 Building heights - R7 & C7 - 1 submission

One submission sought clarification whether Rule R7 permits minor elements above RL617.

Response

The National Capital Plan regulates the RL617 building height.

2.3.37 Diversity of unit designs - C18 - 1 submission

One submission indicated that having a criterion to regulate the diversity of unit designs is not appropriate. This should be led by the designer and market requirements. It is too subjective to assess.

Response

Criterion C18 is currently a requirement of the National Capital Plan and will be removed from DV368 to avoid duplication.

2.3.38 Pedestrian Shelters - R21 & C21 - 1 Submission

One submission indicated that Rule R21 adds a requirement for a continuous awning along the Northbourne and Wakefield Avenue frontages. It would be assumed that this awning would be an allowable encroachment and would require clarification.

Response

Rule R21 is supported by Criterion C21 which provides flexibility for design outcomes and to accommodate encroachments.

Notwithstanding this, Rule R21 and Criterion C21 are currently requirements of the National Capital Plan and will be removed from DV368 to avoid duplication.

2.3.39 Awnings - R22 & C22 - 1 submission

The submission indicated that DV368 should require awnings in all areas and not just in the nodes under R22.

Response

It is not appropriate to require awnings on all frontages outside the nodes as many uses in these areas, including residential ground floor developments, do not lend themselves to the provision of awnings.

Awnings are required for all active building frontages outside of the nodes under Rule and Criterion R22 and C22 of DV368, consistent with the City and Gateway Urban Design Framework design criteria:

- *Active building edge types shall have continuous awnings over the footpath, providing public domain amenity.*
- *For semi-active, adaptable and residential building edge types, awnings shall be located over the building entry, providing building address.*
- *The height, depth, material and form of awnings are to comply with relevant regulations.*
- *Awnings are well located to integrate and enhance the architectural quality of the building.*

2.3.40 Courtyard walls - C26 - 1 Submission

One submission suggested that if Rule 3 is imposed there won't be any need for courtyard walls on the ground floor as stipulated in Criterion C26 because residential use won't be permitted.

Response

Rule 3 only applies to development in the Dickson and Macarthur Nodes. Residential ground floor development is permitted elsewhere and C26 applies accordingly to the provision of courtyard walls.

2.3.41 Solar access to adjoining properties - R29 & C29 - 1 submission

One submission indicates that many blocks consist of old single residential developments that have not yet been redeveloped. If a new 25m high building is constructed on the neighbouring allotment it will be very difficult to not have an impact on solar access to habitable spaces.

Response

Rule R29 reflects an existing provision of the Northbourne Avenue Precinct Map and Code (R26A and C26A) and there is sufficient flexibility provided in the Criterion C29 to accommodate new development adjoining existing low rise residential dwellings.

2.3.42 External facilities - C31 - 1 submission

The submission indicated that Criterion C31 should permit screened air conditioning units on balconies because central systems are expensive to build and maintain.

Response

The prohibition on air-conditioning on balconies is contained in the National Capital Plan. However, C31 of DV368 also builds upon C43 of the Multi-Unit Housing Development Code requirement for the full screening of external facilities from public areas.

2.3.43 **Noise** - C32 - 1 submission

The submission indicated that it is difficult to demonstrate how noise transmission between habitable rooms will be achieved under Criterion C32.

Response

Transmission of noise is between 'noise sources' and habitable rooms to protect habitable rooms from these sources of noise. It does not relate to transmission of noise between habitable rooms.

Other comments

2.3.44 **National Capital Design Review Panel** - 1 submission

The submission indicated that draft Territory Plan variations should be 'road tested' and reviewed by the National Capital Design Review Panel prior to finalising the draft and releasing publicly. All changes to planning codes should be modelled three dimensionally and critically reviewed to ensure that unintended consequences are identified early (and necessary adjustments made) and that design excellence is fostered.

Response

DV368 implements the City and Gateway Urban Design Framework and related amendments to the National Capital Plan, both of which were widely consulted internally within Government (including the agencies that make up the design review panel) and externally through public notification processes.

2.3.45 **Plot ratio** - 1 submission

The submission indicated that DV368 results in a lower Gross Floor Area (GFA) than that permitted by the Single Dwelling Housing Development Code for the RZ3 and RZ4.

Response

Single dwellings have a 50% plot ratio. Multi-units in the RZ3 and RZ4 zones have a range of plot ratios but none less than 65%. DV368 does not alter that.

2.3.46 **Gross floor area – basements** - 1 submission

The submission indicated that all basement areas should be exempt from Gross Floor Area (GFA) calculations to encourage developers to provide additional storage and communal facilities. These areas have no impact on the broader community but could be very valuable to occupants.

Response

This is outside the scope of DV368. Maximum GFA limits are set by the multi unit and single dwelling development codes, in conjunction with the definition of GFA in Part B of the Territory Plan definitions.

2.3.47 **Active travel** - 1 submission

The submission indicated that north south cycle improvements are needed in addition to the east west links identified in DV368.

Response

The City and Gateway Urban Design Framework 2018 seeks to alter the current function of Northbourne Avenue as an arterial road into a transit boulevard with a greater public transport and local traffic distribution function. The Avenue will become a people-focused boulevard and it will be safer and more attractive for people using active travel, including for cyclists. Protected cycle lanes are proposed.

2.3.48 Downer Precinct Map and Code - 1 submission

The submission requested that a Downer Precinct Map and Code be prepared by the ACT Government in consultation with the Downer Community Association.

Response

The Territory Plan contains an existing Precinct Map and Code for Downer. There are currently no plans for a review of the Precinct Code provisions for Downer. Any such review would be dependent on Government priorities and resources.

2.3.49 Leases - 1 submission

The submission sought clarification that the crown leases for a site will override the DV requirements.

Response

Existing lease rights are not impacted by DV368.

2.3.50 Development applications - 1 submission

The submission suggested that developments should be allowed to be submitted and assessed against a merit-based argument to deliver the quality around apartment and commercial design that is desired whilst not restricting the provisions of the Crown Leases.

Response

All development applications within the Territory Plan area are subject to statutory requirements of the *Planning and Development Act 2007* and are assessed against the applicable Territory Plan code provisions. Developments within the area of the National Capital Plan require works approval from the National Capital Authority. Existing lease rights are not impacted by the statutory development application and approval processes.

3. COMPLIANCE WITH THE PLANNING AND DEVELOPMENT ACT 2007

3.1 Release for Public Comment (section 63)

DV368 was made available for public comment from 19 December 2019 to 28 February 2020 and a consultation notice under s 63 of the Act was published in the ACT Legislation Register on 19 December 2019 and on the Public notice board on 19 December 2019.

3.2 Mandatory Government agencies (Section 61)

The mandatory government agencies for DV380 are:

- National Capital Authority (NCA);
- Conservator of Flora and Fauna;
- Environment Protection Authority;
- ACT Heritage Council; and
- Land Custodians – Transport and City Services Directorate and the Suburban Land Agency

It is a statutory requirement that these agencies be consulted, and their comments included in the draft variation for public release. The public release version of DV368 is located at **Appendix 1**.

The was consulted in relation to the revisions made to DV368 in response to issues raised during the public notification period. The NCA made the following comments on 21 October 2021. Responses are also provided:

3.2.1 General comments

Some issues raised by the NCA in the past have been addressed, however the NCA has made further comment below on a number of issues raised in previous correspondence (August 2019 and February 2020). The NCA has concern that opportunity to improve design outcomes along the corridor is being lost.

The NCA would like to understand how previous comments have been considered given that a number of key issues remain.

Response

The area that DV368 applies to has been significantly reduced. It now applies primarily to the Northbourne Avenue corridor, the majority of which is subject to the requirements of the National Capital Plan. This means that the National Capital Plan design requirements apply to development in this corridor.

The Inner North Precinct Code area has been removed from DV368. This will allow the code provisions to be updated and revised more holistically than was possible under DV368.

Responses to NCA specific comments are outlined below.

3.2.2 Design quality

The NCA has previously commented on the extent of design quality provisions within the draft variation, particularly given the focus of this in the City and Gateway Urban Design Framework and Amendment 91 to the Plan. The NCA has concerns that provisions of the National Capital Plan are not adequately considered during design development or during assessment, and that inclusion of design quality criteria in the Territory Plan may assist. This is a key matter where improvements could be made prior to DV368 progressing.

EPSDD's response to these comments in the past has been that the provisions relating to design quality are consistent with requirements of the Plan, and development will still need to comply with relevant development code provisions. Further, it has been noted that design quality provisions will be considered for inclusion in the future review of the Territory Plan to apply across Canberra

The NCA is aware that there are high level provisions within development codes (for example, the Commercial Zones Development Code) referring to ensuring that the massing, scale, colours, materials used for buildings result in high quality design outcomes. There appear to be few subsequent, more specific provisions concerning the matter. The provisions of DV368 do not address excellence in design. The few mentions of quality relate to the use of materials and treatments for parking structures, courtyard walls, and public realm design for access arrangements only.

Since the commencement of the National Capital Design Review Panel (NCDRP), multiple development proposals within the Northbourne Avenue Corridor have been subject to panel review. Panel advice frequently refers to the need to improve design quality in architecture, landscape design, and the public realm.

The NCA's preference is that EPSDD should include design quality provisions for Northbourne Avenue ahead of a review of the Territory Plan as broader changes may be some time in the future. DV368 provides the opportunity to do so now and start improving outcomes along the corridor. This would better address broad government objectives concerning urban design (for example, section 2.14 of the ACT Government's Statement of Strategic Directions).

Response

The NCA comments are noted.

The area of DV368 has been significantly reduced to Northbourne Avenue and adjoining sections. For the most part the National Capital Plan applies to these areas and the design criteria will apply accordingly.

The ACT Government is focused on improving design outcomes for residential apartments and medium to high density residential development wherever it occurs in the ACT. The majority of the design considerations that the NCA seeks to apply in the Northbourne Corridor Precinct Code are equally applicable

throughout Canberra. Due to a range of government priorities and resources, the design quality provisions are more efficiently delivered as part of the broader review of the residential zone provisions.

3.2.3 Height of building

Relevant criteria propose that habitable rooms (or part of a habitable room) are not considered minor building elements and cannot exceed maximum permitted height limits. The NCA would prefer that occupiable rooms are also not considered minor building elements. This reinforces the intent of the National Capital Plan that no rooms where people may be present in the normal use of a building are above stated height limits.

Response

Noted. Criteria C6, C7 and C8 of DV368 have been amended so that an 'occupiable room' is also not considered minor building elements.

3.2.4 External facilities

C29 (previously C31) is drafted so that it applies only to apartments. The NCA's preference remains for this requirement to apply to other land uses, such as serviced apartments, hotels, etc (uses that are permitted in the CZ5 and CZ5 zones that apply to the majority of sites along Northbourne Avenue).

Response

Noted. C29 has been amended so that it applies to all development rather than just applying to apartments.

3.2.5 Mid-block and open space links

C25 contains requirements for 'open space links', with the only requirements being that unimpeded public access is provided at all times. It appears that the blocks on which 'open space links' are required, as identified in Figure 4, are all currently managed by the Transport Canberra and City Services Directorate (TCCS). Although managed by a government entity, it would be useful for additional criteria to be included regarding the intended nature of these links (for example, minimum width to promote adequate landscaping and provide a welcoming environment for users, adequate lighting, etc).

Other blocks, also managed by TCCS, perform a similar function to those identified in Figure 4 (for example, Block 3 Section 53 Lyneham and Block 4 Section 3 Braddon). Should these blocks also be identified as open space links?

Map 18 of the City and Gateway Urban Design Framework identifies several mid-block links that do not appear in the draft variation as either mid-block links or open space links. Mid-block links are intended to improve permeability along the corridor, and provide routes through larger sites between Northbourne Avenue and adjacent residential neighbourhoods and streets. It would be useful to understand why the number of links has been reduced in the draft variation.

Response

The mid block links identified in the City and Gateway framework were rationalised for inclusion into DV368 having regard to all of the following:

- existing established mid-block links and/or open space corridors and streets are not included in DV368 because no change is required to create these links;
- focusing on the formal crossing points for light rail in a bid to reduce informal crossings of the light rail corridor;
- the National Capital Plan requirements for building breaks approximately every 55m which provides opportunities for 'at grade' mid block links along the Northbourne Corridor;
- sites that have been recently developed without mid block links and are unlikely to be redeveloped in the short or medium term future;
- the width of the block frontages and their capacity to provide a dedicated public thoroughfare in the form of a mid block link, particularly if the frontage is narrow; and
- opportunities to provide mid block links as part of the redevelopment of blocks, particularly where ground floor commercial development is a requirement of DV368 (such as the MacArthur and Dickson transit nodes).

3.2.6 Car parking - trees

C36 (previously C40) includes criteria for at-grade parking, including a requirement that shade trees are planted at least every 5 vehicle spaces to reduce the car park surface temperature. Section 4.28 of the Plan refers to trees being planted every 4-5 spaces. If the Territory Plan needs a definitive number, the NCA's preference is for trees to be planted every four spaces.

Response

The National Capital Plan car parking requirements will apply to the majority of the area covered by DV368.

The Living Infrastructure requirements for commercial zones will be considered to determine appropriate requirements for tree canopy and permeability. This means there will be no need to introduce specific requirements for car park trees in the future.

3.2.7 Car parking - screening

C36 also contains criteria requiring parking areas to be suitably screened from Northbourne Avenue and major cross streets through use of buildings, communal open space area, private open space and/or landscaping. The NCA supports this intent, however also suggest that it would be beneficial for parking areas to be screened from view from some of these areas to improve amenity (for example, so private open space areas do not have outlook to car parking).

Response

Noted. An amendment has been made to C36 such that 'at-grade car parking' does not reduce the amenity of communal open space areas or private open space.

3.2.8 Private open space

National Capital Plan provisions concerning solar access state that *'Living rooms and private open spaces of at least 70% of apartments in a building must receive a minimum of 3 hours direct sunlight between 9am and 3pm on the winter solstice (21 June)'*. This is framed as a mandatory provision.

The proposed introduction of new C28 contradicts the mandatory nature of the above provision by requiring 'reasonable solar access' only.

To improve outcomes for existing development, could R27 be mandated (ie no corresponding criteria)?

Response

The National Capital Plan solar access requirements will apply to the majority of the area covered by DV368.

The provisions of DV368 apply to areas not subject to the National Capital Plan and the provisions relating to solar access have been revised to provide more flexibility in compliance. This is because of the orientation of the blocks on the corridor make it difficult to comply with mandatory requirements for solar access.

3.2.9 City and Gateway provisions for the Federal Highway

The City and Gateway Urban Design Framework and Section 4.28 of the Plan include provisions for the Northbourne Avenue and Federal Highway corridor from the ACT-NSW border to Barry Drive/Cooyong Street. The NCA notes that the draft variation applies only to Northbourne Avenue between Barry Drive/Cooyong Street and Antill/Mouat Streets. Advice would be appreciated as to when variations will be proposed to the Territory Plan to reflect City and Gateway provisions for the Federal Highway.

Response

This matter falls outside the scope of DV368. Implementation of the additional provisions of the City and Gateway Urban Design Framework will be progressed having regard to ACT Government priorities and resources.

3.2.10 Application of the National Capital Plan

The NCA appreciates the addition of R5 requiring proponent's to submit documentation demonstrating compliance with provisions of the National Capital Plan. The NCA has been referred a number of development applications for proposals along the corridor. In some cases, documentation submitted in support of compliance with National Capital Plan provisions has either not been provided or has not been sufficient.

With the introduction of DV368, the NCA sees benefit in developing a 'checklist' of what supporting documentation is required to be submitted to meet R5. For example, level-by-level solar plans and modelling to demonstrate compliance with mandatory solar access provisions. NCA officers will draft this guidance in the first instance and subsequently finalise in conjunction with EPSDD and key stakeholders.

Response

This is an administrative matter for the NCA to resolve. Any such checklist would exist outside the Territory Plan provisions.

3.3 Notice of Submission to the Minister (section 70)

In accordance with s 70 of the Act, a public availability notice will be placed in the ACT Legislation Register stating that DV368 has been submitted to the Minister and that the documents are available for public inspection.

APPENDIX 1
Draft variation 368 public release version

Planning and Development (Draft Variation No 368) Consultation Notice 2019

Notifiable instrument NI2019—806

made under the

Planning and Development Act 2007, s 63 (Public consultation—notification)

1 Name of instrument

This instrument is the *Planning and Development (Draft Variation No 368) Consultation Notice 2019*.

2 Draft variation to the Territory Plan

The planning and land authority (the **Authority**) has prepared a draft plan variation No 368 – City and Gateway South Northbourne Avenue Corridor (the **draft variation**) to vary the Territory Plan. The Draft Variation No 368 incorporates a number of recommendations from the City and Gateway Urban Design Framework for development along Northbourne Avenue between Mouat/Antill Street and Barry Drive/Cooyong Street. The draft variation also replaces the Northbourne Avenue precinct code and Inner North precinct code with the proposed Northbourne Avenue Corridor precinct code.

3 Documents available for public inspection

- (1) The Authority gives notice that the following documents are available for public inspection and purchase:
 - (a) the draft variation; and
 - (b) the background papers relating to the draft variation.
- (2) Copies of the documents mentioned in section 3 (1) are available for inspection and purchase at Access Canberra Shopfront, Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson, Monday to Friday (except public holidays) between 8:30am and 4:30pm for the period commencing on the day this notice commences and ending on 28 February 2020 (the **consultation period**).
- (3) Copies of the documents mentioned in section 3 (1) are also available for inspection during the Consultation Period online at <https://www.planning.act.gov.au/tools-resources/plans-registers/plans/territory-plan/draft-variations-to-the-territory-plan>

4 Invitation to give written comments

- (1) The Authority invites written comments about the draft variation during the consultation period. Comments should include reference to the draft variation and be addressed to the Territory Plan Section of the Environment, Planning and Sustainable Development Directorate (*EPSDD*). Please also provide your name and contact details to assist in the assessment of the comments provided and to enable the Authority to contact you in relation to your comments, if required.
- (2) Written comments should be provided to the Authority by:
 - (a) email to terrplan@act.gov.au; or
 - (b) mail to Territory Plan Section, EPSDD, GPO Box 158, Canberra, ACT 2601; or
 - (c) hand delivery to Access Canberra Shopfront, Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson.

Note: All personal information will be managed in accordance with the *Information Privacy Act 2014* and the *EPSDD Information Privacy Policy* which are available through the EPSDD website.

5 Public inspection of written comments

- (1) Copies of written comments about the draft variation given in response to the invitation in section 4, or otherwise, or received from the National Capital Authority will be available (unless exempted) for public inspection for a period of at least 15 working days starting 10 working days after the day the consultation period ends, at Access Canberra Shopfront, Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson, Monday to Friday (except public holidays) between 8:30am and 4:30pm and may be published on the EPSDD website at www.planning.act.gov.au.
- (2) You may apply under section 411 of the *Planning and Development Act 2007* (the *Act*) for part of your consultation comments to be excluded from being made available to the public. A request for exclusion under this section must be in writing, clearly identifying what you are seeking to exclude and how the request satisfies the exclusion criteria. Please note that your name and contact details and other personal information will not be made public unless you request otherwise.

6 Effect of the draft variation

Section 65 of the Act does not apply in relation to the draft variation and therefore it does not have interim effect. The current Territory Plan will continue to apply while the draft variation remains in draft form.

7 Obtaining further information

Further information about the draft variation can be obtained through email correspondence with the Territory Plan Section, EPSDD, at terrplan@act.gov.au. A reference to the draft variation should be included in any email.

8 **Meaning of *draft plan variation No 368 – City and Gateway South Northbourne Avenue Corridor***

In this instrument:

draft plan variation No 368 – City and Gateway South Northbourne Avenue Corridor means the draft plan variation in the schedule.

Carolyn O'Neill
Delegate of the planning and land authority
12 December 2019



ACT
Government

Environment, Planning and
Sustainable Development

Schedule

Planning and Development Act 2007

Draft
Variation to the
Territory Plan
368

City and Gateway South
Northbourne Avenue Corridor
(Barry Drive/Cooyong Street to Antill/Mouat Street)

December 2019

Draft variation for public consultation prepared
under s60 of the *Planning and Development Act 2007*

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1. INTRODUCTION

1.1 Summary of the Proposal

The draft variation implements the planning recommendations of the City and Gateway Urban Design Framework (the Framework) for areas between Barry Drive/Cooyong Street and Antill/Mouat Street, and will amend the Territory Plan by:

- merging the Inner North and Northbourne Avenue precinct maps and codes to create the Northbourne Avenue Corridor Precinct Code
- modernising and clarifying existing provisions of the Inner North and Northbourne Avenue Precinct Codes
- incorporating changes and updates to the Territory Plan to remain consistent with the National Capital Plan, and
- updating other associated precinct codes (Braddon, Turner, O'Connor, Dickson and Lyneham) to provide consistency with the changes above, such as changing the reference in the precinct codes from Northbourne Avenue and Inner North Precinct Code to Northbourne Avenue Corridor Precinct Code.

1.2 Outline of the process

The Commonwealth's *Australian Capital Territory (Planning and Land Management) Act 1988* allows for the Legislative Assembly to make laws to establish a Territory Planning Authority and for that Authority to prepare and administer a Territory Plan. The *Planning and Development Act 2007* (the Act) establishes the planning and land authority as the Authority that prepares and administers the Territory Plan, including continually reviewing and proposing amendments as necessary. The functions of the planning and land authority are administered by the Environment, Planning and Sustainable Development Directorate (EPSDD). The Director-General of EPSDD is the planning and land authority.

The Territory Plan is comprised of a written statement and a map. The written statement contains a number of parts, namely governance; strategic directions; zones (including objectives and development tables and zone or centre development codes); precinct codes; general codes; overlays; definitions; structure plans, concept plans and development codes for future urban areas.

The Territory Plan Map graphically represents the applicable land use zones (under the categories of residential, commercial, industrial, community facility, urban parks and recreation, transport and services and non urban), precincts and overlays. The zone, precinct and overlay requirements are detailed in the volumes of the Territory Plan.

Draft variations to the Territory Plan are prepared in accordance with the Act. Following the release of the draft variation under section 63 of the Act, submissions from the public are invited. At the conclusion of the consultation period the EPSDD (planning and land authority) submits a report on consultation and a recommended final variation to the Minister responsible for planning for referral to the Legislative Assembly standing committee responsible for planning. The Minister must consider the findings of the committee if it chooses to report on the DV before deciding whether to approve the draft variation. If the Minister approves the variation, the variation and associated documents will be tabled in the Legislative Assembly. Unless disallowed by the Legislative Assembly within five sitting days, the variation commences on a day nominated by the Minister.

1.3 This document

This document contains the background information in relation to the proposed variation. It comprises the following parts

Part 1 This Introduction

Part 2 An Explanatory Statement, which gives reasons for the proposed variation and describes its effect

Part 3 The Draft Variation, which details the precise changes to the Territory Plan that are proposed

1.4 Public Consultation

Written comments about the draft variation are invited from the public by **28 February 2020**.

Comments should include reference to the draft variation and be addressed to the Territory Plan Section, EPSDD. Please also provide your name and contact details to assist in the assessment of the comments provided, and to enable EPSDD to contact you in relation to your comments, if required. Your personal information will be managed in accordance with the *Information Privacy Act 2014* and the EPSDD Information Privacy Policy, which is available for viewing on EPSDD's website.

Comments can be:

- emailed to terrplan@act.gov.au
- mailed to Territory Plan Section, GPO Box 158, Canberra, ACT 2601
- delivered to the Access Canberra Customer Service Centre at 16 Challis Street, Dickson

Copies of written comments received with respect to the draft variation will be made available for public inspection for no less than 15 working days starting 10 working days after the closing date for comment. The comments will be available at the Access Canberra customer service centre in Dickson and may be published on EPSDD's website. Comments made available will not include personal contact details unless you request otherwise.

A request may be made for parts of a submission to be excluded under section 411 or 412 of the *Planning and Development Act 2007*. A request for exclusion under these sections must be in writing, clearly identifying what parts of your submission you are seeking to exclude and how the request satisfies the exclusion criteria.

Further Information

The draft variation and background documents are available online at **www.act.gov.au/draftvariations** until the closing date for written comments.

Printed copies of the draft variation (this document) and background documents are available for inspection and purchase at the Access Canberra Customer Service Centre, 16 Challis Street, Dickson, Monday to Friday (except public holidays) between 8:30am and 4:30pm. Please call 6207 1923 to arrange a copy for purchase.

2. EXPLANATORY STATEMENT

2.1 Background

The City and Gateway Draft Urban Design Framework

The Australian Government through the National Capital Authority (NCA) and the ACT Government share planning responsibility in the ACT. The City and Gateway Draft Urban Design Framework (the Framework) has been jointly prepared by the NCA and ACT Government to set the principles for development and growth in the city centre and along the gateway corridor of Northbourne Avenue and Federal Highway. The Framework provides a long-term vision and principles for this important location, drawing upon the legacy of historic planning and contemporary design.

Implementation of the planning recommendations of the Framework will require amendments to the Territory Plan. This draft variation seeks to implement the key planning controls recommended in the Framework for the section of the gateway corridor from Barry Drive/Cooyong Street to Antill/Mouat Street.

The review of the corridor has also provided the opportunity to review the Inner North precinct code, which covers multi-unit residential development on land adjoining the Northbourne corridor. The provisions contained in the Inner North precinct code have been reviewed and updated for inclusion into this draft variation as part of the proposed Northbourne Avenue Corridor precinct code.

2.2 Site Description

The subject area covered by this variation is the Northbourne Avenue Corridor between Barry Drive/Cooyong Street and Antill/Mouat Street as shown in **Figure 1**. The subject area includes:

- land currently subject to the Northbourne Avenue Precinct Code and the Inner North Precinct Code
- blocks in Braddon and Turner which currently have to comply with the Inner North and Northbourne Avenue precinct codes but were not included in either of the codes.

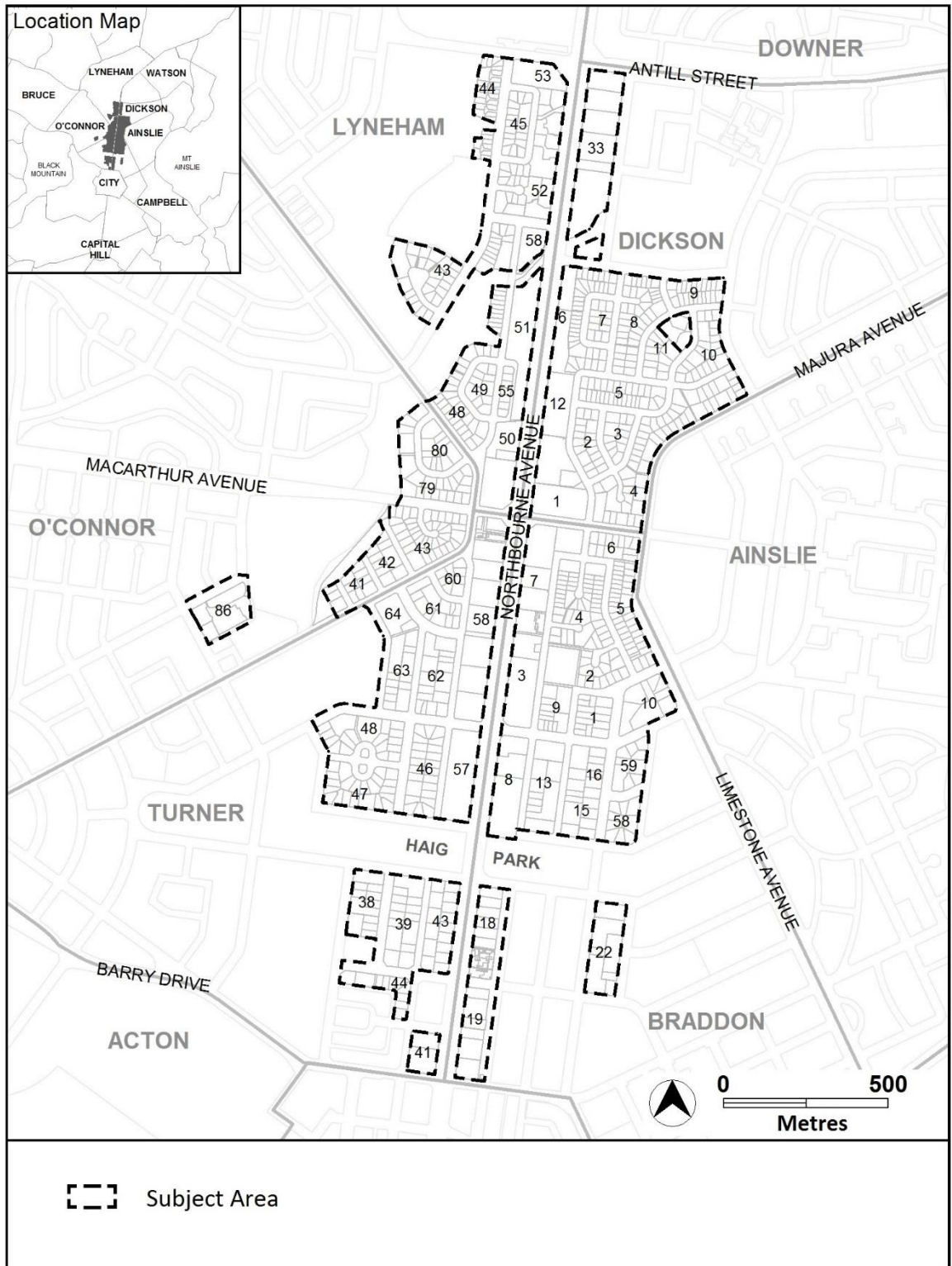


Figure 1 Location map

2.3 Current Territory Plan Provisions

The Territory Plan map for the area subject to this variation is shown in **Figure 2**.

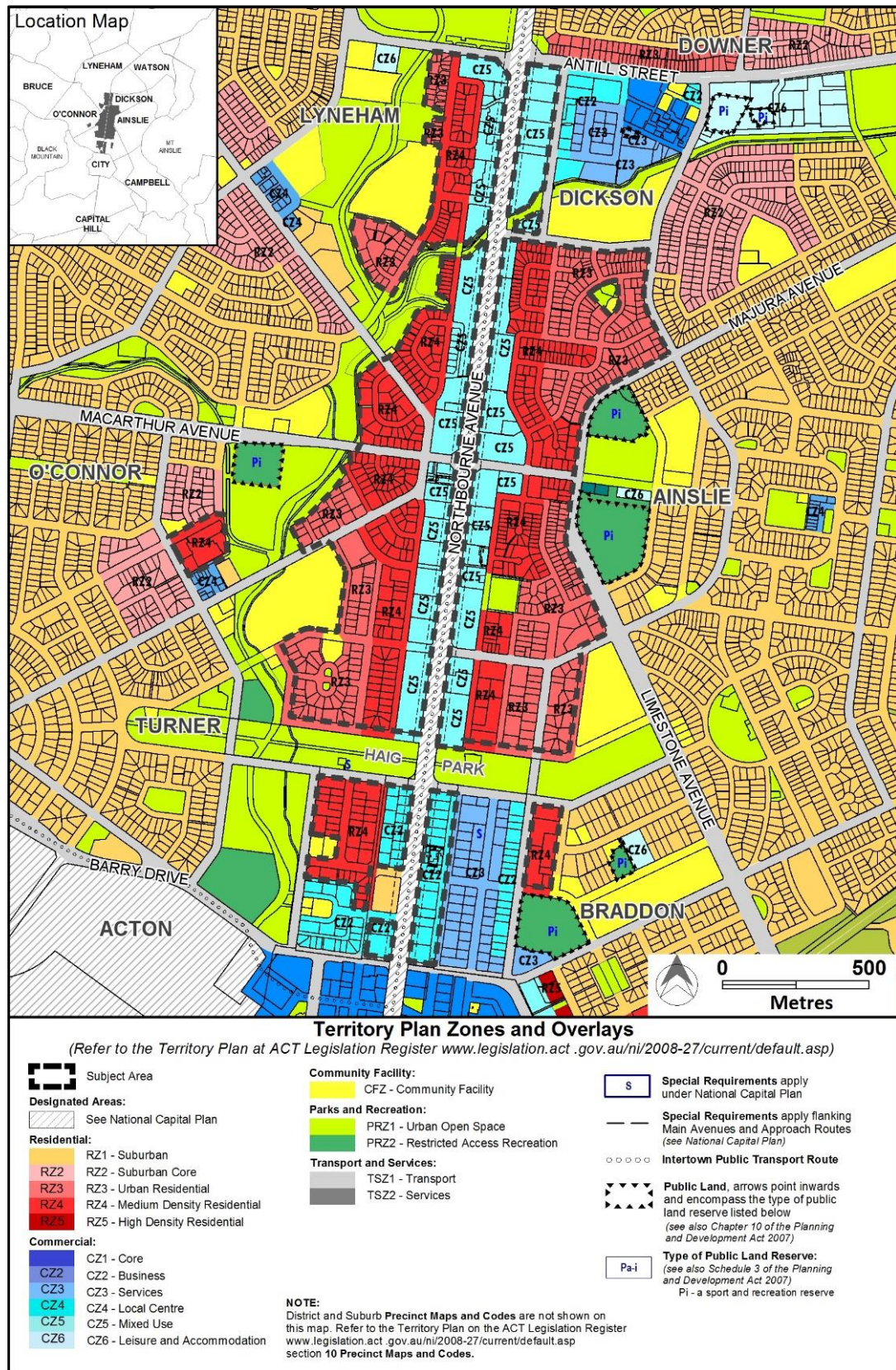


Figure 2 Territory Plan Zones Map

2.4 Proposed Changes

2.4.1 Proposed Changes to the Territory Plan Map

There are no proposed zoning changes to the Territory Plan Map.

2.4.2 Proposed Changes to Territory Plan

This draft variation proposes to change the Territory Plan in the following ways:

- A. Implementing the key planning policies set out in the City and Gateway Urban Design framework for blocks along the Northbourne Avenue corridor between the Barry Drive/Cooyong Street intersection and Antill/Mouat Street intersection.

The key planning policy recommendations include revising the existing built form controls including changes to building heights and setbacks, building length and separation between buildings as well as amendments to site controls such as open space requirements, deep soil zones and landscape character.

These controls will be incorporated into the proposed Northbourne Avenue Corridor Precinct Code (NACPC).

- B. Merging the Northbourne Avenue precinct code and the Inner North precinct code with parts of the Braddon and Turner Precinct Codes to create the Northbourne Avenue Corridor Precinct Code (NACPC)
- C. Removing 'shop' as a prohibited use from sections 18 and 19 Braddon and section 43 Turner
- D. Modernising and clarifying existing provisions of the Northbourne Avenue and Inner North Precinct Codes.

Many of the current provisions of the abovementioned codes will be replaced in the NACPC by new planning provisions recommended in the Framework. Those provisions that have been carried over to the NACPC from the abovementioned codes have been reviewed and clarified to provide better and more consistent development assessment practices.

- E. Changes and updates to the Territory Plan to maintain consistency with the National Capital Plan

The National Capital Authority introduced Amendment 91 - City and Gateway Urban Design Provisions to the National Capital Plan (NCP) to implement its interest in the Framework by establishing detailed planning and design criteria for development on land flanking Northbourne Avenue and the Federal Highway. Various changes will be made to make sure the Territory Plan is consistent with Amendment 91 to the NCP and recommendations of the City and Gateway Framework. To minimise the potential for inconsistencies between the planning provisions of the Territory Plan and planning and design criteria in the NCP, many of the provisions of the NCP have not been duplicated in this draft variation.

F. Updating of other precinct codes

The Braddon, Turner, O'Connor, Dickson and Lyneham precinct codes will be updated to maintain consistency with the changes above. These changes will primarily be changing the reference in these codes from 'Northbourne Avenue Precinct code' or 'Inner North Precinct Code' to 'Northbourne Avenue Corridor Precinct Code'.

2.5 Reasons for the Proposed Draft Variation

The reasons for the draft variation are to amend the Territory Plan to:

- permit a greater range of commercial retail uses in sections close to the city
- update and consolidate the planning policy provisions applying to the Northbourne Avenue corridor
- incorporate the planning policy recommendations of the City and Gateway framework into the Territory Plan
- amend the Territory Plan to maintain consistency with the National Capital Plan as amended by Amendment 91
- provide guidance on the desired built form character for development within the corridor
- merge the Northbourne Avenue and Inner North Precinct Codes to create the proposed Northbourne Avenue Corridor Precinct Code (NACPC) to reflect the holistic strategic planning approach for the Corridor. The creation of the NACPC means that provisions of the Territory Plan are located in fewer codes. The creation of the new precinct code also provides opportunities to guide development along the newly completed light rail corridor
- make sure that the Territory Plan is consistent with the National Capital Plan.

2.6 Planning Context

2.6.1 National Capital Plan

The *Australian Capital Territory (Planning and Land Management) Act 1988* established the National Capital Authority (NCA) with two of its functions being to prepare and administer a National Capital Plan (NCP) and to keep the NCP under constant review and to propose amendments to it when necessary.

The NCP, which was published in the Commonwealth Gazette on 21 January 1990 is required to ensure that Canberra and the Territory are planned and developed in accordance with their national significance. The *Planning and Land Management Act 1988* also requires that the Territory Plan is not inconsistent with the NCP.

2.6.2 ACT Planning Framework

Statement of Strategic Directions

The Statement of Strategic Directions sets out the principles for giving effect to the main objective of the Territory Plan as required by the *Planning and Development Act 2007*. The proposal is consistent with the Territory Plan's statement of strategic directions in terms of environmental, economic and social sustainability and spatial planning and urban design principles. This variation is consistent with the following Strategic Directions:

1.5 *Planning policies will seek to ensure the efficient use of all resources and to reduce consumption of non-renewable resources. Waste minimisation, reuse and recycling will be encouraged, whilst energy-rating and conservation measures will be applied wherever appropriate, particularly in transport, subdivision planning, and building design and construction.*

The Framework recommends that buildings are designed for the long term to minimise energy use. This variation will require that new buildings are responsive to Canberra's climate and make optimal use of natural light and ventilation.

1.10 *Integrated land use and transport planning will seek to maximise accessibility and transport efficiency, prioritise active travel, reduce energy consumption, increase physical activity, support the preferred pattern of development, promote safety, safeguard environmental quality, and minimise greenhouse gas emissions.*

Light rail, integrated with the bus network, provides frequent, reliable and high-amenity public transport in the corridor. This variation requires improved walking and cycling connections (mid-block links through some blocks facing Northbourne to improve east-west access and permeability of sites) which will further increase options for sustainable movement along the corridor.

1.18A *Development is planned to promote active living through the following six principles:*

- a) *providing connectivity between uses and activity nodes*
- b) *preserving open space*
- c) *encouraging mixed land use and density*
- d) *ensuring public places are safe and attractive for all*
- e) *providing supportive infrastructure that encourages regular physical activity*
- f) *ensuring environments promote social inclusion, and are equitable and where practicable are accessible by all.*

The Framework recognises the value of creating spaces that enable workers, residents and visitors to incorporate physical activity into their daily lives. The Framework recommends that public spaces are designed to support safe, healthy and active lifestyles so that it is easy for workers, residents and visitors to be active in the urban environment on a daily basis for greater physical and mental health and wellbeing.

This variation will require:

- mid-block links through some blocks facing Northbourne Avenue
- generous setbacks and separation distances between buildings and for these spaces to be landscaped to a high quality
- active street frontages at strategic locations, and
- dwelling mix to cater for a diversity of household sizes.

2.14 *Policies and procedures to promote high quality, creative design of development, urban spaces and landscape settings will be applied throughout the Territory, and innovation encouraged, in keeping with the spirit of the National Capital as an exemplar of best practice. Particular care will be taken to ensure high-amenity, quality design outcomes within residential areas, heritage areas, major centres and activity nodes, and along principal approach routes. The relationship between the public and private realms will also be emphasised in terms of the design quality of precincts and shared spaces, including spaces around buildings, as well as that of individual developments.*

The Framework sets out a vision for buildings and public spaces along the Corridor that exhibit design excellence commensurate with the corridor's national significance. This variation will introduce new controls that set higher standards for the design of buildings and public spaces. Where possible, these controls provide flexibility to allow for innovative design responses.

2.15 *Policies will acknowledge Canberra as the national capital and the symbolic heart of Australia and will seek to preserve the landscape features that give the national capital its character and setting; respect and reinforce the key elements of Walter Burley Griffin's formally adopted plan for Canberra within the proposed urban settlement pattern; enhance and strengthen approaches and backdrops to the city and its national institutions; conserve open space between urban areas as visual separation buffers consistent with the landscape setting; retain areas that are identified as the rural setting surrounding the city; and retain key vistas created by the landscape network within new settlement areas.*

The Framework recommends that new development is focused in the city centre and along Northbourne Avenue to reinforce the Avenue's significance as an important national approach route for the National Capital. It also recommends that the integrity of the Griffin plan's visual structure is reinforced by strengthening the geometry and form of main avenues.

This variation will allow redevelopment along the Corridor and at the Dickson and Macarthur Nodes, which will create a distinctive approach to the National Capital and a sequence of increasingly developed places that link the surrounding bush and grassland to the urban heart of Canberra. The variation will also allow higher marker buildings at the junction of Macarthur Avenue to recognise it as an important point in the Griffin plan. Improved east-west pedestrian connections will also be provided to the adjacent suburbs.

Through consistency with the above Strategic Directions, this draft variation is also consistent with the ACT Planning Strategy 2018 and Transport for Canberra – Transport for a Sustainable City.

2.7 Interim Effect

Section 65 of the Planning and Development Act 2007 does not apply in relation to the draft variation so it does not have interim effect. The current Territory Plan will continue to apply while the variation remains in draft form.

2.8 Consultation with Government Agencies

The EPSDD is required to, in preparing a draft variation under section 61(b) consult with each of the following in relation to the proposed draft variation:

- the National Capital Authority
- the Conservator of Flora and Fauna
- the Environment Protection Authority
- the Heritage Council
- the Land Custodian, if the draft variation would, if made, be likely to affect unleased land or leased public land – each custodian for the land likely to be affected

National Capital Authority

The National Capital Authority provided initial comments on 16 August 2019, with revised comments provided on 9 September 2019:

Building heights

Permitted building heights for Northbourne Avenue (between Barry Drive/Cooyong Street and Antill/Mouat Streets) under the Plan are generally:

- *25 metres (up to 27.5 metres where a residential apartment incorporates a two storey or mezzanine unit)*
- *32 metres at the intersection of Northbourne Avenue with Antill/Mouat Streets*
- *RL617 on some parts of the sites at the intersection of Northbourne Avenue with Wakefield/Macarthur Avenues.*

R5 of the proposed Precinct Code states that a maximum building height of buildings in Area A is 25 metres. R7 of the proposed Precinct Code states a maximum permitted building height of 32 metres at the Dickson Node. The Dickson Node however is identified as a single block on Figure 1 of the draft variation, with the block to the west of Northbourne Avenue identified as being part of 'Area A' (and therefore subject to a 25 metre height limit). Both blocks at the intersection of Northbourne Avenue with Antill/Mouat Streets should be identified as having a maximum permitted building height of 32 metres.

There are no particular rules/criteria regarding building height at the intersection of Northbourne Avenue and Wakefield/Macarthur Avenues. The combination of the proposed R5 and identifying this intersection as part of 'Area A' on Figure 1 effectively restricts buildings to 25 (or 27.5 metres). While this is not inconsistent with the Plan, the NCA expects that this is not the intended consequence of the draft variation and requests that a necessary rule/criteria be incorporated to allow buildings to the height limits permitted by the Plan.

Changes to Figure 1 may assist in clarifying permitted building heights, for example by identifying the blocks at the intersections of Northbourne Avenue with Macarthur/Wakefield Avenues and Antill/Mouat Streets in a different colour.

R7 refers to building heights for the Dickson node. Is there a reason that there is not a similar rule for the Macarthur node? If the intent is to defer to the National Capital Plan for the Macarthur node, the opportunity to specify that buildings must be a minimum of 80% of the maximum permitted height is lost.

For the Macarthur and Dickson nodes, has consideration been given to specifying the point at which building height is measured (in a similar way to R5)?

Response – Building heights

The variation has been amended to clarify that the sites within the Dickson node and Macarthur node are not included in area A, while the Dickson node has been amended to include block 1 section 53 Lyneham. A new provision has been included for the Macarthur node to specify that the minimum building heights in the Macarthur node must be at least 80% of the maximum height specified in the National Capital Plan for each site within the node. The building height rule R7 for Dickson node has been amended to specify that the building height should be measured from the Northbourne Avenue front boundary.

Building setbacks

Building setbacks prescribed in R9 and C9 and are generally not inconsistent with the Plan, however the NCA has some concern that the required setbacks for the intersection of Northbourne Avenue with Macarthur/Wakefield Avenues are not prescribed in the Territory Plan. The setbacks for some parts of the intersection vary from those set out in R9/C9 and R12/C12. While the Plan takes precedence, the NCA thinks there is merit in including all required setbacks in the Territory Plan to ensure that all setbacks requirements are set out in the Precinct Code and to improve consistency between the two plans.

C9 contains examples of elements that may/may not be within the setback area, but could also clarify that service areas and facilities are not permitted forward of the building line.

If a rule regarding setbacks at the Macarthur intersection is included, there must be no corresponding criteria. The setbacks for the intersection are mandatory under the Plan.

Response – Building setbacks

Figure 2 has been revised to remove the Macarthur node from the setback provisions. This means that setback requirements for Macarthur node will be as per the NCP. As noted previously, unnecessary duplication between the NCP and precinct code has been removed to reduce the potential for inconsistencies between the two.

Criterion C9 has been amended to include reference to service areas and facilities not being permitted forward of the building line.

Building separation

R14 appears complex, with long sentences and many defined terms. The NCA suggests that the rule could be re-drafted to simplify requirements or improve readability.

The NCA would appreciate clarification as to whether part b) of R14 is intended to reflect the statement in the Plan that where a building is located on a block abutting a lower density zone, building setbacks to the relevant boundary of sites zoned for lower density should be increased by three metres. This provision of the Plan is framed in such a way that it is not mandatory. EPSDD may wish to consider incorporating the requirement as a criteria rather than a rule to allow for individual site characteristics and context.

With the changes to R14/C14, is the intention that building separation for Area A is as per the National Capital Plan (ie. there is no corresponding rule/criteria in the Territory Plan)?

Response – Building separation

The rule has been amended to apply only to area B, which are sites within the Northbourne Avenue corridor that are not covered by the NCP provisions. The part b of rule R14 is not the three metre requirement in the NCP. The setback requirements for area A will be as per the NCP.

Dwelling size and internal dwelling design

Draft Amendment 91 as released for public consultation included minimum room sizes within dwellings. In discussion with EPSDD, it was agreed that these would be best addressed in the Territory Plan to more appropriately reflect the division on interest and responsibilities of the NCA and ACT Government. C21 of DV368 requires habitable rooms to be of a size suitable to accommodate the daily activities of their occupants and visitors, however there is no corresponding rule. The NCA would appreciate advice as to whether minimum room sizes will be included in further variations to the Territory Plan, for example to the Multi-Unit Housing Development Code.

Response – Dwelling size and internal dwelling design

Noted. Minimum internal room dimensions have been inserted.

Landscape

The proposed deep soil planting requirements in C22 are not inconsistent with the Plan, however the NCA notes that the only locational requirement for deep soil zones is that they be located in the front zone. It would be beneficial if deep soil zones were also required elsewhere on a block to help increase the urban tree canopy and help secure the benefits that this provides (including in relation to urban cooling, stormwater management, habitat, etc).

The draft variation also provides an opportunity to strengthen landscape requirements, for example by requiring a minimum planting area and reducing hardscape.

Response – Landscape

Noted. The provision has been amended in criterion C20 to not limit the location for the deep root zones to the front zone. The landscape requirements of the Multi Unit Housing Development Code still apply, such as minimum required planting areas and landscape design. Additional provisions will be considered for inclusion in the future review of the Territory Plan to apply across Canberra.

General comments

- 1. The 'Introduction' section includes a paragraph stating that where a development is subject to Special Requirements under the Plan, the development must be not inconsistent with the Special Requirements. This section could also state that for development adjacent to Northbourne Avenue, the precinct Code must be read in conjunction with the relevant provisions of the Plan.*
- 2. The NCA was previously issued with 'drafting instructions' for the draft variation. In some cases it was identified that there was sufficient detail in the Plan and requirements would not be incorporated into the Territory Plan. In other cases, consistent (and/or) complementary provisions were to be included. The NCA would appreciate advice as to why some provisions of the Plan have been included in the draft variation (for example floor to ceiling heights) and other matters not (for example landscape controls concerning tree plantings in setback areas, signage, etc).*
- 3. DV368 contains few requirements concerning architectural quality and design (and no requirements concerning materiality, durability, etc). The City and Gateway Urban Design Framework promoted quality design, which were translated into policy through Amendment 91 to the Plan. Section 2.6 of the draft variation discusses the planning context for the proposed changes and refers to the ACT's Statement of Strategic Directions, including paragraph 2.14 which refers to the policies and procedures to promote high quality and creative design. The response to this is that the variation sets higher standards for the design of buildings and public spaces, however the NCA is of the view that these could be strengthened.*

4. *C17 refers to incorporating colonnades or awnings in building design in accordance with established/intended design themes for the Macarthur and Dickson Nodes. Are the established/intended design themes documented?*

Response

Text has been included in the introduction to clarify that RC1 of the precinct code must be read in conjunction with the National Capital Plan.

Regarding why some provisions from the NCP have been included, and not others, some were included where additional detail or clarification was considered necessary. Other provisions have been omitted to reduce the potential for inconsistency between the Territory Plan and the National Capital Plan.

The provisions relating to design quality are consistent with the NCP requirements, and development will still need to comply with relevant development code provisions. It is noted that these will be considered for inclusion in the future review of the Territory Plan to apply across Canberra.

Regarding the colonnade and awning design themes requirement in criterion C17, the wording has been amended.

Conservator of Flora and Fauna

The Conservator of Flora and Fauna made the following comments on 20 August 2019:

“No comments”

Response

The response is noted.

Environment Protection Authority

The Environment Protection Authority provided the following comments on 22 August 2019:

“Thank you for the opportunity to review and provide comment on the draft variation to the Territory Plan, TPV368 City and Gateway South - Northbourne Avenue Corridor. The Environment Protection Authority supports the variation in its current form.”

Response

The response is noted.

Heritage Council

The Heritage Council provided the following comments on 21 August 2019:

“Review of the ACT Heritage Register has identified registered heritage places and objects within the Northbourne Avenue corridor including Haig Park (Braddon and Turner), the ‘Expansion’ mural,(Braddon); the former AAA Building (Braddon); and the Northbourne Housing Precinct Representative Sample (Dickson and Lyneham).

The Council does not object to the changes proposed by DV368, as the provisions of the Heritage Act 2004 will continue to apply to the heritage places within the Northbourne Avenue corridor.”

Response

The response is noted.

Land Custodian Transport Canberra and City Services

The land custodian provided the following comments on 16 August 2019:

- *“TCCS supports the draft Territory Plan Variation to update and consolidate the planning policy provisions recommended in the City and Gateway framework.*
- *TCCS will provide comment when we receive DA as part entity referral under the Planning and Development Act 2007.”*

Response

The comments are noted.

Land Custodian Suburban Land Agency

The land custodian provided the following comments on 19 August 2019:

“Confirming the Suburban Land Agency have no comments on this one.”

Response

The response is noted.

3. DRAFT VARIATION

3.1 Variation to the Territory Plan

The Territory Plan is varied in all of the following ways:

1. Inner North Precinct Map and Code

Delete

Inner North Precinct Map and Code from the Territory Plan

2. Northbourne Avenue Precinct Map and Code

Delete

Northbourne Avenue Precinct Map and Code

3. Northbourne Avenue Corridor Precinct Map and Code

Insert

Northbourne Avenue Corridor precinct map and code at Appendix A

4. Braddon Precinct Map and Code

Substitute

Braddon precinct map with Appendix B

Table 1 – Additional prohibited development with Appendix C

Delete

Table 2 – Additional merit track development, and associated table

5. Dickson Precinct Map and Code

Substitute

Dickson precinct map with Appendix D

Table 2 – Additional merit track development with Appendix E

6. Lyneham Precinct Map and Code

Substitute

Lyneham precinct map with Appendix F

Table 2 – Additional merit track development with Appendix G

7. O'Connor Precinct Map and Code

Substitute

O'Connor precinct map with Appendix H

Delete

Assessment Tracks and associated text

Table 2 – Additional merit track development, and associated table

8. Turner Precinct Map and Code

Substitute

Turner precinct map with Appendix I

Table 1 – Additional prohibited development and Table 2 – Additional merit track development with Appendix J

Interpretation service

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ARABIC	: إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajjnuna 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:
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SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacımız varsa lütfen telefon ediniz:
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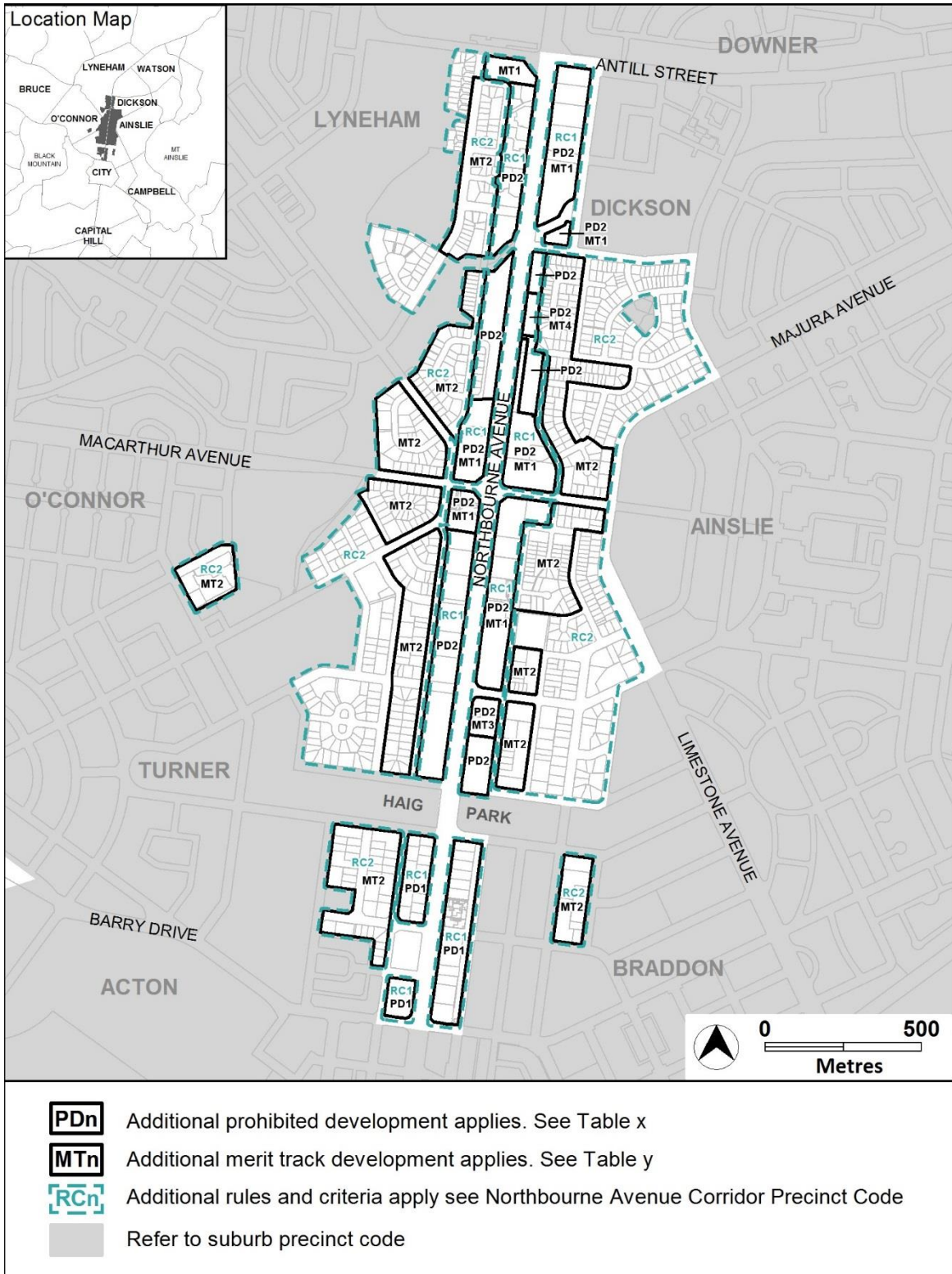
ACT
Government

Environment, Planning and
Sustainable Development

Appendix A

Northbourne Avenue Corridor Precinct Map and Code

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Assessment Tracks

The following tables identify the additional prohibited development and additional merit track development for blocks and parcels shown in the Northbourne Avenue Corridor Precinct Map (identified as PDn or MTn). Development that is exempt from requiring development approval, other prohibited development and the minimum assessment track applicable to each development proposal is set out in the relevant zone development table.

The following tables constitute part of the relevant zone development table.

Table 1 – Additional prohibited development

Additional prohibited development		
Suburb precinct map label	Zone	Development
PD1	CZ2	<i>place of assembly place of worship</i>
PD2	CZ5	<i>service station</i>

Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	CZ5	<i>club place of assembly scientific research establishment</i>
MT2	RZ4	<i>business agency office restaurant SHOP</i>
MT3	CZ5	<i>club</i>
MT4	CZ5	<i>tourist facility (tourist information centre only)</i>

Northbourne Avenue Corridor Precinct Code

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Introduction

Name

The name of this code is **Northbourne Avenue Corridor Precinct Code**.

Application

The code applies to any block identified on the Northbourne Avenue Corridor Precinct Map. Part RC1 applies to sites adjoining Northbourne Avenue while Part RC2 of this precinct code applies to *multi-unit housing* only, both in residential zones and commercial zones adjoining the RC1 area, including the residential components of mixed use commercial developments.

National Capital Plan

Where a development is subject to special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, the development must not be inconsistent with the special requirements or development control plan. Where any provision of this code is inconsistent with special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, that provision has no effect, to the extent of the inconsistency. Development in RC1 of this code must be read in conjunction with the relevant provisions of the National Capital Plan.

Purpose

This code provides additional planning, design and environmental controls for specific areas or blocks and may also contain references to provisions in other codes.

In conjunction with other relevant codes it will be used by the *Authority* to assess development applications and offer guidance to intending applicants in designing development proposals and preparing development applications.

Structure

This code contains additional rules and/or criteria for particular blocks or parcels identified as areas RCn on the precinct map, to be read in conjunction with the relevant development code. It may also contain sub-parts.

Each element has one or more rules and, unless the respective rule is mandatory, each rule has an associated criterion. Rules provide quantitative, or definitive, controls. By contrast, criteria are chiefly qualitative in nature.

In some instances rules are mandatory. Such rules are accompanied by the words “This is a mandatory requirement. There is no applicable criterion.” Non-compliance with a mandatory rule will result in the refusal of the development application. Conversely, the words “There is no applicable rule” is found where a criterion only is applicable.

Code hierarchy

Under the *Planning and Development Act 2007*, where more than one type of code applies to a development, the order of precedence if there is inconsistency of provisions between codes is: precinct code, development code and general code.

If more than one precinct code applies to the site, the most recent precinct code takes precedence to the extent of any inconsistency.

Definitions

Defined terms, references to legislation and other documents are italicised.

Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, either associated with the respective rule or listed below:

TCCS Transport Canberra and City Services

Additional rules and criteria

This part applies to blocks and parcels identified in the Northbourne Avenue Corridor Precinct Map (RCn). It should be read in conjunction with the relevant zone development and general codes.

RC1 – Northbourne Avenue

This part applies to blocks and parcels identified in area RC1 shown on the Northbourne Avenue Corridor Precinct Map.

Element 1: Restrictions on use

Rules	Criteria
1.1 Shop – floor area limit	
R1 The maximum <i>gross floor area per supermarket</i> is 750m ² .	This is a mandatory requirement. There is no applicable criterion.
1.2 Community use – minimum floor area	
R2 This rule applies to the hatched area shown in Figure 1. A <i>COMMUNITY USE</i> development is provided within the development that complies with all of the following: a) minimum <i>gross floor area</i> – 500m ² b) located at ground floor level and/or first floor level.	This is a mandatory requirement. There is no applicable criterion.
1.3 Residential use – ground floor	
R3 This rule applies to the Dickson node and Macarthur node shown in Figure 1. <i>RESIDENTIAL USE</i> is not permitted at the ground floor.	This is a mandatory requirement. There is no applicable criterion.

Rules	Criteria
1.4 Additional uses	
<p>R4</p> <p>This rule applies to the Dickson node and Macarthur node shown in Figure 1.</p> <p>Only the following uses are provided in <i>buildings</i> at ground floor level on frontages to Northbourne Avenue, MacArthur Avenue, Wakefield Avenue and Antill Street:</p> <ul style="list-style-type: none"> a) <i>business agencies</i> b) <i>commercial activity centres</i> c) <i>financial establishments</i> d) <i>indoor entertainment facilities</i> e) <i>indoor recreation facilities</i> f) <i>public agencies</i> g) <i>restaurants</i> h) <i>SHOP</i> <p>In addition to these uses, <i>COMMUNITY USE</i> is permitted in the hatched area shown in Figure 1.</p>	<p>C4</p> <p><i>Buildings</i> fronting Northbourne Avenue, MacArthur Avenue, Wakefield Avenue and Antill Street incorporate uses on the ground floor that generate activity in the public space, in a form that is consistent with the needs of the area.</p>

Element 2: Building controls and design

Rules	Criteria
2.1 Height of building	
<p>R5</p> <p>This rule applies to area A shown in Figure 1.</p> <p>The minimum <i>height of building</i> is 20m and the maximum <i>height of building</i> is 25m.</p> <p>For the purpose of this rule and associated criterion <i>height of building</i> means the vertical distance between <i>datum ground level</i> at the <i>front boundary</i> to Northbourne Avenue and the highest point or points of the <i>building</i>.</p>	<p>C5</p> <p>Maximum <i>height of building</i> is 27.5m where the <i>building</i> includes an <i>apartment</i> which is at least partially or wholly two storeys high, at least two of which are above <i>finished ground level</i>.</p> <p>‘Minor building elements’ may exceed the maximum <i>height of building</i> where they do not increase the scale of the <i>building</i> when viewed from a public street.</p> <p>For the purpose of this criterion ‘minor building elements’ include but are not limited to: rooftop plant, photo-voltaic panels, antennas, pergolas and rooftop garden structures. <i>Habitable room</i>, or part thereof, and fully enclosed pergolas are not ‘minor building elements’.</p>

Rules	Criteria
<p>R6</p> <p>This rule applies to area B shown in Figure 1. The minimum <i>height of building</i> is 14.5m, and the maximum <i>height of building</i> is 18m.</p> <p>Area B extends from the adjoining street front boundary parallel to Northbourne Avenue for 30m into the block.</p>	<p>C6</p> <p>Maximum <i>height of building</i> may be increased to 25m where development complies with all of the following:</p> <ul style="list-style-type: none"> a) adequate transition in building height from the building to the <i>adjacent</i> residential zone b) reasonable amenity for residents of the adjacent residential zone. <p>'Minor building elements' may exceed the maximum <i>height of building</i> where they do not increase the scale of the <i>building</i> when viewed from a public street.</p> <p>For the purpose of this criterion 'minor building elements' include but are not limited to: rooftop plant, photo-voltaic panels, antennas, pergolas and rooftop garden structures. <i>Habitable room</i>, or part thereof, and fully enclosed pergolas are not 'minor building elements'.</p>
<p>R7</p> <p>This rule applies to the Dickson node and Macarthur node shown in Figure 1.</p> <ul style="list-style-type: none"> a) For the Dickson node: <ul style="list-style-type: none"> i) The minimum <i>height of building</i> is 25.5m, and ii) the maximum <i>height of building</i> is 32m. b) for the Macarthur node: <ul style="list-style-type: none"> i) The minimum <i>height of building</i> is not less than 80% of the maximum building height for each site as described in the National Capital Plan ii) The maximum <i>height of building</i> is as described in the National capital Plan. <p>For the purpose of this rule and associated criterion <i>height of building</i> means the vertical distance between <i>datum ground level</i> at the <i>front boundary</i> to Northbourne Avenue and the highest point or points of the <i>building</i>.</p>	<p>C7</p> <p>'Minor building elements' may exceed the maximum <i>height of building</i> where they do not increase the scale of the <i>building</i> when viewed from a public street.</p> <p>For the purpose of this criterion 'minor building elements' include but are not limited to: rooftop plant, photo-voltaic panels, antennas, pergolas and rooftop garden structures. <i>Habitable room</i>, or part thereof, are not 'minor building elements'.</p>
<p>There is no applicable rule.</p>	<p>C8</p> <p>Where a lawfully constructed <i>building</i> exceeds the <i>height of building</i> stipulated in this code, a new <i>building</i> or <i>buildings</i> up to the height of the existing <i>building</i> may be permitted provided there are no additional adverse impacts on adjoining</p>

Rules	Criteria
	properties including, but not limited to, solar access.

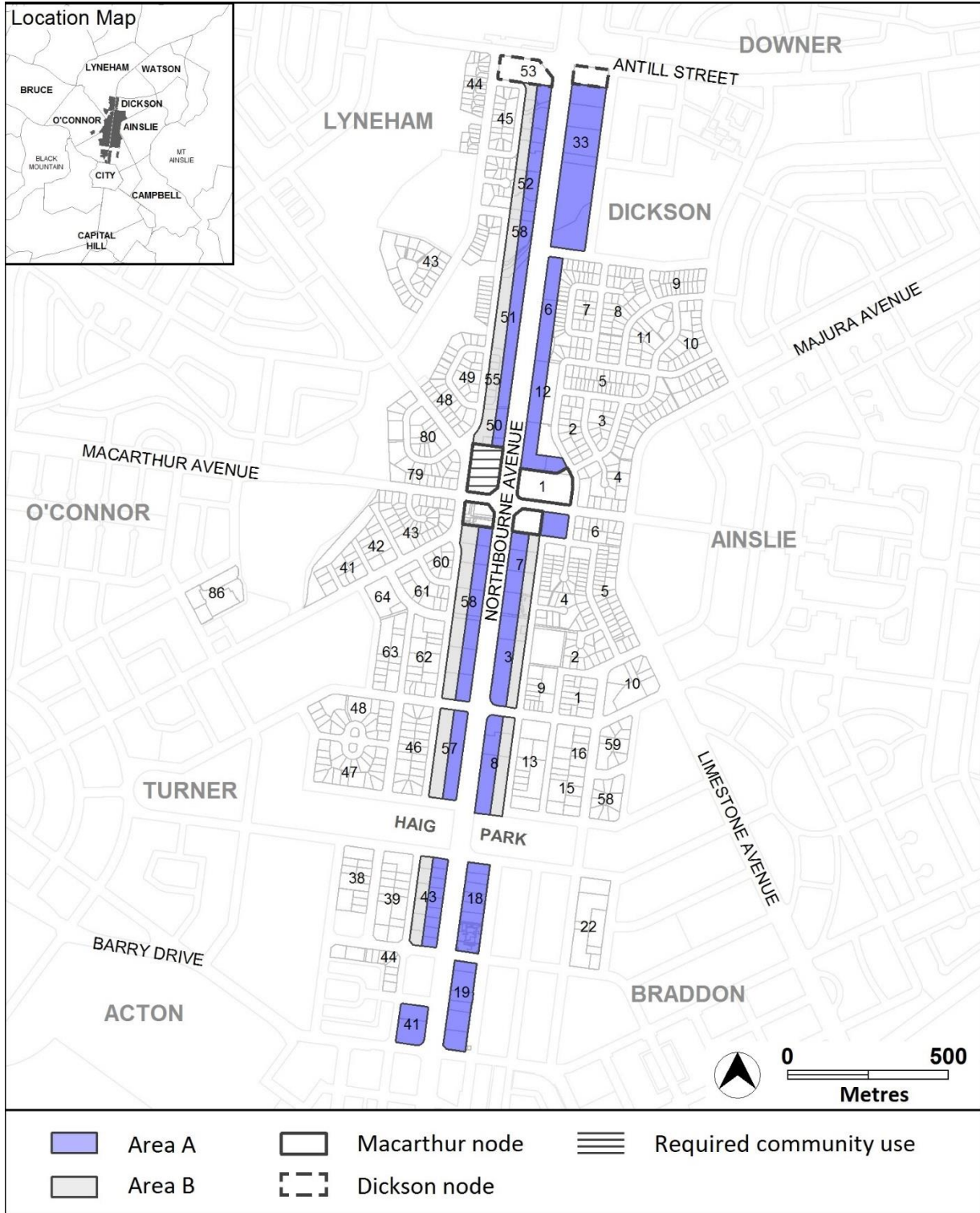


Figure 1: Building heights and required community use area

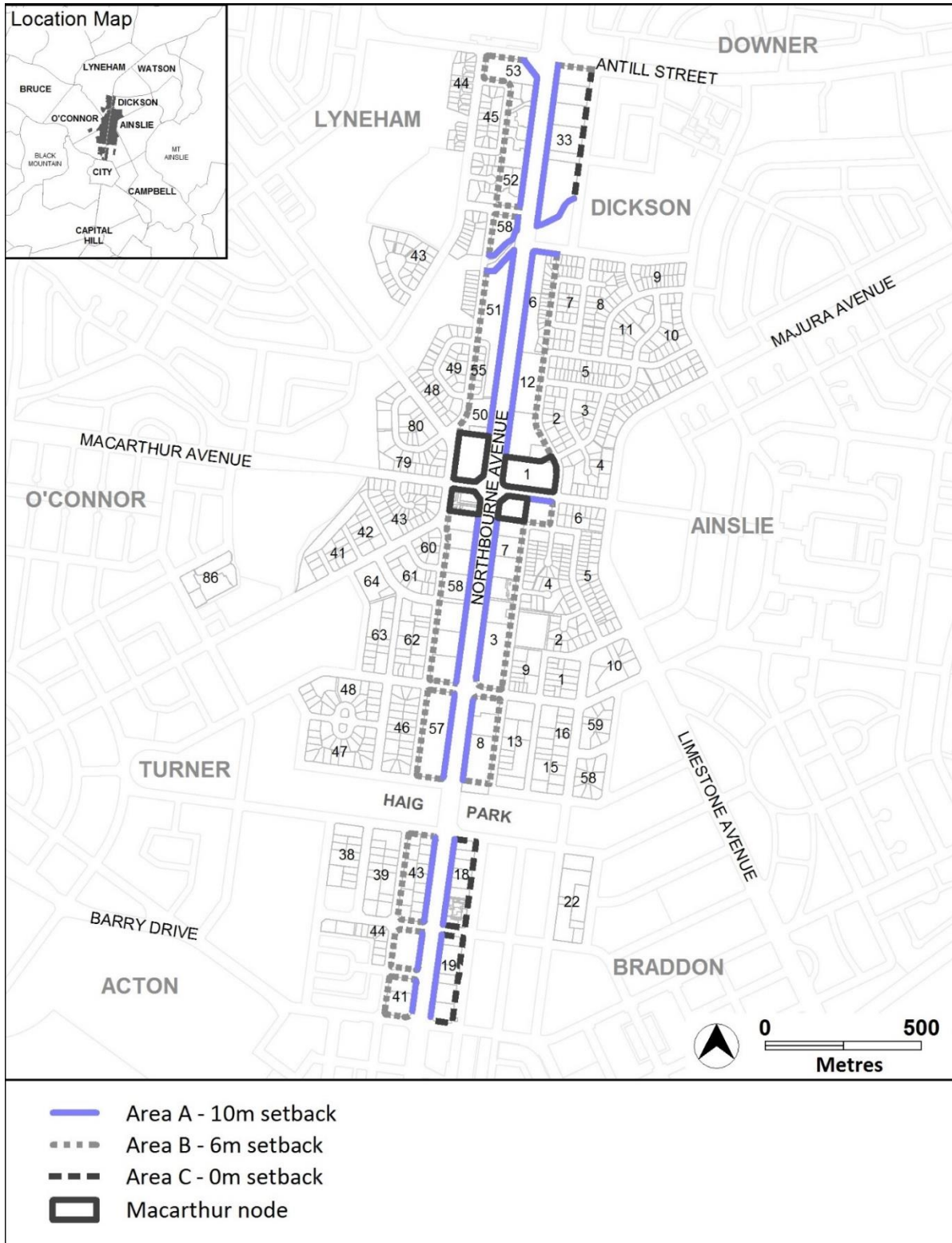


Figure 2: Front boundary setbacks

Rules	Criteria
2.2 Front boundary setback – Northbourne Avenue	
<p>R9</p> <p>This rule applies to blocks and parcels identified in Area A of Figure 2.</p> <p>Minimum <i>front boundary setback</i> to Northbourne Avenue is 10m.</p> <p>No building elements are permitted forward of the minimum front boundary setback.</p>	<p>C9</p> <p>Minor encroachments by one or more of the following may be permitted forward of the building line provided the materials and design retain the visual integrity of the building line:</p> <ul style="list-style-type: none"> a) awnings b) architectural details, not including: <ul style="list-style-type: none"> i) <i>basements</i> ii) <i>basement ramps</i> iii) <i>balconies</i> iv) service areas or facilities v) above ground utility infrastructure c) courtyard walls for areas of <i>principal private open space</i> provided the area does not encroach more than 4m into the setback area.
2.3 Front boundary setback – Other	
<p>R10</p> <p>This rule applies to area B shown in Figure 2.</p> <p>Minimum <i>front boundary setback</i> is 6m.</p>	<p>C10</p> <p><i>Front boundary setbacks</i> achieve all of the following:</p> <ul style="list-style-type: none"> a) reasonable amenity for residents b) sufficient space for street trees to grow to maturity.
<p>R11</p> <p>This rule applies to area C shown in Figure 2.</p> <p>Minimum <i>front boundary setback</i> is 0m.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
2.4 Side and rear boundary setback	
<p>R12</p> <p>This rule applies to <i>blocks</i> in areas A and B shown in Figure 2.</p> <p>Minimum <i>side boundary and rear boundary setback</i> is:</p> <ul style="list-style-type: none"> a) northern or southern boundary – 5m b) eastern or western boundary – 10m. 	<p>C12</p> <p><i>Side boundary and rear boundary setback</i> provides reasonable amenity for residents.</p>
<p>R13</p> <p>This rule applies to area C shown in Figure 2.</p> <p>Minimum <i>side boundary and rear boundary setback</i> is 0m.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
2.5 Building separation	
<p>R14</p> <p>This rule applies to area B shown in Figure 3.</p> <p>Minimum separation distances between a <i>dwelling</i> and another <i>dwelling</i> or non-residential use is described in Table 1, except where the following applies:</p> <p>a) where measuring separation distance from a <i>dwelling</i> or non-residential use on the subject <i>block</i> to a <i>dwelling</i> or non-residential use on an <i>adjacent block</i> – half the minimum separation distance stated in Table 1, measured from the common boundary or boundaries between the <i>blocks</i></p> <p>b) where measuring separation distance from a <i>dwelling</i> or non-residential use on a subject <i>block</i> in a commercial zone to a <i>dwelling</i> or non-residential use on an <i>adjacent block</i> in a residential zone - 1.5m in addition to the relevant minimum separation distance stated in Table 1, measured from the common boundary or boundaries between the <i>blocks</i>.</p> <p>For the purpose of this rule and associated criterion, building separation is measured to the outer face of external walls, external windows or outer edge of balconies where relevant.</p> <p>Note: This rule replaces <i>building</i> separation requirements in the relevant development code.</p>	<p>C14</p> <p>Building separation may be reduced where <i>building</i> complies with all of the following:</p> <p>a) reasonable levels of visual and acoustic privacy</p> <p>b) suitable areas for soft landscaping and deep root planting between buildings.</p>

Number of storeys	Between windows in <i>habitable rooms/ balconies</i> (metres)	Between windows in <i>habitable rooms/ balconies</i> and windows in <i>non-habitable rooms</i> (metres)	Between windows in <i>non-habitable rooms</i> (metres)
Up to 4 storeys	12	9	6
5 to 8 storeys	18	12	9
9 storeys and above	24	18	12

Table 1: Minimum building separation

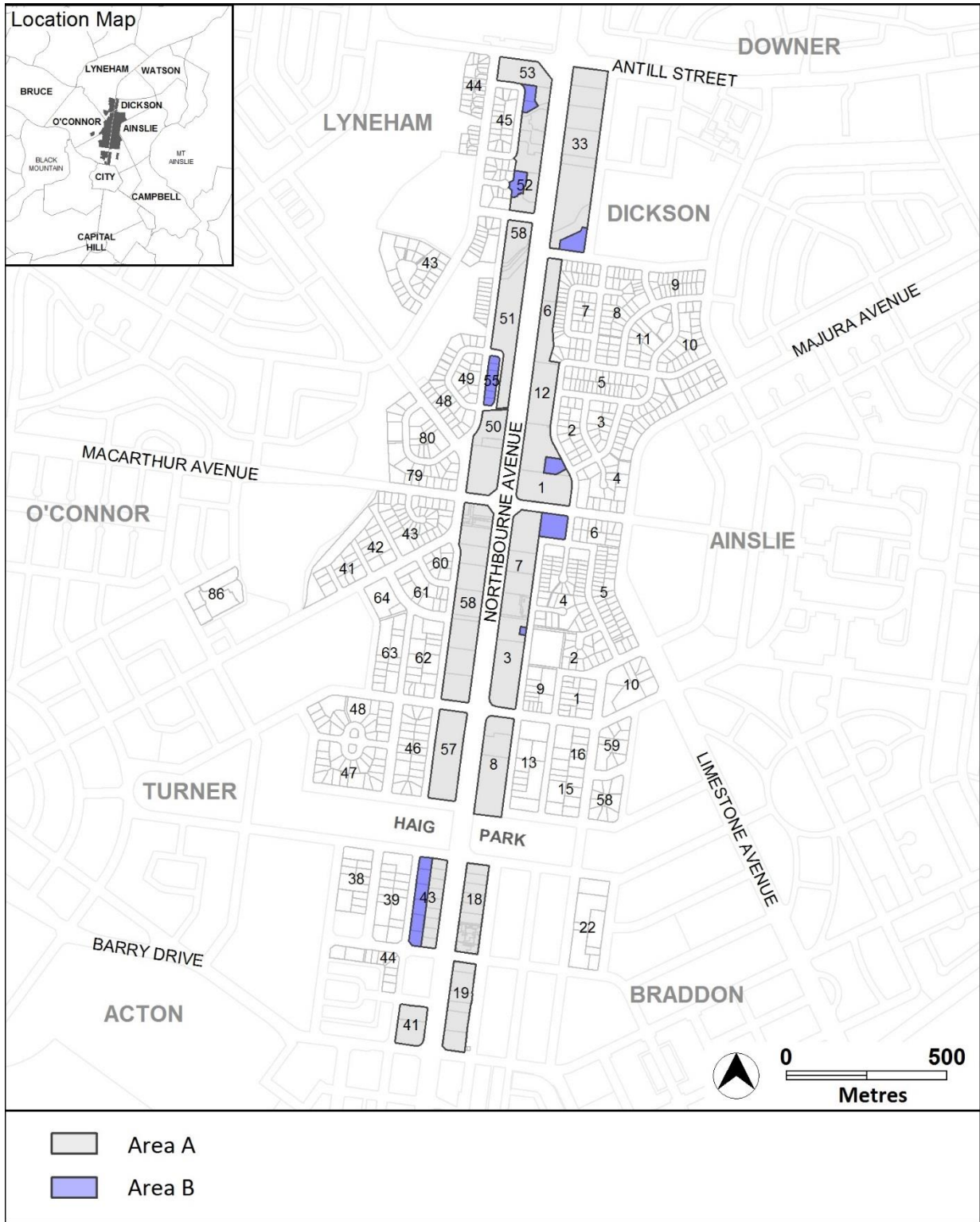


Figure 3: Additional requirements

Rules	Criteria
2.6 Floor to ceiling heights	
<p>R15</p> <p>This rule applies to development in area B shown in Figure 3.</p> <p>Minimum <i>finished floor level</i> to ceiling heights are as follows:</p> <ul style="list-style-type: none"> a) <i>storey of dwellings</i> containing the main daytime living area: 2.7m b) non-habitable rooms in a <i>dwelling</i>: 2.4m c) non-residential development: 3.3m. 	<p>C15</p> <p>Floor to ceiling heights achieve sufficient natural ventilation and daylight access.</p>
2.7 Internal dwelling design	
<p>R16</p> <p>Habitable rooms comply with the following:</p> <ul style="list-style-type: none"> a) master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space) b) bedrooms have a minimum dimension of 3m (excluding wardrobe space) c) living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"> i) 3.6m for studio and 1 bedroom apartments ii) 4m for 2 or more bedroom apartments d) the width of cross-over or cross-through dwellings are at least 4m internally to avoid deep narrow dwelling layouts. 	<p>C16</p> <p><i>Habitable rooms</i> are of a size suitable to accommodate the daily activities of their occupants and visitors.</p>
<p>R17</p> <p><i>Habitable room</i> depths are limited to a maximum of 2.5m x the ceiling height. In open plan layouts (where the living, dining and kitchen are combined) the maximum <i>habitable room</i> depth is 8m, measured from an external window.</p>	<p>C17</p> <p><i>Habitable room</i> depth may be increased where <i>finished floor level</i> to ceiling heights are above the minimum permitted, provided reasonable solar access to each <i>habitable room</i> is maintained.</p>
2.8 Housing diversity	
<p>There is no applicable rule.</p>	<p>C18</p> <p>Buildings contain a variety of <i>dwelling</i> designs such as dual aspect apartments, shallow apartment layouts and two storey <i>dwellings</i>.</p>

Rules	Criteria
<p>R19</p> <p>This rule applies to developments containing 40 or more dwellings.</p> <p>Development contains:</p> <p>a) not more than 40% studio or one bedroom dwellings</p> <p>b) not more than 40% two bedroom dwellings</p> <p>c) not less than 20% three or more bedroom dwellings.</p>	<p>C19</p> <p>Multi-unit residential development provides dwellings with a variety of bedroom numbers.</p>

Element 3: Site controls and design

Rules	Criteria
3.1 Landscape design – Deep soil zones	
<p>There is no applicable rule.</p>	<p>C20</p> <p>This criterion applies to development fronting Northbourne Avenue.</p> <p>Deep soil zones are provided that comply with all of the following:</p> <p>a) have a minimum horizontal dimension of 5m</p> <p>b) incorporate any <i>protected trees</i></p> <p>c) allow for the development of healthy root systems and provide anchorage and stability for mature trees</p> <p>d) co-located near deep soil zones on <i>adjacent</i> blocks where possible.</p> <p>Note: <i>Protected tree</i> is defined under the <i>Tree Protection Act 2005</i>.</p>
3.2 Pedestrian shelters	
<p>R21</p> <p>This rule applies to the Macarthur node and Dickson node shown in Figure 1.</p> <p><i>Buildings</i> provide continuous awnings or colonnaded walkways at ground floor level to facades facing Northbourne Avenue, MacArthur Avenue, Wakefield Avenue, and Antill Street, and have a minimum clear width of 2.5m and a minimum ceiling height of 6m.</p>	<p>C21</p> <p>Sheltered and convenient pedestrian access is provided to building facades facing Northbourne Avenue, MacArthur Avenue, Wakefield Avenue and Antill Street at street level.</p>

Rules	Criteria
<p>R22</p> <p>This rule applies to all <i>blocks</i>, except for the <i>blocks</i> within the Dickson node or Macarthur node shown in Figure 1.</p> <p>Awnings, canopies or colonnades are provided at each active travel entrance to a building and each active travel path along a building edge.</p>	<p>C22</p> <p>Awnings, canopies or colonnades achieve all of the following:</p> <ul style="list-style-type: none"> a) provide protection from natural elements along buildings and building entrances b) are integrated with the design of the building.
<p>3.3 Mid-block links</p>	
<p>There is no applicable rule.</p>	<p>C23</p> <p>This criterion applies to ‘mid-block links’ shown in Figure 4, except for the link on the southern boundary on Braddon Section 8, Block 10.</p> <p>‘Mid-block links’ comply with all of the following:</p> <ul style="list-style-type: none"> a) in a location generally in accordance with Figure 4 and aligns with the <i>community path system</i> through the area and public transport connections. b) provides unimpeded public access at all times c) not less than 5m wide at any point; d) development within ‘mid-block link’ is limited to <i>planting area</i>, surface landscaping, <i>buildings</i> and <i>structures</i> which are consistent with active travel pathways or open space and does not limit accessibility e) suitably landscaped to provide a welcoming environment for path users f) adequate lighting and other safety features that promote active, passive and perceived surveillance of the area.

Rules	Criteria
R24	<p>C24</p> <p>This criterion applies to the mid-block link on the southern boundary on Braddon Section 8, Block 10 shown in Figure 4.</p> <p>The mid-block link complies with all of the following:</p> <ul style="list-style-type: none"> a) in the location consistent with Figure 4, and located entirely within the block boundaries b) provides unimpeded public access at all times c) not less than 10m wide at any point d) development within 'mid-block link' is limited to <i>planting area</i>, surface landscaping, <i>buildings</i> and <i>structures</i> which are consistent with active travel pathways or open space and does not limit accessibility e) suitably landscaped to provide a welcoming environment for path users f) adequate lighting and other safety features that promote active, passive and perceived surveillance of the area.
There is no applicable rule.	<p>C25</p> <p>This criterion applies to 'open space links' shown in Figure 4.</p> <p>'Open space links' provide unimpeded public access at all times.</p>

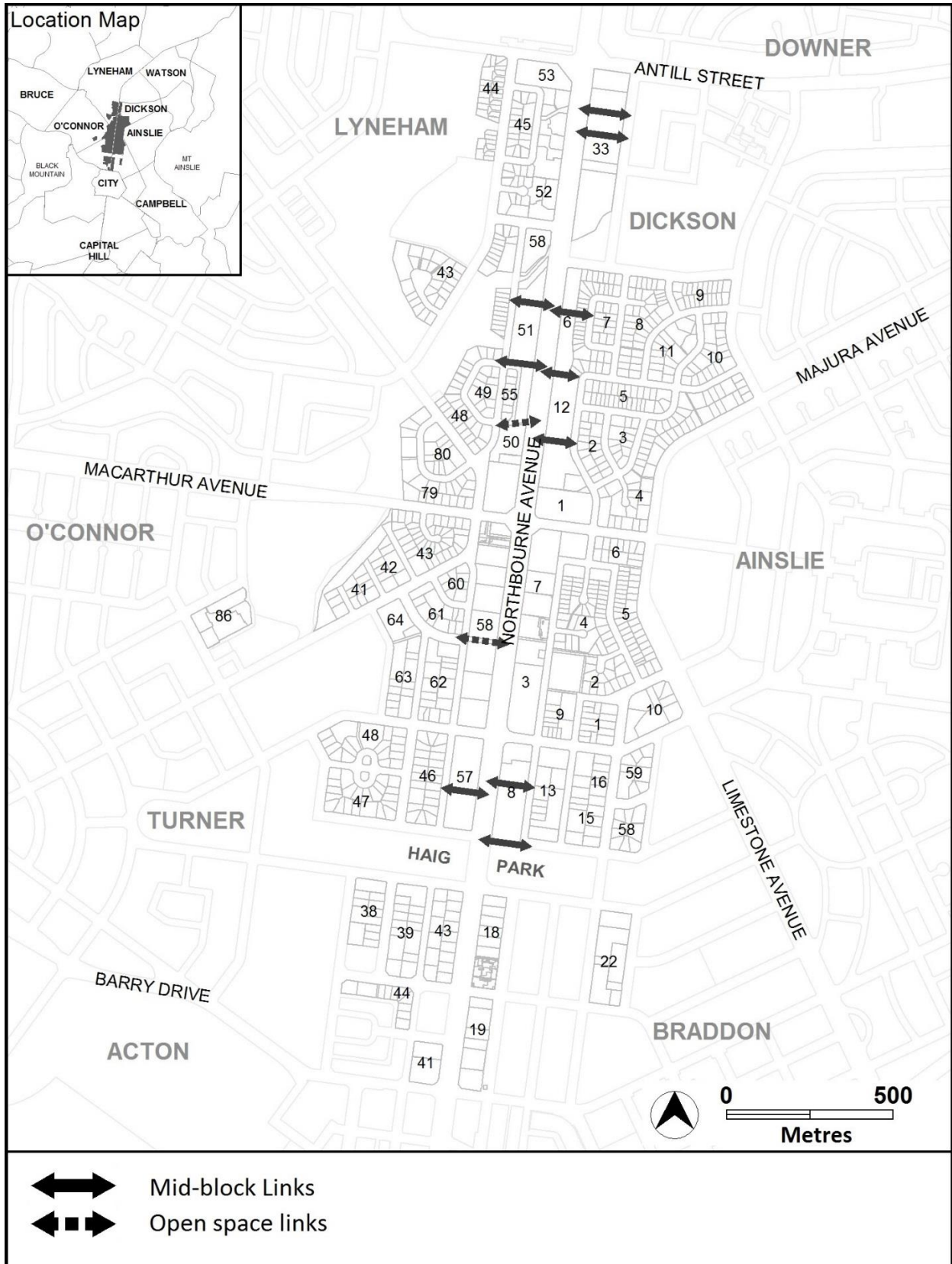


Figure 4: Active travel links

Rules	Criteria
3.4 Courtyard walls	
<p>There is no applicable rule.</p>	<p>C26</p> <p>This criterion applies to courtyard walls for <i>dwelling</i>s which have their <i>private open space</i> at ground floor and fronting Northbourne Avenue.</p> <p>Courtyard walls comply with all of the following:</p> <ul style="list-style-type: none"> a) not higher than 1.8m above <i>datum ground level</i> b) non-transparent components not higher than 1m above <i>datum ground level</i> c) constructed of high quality materials, specifically excluding pre-coloured metal, unfinished timber panels, chain-link, barbed or razor wire d) integrated with landscaping e) designed and constructed to match or compliment the design of the associated building f) must not occupy more than 40% of the façade at ground floor level. <p>Note: This criterion replaces the relevant rules and criterion relating to courtyard walls in the relevant development code.</p>

Element 4: Amenity

Rules	Criteria
4.1 Solar Access - apartments	
<p>R27</p> <p>This rule applies to <i>apartments</i> only.</p> <p>Not more than 15% of <i>apartments</i> within a development receive no direct sunlight between 9am and 3pm on the winter solstice (21 June).</p> <p>Note: This rule applies in addition to the relevant provisions relating to solar access for apartments in the relevant development code.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>R28</p> <p>This rule applies to all <i> dwellings</i>.</p> <p><i>Habitable rooms</i> must have an operable window in an external wall with a total minimum glass area of not less than 15% of the <i> gross floor area</i> of the relevant <i> habitable room</i>.</p> <p>Note: connecting <i> habitable rooms</i> to operable windows in an external wall via a corridor, also known as a 'snorkel' arrangement, does not satisfy the requirements of this rule.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>4.2 Solar Access to adjoining blocks</p>	
<p>R29</p> <p>This rule applies to <i> buildings</i> with more than three storeys.</p> <p><i> Buildings</i> do not reduce the hours of direct sunlight between 9am-4pm to any <i> habitable room</i> in any adjoining residential or commercial accommodation developments to less than 2 hours.</p>	<p>C29</p> <p>Reasonable solar access for adjoining residential or commercial accommodation developments is achieved.</p>
<p>4.3 Private open space</p>	
<p>R30</p> <p>This rule applies to <i> multi-unit housing</i> or residential components of commercial mixed use development in area A shown in Figure 3.</p> <p>Each <i> dwelling</i> has at least one area of <i> principal private open space</i> that complies with all of the following:</p> <ol style="list-style-type: none"> a) has a minimum area and dimensions specified in Table 2 b) maintains visual privacy of the occupants from adjoining public streets and public open space c) is directly accessible from, and adjacent to, a <i> habitable room</i> other than a bedroom d) is not located to the south, south-east or south-west of the <i> dwelling</i>, unless it achieves one or more of the following: <ol style="list-style-type: none"> i) not less than 3 hours of direct sunlight onto 50% of the minimum required area between the hours of 9am and 3pm on the winter solstice (21 June) ii) located at an <i> upper floor level</i> and overlooks a public street or public open space. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
4.4 External facilities	
There is no applicable rule.	<p>C31</p> <p>This criterion applies to <i>apartments</i>.</p> <p>Development complies with all of the following:</p> <p>a) storage units and plant equipment (including air-conditioning plant) are not permitted on <i>balconies</i></p> <p>b) clothes drying facilities are only permitted on <i>balconies</i> where they are screened from view of streets and public areas.</p>

Type	<i> dwellings wholly or partially at lower floor level or on a podium or similar structure</i>		<i> dwellings located entirely on an upper floor level</i>	
	minimum area	minimum dimension	minimum area	minimum dimension
<i>studio apartment</i>	18m ²	4m	4m ²	nil
1 bedroom <i>dwelling</i>	24m ²	4m	8m ²	2m
2 bedroom <i>dwelling</i>	24m ²	4m	10m ²	2m
3 or more bedroom <i>dwelling</i>	36m ²	6m	12m ²	2m

Table 2: Principal private open space area requirements

Rules	Criteria
4.5 Noise	
There is no applicable rule.	<p>C32</p> <p>This criterion applies to <i> dwellings on the block and dwellings on adjoining blocks</i>.</p> <p>Transfer of noise between noise sources and habitable rooms, particularly bedrooms, are minimised through the siting, design and layouts of buildings.</p> <p>For the purpose of this criterion noise sources include, but are not limited to, garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, communal open space and circulation areas.</p>

Element 5: Parking and vehicular access

Rules	Criteria
5.1 Vehicular access	
<p>There is no applicable rule.</p>	<p>C33</p> <p>Vehicular access to or from Northbourne Avenue is only permitted where it complies with all of the following:</p> <ul style="list-style-type: none"> a) demonstrate that vehicular access from roads other than Northbourne Avenue are not viable in terms of design or traffic impacts b) maximum number of vehicular access points to or from Northbourne Avenue – 1 per <i>block</i> or <i>block</i> resulting from the <i>consolidation</i> of two or more <i>blocks</i> c) building/basement entrances to vehicular parking are located to minimise visibility from Northbourne Avenue.
<p>R34</p> <p>Vehicular access points, including crossovers and driveways, must be co-located and/or shared with adjoining blocks.</p>	<p>C34</p> <p>Vehicular access points, including crossovers and driveways, must be located along or close to the selected <i>side boundary</i> of the subject <i>block</i> and be designed and constructed in a way which could be shared by the adjoining <i>block</i>.</p> <p>The selected <i>side boundary</i> is:</p> <ul style="list-style-type: none"> a) where an adjoining <i>block</i> has their vehicular access point along or close to a side boundary of the subject block, the vehicular access point for the subject block must be located along this <i>side boundary</i> b) In any other case, any <i>side boundary</i> of the subject <i>block</i> fronting a public road.
<p>There is no applicable rule.</p>	<p>C35</p> <p>Vehicular access arrangements must comply with all of the following:</p> <ul style="list-style-type: none"> a) ensure pedestrian and bicycle priority and desire lines and paths are maximised b) the width of the vehicular access is minimised c) materials integrate with relevant landscaping d) contains high quality public realm treatments that add visual interest, including tree planting, landscaping, materials, footpaths and lighting

Rules	Criteria
	e) where a <i>block</i> has a <i>front boundary</i> to another road which is parallel with Northbourne Avenue, vehicular access continues from Northbourne Avenue through the <i>block</i> to that road at the other frontage.
There is no applicable rule.	C36 Pedestrian and cyclist access to <i>blocks</i> must be clearly separated from vehicular access and be distinguishable through surface materials, level changes and landscaping.
5.2 Parking	
<p>R37</p> <p>This rule applies to multi-unit residential development in residential and commercial zones.</p> <p>The maximum parking provision rate is as follows:</p> <ul style="list-style-type: none"> a) studio or one-bedroom <i>dwelling</i> – 1 space maximum b) two-bedroom <i>dwelling</i> – 1.3 spaces maximum c) three or more bedroom <i>dwelling</i> – 1.5 spaces d) every 8 <i>dwellings</i> – 1 visitor space <p>Minimum and maximum parking provision rates contained within the relevant development or general codes do not apply.</p> <p>Note: Parking calculations are rounded up to the nearest whole number.</p>	This is a mandatory requirement. There is no applicable criterion.
There is no applicable rule.	C38 Visitor car parking spaces are allocated for visitors of occupants of the residential parts of the development. Visitor car parks must not be allocated to any other purpose, including private spaces for dwellings or workers of the commercial components of the development.
There is no applicable rule.	C39 Adequate spaces and areas, suitably screened from public view, are provided for the loading and unloading of service vehicles.

Rules	Criteria
5.3 Parking structures	
<p>R40</p> <p>Vehicle parking is only permitted in a <i>basement</i>. At-grade, podium or other above ground vehicle parking is prohibited.</p>	<p>C40</p> <p>At-grade, podium or other above ground parking is only permitted where the following are met:</p> <ul style="list-style-type: none"> a) the parking area is located away from Northbourne Avenue and intersections of Northbourne Avenue with Macarthur Avenue, Wakefield Avenue, Mouat Street or Antill Street b) the parking area is suitably screened from Northbourne Avenue and major cross streets through use of buildings, <i>communal open space area</i>, <i>private open space</i> and/or landscaping c) podium parking structures are screened with high quality architectural treatment d) at-grade car parking: <ul style="list-style-type: none"> i) is incorporated into the landscape design for the <i>block</i> ii) incorporates the use of materials, including permeable or light coloured paving, to reduce the increase of surface temperature iii) includes shade trees planted at least every 5 vehicle spaces to reduce the car park surface temperature.

Element 6: Environment

Rules	Criteria
6.1 Erosion and sediment control	
<p>R41</p> <p>For sites less than 3,000m², the development complies with the Environment Protection Authority <i>Environment Protection Guidelines for Construction and Land Development in the ACT</i>.</p> <p>Note: If no evidence of compliance with the above guideline is provided, the application may be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 7: Waste management

Rules	Criteria
7.1 Post occupancy waste management	
There is no applicable rule.	C42 Facilities for waste disposal, recycling and composting are: a) suitably screened from public view b) located in safe and convenient locations to encourage source separation of materials. Note: This criterion does not replace the provisions relating to post occupancy waste management endorsement in the relevant development code.

RC2 – Inner North

This part applies to multi-unit housing in area RC2 shown on the Northbourne Avenue Corridor Precinct Map.

Element 8: Consolidation

Rules	Criteria
8.1 Consolidation	
<p>R43</p> <p>Where multi-unit housing development is proposed, required minimum block consolidations are shown in Figures 5 and 6.</p> <p>In all other cases, minimum <i>block consolidations</i> are required between two or more <i>blocks</i> where:</p> <ul style="list-style-type: none"> a) existing single dwellings have shared walls b) sites are less than 16m wide at the front <i>building line</i> c) single block development cannot provide minimum <i>private open space</i> dimensions for all dwellings d) TCCS does not support vehicle access for a single block development e) development would otherwise result in an <i>isolated block</i>. <p>For the purposes of this rule, an <i>isolated block</i> is a <i>standard block</i> with multi-unit development existing or proposed to each <i>side boundary</i> or <i>rear boundary</i> that cannot be reasonably developed in a manner consistent with the objectives of the zone.</p> 	<p>C43</p> <p>The minimum block consolidation is not required where the lessee(s) of the block(s) to be developed demonstrate to the satisfaction of the Authority that:</p> <ul style="list-style-type: none"> a) suitable redevelopment of the remaining <i>block(s)</i> can be achieved, through the submission of a concept design b) the concept design required at a) includes a sufficient level of detail to enable assessment of the feasibility and demonstrate integration of a possible future development on the adjoining block(s) with the proposed development c) redevelopment of the <i>block(s)</i> that are to be developed can be achieved while ensuring the amenity of any existing <i>dwelling(s)</i> on the remaining <i>block(s)</i> is/are protected d) The development application includes suitable justification why the nominated blocks could not be consolidated, with written confirmation that all lessees of nominated blocks required to be included in the consolidation have sighted the concept design. <p>This criterion does not apply to consideration against R43c) or R43d).</p>
<p>R44</p> <p><i>Consolidated blocks</i> have a single continual street frontage.</p> <p>This rule does not apply to <i>blocks</i> subject to minimum <i>block consolidation</i> shown in Figures 5 and 6.</p>	<p>C44</p> <p><i>Consolidated blocks</i> have a minimum 30m front street boundary length to each street frontage.</p>



Figure 5: Additional requirements – north of Macarthur Avenue

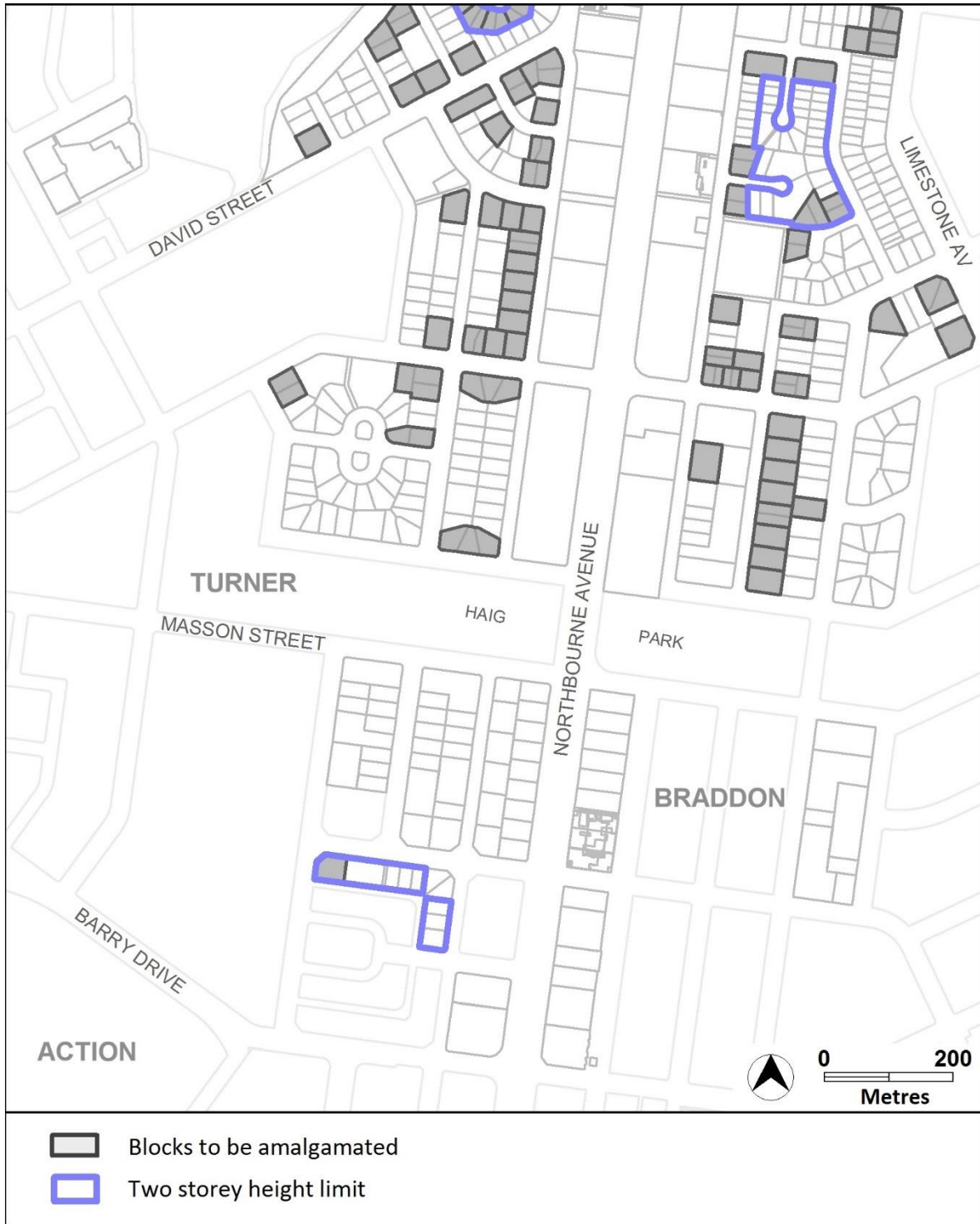


Figure 6: Additional requirements – south of Macarthur Avenue

Element 9: Built form

Rules	Criteria
9.1 Building heights	
<p>R45</p> <p>Maximum building heights are 2 storeys for development on <i>blocks</i> shown in Figures 5 and 6.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
9.2 Setbacks	
<p>R46</p> <p>Minimum <i>front boundary setback</i> – 6m.</p> <p>Exceptions are:</p> <p>a) for <i>front boundaries</i> fronting onto public open space or pedestrian paths wider than 6m the minimum <i>front boundary setback</i> is 4m, except <i>blocks</i> identified in Figure 5 requiring a defined <i>setback</i> to an adjoining pathway: the minimum <i>setback</i> from boundary adjoining the nominated pathway is 5m</p> <p>b) Turner section 44 minimum front <i>setbacks</i> are:</p> <p>i) 4m to Watson Street and Gould Street</p> <p>ii) 3m to McKay Lane.</p> <p>No <i>building</i> or design elements including basement structures are to be located forward of the specified minimum front street <i>setback</i>.</p>	<p>C46</p> <p>Minor encroachments by one or more of the following may be permitted forward of the <i>building line</i> provided the materials and design retain the visual integrity of the building:</p> <p>a) awnings</p> <p>b) architectural details</p> <p>c) courtyard walls to enclose areas of principal private open space</p> <p>d) entry stairs, landings or ramps for pedestrian access to the dwelling(s)</p> <p>e) Basement ramps, provided that adequate sight lines are maintained for vehicles exiting the ramp</p> <p>For the purpose of this rule architectural details do not include service areas or above ground utility infrastructure.</p>
<p>R47</p> <p>Minimum <i>side boundary setbacks</i> are:</p> <p>a) 0m in the <i>primary building zone</i> and</p> <p>b) 3m in the <i>rear zone</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
9.3 Planting areas	
<p>R48</p> <p><i>Planting area</i> is a minimum of 25% of the <i>block</i> area. The minimum dimension of any area included in the <i>planting area</i> calculation is 2.5m.</p> <p>Not less than 7% of the <i>block</i> provides deep soil zones with a minimum dimension of 5m.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
9.4 Basement vehicle access and parking	
<p>R49</p> <p>Basement vehicle access is limited to one basement entry per two <i>blocks</i> or one basement entry per 40m of street frontage, whichever is the greater.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R50</p> <p>The maximum parking provision for:</p> <ul style="list-style-type: none"> a) each studio or one bedroom dwelling is 1 parking space b) each two bedroom dwelling is 1.3 car parking spaces c) each dwelling with three or more bedrooms is 1.5 car parking spaces. <p>Minimum and maximum parking provision rates contained within the relevant development or general codes do not apply.</p> <p>Note: Parking calculations are rounded up to the nearest whole number.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
9.5 Utilities	
<p>R51</p> <p>Overhead powerlines, telephone and data cables are undergrounded in coordination with the relevant utility provider.</p>	<p>C51</p> <p>Powerlines, telephone and data cables are progressively undergrounded within sections to reduce visual impact, improve residential amenity and provide clearance for deep root planting zones.</p>
9.6 Solar access	
<p>R52</p> <p>This rule applies to buildings of more than three storeys.</p> <p>Buildings do not reduce the hours of direct sunlight between the hours of 9am and 3pm to any habitable room in any adjoining residential dwelling or commercial accommodation development to less than two hours.</p>	<p>C52</p> <p>Reasonable solar access for adjoining residential dwellings or commercial accommodation developments is achieved.</p>

Rules	Criteria
9.7 Private open space and residential amenity	
<p>R53</p> <p>Each dwelling above ground floor level provides a primary balcony that complies with the requirements as set out in table 3.</p> <p>For ground floor or podium level dwellings, a private open space area is provided with a minimum area of 15m² and minimum dimension of 3m.</p>	<p>C53</p> <p>Dwellings provide appropriately sized areas of private open space to enhance residential amenity.</p>

Dwelling type	Minimum balcony area	Minimum balcony depth
Studio	4m ²	1m
1 bedroom	8m ²	2m
2 bedroom	10m ²	2m
3 or more bedrooms	12m ²	2.4m

Table 3: Minimum balcony areas

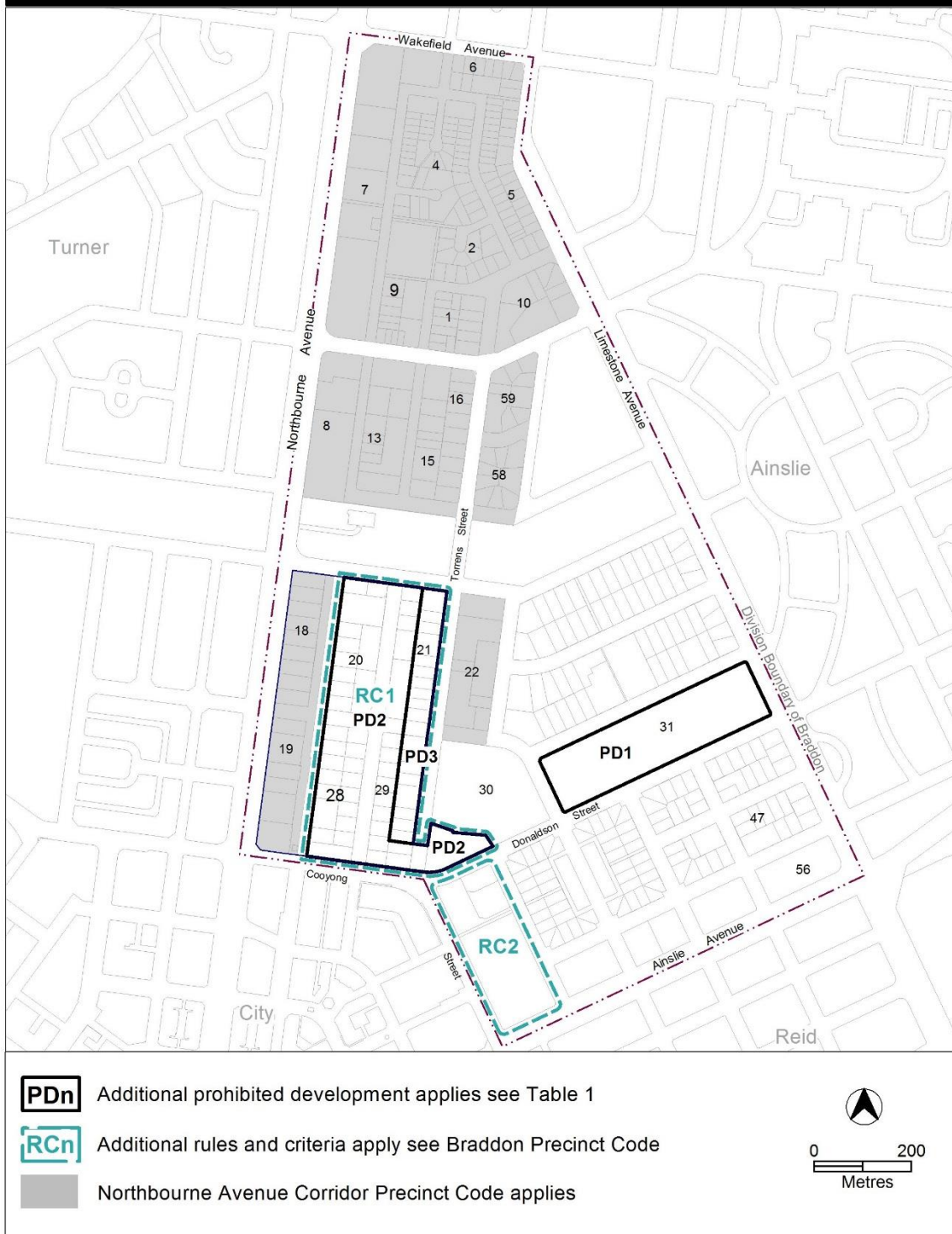
Rules	Criteria
<p>R54</p> <p>Minimum <i>dwelling</i> internal floor areas are as follows:</p> <p>a) studio <i>dwelling</i>: 40m²</p> <p>b) one bedroom <i>dwelling</i>: 50m²</p> <p>c) two bedroom <i>dwelling</i>: 70m²</p> <p>d) three bedroom <i>dwelling</i>: 100m²</p> <p>e) four or more bedroom <i>dwelling</i>: 112m² plus 12m² for each additional bedroom above four bedrooms</p> <p>f) two or more bathrooms: include 5m² to the dwelling size for a second bathroom plus 5m² for each additional bathroom.</p>	<p>C54</p> <p>Dwellings provide internal areas of a useable and functional size.</p>

Rules	Criteria
<p>R55</p> <p>This rule applies to all <i> dwellings</i>.</p> <p><i>Habitable rooms</i> must have an operable window in an external wall with a total minimum glass area of not less than 15% of the <i> gross floor area</i> of the relevant <i> habitable room</i>.</p> <p>Note: connecting <i> habitable rooms</i> to operable windows in an external wall via a corridor, also known as a 'snorkel' arrangement, does not satisfy the requirements of this rule.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R56</p> <p>Living rooms and private open space areas of at least 70% of dwellings in a building receive a minimum of three hours direct sunlight between 9am and 3pm during the winter solstice (21 June).</p> <p>A maximum of 15% of dwellings in a building receive no direct sunlight between 9am and 3pm during the winter solstice (21 June).</p>	<p>C56</p> <p>The design of the building optimises the number of dwellings receiving sunlight to habitable rooms, primary windows and areas of private open space.</p>
<p>9.8 Housing diversity</p>	
<p>R57</p> <p>Development contains:</p> <ul style="list-style-type: none"> a) not more than 40% studio or one bedroom <i> dwellings</i> b) not more than 40% two bedroom <i> dwellings</i> c) not less than 20% three or more bedroom <i> dwellings</i>. 	<p>C57</p> <p>Housing developments comprising multiple <i> dwellings</i> are required to achieve all of the following:</p> <ul style="list-style-type: none"> a) a range of housing types b) increased diversity of <i> dwelling</i> types within a neighbourhood.
<p>R58</p> <p>Minimum separation distances for buildings within a development and between adjoining developments are:</p> <ul style="list-style-type: none"> a) 12m between unscreened habitable rooms and balconies b) 9m between habitable rooms and non-habitable rooms or screened habitable rooms c) 6m between non-habitable rooms or screened habitable rooms. 	<p>C58</p> <p>Building separation:</p> <ul style="list-style-type: none"> a) assists in providing residential amenity including visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook b) provides suitable areas for communal open spaces, deep soil zones and landscaping.

Element 10: Building controls

Rules	Criteria
10.1 Ceiling Heights	
<p>R59</p> <p><i>Dwellings</i> have a minimum finished floor to finished ceiling height of:</p> <ul style="list-style-type: none"> a) <i>single storey dwellings</i> <ul style="list-style-type: none"> i) <i>habitable rooms</i> – 2.7m ii) <i>non-habitable rooms</i> – 2.4m b) <i>two storey or greater dwellings</i> <ul style="list-style-type: none"> i) <i>storey</i> containing the main daytime living area – 2.7m ii) <i>other floors</i>, where they do not exceed 50% of the total <i>gross floor area</i> of the <i>dwelling</i> – 2.4m, otherwise – 2.7m. 	<p>C59</p> <p>Ceiling height achieves sufficient natural ventilation and daylight access for <i>habitable rooms</i>.</p>
<p>R60</p> <p>All <i>habitable rooms</i> are naturally ventilated through windows in external walls.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R61</p> <p>At least 60% of <i>dwellings</i> are naturally cross ventilated.</p>	<p>C61</p> <p>The number of <i>dwellings</i> with natural cross ventilation is maximised to create a comfortable indoor environment for residents.</p>

Braddon Precinct Map



Assessment Tracks

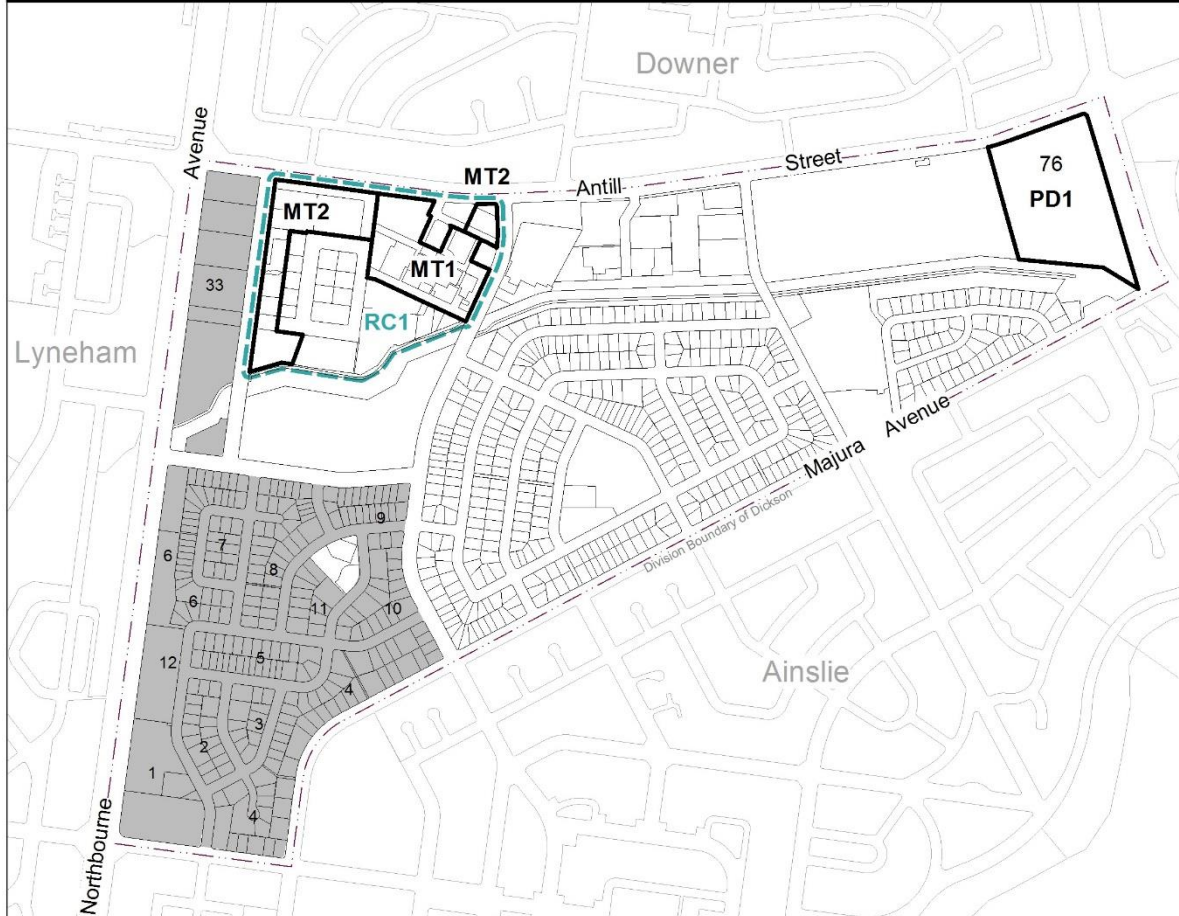
The following table identifies the additional prohibited development for blocks and parcels shown in the Braddon Precinct Map (identified as PDn). Development that is exempt from requiring development approval, other prohibited development and the minimum assessment track applicable to each development proposal is set out in the relevant zone development table.

The following table constitutes part of the relevant zone development table.

Table 1 – Additional prohibited development

Additional prohibited development		
Suburb precinct map label	Zone	Development
PD1	CFZ	<i>retirement village</i> <i>supportive housing</i>
PD2	CZ3	<i>place of assembly</i> <i>place of worship</i> <i>religious associated use</i> <i>tourist facility</i> <i>tourist resort</i>
PD3	CZ2	<i>club</i> COMMERCIAL ACCOMMODATION USE <i>community theatre</i> <i>cultural facility</i> <i>drink establishment</i> <i>educational establishment</i> <i>emergency services facility</i> <i>financial establishment</i> <i>indoor entertainment facility</i> <i>indoor recreation facility</i> <i>outdoor recreation facility</i> <i>place of assembly</i> <i>place of worship</i> <i>religious associated use</i> <i>restaurant</i> SHOP <i>tourist facility</i>

Dickson Precinct Map



- PDn** Additional prohibited development applies see Table 1
- MTn** Additional merit track development applies see Table 2
- RCn** Additional rules and criteria apply see Dickson Precinct Code
- Northbourne Avenue Corridor Precinct Code applies

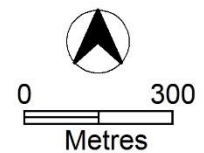


Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	CZ1	<i>industrial trades municipal depot store</i>
MT2	CZ2	<i>funeral parlour light industry service station veterinary hospital</i>

Lyneham Precinct Map

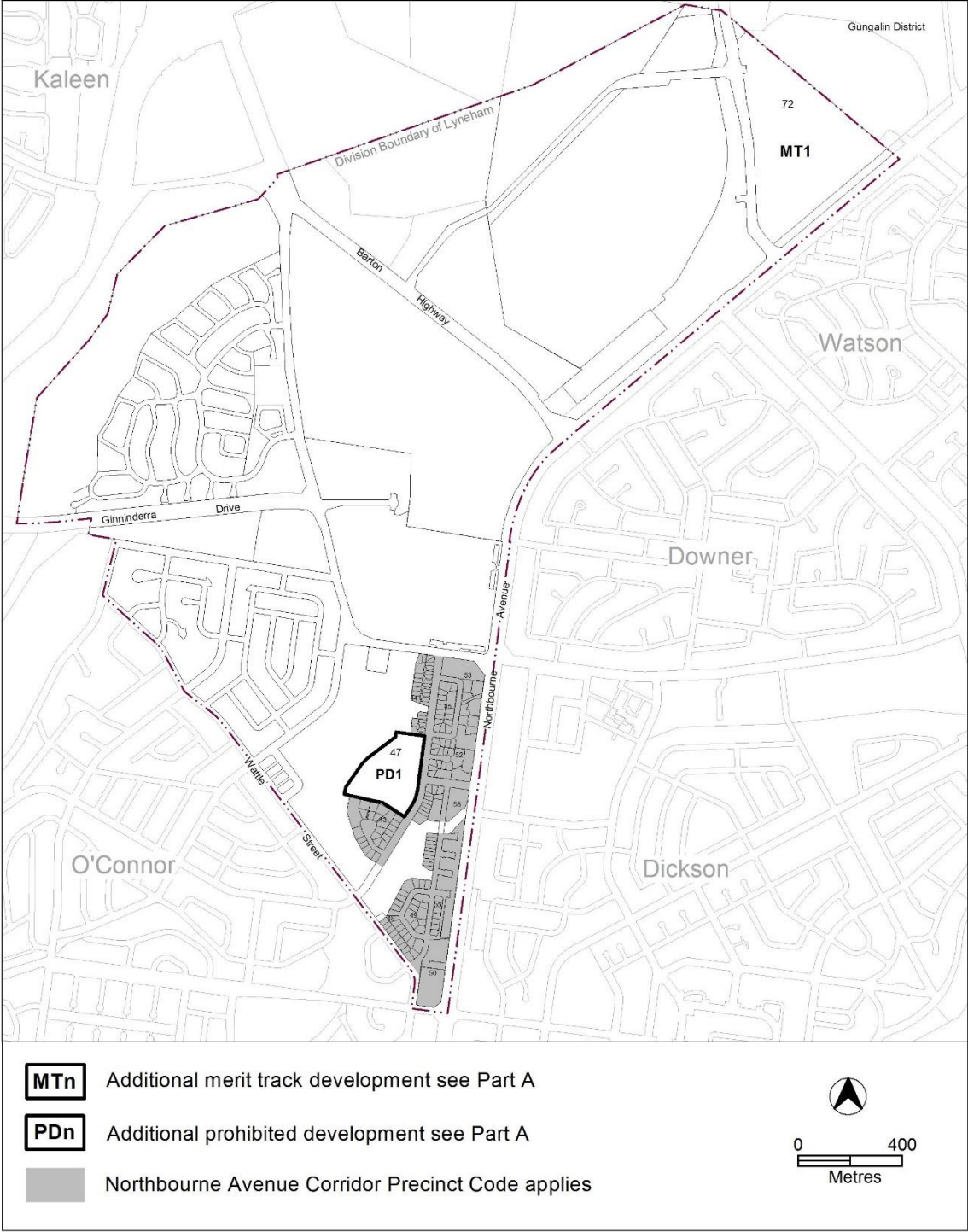
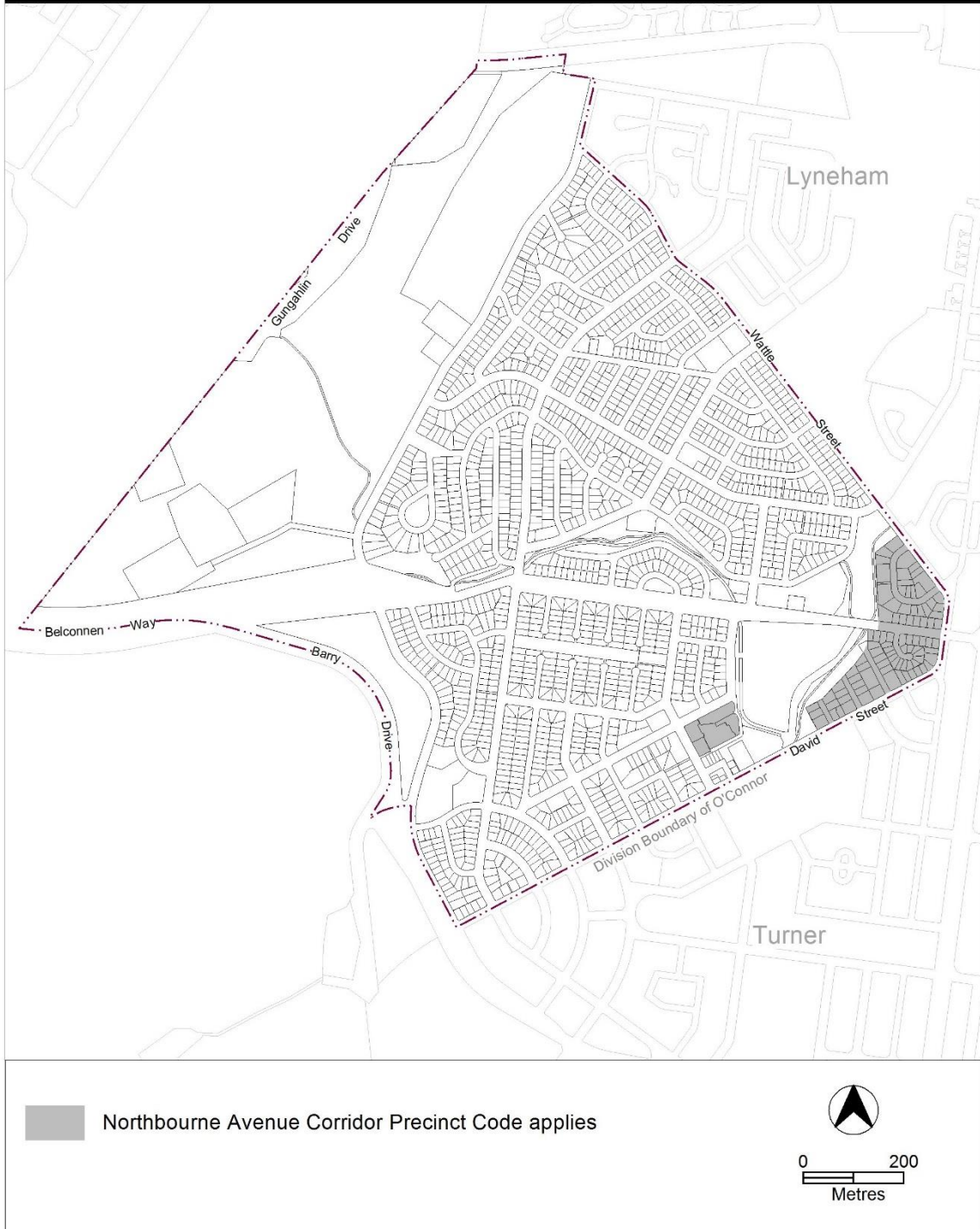


Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	NUZ1	<i>place of assembly</i>

O'Connor Precinct Map



Turner Precinct Map



- PDn** Additional prohibited development applies see Table 1
 - MTn** Additional merit track development applies see Table 2
 - RCn** Additional rules and criteria apply see Turner Precinct Code
 - Northbourne Avenue Corridor Precinct Code applies
 - X** Urban open space - not public land. These areas may be reviewed.
-

Table 1 – Additional prohibited development

Additional prohibited development		
Suburb precinct map label	Zone	Development
PD1	CFZ	<i>retirement village supportive housing</i>
PD2	CZ2	<i>COMMERCIAL ACCOMMODATION USE (except guest house) drink establishment emergency services facility financial establishment indoor entertainment facility place of assembly restaurant serviced apartment</i>

Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	RZ1	<i>COMMUNITY USE</i>
MT2	PRZ1	<i>public transport facility</i>

APPENDIX 2
Copies of public comments received on draft variation 368

From: [REDACTED]
To: [Terrplan](#)
Subject: DV368 City and Gateway
Date: Thursday, 26 December 2019 5:01:03 PM

To whom it may concern

I write to express my support for the draft variation 368 to the territory plan, noting the variation seeks to standardise planning for this important Canberran corridor.

Greater density however, can be achieved along the corridor and I reflect that the current plan will suffice for the next decade alone. I encourage greater density and mixed density for the corridor, in particular around the dickson precinct.

I note the need to consider the impacts of development, parking, vehicle access and traffic impacts. There is greater opportunity for Northbourne sites to be using access to and from alternate streets. The variation should reflect this.

I note the commentary in cycling east west connectivity; however, the variation would be further improved by committing to a consistent, safe and boulevard experience for cycling and walking users.

Kind regards

[REDACTED]

Sent from my iPad

[REDACTED]
[REDACTED]
"The Gallery"
40 Mort St
Braddon ACT 2612

To: Territory Plan Section
Environment and Planning Directorate
GPO Box 158, Canberra, ACT 2601
Email: terrplan@act.gov.au

10 February 2020

Dear Territory Plan Section,

RE: Draft Variation 368

Thankyou for the opportunity to provide comment on this Draft Variation.

I write in my capacity as [REDACTED] "The Gallery", at 40 Mort St, Braddon. The Gallery is a mixed-use development of 53 units; accommodating approximately 100 residents in the vibrant Braddon Commercial Area.

Many residents in our building have chosen to live in "The Gallery" due to the convenience and amenity that the surrounding precinct has to offer. This has been enabled over time through various planning mechanisms, in particular, relating to promoting active living and active travel, environmentally sustainable development, and provision of a high quality public realm facilitating active uses on the ground floor.

Initiatives and innovative developments which revitalize the City Precinct are joyfully welcomed. Revitalisation is predominantly achieved through mixed-use developments, encouraging active modes of travel (particularly walking), and ensuring that the ground floor of buildings are active and interesting. With this in mind, a couple of challenges and inconsistencies are noted with Draft Variation 368.

Provision of shelter for pedestrians

The supporting material for DV368 – namely the *City and Gateway Urban Design Framework* – puts great emphasis on active modes of travel, particularly "increasing numbers of pedestrians", which is mentioned throughout the Framework. The Framework specifically highlights the importance of "shade" and "shelter" (pages 18, 23, 36, 37, 38, 52, 59, and 69); with a whole section devoted to the provision of awnings to provide protection from the weather.

Successive ACT Government transport plans and strategies have sought to double walking as a mode of transport. These have included the 2004 "*Sustainable Transport Plan*", "*Transport for Canberra Strategy 2012-2031*", and "*Moving Canberra 2019-2045*". The "*ACT Active Travel Framework*" cites "lack of shade" as one of the primary barriers to increased uptake of this mode of transport.

A design criteria stated in the *City and Gateway Urban Design Framework* is that buildings "*shall [...] have continuous awnings over the footpath*".

This is however not reflected in the text of Draft Variation 368 itself.

DV368's only references to the provision of awnings and shelter for pedestrians is R21/C21 – which relates only to the Macarthur Node and Dickson Node.

To achieve the Framework’s desire of increasing pedestrian numbers, it is critical that basic shelter from the elements (Canberra’s hot summer sun, and propensity for drenching – though brief – downpours) is provided to pedestrians.

R21/C21 needs to therefore be amended to:

3.2 Pedestrian shelters	
<p>R21</p> <p>This rule applies to the Macarthur node and Dickson node shown in Figure 1.</p> <p>Buildings provide continuous awnings or colonnaded walkways at ground floor level to facades facing Northbourne Avenue, MacArthur Avenue, Wakefield Avenue, <u>Mort St</u>, and Antill Street, and have a minimum clear width of 2.5m<u>3.0m</u> and a minimum ceiling height of 6m.</p>	<p>C21</p> <p>Sheltered and convenient pedestrian access is provided to building facades facing Northbourne Avenue, MacArthur Avenue, Wakefield Avenue and Antill Street at street level.</p> <p><u>This is a mandatory requirement. There is no applicable criterion.</u></p>

Relevant changes have been struck/underlined.

Why include Mort Street?

Maps in the *City and Gateway Urban Design Framework* acknowledge Mort St as a pedestrian thoroughfare. Increasing population density in the Braddon Commercial Area (and nearby) increases the importance of active building frontages and the provision of basic shelter for pedestrians.

Why 3.0m of clear minimum width?

The minimum clear width of shelter has been increased from 2.5m to 3.0m to bring the Northbourne Avenue Corridor Precinct Code in-line with the Braddon Precinct Code. As a primary pedestrian thoroughfare and due to their proximity to Light Rail stops, an increase in the clear width is appropriate.

R21 to be mandatory

A disturbing trend has been emerging whereby developments are being approved by the Environment and Planning Directorate which are in contradiction to the relevant Precinct Code. Responses by EPD planning officers is that compliance with a “Rule” is not a mandatory unless there are no associated Criteria. An extremely liberal approach has therefore been applied to these particular rules.

For example, the current (2014) Braddon Precinct Code states in Rule 9 that buildings are to “*incorporate cantilevered awnings for full width building frontage*” – i.e. with the purpose of providing basic shelter to pedestrians, as clarified by Criteria 9. However, as this is accompanied by Criteria 9, which states that “*Buildings fronting streets are designed to provide sun-shading and weather protection to pedestrian paths along streets*”; developers are not required to comply with Rule 9. Development Applications are even approved where they are in complete contradiction to this Rule.

Two examples of this are Braddon Section 20 Block 22 (“Nibu x Palko”) and Braddon Section Block 3 (“Yamaroshi”). Both buildings were granted exemptions from Rule 9 by the Directorate on the developer’s rationale that there was sufficient visual interest – even though this is in contradiction to the intent of Rule 9 (as clarified by Criteria 9).

This is inconsistent with other decent developments in the Braddon Commercial Area, almost all of which comply with Rule 9. Section 21 Block 22 "Mode 3" on Lonsdale Street is the best example of this, providing continuous coverage to pedestrians over almost half of the block, and achieving both visual interest and excellent active frontages for pedestrians.

Kind regards,



40 Mort St
Braddon ACT 2612

From: [REDACTED]
To: [Terrplan](#)
Subject: Draft Variation 368 comment
Date: Wednesday, 26 February 2020 6:36:00 PM

Draft Variation 368 proposed by the Authority, for the Territory Plan Section of the EPSDD.

I welcome the review of the inner north precinct code and the drafting of the DV 368, however one particular rule just doesn't sit well with me.

Rule 57

Unit dwelling mix of bedrooms should be left to the market to decide. Last time such a rule was imposed forcing unit mix such as in the case (current rule 22 of INPC) which required 3 Bedrooms only on the ground floor, it resulted in DAs not being approvable for apartment buildings with 100% 3 bedroom type units. Prime example of the intent of the rule back firing into the face of the Authority.

I understand there is a strong push by inner north residents for less 1 bedroom units and more 3 bedroom units, however the market will find the appropriate sustainable mix with out putting developments in jeopardy. As it currently stands, 3 bedroom townhouses are the flavour of the month , however in 5 years it could be a different story. Appeasing the strong labour centric inner north NIMBYs and not looking at the needs of new residents into the future is letting this draft variation process smell of pork barreling and political brownie points.

A possible scenario worth considering is that what if a developer doesn't want any 1 bedroom units, but would like a decent number of 2 bedders. The mix will be 40% x 2 bedders and the rest at 60% will HAVE to be 3 bedders. Developer now thinks thats too many 3 bedders and a riskier venture than the default 40:40:20 mix enforced by the planning rules. A prime example of planning rules back firing as the developer now will build 40% 1 bedders even though he didn't want any. This rule basically provides no flexibility at all except to promote 3 bedders. Couple that with the laughable 1.5 car space rule and you have low quality amenity - a ghetto in the making.

Thank you

[REDACTED]

From: [REDACTED]
To: [Terrplan](#)
Subject: Draft Variation 368
Date: Friday, 28 February 2020 9:27:55 AM

I wish to comment on the Draft Variation 368 proposed by the Authority. This is ment for the Territory Plan Section of the EPSDD.

My comments are broken down into each specific rule in question. My background and perspective is as builder and developer. My experience in developing in the inner north of Canberra is over 15 years. I feel overall that this is a great initiative, that the inner north precinct code was getting quite out dated and a lot of the silly rules have been proposed in this DV to be taken out entirely. I however feel new ones may potentially inadvertently be introduced in the DV and I hope you take the time to read and understand closely my position on some of these rules and how they will negatively impact the planning process and the ACAT appeals that inherently follow.

Rule 8.1 (fig5)

Block amalgamation will be difficult to achieve for 72-74 Macarthur St O'connor as there is a sewage easement between them. Generally electrical easements can be re routed however sewage is a large civil undertaking and therefore makes the land undevelopable if this rule is imposed on these blocks. 11 Verdon st O'connor will have difficulty consolidating as its partner site has built a new dual occupancy. This will result in it being undevelopable or at best under developed and not in meeting with the zone objectives for RZ3.

Rule 8.1 (fig 6)

The map proposed for block amalgamation is not showing the block boundaries correctly. i.e. 29 Forbes st Turner is the development Synergy, yet it still shows multiple un consolidated blocks. In other areas the block consolidations have already ocured yet the map shows these single consolidated blocks needing to be consolidated when they already have.

C.46.

Consider including retaining walls forward of the building line up to a certain height. Under a metre they are really just landscape elements however some planners in the authority are too cautious to allow them and wrongly consider them as being a building element.

R48

Minimum dimension of 2.5m is mentioned. Can it be clarified if that is lineal or square metre?

R50

Having the same Parking Provision as the commercial residential blocks facing Northbourne Ave seems a little short sided. While those buildings will generally be high density apartments this rule applying to them is understandable. However in the RZ3 and 4 zoned medium density side streets this rule is not taking into consideration that some developers want to target the high end townhouse market where you can expect a large mix of 3 and 4 bedroom large dwellings with large basements to cater for 3+ cars. It should be noted that having 3 car spaces for a single dwelling will not necessarily mean the occupant has that many cars. I have noticed buyers using the third car space for storage, hobby workshop, wine cellar, trailer with motorbike/jetski/boat. Once again I feel this rule is short sighted and will stifle innovation and high end dwellings. We need to remember that these suburbs are Canberra's premium locations and should therefore be allowed more flexibility in design.

I propose 1 car space max per 1 Bedroom/studio
2 car space per 2 bedroom
3 car spaces per 3 /4 bedroom.

Furthermore what will the minimum car space allotment be?

R51

Can be a very expensive exercise, especially when dealing with a monopoly provider.

R54 (f)

5m2 for each extra bathroom is not needed for (d) 3 bedroom dwellings as a 100m2 unit already has allowance for that. Basic maths proves my point.

2 Bedroom GFA 70m2
extra bedroom 12 m2
extra bathroom 5m2
Corridor 3m2
TOTAL is 90m2

Alternatively reduce (d) to 85m2. Once again this rule will stifle innovation. What if a developer wants to provide affordable 3 bedders with one bathroom? It can be done at 85m2, but this rule does not allow it. With an ageing population and downsizers living in separate bedrooms with the need for a spare bedroom for visitors or study I can see a need for this type of product.

R57

Unit dwelling mix of bedrooms should be left to the market to decide. Last time such a rule was imposed forcing unit mix such as in the case (current rule 22 of INPC) which required 3 Bedrooms only on the ground floor, it resulted in DAs not being approvable for apartment buildings with 100% 3 bedroom type units. Prime example of the intent of the rule back firing into the face of the Authority.

I understand there is a strong push by inner north residents for less 1 bedroom units and more 3 bedroom units, however the market will find the appropriate sustainable mix without putting developments in jeopardy. As it currently stands, 3 bedroom townhouses are the flavour of the month, however in 5 years it could be a different story.

A possible scenario worth considering is that what if a developer doesn't want any 1 bedroom units, but would like a decent number of 2 bedders. The mix will be 40% x 2 bedders and the rest at 60% will HAVE to be 3 bedders. Developer now thinks that's too many 3 bedders and a riskier venture than the default 40:40:20 mix enforced by the planning rules. A prime example of planning rules back firing as the developer now will build 40% 1 bedders even though he didn't want any. This rule basically provides no flexibility at all except to promote 3 bedders. Couple that with the laughable 1.5 car space rule and you have low quality amenity - a ghetto in the making.

Furthermore, the government is potentially missing out on some lease variation revenue through the unit titling process by enforcing less units per site.

R61

Criteria should also allow concession if air purifier heat exchangers are used. I for one wouldn't like that bush fire smoke during the hot summer months nor the cold Canberra winter days frosty air cross ventilating through my home.

I thank you for getting this far down and taking the time to read my carefully thought out comments and hope it has shed some light onto the rules potential for adverse effects in its current draft form.

regards



Territory Plan Section of the Environment, Planning and Sustainable Development
Directorate (EPSDD)
PO Box 158
Canberra, ACT 2601

terrplan@act.gov.au

Draft Variation to the Territory Plan No 368

City and Gateway South Northbourne Avenue Corridor

December 2019

General Comments

It is good that there are criteria for almost all sections so innovation can be explored. However many of the rules contain prescriptive controls that will inevitably become the standard applied through assessment and the appeals process.

Removal of the 30% Rear Zone is a good thing allowing a lot more flexibility in design.

There needs to be greater consideration of the smaller developments off Northbourne Avenue and the impact this will have on them. The primary focus seems to be on the larger developments fronting Northbourne and the rules have been copied over where they are not necessarily appropriate to the smaller scale development.

There is a focus on reducing car numbers in this area which will be hard to manage and result in increased need for street parking which is undesirable. There should be no limit on what is provided in basements so that additional load on street parking can be all but eliminated. This would enable visitor overflow and trades to use the streets.

Basement parking doesn't mean that occupants of the area won't use public transport. It only acknowledges that occupants have the right to flexibility in their living styles. Additional car spaces attached to units may not all be used for car parking. They may be used for storage of bikes and sporting equipment too large to fit into storage cages. We should not be mandating a limit on this level of flexibility. The market should be allowed to provide additional amenity where there is a need from purchasers to make this strip more attractive to a greater range of users.

All basement areas should be exempt from GFA calculations to encourage developers to provide additional storage and communal facilities. These areas have no impact on the broader community but could be very valuable to occupants.



Overly prescriptive setback rules run the risk of developing cookie cutter developments in the area stifling innovation.

2.5 Building Separation

R14 Increasing separation between windows as a building gets higher appears to be about the increased angle of overlooking rather than direct line of site. Otherwise the lower level setback would apply all the way through. Some articulation of this might be appropriate to inform design of innovative alternatives that would bring buildings closer together. There is a risk that prescriptive setbacks at each storey could develop a cookie cutter form down Northbourne Ave.

2.7 Internal Dwelling Design

R16 This should have a minimum area of 9m² but not prescribe minimum dimension of 3x3 as often a 3.4x2.8 bedroom will achieve a better outcome for a unit design and is still just as usable a room size.

R17 The combined habitable room depth should be increased from 8m to 10m to enable a reasonable Living, Dining, Kitchen combination independent of width. It is appreciated that this is about light penetration but liveability and the ability to provide a more generous space should take priority, 4m for living, 3m for dining, & 3m for the Kitchen are depths that work well ergonomically for these spaces.

2.8 Housing Diversity

C18 having a diversity of unit designs as a criteria control is not appropriate. This should be led by the designer and market requirements. It is too subjective to assess.

R19 Dictating the percentage mix of dwellings in a development should be left to the market to decide. Mandating quotas doesn't allow the market to respond to changing needs which it does reasonably fast. If there is an oversupply, prices come down which is good for the consumer. Where there is an opportunity like a shortfall of say 3 Bed, it is taken advantage of.

This rule is pushing dwellings to be larger in the heart of the city where other rules like the Living Infrastructure requirements are pushing dwellings to be smaller in the suburbs.

Allowing unlimited 3 Bed dwellings works well for lower density Townhouses but mandating a minimum of 20% in an apartment building may not be sellable depending on the development and location. If the market wants 3 Bed apartments, developers will provide them.



4.1 Solar Access

R27 The Northbourne grid is slightly to the East of North. This makes it very hard for East facing Dwellings to achieve the 3 hours. There should be a criteria appropriate for dealing with this issue.

R28 Operable windows to external wall – Agree with this rule for things like bedroom & Living spaces etc, however think that it may hinder things like a Secondary living spaces ie Rumpus or Sitting rooms at the top of a stair centrally located that provides good amenity for residence.

Needs clarification around what is a snorkel ie. How deep / how wide before it is considered part of the bedroom

4.2 Solar Access to adjoining blocks

R29 Many adjoining blocks are old single residential developments that have not yet been redeveloped. If a new 25m high building is constructed on the neighbouring allotment it will be very difficult to not have an impact on any habitable space.

4.3 Private Open Space

R30 This should have a Criteria.

5.1 Vehicular Access

Many of the blocks along Northbourne Avenue already have access points to Northbourne. Most have two, an in and an out. This works reasonably well and takes pressure off the narrow streets at the rear. It gives the buildings a drop off point at their principal address. This practice should be maintained supported by a traffic impact study. Preventing access from Northbourne or limiting it to only a single entry is not practical. This would put further unnecessary pressure on the narrow rear streets.

R34 Combining access points on side boundaries is absurd. This would concentrate multiple entry and exit movements on adjoining blocks creating confusion about the order that cars enter and leave. Entry points should be dictated by the best design for the block and supported by a traffic study.

Mid-block points, particularly on the blocks that are nominated for mid-block or open space links would most likely generate the best outcome.

5.2 Parking

R37 Changing the minimum parking numbers to maximum numbers is a short-sighted political stunt. The requirement for parking numbers in this precinct should be removed completely. Let the market dictate the numbers required for users.



The light rail is already well used and many occupants in the area will locate so they are close to work for walking, riding or train commuting. However, many will still require two cars, particularly with families and our highly mobile population travelling all over the city for leisure and business opportunities. This is one of the greatest things about living in Canberra that isn't available in other major cities. Public transport and light rail can't accommodate this need.

There is a need for diversity of accommodation in the area catering for all. High end developments in particular require increased amenity and the option of multiple car spaces is an important part of that amenity to attract these people into the city. If a developer wants to provide additional amenity in the way of underground parking, there should be no restriction. The most important element here is to have parking off the street. The streets backing Northbourne are narrow and cannot handle street parking. Failure to provide sufficient parking underground will result in increased street parking in the area.

9.2 Setbacks

R47 Should have a criteria relating to minor encroachments that often achieve a much better outcome without impacting on neighbours and can increase levels of amenity for the occupants.

9.3 Planting Areas

R48 The introduction of a minimum of 2.5m for planting areas is excessive. It ignores the validity of small strip gardens in courtyards and light wells or along boundaries as being valid contributors to the permeability of a site.

9.4 Basement Vehicle Access and parking

R49 Basement entries need to have a Criteria attached so that the number of entries is minimised but there may be a good case for multiple entries on an innovative development.

In the case that single block development in appropriate and approvable, this rule would prevent a basement entry. This should be covered by a criteria.

R50 Changing the minimum parking numbers to maximum numbers is a short-sighted political stunt. The requirement for parking numbers in this precinct should be removed completely. Let the market dictate the numbers required for users.

There is a need for diversity of accommodation in the area catering for all. High end developments in particular require increased amenity and the option of multiple car spaces is an important part of that amenity to attract these people into the city. If a developer wants to provide additional amenity in the way of underground parking, there should be no restriction. The most important element here is to have parking off the street. The streets backing Northbourne are narrow and cannot handle street parking. Failure to provide sufficient parking underground will result in increased street parking in the area.



Parking supplied with developments should have the ability to be unallocated so that they can be sold individually. This would enable purchasers who have no intention of owning a car or to use a shared car to make their purchase cheaper. Those that want additional car spaces could purchase more.

9.5 Utilities

R51 Mandating undergrounding of power needs to be clarified. Connections from the grid to the new buildings is already underground.

If this rule refers to the mains lines at the front or rear of blocks, it needs to be properly thought through. In many cases it will be cost prohibitive and not practical. These lines serve many houses around a development site and undergrounding of them would impact on the development covering the cost of undergrounding of all surrounding blocks serviced by common poles. This would require access and disruption to neighbours' properties and gardens. This would not be an acceptable outcome and cause a great deal of objection.

The rear zones of blocks where overhead lines are located are commonly planted with significant trees that compete with the power lines. Excavation in this area to underground the lines would be detrimental to established tree and screening planting that other clauses are trying to retain. These zones also contain other services in the easements that could be impacted by the new excavation.

9.7 Private open space and residential amenity

R54 Minimum Internal area's. This will mean that there will need to be separate calculations outside of the GFA calculations and could become rather confusing

R56 The Northbourne grid is slightly to the East of North. This makes it very hard for East facing Dwellings to achieve the 3 hours. There should be a criteria appropriate for dealing with this issue.

9.8 Housing Diversity

R57 Dictating the percentage mix of dwellings in a development should be left to the market to decide. Mandating quotas doesn't allow the market to respond to changing needs which it does reasonably fast. If there is an oversupply, prices come down which is good for the consumer. Where there is an opportunity like a shortfall of say 3 Bed, it is taken advantage of.

This rule is pushing dwellings to be larger in the heart of the city where other rules like the Living Infrastructure requirements are pushing dwellings to be smaller in the suburbs.

Allowing unlimited 3 Bed dwellings works well for lower density Townhouses but mandating a minimum of 20% in an apartment building may not be sellable depending on the development and location. If the market wants 3 Bed apartments, developers will provide them.



10.1 Ceiling Heights

R59 While 2.7m ceilings are nice, a huge portion of Canberra is built to a standard ceiling height of 2.4m and functions well. Mandating a ceiling height of 2.7m is excessive and costly. On one hand we have policies that are trying to make houses smaller and with this one we are making them taller.

R60 Change this rule to allow other forms of natural ventilation such as skylights or future innovations. This will allow for secondary living spaces between bedrooms for example at the top of a stair.

From: [REDACTED]
To: [Terrplan](#)
Subject: Draft Variation 368- Objection
Date: Friday, 28 February 2020 2:14:25 PM
Attachments: [image001.gif](#)
[image002.jpg](#)

27/2/20

Draft Variation 368

To whom it may concern

As a stakeholder of Commercial Property within the Northbourne corridor, I wish to object & comment to some of the rules within DV368, primarily :

Parking Generation:

Rule 50 – Whilst there is support for a reduction in car parking generation rates I believe that both dropping the rates and making them a maximum provision may have impact on the marketability of dwellings in the Inner North. Many of the potential residents in this area are downsizes or young families and the ability not to provision two parking spaces for a three bedroom dwelling could turn many buyers away. We would suggest that the maximum provision for parking should align with the required rates in the Parking and Vehicular Access Code and this would provide flexibility to provide less parking if this is what the market is demanding. The other potential impact of reducing parking provisions is that this will put additional load onto already exhausted on street parking.

Driveways:

Rule 33&34 - We strongly oppose the deletion and/or relocation of pre-existing driveway crossings and the sharing of driveways with adjoining lessees.

Rule 55 –Prohibiting ‘snorkel’ arrangements in full may not be the best way to address this issue. In many other jurisdictions around the country ‘snorkel’ arrangements are better defined as requiring a minimum width to depth ratio. We believe this is a better way to handle this issue whilst controlling residential amenity and will not restrict design driven solutions to the design and siting of dwellings. This could be added as a criteria to the rule.

Regards

[REDACTED] | **Principal** | **Evri Group**

[REDACTED]
[Equinox 1, Level 2, 13/70 Kent St, Deakin ACT 2600](#)

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From: [REDACTED]
To: [Terrplan](#)
Subject: Submission to EPSDD regarding Draft Variation 368
Date: Friday, 28 February 2020 2:20:50 PM
Attachments: [image001.gif](#)
[image002.jpg](#)

To whom it may concern,

I write as an interested and significant investor in the Northbourne corridor and in particular 220 Northbourne Ave Braddon within the Macarthur node.

In my opinion, the proposed amendments to the Territory Plan mirroring NCA Amendment 91 clearly overstep EPSDD's role and need to be reconsidered. They are a deterrent to redevelopment due to the prescriptive nature internally against the balance of Canberra and risk affordability.

In particular,

1. dictating apartment mix forever in legislation is diabolical. Having been involved in many projects, this mix is everchanging even after commencement of construction. It limits opportunity to do all high quality boutique larger living or the opposite smaller affordable housing. It's simply producing generic units.
2. Prescribing commercial on the ground floor is non-sensical outside of a core work area. There is simply no demand. It should be left to the market to determine.
3. Prescribing floor heights of 3.3m to ALL ceilings of commercial holds no purpose. I expect this is in error and should only apply to ground floor otherwise this is not energy efficient not practicable. PCA A Grade is 2.7m. It also makes any project more costly, uncompetitive and again make no allowance to what innovations the future holds for workspaces.
4. Changing the % of minimum solar light compared to the rest of Canberra is anti competitive and creates unaffordability.

It appears the EPSDD and NCA has taken upon itself to drive an altruistic pre-conceived design without any consideration to architectural merit, creativity and what changes the future holds. Internally, I do not understand how this is in NCA's role or responsibility or nor adds any benefit to the fabric of a good building. It rather stunts growth and makes it unaffordable. To not discriminate it would also need to be applied to the whole of Canberra. Many of the points made could be made merit based and a guide rather than set in stone.

Again, I urge you to reconsider the level of internal prescriptive control in legislation.

Regards,

[REDACTED] | **Partner** | **Evri Group**

[REDACTED]
Equinox 1, Level 2, 13/70 Kent St, Deakin ACT 2600

Description: cid:image001.gif@01CE6EA3.DDEE4E30

Downer Community Association

Email: downerassociation@gmail.com

► **Environment, Planning and Sustainable
Development Director (EPSDD)**

Territory Plan Section

Via email: terrplan@act.gov.au

**Planning and Development Draft Variation No 368, Draft Variation 369 and proposal for a Downer
Precinct Plan**

The Downer Community Association (DCA) writes in response to the invitation for written comments about the abovementioned draft variations during the consultation period. It also writes to propose a dedicated Precinct Plan for Downer, and seeks engagement and dedicated resources from the EPSDD for that purpose.

Draft Variation 369 (DV369)

Consistent with the recently endorsed Downer 'Vision Statement' (copy attached, including the embedded 'Report back to the Community' presentation), the DCA is not supportive of activity which seeks to diminish any green space or which does not prioritise maintenance and enhancement of its leafy green canopy.

Throughout DV369, there are several references to possible exemptions being granted on the following basis: *One or more of the following matters may be considered when determining compliance with this criterion: i) whether the total area of upper floor level private open space contributes to the function of other open space on the site; and or ii) whether any adjoining or adjacent public open space is readily available for the use of residents.*

This seems to suggest that reduced green space on a site is acceptable, if there is other green space nearby. The DCA does not support the reduction of any green space within a garden suburb such as Downer. It also seems to suggest that if there is an alternative space available on the site, then this may be 'counted towards' consideration of a green space. This is not supported by the DCA either, noting that such spaces may not be generally available to the public to enjoy.

Urban intensification, such as that proposed in the *City and Gateway Urban Design Framework 2018* (the Gateway Framework) together with the *2018 ACT Planning Strategy*, should ensure no loss of tree canopy or tree 'targeting'. We therefore do not agree that the tree canopy or tree 'target' for multi-unit developments be cut back to 15 per cent (from 30 per cent).

As a general proposition, DV369 appears to be contrary to the ACT Government's publicly stated support for enhanced green spaces, and in particular, those aspects of the *2018 ACT Planning Strategy* which espouses 'sustainable and resilient' urban planning to "protecting our parks and reserves for both for our community and our biodiversity", in addition to ensuring Canberra is 'livable' through 'open and public spaces'.

Draft Variation 368 (DV368) and proposed future state 'Downer Precinct Plan'

The DCA notes that DV368 does not directly encompass the area of Downer, however, wishes to note and support some of the important precedents that it might establish (if enacted), in particular precedents around two-storey height limits and density in key locations; design quality and architecture; landscape and open spaces; building setbacks, separation and length; transport, movement and parking; heritage qualities; livability, amenities and community facilities; and sustainable development and design.

Further, the DCA wishes to advocate for a 'de-coupling' from the areas located by Yowani and Kamberra Wine Company (west side of Northbourne Ave) in any future City and Gateway Northbourne Avenue Corridor Precinct Code **north** of Antill/Mouat Streets. The recent outcomes of the Gateway review has already abandoned the notion of 'symmetry' embodied in the earlier version of the plan. The considerations pertinent for a precinct code for an established, residential, leafy suburb of Downer (and by extension, the suburb of Watson) are vastly different from what are essentially brownfield sites at Yowani and Kamberra Wines.

The DCA would like to engage productively and proactively with EPSDD on a Downer Precinct Map and Code in its development phase, not after the event in its consultation phase. Of note in this regard is the recent Downer survey, which noted that there was support for greater development of Yowani and Kamberra Wine Company sites, **if** it meant less intensification for the suburb of Downer. We would be happy to take you through the more detailed findings of the 'Downer by Design' survey results, which you may find useful in your consultations and consideration with the Downer community going forward. We would also propose a phased approach for a Downer precinct plan, with focus initially on the Gateway corridor, with Blacket, Atherton and Banfield Streets being the initial focus.

The DCA anticipates having a more detailed version of its proposed Downer Precinct Code finalized ahead of the 2020 ACT election, and gives notice that it intends to seek an audience with EPSDD to discuss the possibility of a targeted Downer Precinct Code. The relevant contact for this correspondence is DCA member, [REDACTED] who may be reached via the DCA email address, downerassociation@gmail.com.

Yours sincerely

[REDACTED]

Downer Community Association

[REDACTED]
Convener

28 February 2020

Attachments:

1. Downer vision statement – February 2020
2. Downer by Design – report back to the community presentation

DOWNER COMMUNITY ASSOCIATION

A statement for the future character and development of Downer

Version 1.2 | February 2020

What this document is...

This statement by the Downer Community Association (DCA) articulates to the community, the ACT Government and to potential developers, what the Downer community expects in relation to the ongoing development and sustainability of this suburb.

This document draws on feedback received by Downer residents to the DCA from a community workshop held in April 2019 and a survey from May - June 2019. It represents the **majority** of views of more than 200 respondents arising from those consultation activities. This document should be read in conjunction with the DCA 'report back' presentation to the community (reproduced at [Attachment 1](#)).

This document is the outcome of the 'Downer by Design' process – a positive statement of what the community wants for its future, not simply what it doesn't want.

This document will evolve over time, as the views of the community evolve over time. It is noted that much of the feedback reviewed during this exercise reiterates as well as builds on the values and vision for Downer as set down by the community for the 'Downer Neighbourhood Plan – A Sustainable Future for Downer' (2004).

What this document is **not**...

This document is not a definitive statement of every view held by every resident of Downer.

What else?

The DCA will refer to this statement when:

- engaging with ACT Government on any matter directly or indirectly affecting Downer;
 - engaging with developers and/or a development application directly or indirectly affecting Downer;
 - it develops its submission to ACT planning authorities on a proposed Downer 'Precinct Code';
 - deciding how and when to support matters raised with it by the community.
-

How can you contribute?

If you have special skills of the urban planning and development kind, media and communication, survey design and statistical analysis, or even simply a high degree of enthusiasm and a willingness to be involved and to make a contribution, then please contact the DCA at downerassociation@gmail.com

Comments or feedback on this document most welcome to the email address above.

Community and connectivity are important to Downer residents

Downer prides itself as a family friendly suburb, welcoming to all

Overwhelmingly, Downer sees itself as a family friendly suburb, welcoming to a diverse cohort of society, offering a safe, cohesive, supporting and friendly environment for all.

The DCA will support and advocate for initiatives that support:

- Ageing in place
- Affordable and social housing
- Suburban ambience
- Families
- Accessibility
- Mitigate climate change impacts on residents

Downer will support initiatives that increase connectivity, vibrancy and social interaction

Downer residents have a strong desire to have increased connectivity to others in the suburb and to re-enliven a dynamic village vibe

The DCA will support and advocate for initiatives that:

- Will re-enliven and contribute to Downer's vibrancy and vitality at the Downer shops
- Promote a diverse age-cohort and mix of people
- Support community interaction
- Support and enhance a 'community hub' at the Downer shops
- Enhance social places and socialisation opportunities
- More dog friendly areas

Downer embraces the peace, quiet and livability of its existing suburban feel

Downer residents primarily saw themselves for families, offering a welcome, peaceful oasis near the city, an inner suburban sanctum from the busy-ness of the city.

The DCA will support and advocate for planning and initiatives that maintain its:

- Character and soul
- Suburban ambience
- Community feel
- Livability

Downer will not support things that...

- May make Downer a dormitory suburb
- Re-creates or takes it down the path of a modern Braddon
- Makes Downer feel 'crowded', over-busy or too inner city
- Doesn't adequately recognise existing residents

Downer is a leafy, garden suburb – green space is important to us.

Downer will support initiatives that maintain and increase the utility of green and open space

Overwhelmingly, Downer residents said that they value the green space that Downer has, and they don't want to lose any more of it; moreover, they would like to increase the utility of the green space they have.

The DCA will support and advocate:

- Increased utility of the existing green space, for example, designated 'fitness' spaces (having outdoor gym equipment), enhanced play areas for kids, designated water play spaces.
- Initiatives that facilitate a greater sharing of green space, for example, seating and tables where older residents can come together with young families.
- Preserving the existing green corridors
- Increasing the tree canopy and enhancing shaded pathways to address climate change impacts

Downer expects its leafy, green canopy to be maintained and prioritized, and improved

Downer residents value the leafy, green character that took over 50 years to create – they don't want to see it lost or destroyed.

The DCA will support and advocate:

- Preserving its arboreal history
- Maintaining and improving the health of existing tree canopy
- Increased planting with native trees of existing green spaces
- Creating additional tree canopies and green spaces

Downer has pride in its character as a garden suburb

Downer residents embrace, unapologetically and with pride, its character as a 'garden suburb'. Maintaining that essential character is very important to Downer residents.

The DCA will support and advocate:

- Maintaining its streetscapes and street amenity rules
- Ensuring that streetscapes are not 'crowded out' by building heights and narrow setbacks
- Further developing and improving Downer's garden suburb status and appearance

Downer will not support things that...

- Threaten to reduce green space
- Place the existing tree canopy at risk

Downer residents support thoughtful, modest density increases

Downer residents support modest density increases, in the form of two to three-storey terrace-style townhouses, apartments and dual occupancy/dual title developments

Downer residents are very clear in their expectations of sustainability and the degree of increased density wanted for the suburb.

The DCA will support and advocate for buildings not more than two to three storeys in height:

- Town houses, dual occupancy/dual title and granny flats
 - Low density apartments (maximum of 12)
 - Initiatives that support ageing in place and affordable housing
-

Downer expects the architecture to be aspirational and tasteful, with quality built residential homes and apartments, and carefully planned transitions

Downer residents expect development applicants to showcase interesting, thoughtful and tasteful architecture. Setbacks should be suitable to preserve the streetscape. There should be enough space between buildings to avoid creating a 'wall' effect and overshadowing. Further, developments should be sympathetic to the existing streetscape, facilitating transition in building type and transitions in the character of the streetscape over time.

The DCA will support and advocate:

- Good design, sustainably inspired and architecturally interesting
 - Development sympathetic to the existing street scape, accommodated gradually – for example, no three storey developments unless more than 50 per cent of the street already comprises two storey dwellings, with retention of considerable permeable areas and tree plantings.
-

Solar access, privacy and public amenity should be prioritised

Solar access and privacy considerations should be prioritized for existing residents in any development application. Further, Downer residents expect that any development to benefit the entire Downer community, prioritizing public access, ease of access and movement, and safe and well-maintained thoroughfares.

The DCA will support and advocate for initiatives that:

- Avoid overshadowing, prioritises existing residents' privacy amenity and solar access
 - Ensure that streetscapes are not 'crowded out' by building heights, narrow setbacks and parked cars
 - Ensure public access to and through any green community space created within a development
 - Improving usability of green, treed public spaces
-

Downer will not support ...

- Uninspired 'box' design or developments reminiscent of Flemington Road in Gungahlin
- High rise, high density (above four storey) or over-crowding, without adequate setbacks or that which is too 'bunched' together, or which creates 'wind tunnels'
- Inadequate provision of parking in new developments

Significant investment in Downer's physical and social infrastructure

Downer will support initiatives that model integrated living infrastructure

Overwhelmingly, Downer residents indicated that investment in Downer's infrastructure was urgently required as a means by which to improve amenity, accommodate increased density and facilitate better access to the light rail.

The DCA will support and advocate:

- The installation of wide footpaths on least one side of every Downer street
- Widening, flattening and improvement of existing footpaths
- Enhanced street lighting, especially in relation to footpaths
- Creation of dedicated bike paths, facilitating access to and through the suburb to Dickson
- Dedicated spaces to lock up bikes securely near light rail

Downer expects that infrastructure that supports and facilitates increased connectivity and community engagement in the suburb

Downer residents highly rate the Downer shops and the central community precinct, and seek to build upon the momentum of a 'village vibe' the reinvigorated Downer shops has created.

The DCA will support and advocate for initiatives that:

- Contribute to the rejuvenation of the Downer Community Centre and its utilisation
- Encouraging more businesses and services to the Downer shops
- Improve public spaces, including playgrounds, fitness equipment, facilities for socialisation
- Encourage different sections of the Downer community to use public spaces to socialise and come together
- Maintain and improve the utility of the Downer pre-school
- Attract and support other activities and healthier lifestyles for Downer residents

Downer will not support initiatives that...

- Increased vehicular traffic flow into and through the suburb
- Increase on-street parking
- Fail to adequately recognize or accommodate the narrow width (7 metre) of some Downer Streets
- Impede the take up of more 'active travel' by Downer residents of **all** ages

Engaging with the ACT Government

Notwithstanding the *2018 ACT Planning Strategy* and *2018 City and Gateway Urban Design Framework*, many Downer residents remain concerned that there is a lack of holistic, integrated planning and investment is being undertaken by ACT Government in the inner north precinct. For example, many residents cannot envisage, with the changing demographics in the suburb, how the ACT will accommodate increased primary school enrolments.

The DCA will support and continue to advocate:

- The ACT Government to undertake a comprehensive physical and social infrastructure review, and needs assessment, for Downer and surrounding suburbs; additionally, **explain and consult** with the community on what it means in a practical sense
- Continue to work with the Northside Community Council on matters of shared interest
- Development of a Precinct Code specific to Downer, reflective of the views expressed in this statement



Downer by Design – report back to the community




Update to the Downer community on the Downer by Design
workshop and outcomes of the **online survey**



Context and comments

- ▶ April 2019 workshop – infrastructure, traffic and mobility, green spaces
- ▶ May – June 2019 survey – intensification, community and green spaces
- ▶ Diverse views – both ends of the spectrum
- ▶ Presenting the **most common views** and **emerging themes**



Downer online survey – May and June 2019

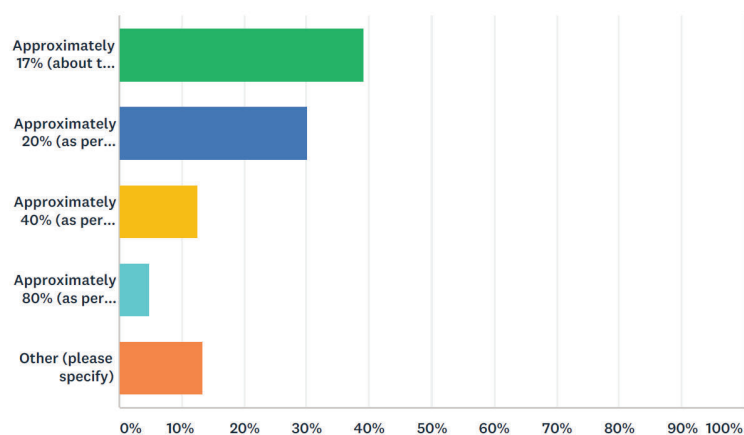
- Open through May to June 2019
- 16 questions
- More than 140 responses received
- More than 90 per cent of respondents were Downer residents

➤ So what did the Downer community have to say?

Density and sustainability

Q2 How much of Downer should be zoned for higher density in future?

Answered: 143 Skipped: 5



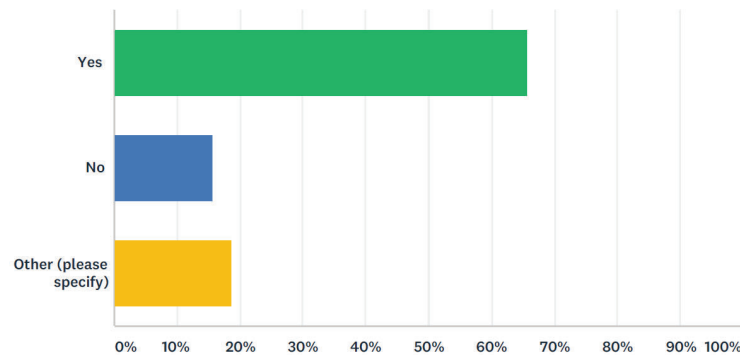
ANSWER CHOICES	RESPONSES	Count
Approximately 17% (about the same as now)	39.16%	56
Approximately 20% (as per City and Gateway Framework)	30.07%	43
Approximately 40% (as per 2012 ACT Planning Strategy)	12.59%	18
Approximately 80% (as per revised 2018 ACT Planning Strategy)	4.90%	7
Other (please specify)	13.29%	19
TOTAL		143

- Most respondents - nearly 70 per cent – thought that Downer’s density should be about what it is now (17% density), or as per the City and Gateway Framework (20% density)
- **Less than 5 per cent of respondents supported higher density as per the ACT Government’s 2018 ACT Planning Strategy**

Density and sustainability

Q4 Should the RZ1 zoning restrictions be relaxed to allow for sub-division and dual occupancy (to facilitate, for example, ageing in place)?

Answered: 140 Skipped: 8



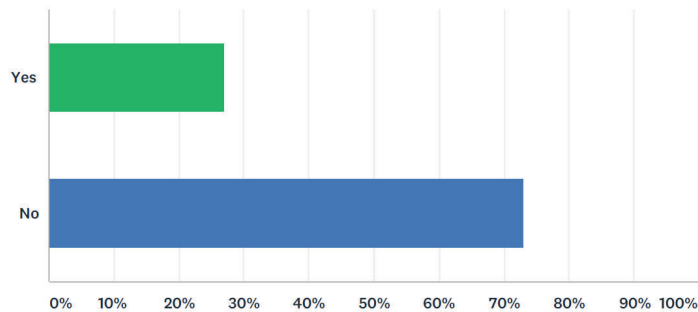
ANSWER CHOICES	RESPONSES	
Yes	65.71%	92
No	15.71%	22
Other (please specify)	18.57%	26
TOTAL		140

- Most respondents – more than 65 percent – were supportive of relaxing the RZ1 zoning restrictions to allow for low density sub-division and dual occupancy

Density and sustainability

Q10 Do you consider the Territory Plan RZ5 zoning provides adequate protection for surrounding residents (for example, the development at the former Downer School Site is zoned RZ5)

Answered: 137 Skipped: 11



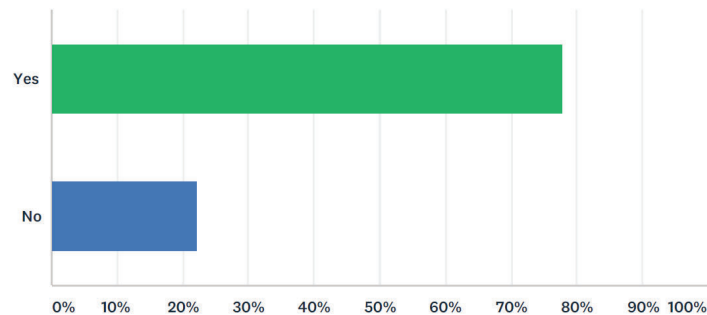
ANSWER CHOICES	RESPONSES
Yes	27.01% 37
No	72.99% 100
TOTAL	137

- **Overwhelmingly, respondents do not consider that the RZ5 zoning provides adequate protection for surrounding residents**
- **Key concerns included:**
 - Height
 - Overshadowing and solar access

Density and sustainability

Q13 Would you encourage higher density at the Yowani Country Club and Kamberra Winery if it meant lower density for Downer?

Answered: 140 Skipped: 8



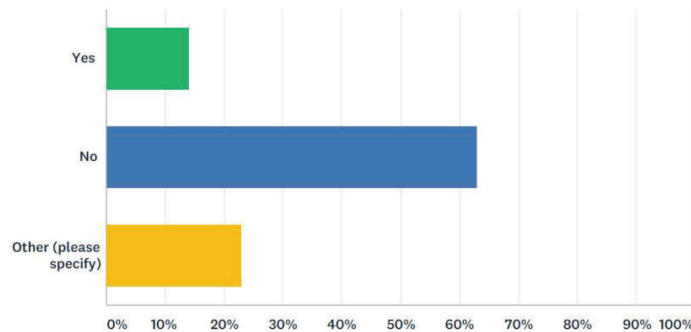
ANSWER CHOICES	RESPONSES	
Yes	77.86%	109
No	22.14%	31
TOTAL		140

- Most respondents would encourage higher density at the Yowani Country Club and Kamberra Winery **IF** it meant lower density for Downer

ACT government consultation – was it adequate?

Q12 In your view, was the community consultation by the ACT Government regarding the 2018 City and Gateway Framework and the 2018 ACT Planning Strategy adequate?

Answered: 143 Skipped: 5

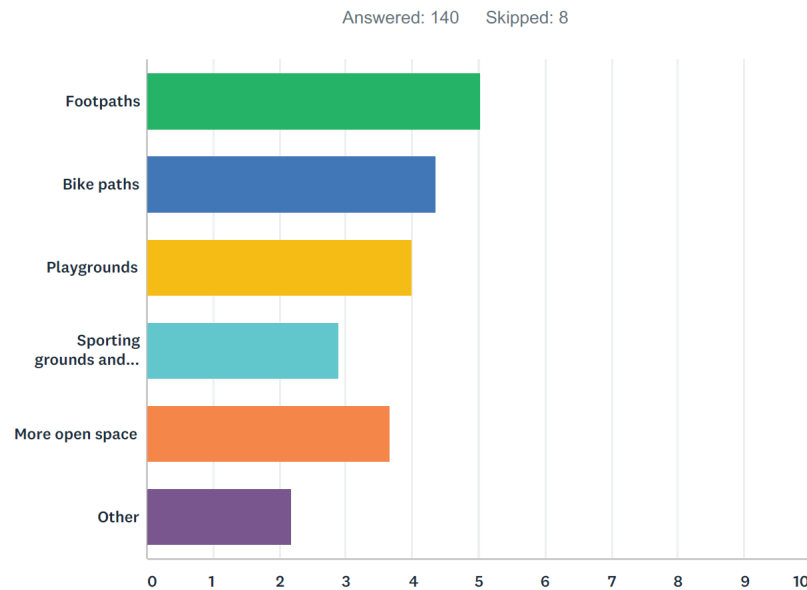


ANSWER CHOICES	RESPONSES	
Yes	13.99%	20
No	62.94%	90
Other (please specify)	23.08%	33
TOTAL		143



Infrastructure

Q5 What should be identified as priority infrastructure and upgraded first?

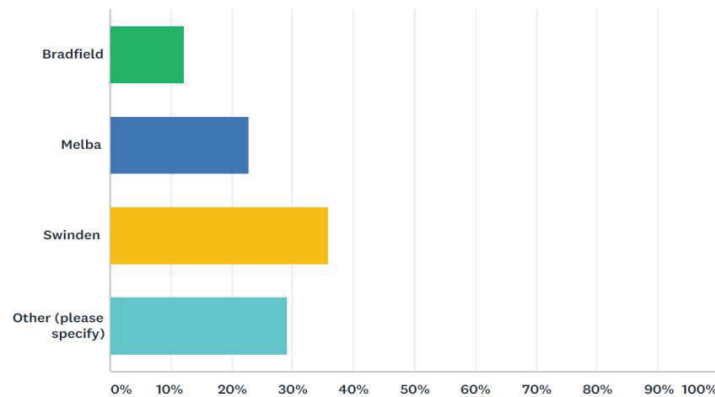


- Overwhelmingly, improved **footpaths**, **bike paths** and **playgrounds** were identified as priority infrastructure upgrades for Downer
- More open space was also highly rated, as was sporting grounds and facilities

Infrastructure

Q8 Which streets should be prioritised for upgraded footpaths and cycle ways?

Answered: 131 Skipped: 17



ANSWER CHOICES	RESPONSES	
Bradfield	12.21%	16
Melba	22.90%	30
Swinden	35.88%	47
Other (please specify)	29.01%	38
TOTAL		131

- **Swinden, Melba and Bradfield Streets** were identified for priority upgrades for footpaths and cycle ways
- Not new messaging!



Downer community workshop

April 2019

- More than 100 people attended
- Seven broad themes
- Nearly 170 suggestions received
- Free text and comments from the survey

Themes and number of suggestions received

- Infrastructure (44)
- Traffic and mobility(35)
- Greens space and trees (32)
- Density and sustainability (20)
- Characteristics to preserve (16)
- Social connection and community (7)
- Other (12)



Intensification

Two to three storeys

Not high rise

Not Gungahlin

Interesting architecture **No over-shadowing** **Well designed and built** **Townhouses**
Dual occ/dual title

Accommodate gradually **No concrete boxes** **No wind tunnels**

No bunching **Low density, low rise apartments (12 max)**

Not crowded **Variety of streetscapes** **Not over-developed**

Focus on Northbourne Ave and Antil Streets

Carefully planned transitions

"Garden city, not urban ant heap"



Community

Connected

Vibrant

Families

Safe

Diverse

Welcoming

Cohesive

Relaxed

Social interaction

Supportive

Social spaces

Dog friendly areas

Village vibe

Liveable

Ageing in place

For all

Character and soul

Strong community hub

Social housing

Integrated

Friendly

Not overcrowded

Inner suburban sanctum

Quiet and peaceful

Suburban ambience

Calm oasis near the city

"Downer is unique; protect it"



Green space

Leafy

Green space

Garden suburb

Shared open spaced

More green space

Preservation

Prioritise trees

Preserve arboreal history

Like for like replacement

Integrated living infrastructure

No loss of green space

More public space

**Tree canopy
maintained**

No loss of trees

Tree streetscape maintained

Living environment

"It took 50 years to achieve its character, should not be destroyed."



Infrastructure

Supportive infrastructure

Accessibility **Improved amenity**

Schools

Footpaths

Bike paths

Footpaths

Improved parks and public spaces

Shops, not office

Enhanced community facilities

Bike racks

Footpaths

Public facilities

Footpaths

Footpaths

More outdoor equipment

Better lighting

Maintained

Access to light rail

Quirky and character filled

"A model of integrated living infrastructure."



Traffic and mobility

Adequate off-street parking

No congestion **Safe slow roads**

Pedestrian friendly **Bike friendly** **Mobility scooter friendly**

No excessive traffic

Avoid rat-running

Traffic calming measures

Dedicated cycle paths

Connectivity **Parking measures**

Bike cages at light rail stops

Devoid of over-crowding

Recognition of narrow streets in planning

Wide set backs

Traffic study



Sustainability

Sustainable design

Solar infiltration Integrated

No concrete boxes Interesting and unique design

Sound buffering Nature banks No concrete boxes

Priority to townhouses, not towers Respects existing residents

Thoughtful

Encourages community and street engagement

Mix of developments



Other comments emerging from the
free text





On ACT government ...

- ▶ “It [Gateway plan] allows almost anything.”
- ▶ “If the planning authority continues to allow badly designed, environmentally unfriendly and unsustainable developments such as the current offerings on Northbourne and the CHC Downer development, then the answer is 0% [support for increased development]. No more crappy developments please. If they are willing to go an (sic) investigate and only sell sites to developers who meet the strictest, high standards designs then happy with around 30-40%.”
- ▶ “.... why couldn't the Government letterbox drop more information about their planning process for instance?”
- ▶ “... need to save Downer from the ACT Government, who have a track record of incompetence and political spin.”



On ACT government (2)

- ▶ “They consulted but didn’t listen. The amount of consult was fine, but it was just ticking at (sic) box. ACT Government is doing what’s in their interests. We shouldn’t have to choose between being surrounded by high density or living far from the city. We chose Downer because of its location and family friendly living.”
- ▶ “Well they did consult but it’s how they use the input that’s the frustrating bit!”
- ▶ “...consulted but did not take on board views or easily swayed by views of more powerful others.”
- ▶ [ACT government consultation] “...facilitator was coercive, would only expect positive comments, did not allow comments.”
- ▶ “Much clearer and transparent process for planning where development for the community is prioritised rather than maximising profits for developers.”



On ACT government (3)....

- ▶ “A concern remains that the ACT Government has lost the confidence of the community both to formulate a reasonable integrated plan and to ensure allowable development is completed to a high standard and within guidelines.”
- ▶ “My main concern with the whole affair was that the document that were put out for review had a lot of planning jargon ... that wasn't really easy for Muggles to understand.”
- ▶ “While there may be a charge of NIMBYism raised against residents the main concern is that people don't trust planners to act in their best interest and deliver good city designs that make Canberra liveable.”
- ▶ “The relationship between the planners and the people in Canberra is slowly breaking down, with poor design outcomes a legacy for decades to come.”

For the DCA to consider ...

- ▶ “I would like the DCA to bring in expertise in sustainable urban development to ensure there is more educated public discourse Both the DCA and the public needs to be better educated to engage and drive good outcomes if you intending to hold a public discourse on planning.”
- ▶ “Urban intensification is not a plot by the devil. Better designed surveys would be appropriate.”
- ▶ Consider a “permanent DCA planning group with residents and experts.”
- ▶ “Please think about the whole plan. High density can be done well but the guidelines need to be developed by government and not advocating by developers.”
- ▶ Produce background information for people to help understand the threats and issues
- ▶ “A 20 year vision for Downer that doesn't include higher density is a fallacy.”
- ▶ “Downer is beautiful – happy to share but hope we can also sustain the peaceful atmosphere too.”
- ▶ “Maintain the rage.”
- ▶ “We could really show case what an “active” suburb looks like in practice.”
- ▶ Infrastructure review and comprehensive plan, not just a traffic study.



On other suggestions

- ▶ Bikepath all the way from the Dickson shops, past the CHC site and Downer shops, extending all the way up Bradfield Streets, across Philip Ave and up to Majura Primary School.
- ▶ Improved community facilities for both social activities **and service delivery**
- ▶ “Local shop are great, but need further development and options for convenience purchases.”



So what's next?

- ▶ Draft DCA statement for the future character and development of Downer
 - ▶ Copies at the DCA community meeting
 - ▶ Available on the website
 - ▶ Leave a comment at downerassociation@gmail.com
- ▶ DCA will review and finalise the statement February 2020
- ▶ The statement will be DCA's primary point of reference to frame conversations with the ACT Government and other interested parties
- ▶ It will evolve over time
- ▶ Provide a copy to the NCCC



Thank you

From: [REDACTED]
To: [Terrplan](#)
Subject: Draft Variation 368
Date: Friday, 28 February 2020 2:28:12 PM

I wish to comment on the Draft Variation 368 proposed by the Authority. This is ment for the Territory Plan Section of the EPSDD.

My comments are broken down into each specific rule in question. I feel overall that this is a great initiative, that the inner north precinct code was getting quite out dated and a lot of the silly rules have been proposed in this DV to be taken out entirely. I however feel new ones may potentially inadvertently be introduced in the DV and I hope you take the time to read and understand closely my position on some of these rules and how they will negatively impact the planning process and the ACAT appeals that inherently follow.

Rule 8.1 (fig5)

Block amalgamation will be difficult to achieve for 72-74 Macarthur St O'connor as there is a sewage easement between them. Generally electrical easements can be re routed however sewage is a large civil undertaking and therefore makes the land undevelopable if this rule is imposed on these blocks. 11 Verdon st O'connor will have difficulty consolidating as its partner site has built a new dual occupancy. This will result in it being undevelopable or at best under developed and not in meeting with the zone objectives for RZ3.

Rule 8.1 (fig 6)

The map proposed for block amalgamation is not showing the block boundaries correctly. i.e. 29 Forbes st Turner is the development Synergy, yet it still shows multiple un consolidated blocks. In other areas the block consolidations have already ocured yet the map shows these single consolidated blocks needing to be consolidated when they already have.

C.46.

Consider including retaining walls forward of the building line up to a certain height. Under a metre they are really just landscape elements however some planners in the authority are too cautious to allow them and wrongly consider them as being a building element.

R48

Minimum dimension of 2.5m is mentioned. Can it be clarified if that is lineal or square metre?

R50

Having the same Parking Provision as the commercial residential blocks facing Northbourne Ave seems a little short sided. While those buildings will generally be high density apartments this rule applying to them is understandable. However in the RZ3 and 4 zoned medium density side streets this rule is not taking into consideration that some developers want to target the high end townhouse market where you can expect a large mix of 3 and 4 bedroom large dwellings with large basements to cater for 3+ cars. It should be noted that having 3 car spaces for a single dwelling will not necessarily mean the occupant has that many cars. I have noticed buyers using the third car space for storage, hobby workshop, wine cellar, trailer with motorbike/jetski/boat. Once again I feel this rule is short sighted and will stifle innovation and high end dwellings. We need to remember that these suburbs are Canberra's premium locations and should therefore be allowed more flexibility in design.

I propose 1 car space max per 1 Bedroom/studio
2 car space per 2 bedroom
3 car spaces per 3 /4 bedroom.

Furthermore what will the minimum car space allotment be?

R51

Can be a very expensive exercise, especially when dealing with a monopoly provider.

R54 (f)

5m2 for each extra bathroom is not needed for (d) 3 bedroom dwellings as a 100m2 unit already has allowance for that. Basic maths proves my point.

2 Bedroom GFA 70m2

extra bedroom 12 m2
extra bathroom 5m2
Corridor 3m2
TOTAL is 90m2

Alternatively reduce (d) to 85m2. Once again this rule will stifle innovation. What if a developer wants to provide affordable 3 bedders with one bathroom? It can be done at 85m2, but this rule does not allow it. With an ageing population and downsizers living in separate bedrooms with the need for a spare bedroom for visitors or study I can see a need for this type of product.

R57

Unit dwelling mix of bedrooms should be left to the market to decide. Last time such a rule was imposed forcing unit mix such as in the case (current rule 22 of INPC) which required 3 Bedrooms only on the ground floor, it resulted in DAs not being approvable for apartment buildings with 100% 3 bedroom type units. Prime example of the intent of the rule back firing into the face of the Authority.

I understand there is a strong push by inner north residents for less 1 bedroom units and more 3 bedroom units, however the market will find the appropriate sustainable mix with out putting developments in jeopardy. As it currently stands, 3 bedroom townhouses are the flavour of the month , however in 5 years it could be a different story.

A possible scenario worth considering is that what if a developer doesn't want any 1 bedroom units, but would like a decent number of 2 bedders. The mix will be 40% x 2 bedders and the rest at 60% will HAVE to be 3 bedders. Developer now thinks thats too many 3 bedders and a riskier venture than the default 40:40:20 mix enforced by the planning rules. A prime example of planning rules back firing as the developer now will build 40% 1 bedders even though he didn't want any. This rule basically provides no flexibility at all except to promote 3 bedders. Couple that with the laughable 1.5 car space rule and you have low quality amenity - a ghetto in the making.

Furthermore, the government is potentially mis\$ing out on some lease variation revenue through the unit titling process by enforcing less units per \$ite.

R61

Criteria should also allow concession if air purifier heat exchangers are used. I for one wouldn't like that bush fire smoke during the hot summer months nor the cold Canberra winter days frosty air cross ventilating through my home.

regards



Territory Plan Section c/o EPSDD
GPO Box 158
Canberra ACT 2601

Submission to EPSDD regarding Draft Variation 368
Consultation Notice 2019

25 February 2020

INTRODUCTION

Evri Group & its subsidiary companies are a leading Canberra based Property Development & Investment company as well as the owner of 220 Northbourne Avenue for 20 years.

We have an excellent understanding of the current legislation pertaining to the site and we support all amended provisions proposed by previous Draft Amendment 93.

As a general concern we require assurances that our current Crown Lease Uses & Provisions that we have amended and paid LVC charges for over the past 20 years for Block 9 Section 7 Braddon are protected and not overridden by lesser valued provisions within DV368.

We would ask generally that developments are allowed to be submitted and assessed against a merit-based argument to deliver the quality around apartment & commercial design that is desired whilst not restricting the provisions of our Crown lease.

We also note the inclusion of prescriptive design provisions for apartments albeit the specific floor area, number of bedrooms and/or mix of apartments and ultimately the design of the internal floorplans, I believe the EPSDD has clearly overstepped its role in these prescriptive parameters.

I have commented on various clauses of DV368 which we strongly suggest should either be removed and/or amended to allow better planning outcomes.

Yours Sincerely



For Evri Pty Ltd

No	Rule	Criteria	My Comments
1.3 Residential use –ground floor			
3	<p>This rule applies to the Dickson node and MacArthur node shown in Figure 1. RESIDENTIAL USE is not permitted at the ground floor</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>This provision is not reflected in the National Capital Plan and being mandatory would restrict any residential use on the ground floor. This contradicts our current Crown Lease Provision for 9/7 Braddon and we vehemently oppose its introduction</p>
1.4 Additional uses			
4	<p>This rule applies to the Dickson node and MacArthur node shown in Figure 1. Only the following uses are provided in buildings at ground floor level on frontages to Northbourne Avenue, MacArthur Avenue, Wakefield Avenue and Antill Street:</p> <ul style="list-style-type: none"> a)business agencies b)commercial activity centres c)financial establishments d)indoor entertainment facilities e)indoor recreation facilities f)public agencies g)restaurants h)SHOP <p>In addition to these uses, COMMUNITY USE is permitted in the hatched area shown in Figure 1.</p>	<p>Buildings fronting Northbourne Avenue, MacArthur Avenue, Wakefield Avenue and Antill Street incorporate uses on the ground floor that generate activity in the public space, in a form that is consistent with the needs of the area.</p>	<p>In conjunction with Rule 3 above this rule clearly limits the uses on the ground floor. Whilst there is criteria, a use such as office may not be permissible on the ground floor. The use or restriction of "Community Use" on 7/9 Braddon is also ambiguous on Figure 1. This places an overarching restriction on our Ground Floor provisions as currently allowed by our Crown Lease and we strongly oppose its introduction.</p>

Element 2: Building controls and design
2.1 Height of building

7	<p>This rule applies to the Dickson node and Macarthur node shown in Figure 1.</p> <ul style="list-style-type: none"> a) For the Dickson node: <ul style="list-style-type: none"> i) The minimum height of building is 25.5m, and ii) the maximum height of building is 32m b) for the Macarthur node: <ul style="list-style-type: none"> i) The minimum height of building is not less than 80% of the maximum building height for each site as described in the National Capital Plan ii) The maximum height of building is as described in the National Capital Plan. <p>For the purpose of this rule and associated criterion height of building means the vertical distance between datum ground level at the front boundary to Northbourne Avenue and the highest point or points of the building.</p>	<p>'Minor building elements' may exceed the maximum height of building where they do not increase the scale of the building when viewed from a public street.</p> <p>For the purpose of this criterion 'minor building elements' include but are not limited to: rooftop plant, photo-voltaic panels, antennas, pergolas and rooftop garden structures. Habitable room, or part thereof, are not 'minor building elements'</p>	<p>This rule and criteria appear to align with the National Capital Plan. It seems however that whilst the National Capital Plan allow 'minor building elements' only for the 18, 25 & 32m height limits, the criteria in this draft amendment doesn't stipulate that 'minor building elements' are allowed on the RL617 height limit areas.</p>
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2.2 Front boundary setback –Northbourne Avenue

9	<p>This rule applies to blocks and parcels identified in Area A of Figure 2. Minimum front boundary setback to Northbourne Avenue is 10m. No building elements are permitted forward of the minimum front boundary setback</p>	<p>Minor encroachments by one or more of the following may be permitted forward of the building line provided the materials and design retain the visual integrity of the building line:</p> <ul style="list-style-type: none">a) awningsb) architectural details, not including:<ul style="list-style-type: none">i) basementsii) basement rampsiii) balconiesiv) service areas or facilitiesv) above ground utility infrastructurec) courtyard walls for areas of principal private open space provided the area does not encroach more than 4m into the setback area	<p>DV368 has added a mandatory provision that “Basements and balconies must not extend into the setback area adjacent to Northbourne Avenue” for a distance of 10m. We note that prior to DV368 that both basement and balconies could extend into the setback area and many developments along the Avenue have been able to provide justification against the criteria as to why these should be allowed. We would suggest that basement encroachments are permissible as long as they don’t “detract from the quality of the landscape treatment” as previously legislated and that balconies be added to the list of minor encroachments where they were listed previously. This will allow consistency along the corridor with what has been approved to date and allow design flexibility should the site constraints deem it necessary.</p>
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2.3 Front boundary setback – Other
2.5 Building separation

<p>14</p>	<p>This rule applies to area B shown in Figure 3. Minimum separation distances between a dwelling and another dwelling or non-residential use is described in Table 1, except where the following applies: a) where measuring separation distance from a dwelling or non-residential use on the subject block to a dwelling or non-residential use on an adjacent block – half the minimum separation distance stated in Table 1, measured from the common boundary or boundaries between the blocks b) where measuring separation distance from a dwelling or non-residential use on a subject block in a commercial zone to a dwelling or non-residential use on an adjacent block in a residential zone - 1.5m in addition to the relevant minimum separation distance stated in Table 1, measured from the common boundary or boundaries between the blocks. For the purpose of this rule and associated criterion, building separation is measured to the outer face of external walls, external windows or outer edge of balconies where relevant. Note: This rule replaces building separation requirements in the relevant development code.</p>	<p>Building separation may be reduced where building complies with all of the following: a) reasonable levels of visual and acoustic privacy b) suitable areas for soft landscaping and deep root planting between buildings</p>	<p>Firstly we believe this is meant to say applies to 'Area A' in Figure 3 which picks up most of the Northbourne Corridor not Area B which has little impact. The stipulated distances in Table 1 match those in the NCA provisions. Noting that this provision states that this separation applies to commercial buildings and this would mean separation between habitable rooms would apply (as it does now in the National Capital Plan)</p>
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2.6 Floor to ceiling heights

15

This rule applies to development in area B shown in Figure 3.

Minimum finished floor level to ceiling heights are as follows:

- a)storey of dwellings containing the main daytime living area:
2.7m
- b)non-habitable rooms in a dwelling: 2.4m
- c)non-residential development: 3.3m

Floor to ceiling heights achieve sufficient natural ventilation and daylight access.

Again we believe this is meant to say applies to 'Area A' in Figure 3.

The residential ceiling heights align with the National Capital Plan however the non-residential development ceiling height of 3.3m is new and is not industry standard for A-grade office accommodation which is 2.7m is. It is also not clear whether this is meant to apply to all stories of a commercial office tower. This increase in height would clearly require more heating & cooling loads, generate the need for more power requirements and effect the capacity of the office building to achieve a Beecs & Nabers rating than that of a office building with 2.7m ceilings. We are strongly opposed the 3.3m min height to all commercial and offices

2.7 Internal dwelling design

16	<p>Habitable rooms comply with the following:</p> <ul style="list-style-type: none"> a) master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space) b) bedrooms have a minimum dimension of 3m (excluding wardrobe space) c) living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"> i) 3.6m for studio and 1 bedroom apartments ii) 4m for 2 or more bedroom apartments d) the width of cross-over or cross-through dwellings are at least 4m internally to avoid deep narrow dwelling layouts. 	<p>Habitable rooms are of a size suitable to accommodate the daily activities of their occupants and visitors.</p>	<p>We believe the NCA does not have the ability to technically legislate the parameters for the internal design of a dwelling.</p>
17	<p>Habitable room depths are limited to a maximum of 2.5m x the ceiling height. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m, measured from an external window</p>	<p>Habitable room depth may be increased where finished floor level to ceiling heights are above the minimum permitted, provided reasonable solar access to each habitable room is maintained</p>	<p>We believe the NCA does not have the ability to technically legislate the parameters for the internal design of a dwelling.</p>

2.8 Housing diversity

19	<p>This rule applies to developments containing 40 or more dwellings.</p> <p>Development contains:</p> <ul style="list-style-type: none"> a) not more than 40% studio or one bedroom dwellings b) not more than 40% two bedroom dwellings c) not less than 20% three or more bedroom dwellings 	<p>Multi-unit residential development provides dwellings with a variety of bedroom numbers.</p>	<p>Whilst the Multi Unit Housing Code requires a mixture of bedroom types for developments with more than 40 dwellings this rule seems to want to define percentages. Again we reiterate that the NCA-EPSSD does not have the ability to technically legislate the parameters to nominate the mix of unit types permissible on any development. This should always be Market driven. We strongly oppose the percentage table in rule 19.</p>
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3.2 Pedestrian shelter

21	<p>This rule applies to the Macarthur node and Dickson node shown in Figure 1. Buildings provide continuous awnings or colonnaded walkways at ground floor level to facades facing Northbourne Avenue, MacArthur Avenue, Wakefield Avenue, and Antill Street, and have a minimum clear width of 2.5m and a minimum ceiling height of 6m.</p>	<p>Sheltered and convenient pedestrian access is provided to building facades facing Northbourne Avenue, MacArthur Avenue, Wakefield Avenue and Antill Street at street level</p>	<p>This provision adds a requirements for a continuous awning along the Northbourne and Wakefield Avenue frontages. It would be assumed that this awning would be an allowable encroachment and would require clarification.</p>
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3.4 Courtyard walls

26	There is no applicable rule	<p>This criterion applies to courtyard walls for dwellings which have their private open space at ground floor and fronting Northbourne Avenue. Courtyard walls comply with all of the following:</p> <ul style="list-style-type: none">a) not higher than 1.8m above datum ground levelb) non-transparent components not higher than 1m above datum ground levelc) constructed of high quality materials, specifically excluding pre-coloured metal, unfinished timber panels, chain-link, barbed or razor wired) integrated with landscapinge) designed and constructed to match or compliment the design of the associated buildingf) must not occupy more than 40% of the façade at ground floor level. <p>Note: This criterion replaces the relevant rules and criterion relating to courtyard walls in the relevant development code.</p>	Noting however if Rule 3 is imposed there won't be any need for courtyard walls on the ground floor as residential use won't be permitted.
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4.4 External facilities

31	There is no applicable rule.	<p>This criterion applies to apartments. Development complies with all of the following:</p> <ul style="list-style-type: none">a) storage units and plant equipment (including air-conditioning plant) are not permitted on balconiesb) clothes drying facilities are only permitted on balconies where they are screened from view of streets and public areas	<p>This criteria matches the NCP provisions. However we believe that fully screened AC condensing units within balconies should remain acceptable. The additional cost of centralised plant within a residential development would generally be passed on thru to the purchaser. Centralised plant may also be more expensive to service via body corp arrangements.</p>
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Element 5: Parking and vehicular access

5.1 Vehicular access

33	There is no applicable rule.	<p>Vehicular access to or from Northbourne Avenue is only permitted where it complies with all of the following:</p> <ul style="list-style-type: none"> a) demonstrate that vehicular access from roads other than Northbourne Avenue are not viable in terms of design or traffic impacts b) maximum number of vehicular access points to or from Northbourne Avenue – 1 per block or block resulting from the consolidation of two or more blocks c) building/basement entrances to vehicular parking are located to minimise visibility from Northbourne Avenue. 	<p>Whilst there is an existing crossover to Northbourne we believe that converting an existing secondary driveway access from Lowanna street to a "primary" access would greatly increase traffic. We are strongly opposed to the removal of any pre-existing driveways and civil infrastructure.</p>
34	Vehicular access points, including crossovers and driveways, must be co-located and/or shared with adjoining blocks.	<p>Vehicular access points, including crossovers and driveways, must be located along or close to the selected side boundary of the subject block and be designed and constructed in a way which could be shared by the adjoining block. The selected side boundary is:</p> <ul style="list-style-type: none"> a) where an adjoining block has their vehicular access point along or close to a side boundary of the subject block, the vehicular access point for the subject block must be located along this side boundary b) in any other case, any side boundary of the subject block fronting a public road. 	<p>We strongly oppose the deletion and/or relocation of pre-existing driveway crossings and the sharing of driveways with adjoining lessees.</p>
36	There is no applicable rule	<p>Pedestrian and cyclist access to blocks must be clearly separated from vehicular access and be distinguishable through surface materials, level changes and landscaping.</p>	<p>There doesn't appear to be any impact of this rule.</p>

5.2 Parking

37

This rule applies to multi-unit residential development in residential and commercial zones.
The maximum parking provision rate is as follows:
a) studio or one-bedroom dwelling—1 space maximum
b) two-bedroom dwelling—1.3 spaces maximum
c) three or more bedroom dwelling—1.5 spaces
d) every 8 dwellings—1 visitor space
Minimum and maximum parking provision rates contained within the relevant development or general codes do not apply.
Note: Parking calculations are rounded up to the nearest whole number.

This is a mandatory requirement. There is no applicable criterion.

Whilst a reduction in parking rates is interesting, it appears that DV368 is mandating the maximum number of spaces that can be provided. This may restrict the possibility of providing 2 spaces per three bedroom unit etc. We suggest adding the words, OR not more than the ACT Parking Guidelines, as a criteria...

Whilst there is support for a reduction in car parking generation rates I believe that both dropping the rates and making them a maximum provision may have impact on the marketability of dwellings in the Inner North. Many of the potential residents in this area are downsizes or young families and the ability not to provision two parking spaces for a three bedroom dwelling could turn many buyers away. We would suggest that the maximum provision for parking should align with the required rates in the Parking and Vehicular Access Code and this would provide flexibility for developers to provide less parking if this is what the market is demanding. The other potential impact of reducing parking provisions is that this will put additional load onto already exhausted on street parking.

previous applicable rates that were applied were;
Studio or one-bedroom dwelling—1 space minimum
Two-bedroom dwelling—1.5 spaces minimum
Three or more bedroom dwelling—2 spaces minimum
Every 4 dwellings —1 visitor space

Submission on DV368: City and Gateway

"...Your feedback plays a key role through your unique ability to communicate useful observations into issues that may affect your neighbourhood. As active community members we can all play a role in planning our city and I encourage everyone to make use of these opportunities..." (Ben Ponton's *You're Canberra* column, 9 August 2019).

1. **Request for a review of the DV368 City and Gateway consultation process.** I wish to express my regret and concerns about being prevented from considering the DV368 documentation in the manner it deserves and in the time available.

I expect that I would be only one of many who is unable to participate in this critical laying down in the Territory Plan of key components and standards that must work well and benefit for decades not only current but thousands of future ACT residents. The Gateway must also impress interstate and overseas visitors who will look for significance and high-quality distinctiveness in the entry the Australia's national capital.

The reasons for not being able to address this DV are the same reasons that I believe that EPSDD should consult with the Minister for Planning about:

- a) providing some basic public information and clarification Q&A sessions on DV368 and summary advice about which content and changes it reflects from final *City and Gateway Framework* (2018) and the subsequent *NCA Draft Amendment 91* (2019) process
- b) allowing an extension of the 28 February 2020 deadline for inputs to enable (a) to occur and for interested respondents to better comprehend the content of DV368 documentation and make informed inputs.

2. **Reasons for the need to hold better information provision and extension of the DV 368 submission deadline**

- 1) Considerable (yet only broad background reference documentation for both DV368 and DV369 (a total of 100 pages and 19,000 words) was only made public just prior to Christmas (Friday 13 December 2019) with 28 February 2020 deadlines. It was an already difficult and non-normal December for many, in view of the worsening fires from the New South Wales central and south coasts and inland, the increasing heat and drought conditions, and the need to prepare seriously and comprehensively for what we were officially warned would be a very bad fire season.

- 2) No public and easily accessible information and Q&A sessions were advertised for January or February for either DV, despite the importance and degree of interest in the major documents and strategies/action plans that had preceded them
- a) if public information sessions were made available, they were not well advertised to, for example, local community associations, and especially in the inner north suburbs for DV368
 - b) if they had been advertised in, say, January, many would have been too busy and distracted to notice them, let alone have attended them. The ACT bushfire situation triggered a State of Alert 2 January – 9 February, and a State of Emergency 31 January - 2 February. In view of these real threats, people's immediate and continuing focus was on dealing with heatwave conditions, the hazardous smoke descending regularly on Canberra, deferring plans and commitments, preparing evacuation plans, assisting neighbours and others with theirs, doing house block preparation, assisting others further afield, and volunteering. Like me, many others have friends and relatives between Canberra and the coast affected by evacuation orders and subsequent loss of property and livelihoods (a nearby friend knows 17 others who lost property east of Canberra during the fires). Further community commitments included extensive responding to interstate and overseas friends seeking reliable first-hand understanding of what was being reported, dealing with their deferral of visits to Canberra and helping them re-plan their trips for February or March. Further distractions from considering DVs arose through helping people with new arrangements, and medical issues that arose from the physical and mental effects of the prolonged summer fire season. Then thousands suddenly faced dealing with time consuming processes linked to severe hail, rain and water damage to their property.
- 3) The impacts and severity of disruption to normal living and the losses experienced for weeks after the Friday 13 December arrival of DVs 368 and 369 was acknowledged by the Chief Minister on 9 February, when the final State of Alert was lifted:
- “January has been a challenging month for our city. We have endured a number of extreme weather events including record breaking heat and destructive storms, as well as the risk of bushfire damage from both the Beard Fire and the Orroral Valley Fire. We are forming a clearer picture of the impact of this summer of disasters and have already started efforts to support households and businesses to recover. The impact of extended periods of poor air quality, as**

well as the travel ban from China, will be felt by many local businesses and organisations for some time."

- 4) Most I know, including those interested in the DVs, are only just 'emerging' from the December-February horror period. They are now tackling a backlog of chores, personal commitments, delayed appointments and other work that was largely cast aside because of air pollution (officially designated as 'extremely hazardous'), fire, hail damage to cars and homes and exacerbation of existing hail damage from the followup rain (because temporary tarpaulin covers were inadequate). There was also considerable time-consuming and still ongoing follow-up and expense for some I know when the design and inadequate infrastructure (think 'sumps') in relatively new suburban blocks in Gungahlin could not cope with an extended period of steady, but not torrential, rain.
- 5) These exceptional and, as many have stressed, 'unprecedented' circumstances for thousands of Canberrans surely justify turning back the clock on DV368 (and 369). This would enable the government to argue that its consultation was appropriate to the unique conditions prevailing and enable the public to
 - learn more and appreciate the parameters of DV368, what it covers and does not cover, its broader context, and how and when broader public needs and expectations about liveability issues (as set down in the *City and Gateway Framework*) will be addressed for the areas covered by DV368; and
 - submit more readily comment on the full DV as it stands.
- 6) The community "trust issue" also needs support and recognition through DV368's handling now and in the future .

There are other aspects of the DV that deserve confirmation or clarification, having experienced twice in the last 15 months' sudden' yet major changes to Gateway planning: in late 2018 the Minister announced the long term abandonment of a major premise around which the Gateway consultation was clearly based ie

- a) the significant boulevard concept for the whole Gateway, with major additional space for lush landscaping, pedestrian movement and visual appeal and improved liveability for Gateway residents. The boulevard was to have been enabled by a reduction in the number of Northbourne Avenue car traffic lanes. Now the Gateway is to remain a loud, noisy, expanded and hard-to-negotiate major commuter corridor of 8 lanes (6 road, 2 rail) of busy traffic and hard, heat trapping surfaces.

It would be helpful to know how the final Gateway Framework's retreat from the core foundation of delivering a 'grand boulevard' with fewer lanes of traffic has implications and impacts for the planning changes in DV368.

It is not readily clear what DV368 will do to counter the effects of the boulevard deletion, or whether other DVs in the Gateway jigsaw puzzle will address this major change in approach.

How will DV368 and other DVs ensure coordinated and simultaneous delivery on promises of highly workable and appealing public spaces and amenity, greening, stronger responses to climate change, and urban heating inputs all along the Northbourne corridor and the suburban blocks behind on either side?

b) in addition, in 2019 NCA Draft Amendment 91 revealed inclusion of an additional 'last minute' major 18-metre multi-storey intensification on Southwell Park south, which was not in the final Gateway Framework

c) media coverage of these two planning 'adjustments' is recorded at Attachment 1. These two examples created considerable community concern and disappointment given the extensive consultation sessions that preceded them and the information they were based on.

Given just these two significant revelations, many will want guarantees about specific content in DV368, ie what is consistent with the public's prior awareness and knowledge of various planning processes for this area to date and what, in the DVA368 columns and detail, may reflect new positions, amendments of past stated positions, or decisions made to drop or manipulate previously agreed and stated positions.

- 7) Against the background of 1-6 above, it is hard to appreciate:
- a) parts of DV368's text, terminology and illustrations which are difficult to comprehend
 - b) be up to date about the application of the ACT Government's 'precinct map and code' approach to urban intensification along Northbourne Avenue and adjacent suburban areas
 - c) DV368's coverage and place in the planning processes to be established for the Gateway: currently the approach appears piecemeal

d) how DV368 picks up on the ACT Government's urban intensification plan set down in the 2018 *ACT Planning Strategy* for across inner north suburbs

e) DV368's relationship to the far more recent Climate Change Strategy and Living Infrastructure action plan, and how practical implementation of these priorities is now reflected across the DV. Many would say that this is imperative given the wake-up call to governments over the past few months.

For example

- the DV appears to stick to the now two-year old approach of highlighting the use of awnings and colonnades along Northbourne Avenue (see Rules R21/C21; R22/C22 and C46), yet the *Living Infrastructure* and *Climate Change* policy positions strongly suggest the need to address
 1. in far surer and far less minimalist ways the 'on the ground' impacts of urban heating, people's comfort and associated health issues; and
 2. provide far better support for active travel 'on the ground'

- currently the 'awnings' provided on the relatively new Northbourne Avenue light rail stops offer very poor shelter and shade on hot sunny afternoons where there is nowhere to retreat from the 50+ degree heat experienced when in the direct sun.

How will this unwanted impact be avoided, on the eastern side of Northbourne in particular?

- the intensified northern area of Lonsdale Street in Braddon is a good example of poor planning for weather protection such as lack of shade through lack of trees, and the absence of awnings or other cover, along the vast west side of the street: it is very uninviting and uncomfortable in the heat, wind and rain experienced there. Cars parked in the middle of the street receive far more protection and relief than pedestrians using the wide exposed pathways to their building destination.

f) DV369 deals with trees on residential blocks – easier and quicker comprehension by the public is needed to appreciate the planning regulations for far more greening, green canopy, shade and protection and lushness in the areas in DV368. Again, helpful information sessions should provide this

understanding of the increasing number of planning components and linkages along Northbourne Avenue.

- 8) The public needs more opportunity to learn how this DV for this part of Northbourne Avenue, its place in the Gateway and adjacent intensification areas, will deliver standards that 'will last the distance' as well as how it will reduce, and to what extent, the urban heating that will intensify from the residential and other development along this major exposed and largely hard-surfaced transit corridor.
- 9) What comes next? Assurances and commitments are needed about improved content of draft DAs and concept plans that will follow from this DV's finalisation:
 - a) given the ongoing building defects crisis, the lack of trust in development processes generally and the related ability of many major developers to date to 'get around' quality, design and materials standards, restrictions and public good sense (and be allowed to do this via the planning processes), the public also needs to understand if and how the Plan and associated ACT Government processes will ensure that:
 - this DV's quality and design standards and other requirements will be adopted at the beginning of the planning process, rather than be forced on developers for adoption, say on an 'or else' basis half way through a draft DA consultation, and only because volunteers in the community may happen to have painstakingly discovered serious deficiencies or oversights in a gung-ho developer's DA or early concept plans
 - no draft DA will be put out for public consultation for the area linked to the DV, or elsewhere along the full Gateway, until all the DA's content is consistent with all the standards and requirements set down in the final variation and any other related changes to the Territory Plan, and that formal assurances and checklists are provided to the public as evidence of this with the draft DA;
 - there is a big reduction in the community's current high wastage of wasting of time on matters that should be addressed and abided by (and if necessary rejected and reworked, as many times as necessary) by the developer and by others in planning agencies who are paid to monitor and oversee such matters
 - b) the large size, scale and complexity of many developments likely in this DV's remit, and others which will follow north of Antill St, require a revised approach

as outlined above in 9 (a) to vastly improve the preparation and handling of both early concept plans and draft DAs, and to increase the public's trust in DA content, consultation and processing linked to ACT government agencies

- this DV368 is useless without such assurances and evidence of how this improvement will be achieved, and coherently, over what will be many, many years of major development along the Gateway.

10) Without information sessions and better public insights into what this DV will deliver and its 'positioning' with regard to issues raised above, including the process concerns described at 9, it is hard not to conclude that the DV is part of a rather rushed approach to the 'filling up' of Northbourne and adjacent suburban areas via a primarily residential focus with little attention to or explanation of how and when equal attention will be paid simultaneously to the inclusion of physical and social infrastructure to address key the 'people' and liveability issues. These have not only been highlighted in key planning documents (eg Gateway Framework, the ACT Planning Strategy and the more recent Climate Change and Living Infrastructure plans) but have also been raised time and time again by many in consultation sessions and submissions concerning the impacts of, and needs associated with, the vast increase in population expected along and around the Gateway corridor:

- the inability – already - of the light rail to cope with passenger loads from the Dickson Interchange onwards after only a year's operation does not reflect well on the coordination of all planning processes to date for the Northbourne corridor or engender trust in the ACT Government's preparedness for growth of population there. Also in question is the government's ability to address and deal swiftly with impacts from the large growth of population north of Federal highway into Gungahlin that now clearly affects negatively or disadvantages the servicing of many existing residents along Northbourne Ave and in adjacent inner north suburban areas.

11) **Summary and Conclusion:**

- a) I am unable to provide the input I would wish on DV 368 for the reasons outlined above, despite having been prepared and able to devote considerable time in the past 2 – 3 years to numerous consultation sessions and the

development of formal submissions on related iterations of the draft Gateway Framework and NCA's Draft Amendment 91.

b) I have only had time this month to address the other DV (369) that was issued simultaneously with DV 368 and with the same deadline and which also was not accompanied by any helpful public information session or opportunity for clarification.

c) I therefore request that the ACT government and EPSDD reconsider the timing of the handling of submissions for both DV 368 and 369 to give the public a far better opportunity to learn more about the DVs, revisit their broader context, and then make formal inputs.

DV368 (and 369) deserves an extension of time to legitimise the consultation input process.

d) Improved information provision must now be happening in regard to other ACT government processes and other projects across ACTPS directorates and some must be being given extensions of time (including for directorates' own workload schedules), given the major disruptions and priorities that have arisen and had to be dealt with constantly on a personal and work basis by so many over the past 2-3 months.

An extension and basic information provision for DV 368 (and 369) would therefore not be out of order in these circumstances.

(c) above would also actively support and reflect the Chief Planner's strong belief in and public encouragement of the community's engagement in critical ACT planning and development processes:

"...Your feedback plays a key role through your unique ability to communicate useful observations into issues that may affect your neighbourhood. As active community members we can all play a role in planning our city and I encourage everyone to make use of these opportunities...." (Ben Ponton's *You're Canberra* column, 9 August 2019).

ATTACHMENT 1

Northbourne Avenue and the Gateway

“Boulevard – A wide well managed and maintained, often tree-lined avenue, designed to be responsive to adjacent land uses and create a pleasant user experience.”

City and Gateway Urban Design Framework, December 2018, p. 76.

“The current three-lane Northbourne Avenue would also be reduced to only two lanes from Antill Street to London Circuit, replaced by wider verges and a separate cycling path, with “medium term” plans for only two lanes up to Macarthur Avenue”.

Canberra Times, 1/3/18, ‘Massive overhaul of Canberra, with plans for extra 37,000 dwellings, towers along light rail route’.

“An initial suggestion to reduce Northbourne Avenue to two lanes was scrapped amid concerns it would increase traffic congestion... , The ACT Government and National Capital Authority, which share responsibility for setting planning rules along the corridor, unveiled the strategy in December after community consultation in early 2018”.

Canberra Times, 22/1/19, ‘Plans to reshape city include 15-storey buildings on Northbourne Avenue’

Southwell Park

‘Land currently in community-use on the corner of Mouat Street and Northbourne Avenue is earmarked in the draft amendment for multi-storey private development’.

CONSULTATION REPORT National Capital Plan Draft Amendment 91 – City and Gateway Urban Design Provisions, March 2019, p. 88

‘The addition, since the Framework was presented to the public last year, of an 18 m building height allowance at Southwell Park (between the Barton Highway and Mouat St)’.

CONSULTATION REPORT National Capital Plan Draft Amendment 91 – City and Gateway Urban Design Provisions, March 2019, p.91

‘Community feedback during public consultation on the City or Gateway Framework recognised the need for land to be available for community facilities as the population of the corridor increases. The NCA was of the view that Southwell Park provides a logical place for such facilities, and that the 18-metre height limit could accommodate a range of recreation and community facilities.

In response to community concern, the 18 metre building height limit for Southwell Park has been removed. The existing zoning under the Territory Plan (a combination of urban open space and restricted access recreation) will remain’.

CONSULTATION REPORT National Capital Plan Draft Amendment 91 – City and Gateway Urban Design Provisions, March 2019, p.9

‘A number of tweaks were made to the draft proposal after the National Capital Authority received 65 submissions during public consultation.

A report on the feedback noted that more than a third of submissions made reference to open space, with a proposal to allow 18-metre-tall community buildings on Lyneham's Southwell Park ‘attracting significant attention’.

Respondents were concerned the land could be redeveloped with apartments and offices, resulting in a loss of open space the growing inner north could ill afford, according to the report. On Monday, Liberal Senator Zed Seselja and authority chief executive Sally Barnes announced the park would be preserved as open space under the final.’ *Canberra Times*, 9/4/19, ‘Northbourne Avenue to get more high rises after national capital plan amendments approved.’

Submission to Territory Plan Section at EPSDD regarding Draft Variation 368 to the Territory Plan

28 February 2020

INTRODUCTION

Turco and Associates for some time have been working on one of the major sites located at the Northbourne/Macarthur/Wakefield Avenue intersection. We have a good understanding of the current legislation pertaining to the site, both the current Territory Plan and National Capital Plan provisions.

APARTMENT STANDARDS

We are concerned that Draft Variation 368 to the Territory Plan aims to mirror many of the provisions that were legislated through Amendment 91 to the National Capital Plan (NCP). Our first reason for concern is that whilst the National Capital Plan takes precedence over the Territory Plan, many of the proposed provisions listed in Draft Variation 368 differ slightly from those legislated in the NCP or are in addition to, which may lead to confusion when it comes to working out if a inconsistency exists. This can lead to confusion and make the design process more difficult and ambiguous which has the follow-on effect of creating a more drawn out approval process unnecessarily.

It's worth noting that since Amendment 91 to the NCP was legislated that no applications have been lodged down the corridor. This means that many of the provisions remain untested in practice and any potential unforeseen consequences remain unknown. Obviously should any provisions need to be amended, if they are legislated through both the NCP and Territory Plan, both pieces of legislation would require amending. It's worth noting that the mechanisms for change for the NCP are much faster than that of varying the Territory Plan which could have major implications on developments that may require a legislation change for any unforeseen consequences of rules applied.

Draft Variation 368 aims to add additional apartment standards/guidelines which are not contained within the NCP. These are items such as Rules 16 & 19 which look to control room sizes and dwelling type mix accordingly. Whilst we fully support the implementation of the standards around apartment standards, we strongly believe these should be placed within the Territory Plan to apply to all multi-unit developments in the ACT. Based on our experience on jobs in other jurisdictions that have introduced similar guidelines a reduction in potential yield has occurred and it would only be fair to the lessees down Northbourne Avenue not to be competing unfairly with other projects to which the guidelines wouldn't yet apply. Until the guidelines are legislated throughout the ACT many sites on Northbourne may remain not developed to their full potential as developers concentrate on other projects or wait for a level playing field.

GROUND FLOOR USES

Draft Variation 368 aims to restrict residential use on the ground floor at the Macarthur Node. Whilst we appreciate the intent to provide commercial spaces at ground level adjacent to the light rail stop there is a commercial reality that for these four sites that finding tenants to occupy the whole ground floor may be difficult and therefore many of the spaces may remain vacant. We would request that there is criteria added around this rule so that proposals can be assessed against their merit.

CEILING HEIGHTS

Whilst we support mandating ceiling heights for residential development and ground floor commercial spaces, we believe that 3.3m ceiling heights for non-commercial uses at an upper level are excessive and need to be brought more in line with the reality of commercial developments. We would recommend that a ceiling height of 2.7m is more appropriate for the non-residential use at the upper levels.

PARKING PROVISIONS

Whilst we support a reduction in parking provisions due to the availability of public transport down the corridor, we believe both dropping the provisions and making them a mandatory maximum may have impact on the marketability of dwellings. We would suggest that the maximum provision for parking should align with the minimum required rates in the Parking and Vehicular Access Code. This would allow developers to provide the right amount of parking for their developments based on market demand. The other potential impact of reducing parking provisions is that this will put additional load onto already exhausted on street parking in the adjacent residential areas.

CONCLUSION

To reiterate whilst we support the introduction of apartment standards, we strongly believe that first the Territory Plan should not aim to mirror the National Capital Plan. We request that these provisions not be legislated within the Territory Plan and rather left to the NCP for the Northbourne Corridor as they have already been legislated. We would request that any of the additional proposed apartment standards also be removed and placed within the Territory Plan in the future when applicable to the whole of the Territory. We thank you for the opportunity to submit our thoughts on Draft Variation 368 to the Territory Plan.

Yours faithfully,

A solid black rectangular box used to redact the signature of the author.

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

6 March 2020

DV368 City & Gateway South Northbourne Avenue Corridor
Environment, Planning & Sustainable Development Directorate
PO Box 158
CANBERRA ACT 2601

Email: terrplan@act.gov.au

Subject: PIA submission - DV368 City and Gateway South Northbourne Avenue Corridor

The Planning Institute of Australia (PIA) is the national association representing professional town planners throughout Australia and has a total membership of about 5,300, together with over 4,000 other planners who participate in PIA's professional development program. The ACT Division of the Planning Institute of Australia, (PIA ACT) is led by a committee of members who voluntarily help advance the planning profession in the ACT.

Thank you for the opportunity to comment on Draft Variation (DV) 368 City and Gateway South Northbourne Avenue Corridor. We congratulate the ACT Government for working jointly with the National Capital Authority (NCA) to integrate the design principles of the City and Gateway Urban Design Framework into both the National Capital Plan and the Territory Plan. We appreciate the work that has gone into getting to this stage of integrating core principles of the framework into the Territory Plan.

PIA supports urban growth, density and livability that delivers an integrated city and offers people an attractive lifestyle and sense of community. The economic and physical transformation of the City through urban renewal integrated with the light rail corridor should create Northbourne Avenue as a multi-modal boulevard with people friendly places and high quality design outcomes.

Design guidance for Apartments

In previous submissions PIA had recommended that State Environmental Planning Policy (SEPP) 65 and the Apartment Design Guide be adapted for use along the corridor to improve the quality of higher density apartment and mixed use development. We are pleased to see that this has been considered and incorporated in part within this amendment. However, the current partial application to specific parts of one corridor within Canberra, means that design improvements are not comprehensively applied to all new apartment developments in Canberra. Ultimately DV368 delivers an ad hoc and place specific approach to the delivery

of improved apartment design. To reinforce good design outcomes we suggest that these measures would be better delivered through an overarching code, such as the Multi Unit Housing Development Code that apply to all new multi-unit developments in Canberra (apart from those in Designated Areas under the National Capital Plan). This should include mixed use and predominantly apartment buildings in the City centre, town centres, group centres and urban precincts such as Kingston Foreshore.

Plan review process and updates

The Territory Plan continues to have variations applied that create additional layers and do not necessarily achieve the desired outcomes. In some cases perverse outcomes are inadvertently introduced through this complex layering of over 300 variations since the Territory Plan was enacted. We strongly encourage the ACT Government to prioritise the comprehensive review and update of the Territory Plan to become a best practice statutory planning document that delivers sustainable built form design, environmental, social and economic outcomes.

National Capital Design Review Panel (NCDRP)

PIA recommends that as part of the process of drafting Variations of a similar nature (e.g. DV 369) they should be 'road tested' and reviewed by the NCDRP prior to finalising the draft and releasing publicly as a DVP. All changes to planning codes should be modelled 3 dimensionally and critically reviewed to ensure that unintended consequences are identified early (and necessary adjustments made) and that design excellence is fostered.

Parking

The introduction of maximum parking standards is supported as this shift is instrumental in achieving mode shift to meet ACT Government ambitions to be Australia's walking and cycling capital and to have 7% of people cycling to work and 7% of people walking to work by 2026. However again this is only applied in a piecemeal, corridor-specific fashion, such that maximum parking standards do not apply to other central locations such as City centre, town centres and group centres, well served by public transport, where they should be equally applied. Again, a more comprehensive and overarching application of this would be to incorporate these requirements through the Parking and Vehicular Access General Code. Again, this points to the need to swiftly progress the review of the Territory Plan, to avoid ongoing variations to the Plan which apply requirements in a piecemeal and multi-layered fashion.

Affordable housing

PIA's previous submission on the City and Gateway Urban Design Framework indicated that there needs to be a specific policy aimed at ensuring affordable housing is retained in this corridor, due to the proximity to employment, public transport, facilities and services essential to low income and unemployed people. While the Draft Variation may not be the best tool to apply this, we do note that as the redevelopment of sites along the City and Gateway corridor continues that the availability of social and community housing in accessible locations, proximate to services and employment opportunities continues to be reduced.

DV369 Living Infrastructure in Residential Zones

PIA is providing a separate submission on DV369 Living Infrastructure, however we note that when multiple and overlapping Draft Variations are released simultaneously it is difficult to view the interaction and impact of them all simultaneously being introduced into the Territory Plan. This also contributes to reduced time to consider each variation individually, particularly for professional bodies such as PIA and community organisations that are largely supported through voluntary work.

Other aspects of City and Gateway

Although DV368 and Amendment 91 to the National Capital Plan capture many aspects of the City and Gateway Urban Design Framework, there are also elements of the framework that do not fall within these variations. PIA supports other aspects of the City and Gateway Urban Design Framework, such as the Garden City Cycle Route being implemented and not overlooked subsequent to this variation being approved.

Other matters

As previously articulated by ACT PIA in response to the City & Gateway Draft Urban Design Framework, the high level ambitions of the framework and subsequent variation and plan amendments are commendable and need to be supported by clear and enforceable controls to ensure these intentions are realised.

PIA recommends for major projects, such as stage 2 light rail and the Surgical Procedures, Interventional Radiology, and Emergency (SPIRE) expansion of Canberra Hospital, that master planning and the adoption of relevant planning controls including zoning and plan amendments, occur in a timely manner well in advance of these projects being implemented, to fully capture the benefits of these significant investments.

More generally PIA strongly supports the adequate resourcing and prioritising of pro-active (not reactive) planning for major investments such as these, to ensure regulatory planning frameworks that foster urban design excellence are adopted in a timely manner well in advance of the development of major infrastructure.

Thank you for providing the opportunity to comment on DV368 City and Gateway South Northbourne Avenue Corridor. If you have any queries regarding any matters raised in this submission please contact me.

Yours sincerely



From: [REDACTED]
To: [Terrplan](#)
Subject: Comments on Draft Variation No. 368
Date: Friday, 6 March 2020 5:25:26 PM
Attachments: [image001.png](#)
[image004.jpg](#)
Sensitivity: Confidential

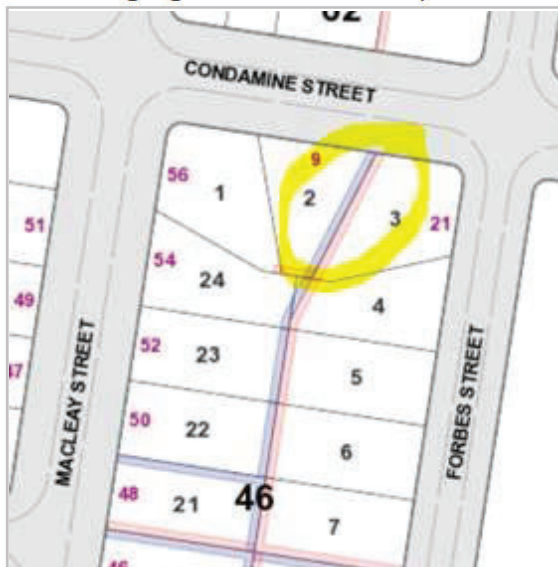
Territory Plan Section

Environment, Planning and Sustainable Development Directorate (EPSDD)

To whom it may concern,

Thank you for allowing me to submit the following three comments on Draft Variation No. 368

- **Rule 43 (consolidation)** relating to the minimum block consolidation requirement for Blocks 1-3 Section 46 Turner (Condamine Street) refer figure 6 page 27. This rule is unworkable on these specific blocks given the large sewer easement and stormwater easement between blocks 2 and 3 section 46. The sewer is of a size, depth and required fall that prevents its relocation thereby preventing development across the blocks. I have highlighted this on the map below.



- **Rule 50 (maximum parking provision)** I believe it would be reasonable to increase the maximum parking provision for larger multi-unit dwellings of three (3) bedrooms to possibly 1.75 or thereabouts and dwellings of four (4) bedrooms to 2. This will be more suitable for housing of this type given the likely number of occupants in each dwelling and will logically result in there being fewer cars in multi-unit developments comprising larger dwellings of three and four bedrooms where there are no two bedroom dwellings.
- **Rule 59 (ceiling heights)** this rule does not reflect the minimum ceiling height of 2.400m as specified by the Building Code of Australia.

Please feel free to contact me should you require clarification.

Thank you very much.

[REDACTED]

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DRAFT VARIATION 368

SPACELAB RESPONSE TO R43-R61 (CURRENT INPC)

SPACELAB
urban planning and design



SPACELAB STUDIO PTY LTD

5/97 Northbourne Avenue Turner ACT 2612

Telephone: (02) 6262 6363

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INTRODUCTION

SUBMISSION REGARDING DRAFT VARIATION 368

We have focussed our feedback in regard to Rules 43- 61 which replace the existent Inner North Precinct Code (INPC).

We note that the inclusion of the Inner North Precinct Code within DV 368 was not pre-empted or consulted with the development or planning industry or any organisations representing these industries.

We have dealt widely with the INPC and understand it's application very well. The INPC has significant flaws in regard to site design, compulsory block amalgamations, and an obvious basis as an apartment development zone. It's a precinct plan designed for a long time ago when any redevelopment at all was alien to the community around it.

The basis of the INPC was in the translation from Section Master Plans configured over 25 years ago, and its zoning or design has not been reviewed with any rigour ever since. DV 368 fails to address the inadequacies inherent in the INPC, and reinforces long running design faults within the INPC. DV 368 also appears to be lowering green space requirements at the same time DV 369 is attempting to increase these requirements. Consequently DV 368 in its translation from the INPC is significantly flawed in itself, and we have highlighted the drafting and design issues of DV 368- Rules 43 to 61 within this submission.

We note that RZ3 and RZ4 zoning now allows less built form and lower GFA (plot ratio) development on many as yet undeveloped sites within the INPC than is allowable as "compliant development" within the single dwelling housing code.

We are currently running a design assessment of the existent INPC, driven by our experience within this precinct over the past 20 years. Our review will be presented to EPSDD within the weeks ahead. We can advise we will be recommending the reconsideration of RZ3 and RZ4 zoning along main corridors and replacing these areas with RZ5 zoning, amongst other changes to encourage and support terrace home development on the back streets of this precinct to address the "missing middle".

We look forward to a productive and considered review of the INPC and its translation within DV 368.

 - Principal Planner

 - Planner

RC2 - INNER NORTH

This part applies to multi-unit housing in area RC2 shown on the Northbourne Avenue Corridor Precinct Map

ELEMENT 1: CONSOLIDATION

Rules	Criteria	Proposed Amendments with comment and reasoning
<p>8.1 Consolidation</p>		
<p>R43</p> <p>Where multi-unit housing development is proposed, required minimum block consolidations are <u>required when shown in Figures 5 and 6</u>.</p> <p>In all other cases, minimum block consolidations are required between two or more blocks where:</p> <ul style="list-style-type: none"> a) existing single dwellings have shared walls b) sites are less than 16m wide at the front building line c) single block development cannot provide minimum private open space dimensions for all dwellings d) TCCS does not support vehicle access for a single block development e) development would otherwise result in an isolated block. <p>For the purposes of this rule, an <i>isolated block</i> is a standard block with multi-unit development existing or proposed to each side boundary or</p>	<p>C43</p> <p>The minimum Bblock consolidation is not required where the lessee(s) of the block(s) to be developed demonstrate to the satisfaction of the Authority that:</p> <ul style="list-style-type: none"> a) <u>Block consolidation is not possible due to location of inground or overground utility networks, or;</u> a) b) suitable redevelopment of the remaining block(s) can be achieved, through the submission of a concept design, <u>and;</u> b) c) the concept design required at a) includes a sufficient level of detail to enable assessment of the feasibility and demonstrate integration of a possible future development on the adjoining block(s) with the proposed development, <u>and;</u> c) d) redevelopment of the block(s) that are to be developed can be achieved while ensuring the amenity of any existing dwelling(s) on the remaining block(s) is/are protected, <u>and</u> 	<p>Amendment Suggested:</p> <ul style="list-style-type: none"> • Delete reference to Figures 5 and 6. • Criteria added to clarify that block amalgamation is not required where utility assets prevent amalgamation <p>Comment and reasoning:</p> <p><i>Figures 5 and 6 are a collated and simplified version of the existent control plans in the INPC, however, Figures 5 and 6 are significantly flawed, carrying the inherent problems of the existing control plans, where utility assets prevent amalgamation of a significant number of blocks.</i></p> <p><i>Block consolidations can rely upon reworded rule, which is sufficient.</i></p> <p><i>Figures 5 and 6 also make further changes limiting development to RZ4 zoned blocks which are regressive and in obvious conflict with zone objectives</i></p> <p><i>Refer to marked up Figures 5 and 6 attached to this submission</i></p>

<p><i>rear boundary</i> that cannot be reasonably developed in a manner consistent with the objectives of the zone.</p>	<p>d)e) The development application includes suitable justification why the nominated blocks could not be consolidated, with written confirmation that all lessees of nominated blocks required to be included in the consolidation have sighted the concept design.</p> <p>This criterion does not apply to consideration against R43c) or R43d).</p>	
<p>R44</p> <p><i>Consolidated blocks</i> have a single continual street frontage.</p> <p>This rule does not apply to blocks subject to minimum block consolidation shown in Figures 5 and 6.</p>	<p>C44</p> <p><i>Consolidated blocks</i> have a minimum 30m front street boundary length to each street frontage.</p>	<p>Amendment Suggested:</p> <ul style="list-style-type: none"> • Suggest rewrite to clarify intent that rule applies to blocks with potentially several different street frontages. <p>Comment and reasoning:</p> <p><i>Rule 44 reads as a “single continual street frontage” not “frontage to streets that is continuous”. This could be interpreted as a single street</i></p>
<p>Figure 5: Additional requirements — north of Macarthur Avenue</p> <p>Figure 6: Additional requirements — south of Macarthur Avenue</p>		<p>Amendment Suggested:</p> <ul style="list-style-type: none"> • Delete Figure 5 and 6 <p>Comment and reasoning:</p> <p><i>Figures 5 and 6 are a collated and simplified version of the existent control plans in the INPC, however, Figures 5 and 6 are significantly flawed, carrying the inherent problems of the existing control plans, where utility assets prevent amalgamation of a significant number of blocks.</i></p> <p><i>Block consolidations can rely upon reworded R43.</i></p>

	<p><i>Figures 5 and 6 also make further changes limiting development which are regressive and in obvious conflict with zone objectives</i></p> <p><i>Refer to marked up Figures 5 and 6 attached to this submission</i></p>
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ELEMENT 2: BUILT FORM

Rules	Criteria	Proposed Amendments with comment and reasoning
9.1 Building heights		
<p>R45</p> <p>Maximum building heights are 2 storeys for development on blocks shown in Figures 5 and 6.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Amendment suggested</p> <ul style="list-style-type: none"> • Delete R45. <p>Comment and reasoning:</p> <p><i>R45 is regressive and in conflict with its own zone objectives.</i></p> <p><i>R45 limits development within Culs-de-sac to 2 storey (a hang over from 25 year old section master plans that pre-dates the current Northbourne Precinct Code) along with a proposal to extend that 2 storey limit to a section of terrace blocks within RZ4 zoned Lowanna Street in Braddon.</i></p> <p><i>Yet R45 has no effect on RZ3. This includes culs-de-sac in Dickson and Lyneham.</i></p> <p><i>RZ4 zoned Culs de sac affected are located adjacent to the Macarthur Village hub, in</i></p>

Rules	Criteria	Proposed Amendments with comment and reasoning
		<p><i>O'Connor and Braddon where zone objectives encourage the increased density of RZ4.</i></p> <p><i>The limitation to 2 storey built form on RZ4 sites will encroach on these sites ability to comply with soft landscape and planting requirements within this code, and as proposed within DV 369, or will encourage pursuit of greater development allowed within the single dwelling housing development code, negating the intended increased density outcomes expected of RZ4 redevelopment</i></p>
<p>9.2 Setbacks</p>		
<p>R46</p> <p>Minimum <i>front boundary setback</i> – 6m.</p> <p>Exceptions are:</p> <p>a) for <i>front boundaries</i> fronting onto public open space or pedestrian paths wider than 6m the minimum <i>front boundary setback</i> is 4m, except blocks identified in Figure 5 requiring a defined setback to an adjoining pathway: the minimum setback from boundary adjoining the nominated pathway is 5m</p> <p>b) Turner section 44 minimum front <i>setbacks</i> are:</p> <p>i) 4m to Watson Street and Gould Street</p> <p>ii) 3m to McKay Lane.</p>	<p>C46</p> <p>Minor encroachments by one or more of the following may be permitted forward of the <i>building line</i> provided the materials and design retain the visual integrity of the building:</p> <p>a) awnings</p> <p>b) architectural details</p> <p>c) courtyard walls to enclose areas of principal private open space</p> <p>d) entry stairs, landings or ramps for pedestrian access to the dwelling(s)</p> <p>e) Basement ramps, provided that adequate sight lines are maintained for vehicles exiting the ramp</p>	<p>Amendment Suggested:</p> <ul style="list-style-type: none"> • Delete reference to Figure 5. • Remove references to 5m setbacks. • Remove reference to laneways over 6m. <p>Comment and reasoning:</p> <p><i>Existent re-development that has been built with 4m minimum setbacks to public laneways of varying widths and mostly approximately 3m wide, has resulted in high quality urban space improvement and much improved CPTED outcomes.</i></p> <p><i>4m setbacks to all laneways are sufficient, as is evident in already redeveloped built outcomes.</i></p>

Rules	Criteria	Proposed Amendments with comment and reasoning
<p>No <i>building</i> or design elements including basement structures are to be located forward of the specified minimum front street <i>setback</i>.</p>	<p>For the purpose of this rule architectural details do not include service areas or above ground utility infrastructure.</p>	
<p>R47</p> <p>Minimum <i>side boundary setbacks</i> are:</p> <p>a) 0m in the <i>primary building zone</i> and</p> <p>b) 3m in the <i>rear zone</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Amendment suggested:</p> <ul style="list-style-type: none"> • Reword to clarify intent of rule. • Add rule or sub rule to clarify rear boundary setback <p>Comment and reasoning:</p> <p><i>Mandatory rule appears to imply need to comply with minimum setbacks.</i></p> <p><i>rear boundary setback is not mentioned ?</i></p> <p><i>If the intent is to defer to MUHDC rear setback – this is currently 3m, however a 3m rear setback appears unlikely to survive DV-369. and is unlikely to be achievable within R48. Suggest 6m rear boundary setback is supportable.</i></p>
<p>9.3 Planting areas</p>		
<p>R48</p> <p><i>Planting area</i> is a minimum of 25% of the <i>block</i> area. The minimum dimension of any area included in the <i>planting area</i> calculation is 2.5m.</p> <p>Not less than 7% of the <i>block</i> provides deep soil zones with a minimum dimension of 5m.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Amendment suggested:</p> <ul style="list-style-type: none"> • Increase minimum dimension to 3m • Increase minimum dimension for deep root zone to be comparable in m3 to current INPC 7m X 7m (x2m deep) zone <p>Comment and reasoning:</p> <p><i>3m minimum area is consistent with minimum side boundary rear zone setbacks.</i></p>

Rules	Criteria	Proposed Amendments with comment and reasoning
		<p><i>planting area. We note TCCS considers 80m³ approx to be required for large trees with a 7m minimum dimension which aligns with the principle of the “7m x 7m deep root zone” in the current INPC. 5m minimum dimension is as proposed within DV369 for medium trees, which are unlikely to ever achieve or be assured of regulated status, or add to urban forest cover.</i></p>
<p>9.4 Basement vehicle access and parking</p>		
<p>R49</p> <p>Basement vehicle access is limited to one basement entry per two <i>blocks</i> or one basement entry per 40m of street frontage, whichever is the greater.</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>	<p>Amendment suggested:</p> <ul style="list-style-type: none"> • Delete R49. • Rely upon TCCS support/ approval for any proposed basement access. <p>Comment and Reasoning</p> <p><i>R49 is impossible to comply with for redevelopment of a single or 2 amalgamated sites if the sites either side of the proposed development are already developed, as very few sites exceed 20m width, and to meet this rule would mean a ramp no closer than 40m to each other, meaning a 46m minimum street frontage for development, or 3 blocks.</i></p>

Rules	Criteria	Proposed Amendments with comment and reasoning
<p>R50</p> <p>The maximum <u>average</u> parking provision for:</p> <p>a) each studio or one bedroom dwelling is 1 parking space</p> <p>b) each two bedroom dwelling is 1.3 car parking spaces</p> <p>c) <u>each dwelling with three or more bedrooms is 1.5 car parking spaces.</u></p> <p><u>The minimum parking provision for all dwellings is ZERO (0) parking spaces.</u></p> <p>Minimum and maximum parking provision rates contained within the relevant development or general codes do not apply.</p> <p>Note: Parking calculations are rounded up to the nearest whole number.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Amendment suggested</p> <ul style="list-style-type: none"> • Add note to clarify that the minimum carparking provision is ZERO. • Amend wording to clarify R50 provision is based on average”. • Clarify whether parking calculations are ‘per unit” or “per development”.
<p>9.5 Private open space and residential amenity</p>		
<p>R53</p> <p>Each dwelling above ground floor level provides a primary balcony that complies with the requirements as set out in table 3.</p> <p>For ground floor or podium level dwellings, a private open space area is provided with a minimum area of 15m² and minimum dimension of 3m.</p>	<p>C53</p> <p>Dwellings provide appropriately sized areas of private open space to enhance residential amenity.</p>	<p>Amendment suggested:</p> <ul style="list-style-type: none"> • Clarify PPOS requirements within the MUHDC apply if they are intended to, or add rule for PPOS <p>Comment and reasoning:</p> <p><i>Is this intended to overrule PPOS requirements in MUHDC?</i></p>

Rules	Criteria	Proposed Amendments with comment and reasoning
<p>R55</p> <p>This rule applies to all <i>dwelling</i>s.</p> <p><i>Habitable rooms</i> must have an operable window in an external wall with a total minimum glass area of not less than 15% of the <i>gross floor area</i> of the relevant <i>habitable room</i>.</p> <p>Note: connecting <i>habitable rooms</i> to operable windows in an external wall via a corridor, also known as a ‘snorkel’ arrangement, does not satisfy the requirements of this rule.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p> <p><u>C55</u></p> <p><u>Media rooms and study rooms can be designed with zero glazing where all other <i>habitable rooms</i> meet the rule.</u></p>	<p>Amendment Suggested:</p> <ul style="list-style-type: none"> • Delete the wording “<i>This is a mandatory requirement. There is no applicable criterion</i>” from Criteria. • Add criteria to exempt media rooms. • Delete Note from R55. <p>Comment and reasoning:</p> <p><i>It is desirable for some habitable rooms such as media rooms to be located away from an external wall, or to require access to a window.</i></p> <p><i>Note: At what width does a room have “corridor” dimensions ? We can see days in ACAT tossing that around.</i></p> <p><i>It is unnecessary to try and control the width of any access “snorkel” to external walls/ windows as the 15% minimum glazed area rule does that already. The longer the snorkel, the larger the room becomes and the bigger area of glazing required to meet the 15% - consequently widening the snorkel and nullifying the requirement for the note.</i></p>

Rules	Criteria	Proposed Amendments with comment and reasoning
9.6 Housing diversity		
<p>R57</p> <p>Development contains:</p> <p>a) not more than 40% studio or one bedroom dwellings</p> <p>b) not more than 40% two bedroom dwellings</p> <p>c) not less than 20% three or more bedroom dwellings.</p>	<p>C57</p> <p>Housing developments comprising multiple dwellings are required to achieve all of the following:</p> <p>a) a range of housing types</p> <p>b) increased diversity of dwelling types within a neighbourhood.</p>	<p>Amendment Suggested:</p> <ul style="list-style-type: none"> Delete R57 <p>Comment and reasoning:</p> <p><i>R57 fails to look forward to a time when the market may need more 1 and 2 bedroom dwellings and represents uninformed manipulation of the market against its ability to provide the needs of future residents, which change considerably based on existent / forecast supply and demand. Such ability to flex does not need an outdated or misinformed rule to comply with.</i></p> <p><i>It should be noted that LVC already has a market manipulation effect within this zone, with affordable 1 and 2 bedroom dwellings missing in entirety from the last 12 months of development applications - replaced with much larger 3 and 4 bedroom dwellings since the increase of LVC to \$30k per unit has been in effect.</i></p>
<p>R58</p> <p>Minimum separation distances for buildings within a development and between adjoining developments are:</p> <p>a) 12m between unscreened habitable rooms and balconies</p>	<p>C58</p> <p>Building separation:</p> <p>a) assists in providing residential amenity including visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook</p>	<p>Amendment Suggested:</p> <ul style="list-style-type: none"> Delete R58. <p>Comment and reasoning:</p> <p><i>As written, R58 is in direct conflict with rules within this code promoting zero (building to</i></p>

Rules	Criteria	Proposed Amendments with comment and reasoning
<p>b) 9m between habitable rooms and non-habitable rooms or screened habitable rooms</p> <p>c) 6m between non-habitable rooms or screened habitable rooms.</p>	<p>b) provides suitable areas for communal open spaces, deep soil zones and landscaping.</p>	<p><i>building) boundary setbacks in the PBZ and 3m (building to boundary) setbacks in the RZ</i></p> <p><i>R58 implies if development is carried out to zero boundary setback then neighbouring development must be setback minimum 6m and in most cases 9m – even if both walls are blank. If the development requires to be setback 9m from the side boundary on 95% of the sites within the INPC area, then it is left with zero land area to build on</i></p> <p><i>Note if the intent was to deal with interface between windows, rewrite R58 to clarify it is intended to deal with separate distances between WINDOWS not buildings</i></p>

ELEMENT 10: BUILDING CONTROLS

Rules	Criteria	Proposed Amendments with comment and reasoning
10.1 Ceiling Heights		
<p>R60</p> <p>All habitable rooms are naturally ventilated through windows in external walls.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Amendment Suggested:</p> <ul style="list-style-type: none"> • Delete R60 <p>Comment and reasoning:</p> <p><i>R55 is already doing this work. R60 is superfluous.</i></p>

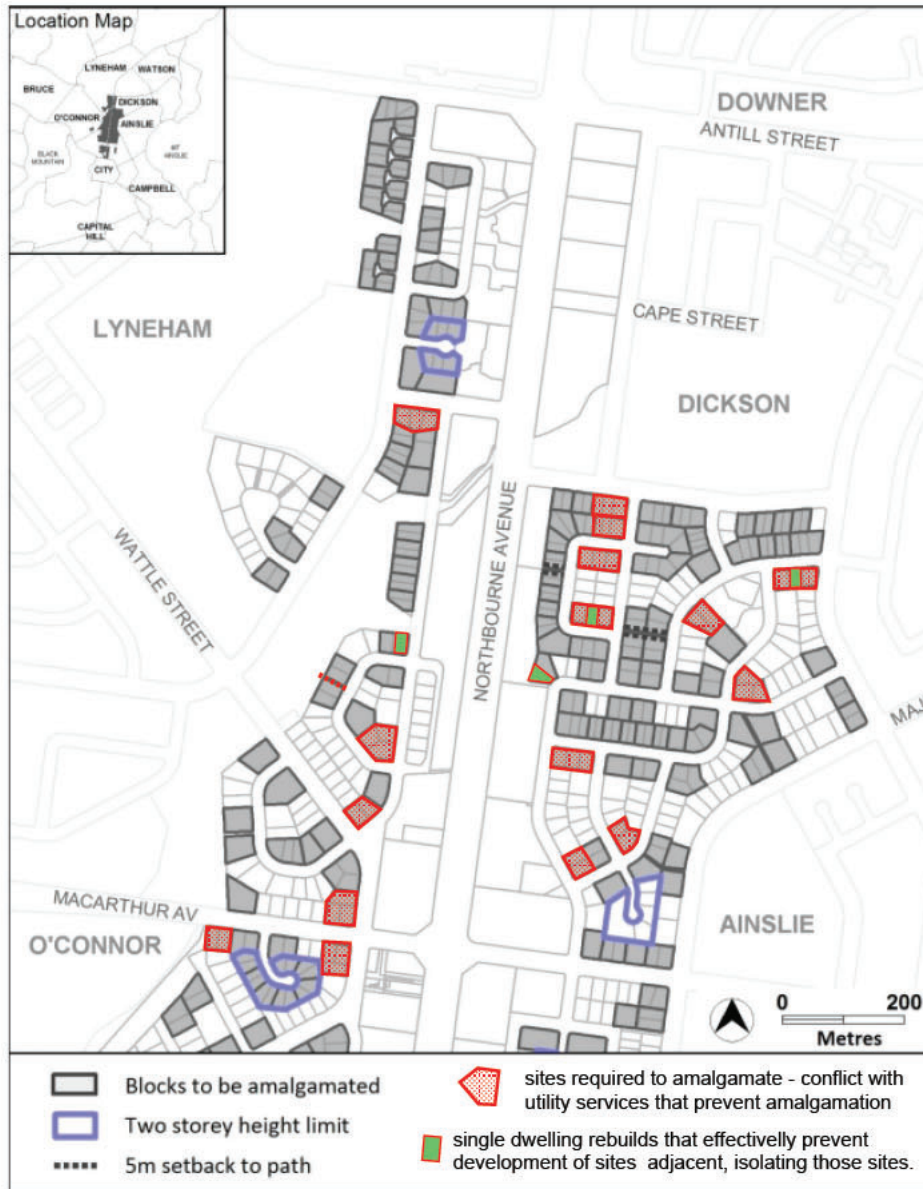


Figure 5: Additional requirements – north of Macarthur Avenue

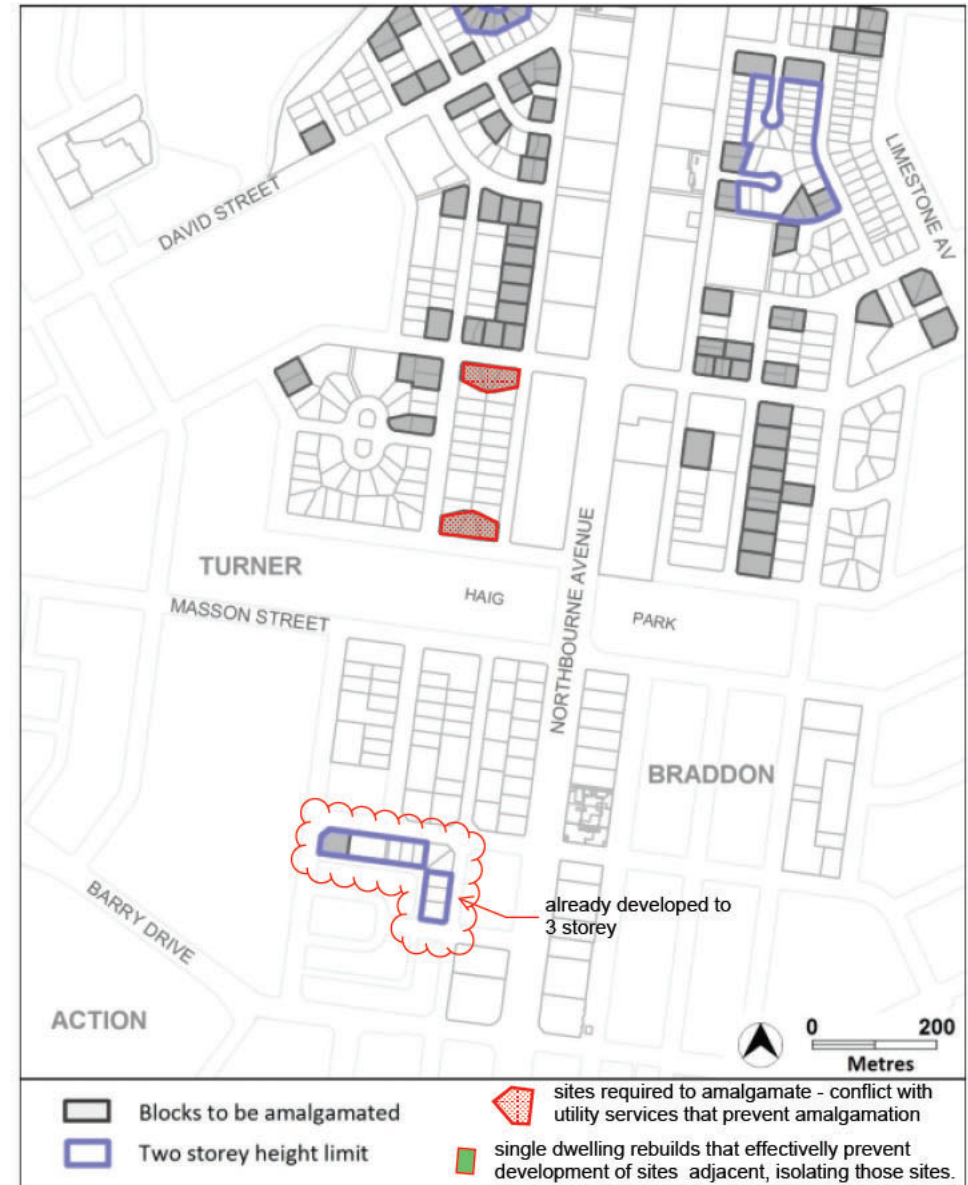


Figure 6: Additional requirements – south of Macarthur Avenue



Required block consolidation- blocks 1, 24, 25 Section 10 Dickson which fails to consider the many constraints that make 3 site consolidation impossible. This is typical of many remaining undeveloped sites requiring amalgamation. Note also that new single dwelling build on B25 prevents either neighbour from developing anything except a single dwelling.

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12 March 2020

Property Council of Australia (ACT Division) & the Master Builders ACT
Submission on Territory Plan Draft Variation 368 City and Gateway

The ACT built environment industry has a high level of interest in the implementation of the City and Gateway Urban Design Framework (the Framework) and welcome the next stage of the consultation process. This submission is made on behalf of the Property Council of Australia and the Master Builders (ACT).

The ACT Property sector is the second biggest industry in Canberra – behind public and health services – employing 1 in 7 Canberrans - equating to some 25,000 jobs– driving economic growth and renewal across our city.

Our sector is critical to the diversity of the economy and contributes 57.5% of all government revenue - more than any other industry, which funds our schools, hospitals, municipal, community and government services. Our contribution to renewing our city at a time of transformation and growth is immense.

As such, the Property Council of Australia and the Master Builders ACT note the intent of Draft Variation 368 is to achieve both updating the existing Precinct Code to be consistent with the National Capital Plan and implement the key planning recommendations of the City and Gateway Urban Design Framework from Barry Drive/ Cooyong Street to Mouat/ Antill Street. DV368 also has introduced provision of the Inner North Precinct Code that seeks to address a number of provisions that are outdated and require review.

In reviewing the documents, we note that the Codes are introducing additional provisions that are being introduced that have greater implications that requires greater review and consultation.

We note that the ACT Government has also announced a review of the Territory Plan and these additional provisions require greater consideration in a holistic manner against the suite of controls. This can then be viewed against the benchmarking of our planning system against other cities through the Territory Plan Review is appropriate and should inform any changes required for Canberra.

We believe that the review of the Inner North Precinct Code should be considered as part of the broader Territory Plan Review and should not form part of this Variation. We note that there are some more pressing controls within the Inner North that do require review, however these should be addressed by including criteria. No additional rules or criteria should only be considered in the overall Territory Plan review.

We have reviewed the Draft Variation controls and identified some concerns in relation to the impact these controls will have within the Northbourne Corridor and adjacent suburbs through the inclusion of the Inner North Precinct Code and provide the following comments below:

Key recommendations

- 1. The Territory Plan should not replicate provisions of the National Capital Plan as both have statutory effect. This un-necessarily complicates the process and can lead to inconsistencies. There is legal support for this.**
- 2. The draft variation are overly prescriptive, and includes a level of additional controls that require holistic review under the Territory Plan and ignores potential of incentive based provisions To achieve outcomes rather than statutory “sticks”**
- 3. We support the review of the Inner North Precinct Code but the review misses a larger need. These needs to be looked at holistically as part of the Territory Plan Review and should be formed following industry and community engagement Whilst we agree that there are a number of pressing concerns, these should be dealt with as amendment to include criteria. We believe that review and update of Inner North Precinct Code is therefore premature.**
- 4. The Variation has introduced a new type of controls that are not supported, These controls include a range of measures around minimum sizing, depth, windows etc. These were introduced by the NCA without engagement or consultation with Industry. These controls should not be included in the Territory and require greater consultation and review before adopted elsewhere in the Territory Plan.**
- 5. The wording of the Variation needs to be critically reviewed. There are examples where wording of rules reads as mandatory and failure of criteria to articulate the performance objectives to be achieved. Without clear and additional articulation of criteria and performance measures the level of subjectivity creates uncertainty and will likely become a matter for clarification by ACAT. The parking structures provision R40 is an example of this.**
- 6. We do not support mandated dwelling types as this is related to supply and demand of the market which in turn can impact on affordability and diversity and will impede development. The demand and supply for dwelling types is intrinsically linked and nuanced according to demographics and location as appropriate.**

Introduction

The development of an urban design framework for the Canberra CBD and northern gateway provide a once in a lifetime opportunity to achieve a great planning outcome for the nation's capital. The implementation of the Framework will coincide with the completion of the Canberra light rail project and a major urban renewal of public housing along the Corridor. It is critical that the new planning controls are appropriate to encourage the right form of development in the right location. We are supportive of the intent and objectives for the Corridor as the gateway to our city during such significant transformation of our city.

Recent population projections for the Australian Capital Territory (ACT) indicate that there will be more than 450,000 persons living in the ACT by 2022 and that will increase to more than 700,000 by 2060. Canberra's changing demographics over the next 30-40 years will see more people living in apartments in locations served by good public transport.

An additional 60,000 people are projected to live in the corridor between North Canberra and Gungahlin before 2058. It is important that the planning controls under development for the Northern Gateway are capable of delivering sufficient housing to meet future demand. Current projections show that we will need to deliver 5,000 homes every year to meet the needs of our growing population. The Corridor is ideally placed to do much of the heavy lifting – in line with the principles of Transit Oriented Development.

An accepted planning principle is for increased density to be located close to mass transit infrastructure. The light rail route is an appropriate location to accommodate greater density and building height.

Justification for the changes

It is understood the Framework project is a joint initiative between the National Capital Authority (NCA) and the ACT Government and this reflects the statutory arrangements embedded in the Australian Capital Territory (Planning and Land Management) Act 1988. There is shared interest in many parts of the study area and note the both the NCA and ACT Government have reasoned that as a result of this framework it was necessary to amend both the National Capital Plan (NCP) and the Territory Plan to give effect to the Framework.

In our joint industry submission made to the NCA Joint Industry Submission: National Capital Plan – Draft Amendment 91 (City and Gateway Urban Design Provisions) made in March 2019, we noted that the draft Framework was revised after the conclusion of the consultation process to respond to community concerns. This followed an endorsement of the final framework in December 2018, the final Framework was endorsed by the Commonwealth and ACT Governments.

We also noted that Draft Amendment 91 made significant changes to the Framework between the draft and final versions. The impact of the changes made between the

different versions of the Framework are poorly justified and we argued would deliver built outcomes that did not achieve the desired purpose and objectives.

We stand by these comments made to the NCA during that process and further, we have now received formal advice¹ about whether the proposed amendments in the Draft Variation are necessary to avoid inconsistency between the Territory Plan and the amendments made to the National Capital Plan.

As such we have formed the view that it is not necessary to amend the Territory Plan to incorporate the whole of Amendment 91 to the National Capital Plan as certain parts of that amendment are beyond the power of the National Capital Authority and therefore invalid. As they are invalid, no issue of inconsistency arises.

We attach the formal advice in full which sets out the reasons for the formation of this view.

However, we also would like to provide specific response to the Draft Variation in detail. These matters are discussed in turn below.

Housing Diversity Mandates

The proposed TPV includes provision of minimum standards for both the Northbourne Precinct and Inner North Precinct Code. This specifies that the maximum number of 1 bedroom and two bedroom and min number of 3 bedroom.

We do not support mandated dwelling types as this is related to supply and demand of the market which in turn can impact on affordability. If the Government is looking to better improve provision of 3 bedroom apartments, incentive based provisions should be explored and the Government should not try to direct the market.

The proposed TPV in its current form is not supported in that:

- The mix needs to be considered holistically to the additional provisions of minimum sizes, depths etc as this will further impact on commercial outcomes (and increase the cost of 3 bedroom)
- Greater consideration to apartment mix and facilities needs to be better considered than simply 1,2 or 3 bedroom. For example, provision of 2 bedroom + study (where study may not have same window etc), 2 bedroom, 2 bath etc as well as provision of communal and shared facilities.
- Inconsistencies in minimum sizes of room depths depending on number of bedrooms, balcony sizing etc
- The Rule/ Criteria would be better enhanced through consideration of improved performance objectives under criteria (with no corresponding rule) rather than limited explanations.

¹ PA Walker SC, Blackburn Chambers, 12 March 2020.

- This mix would be expected to differ depending on location and demographics.

Multi Unit Design Requirements

During the consultation with the NCA during the exhibition of Amendment 91, Industry raised concern regarding the provision of “select” provisions that replicated provisions under SEPP65 in relation to apartment design. The TPV seeks to add additional provisions within this context. The TPV also seeks to widen the application of the NCA provisions to the Inner North Precinct.

The Property Council and the MBA do not object to additional minimum standards, however these need to be considered in the context of the performance measures and consideration. There also needs to be wider consultation around a number of these specific measures prior to adoption and policy direction. These should not be applied until further review of the Territory Plan and specific elements that relate to medium density development are reviewed holistically.

A summary of the provisions not supported are shown below. Cells highlighted in grey are not supported for the following reasons:

- In the NCA 91 – NCA will have the ability to consider the design on its merit and not be subject to further review on its decisions. The TPV should not seek to replicate the NCP.
- Additional controls have been proposed over and above that of the NCA which creates further concerns when designing and meeting criteria. Some are also restrictive and seek to mandate nice to have with required controls. Other jurisdictions where these Guidelines apply have ability to consider in context.
- These controls should not be further extended outside of the Northbourne Precinct. The likely development type will be sufficiently different as not to read as different product types.

	NCA 91	TPV - Northbrne	TPV Inner North	Comment
Ceiling Height	Yes	R15	R59	Note NCA includes provision for the upper level of 2 storey to be 2.4 (clarification)
Ceiling Commercial	3.6	R15 (3.3)	No	This needs to be consistent
Minimum Size Dwelling	Yes	No	R54	
Master Bedroom Min dimension	No	R16	No	
Bedroom Min Dimension	No	R16	No	
Living Room 3.6/4m	No	R16	No	
Cross through min 4m	No	R16	No	
Dwelling Diversity	No	R19	R57	
Dwelling Size	Yes	No	R54	
Private Open Space	Yes	R30	R53	
Cross Ventilated	Yes	No	R61	
Operable Window Size	Yes	R28	R55	

It is also noted that by replicating some provision, it appears that there may be some inconsistencies (e.g minimum ceiling heights)

Language and Insufficient Criteria Objectives

The Code needs to be specifically reviewed to ensure:

- (1) The language under the Rule is not exclusive or limit the ability of the criteria unintentionally.
- (2) A number of Criteria have limited information/ basis to demonstrate alternate path or criteria resulting in largely subjective outcomes.

Examples:

Parking Structures - "R40"

" Vehicle Parking is only permitted in a basement. At grade, podium or other above ground vehicles parking is prohibited"

Criteria 40 then goes on to state " at Grade, podium or other above ground is only permitted where the following is met " (excerpt)

The wording is incorrect as the alternate is not prohibited as the criteria allows alternate measures.

An additional example above has been provided in relation to the insufficiencies of the housing diversity mix. This provision does not have sufficient alternate performance criteria that could be assessed.

Inner North Precinct Code – Removal of Out Dated Constraints

The review of Inner North Precinct Code in addition to the Northbourne Precinct Code needs greater consideration and its review appears high level. This is missed opportunity to undertake a more comprehensive review of the precinct in line with the ACT Government Urban Consolidation Objectives.

Whilst the Code seeks to add additional performance criteria the review does not review sufficiently enough other constraints that the Inner North Code entails. Key issues are identified below:

Inner North Precinct Code - Block consolidations

The block amalgamation figure appears to propose amalgamation of single blocks.

The amalgamation map does not appear to have been reviewed, merely updated which would explain why some of the amalgamations have already occurred.

A review of the amalgamation map would find that some of the amalgamations are made difficult by easements traversing them.

It is suggested that this rule could be changed to be more flexible through text rather than a prescriptive map, block consolidation of two to three blocks are encouraged to improve development of medium density dwellings.

The introduction of a criterion for the consideration of alternative block consolidation outcomes is welcomed to promote superior design outcomes and allow proponents who are unable to acquire the required consolidation blocks the opportunity to pursue development where previously their options were limited.

Consideration should be provided however to remove the figures 5 & 6 and rely on the wording/ rules and criteria. The plans are high level and do not reflect where some blocks may be further limited by utilities or other site constraints. Figures 5 and 6 also make further changes limiting development to RZ4 zoned blocks which are regressive and conflict with zone objectives.

It is noted that departure from the rule requires additional design work and consultant studies to support the alternative approach, which whilst not unreasonable, creates some uncertainty for proponents pursuing this development pathway

Inner North Precinct Code – Maximum Height 2 Storey (R45)

The limitation of height limits to two storey should be removed. These controls were put in place at a time where urban infill was not a policy objective. R45 limits development within Cul-de-sac to 2 storey along with a proposal to extend that 2 storey limit to a section within RZ4 zoned Lowanna Street in Braddon. This limitation is inconsistent with RZ4 zone objectives, which should be encouraging higher densities. The ability to achieve building heights will be controlled through the appropriate zone and development controls, including solar, setbacks etc.

Car Parking – Maximum Numbers

Further clarification is required for the application of the Car Parking provision. Further clarification is required to how the ratios have been developed and how they will be achieved. Additional consideration is required for:

- Clarification that this is to apply to multi-unit developments only.
- The numbers should be able to vary depending on the number of dwellings within a development. For example a Townhouse development with fewer multi-unit dwellings may require a higher number.
- Specify that the minimum number acceptable is zero.

The ability to address greater car park numbers for larger apartments needs to be considered in respect to change management to encourage diversity and re-sizing into apartment and multi unit living. The provision of car parking is likely to be a key decision in the short term and if Government objective is to increase number of three-bedroom dwellings, then review of ability to provide 2 spaces in the short term will be essential

Setbacks (R14/ R58)

The provision of setbacks appears to be generally inconsistent with what is able to be achieved already under the Multi Unit Housing Development Code or elsewhere in the proposed TPV.

For example:

R14 increases the setback to those that provide for minimum building separation requirements are generally greater than what is required to achieve privacy.

R58 conflicts with rules within the Inner North Precinct Code that promote zero setback (minimum rule is 6m).

The inconsistencies and achievement of separation in the context of adjoining existing development and different site characteristics may prove difficult in practice, and proponents will likely need to adopt the criterion to address this control which increases uncertainty in assessments. It also provides pathways to potential challenges for development that meets intent of the objectives.

Areas which need further consideration

Shop floor area per supermarket – This should be further reviewed, as it is likely that development along this Precinct will need additional retail. Small convenience (such as IGA/ Coles Express etc) requires at least 1000sqm. This requirement appears to be a hangover from the previous planning strategies around shopping centre distribution, however, misses opportunity to provide a level of service expected for such densities.

Restriction on Residential Use on Ground

- Support to increased flexibility to encourage a broader range of commercial and community uses however the limitations on residential need to be more greatly considered.
- Residential provided the dwelling itself does not address frontages specified (e.g rear of the building).
- Allowing uses that are ancillary to residential (e.g lobbies etc). We would also encourage allowing communal uses on the ground floor, noting that this creates a sense of activity and use.
- Controls introduced for the blocks located at the Macarthur Node to specify active uses will need to be considered against the building design controls introduced for these sites so that the specific operational requirements of these uses (waste, noise, access and the like) can be accommodated in design.

Passive Ventilation (R28/R55)

Rule 28 (Rule 55 Inner North Code) Mandate for Minimum Operable Windows Habitable rooms to have operable windows of no less than 15% of the floor area of the room.

For example, rooms such as a study are habitable rooms that currently do not require the inclusion of windows that can be internal to apartment floor plans would need to be located to external building facades to provide windows that meet the requirement of the rule.

Consideration to merit criteria to allow for media rooms or studies should be permitted, where other habitable rooms may satisfy this requirement. Additionally, further clarification is required around the definition of “snorkel”. Provided the window meets the requirements of the minimum glazed areas this should satisfy these requirements.

Rule 27 (Rule 56 Inner North Code)

Solar access no more than 15% of apartments receive no direct sunlight on the winter solstice. This rule is more onerous than solar access requirements under the Multi Unit Housing Development Code, which would permit up to 30% of apartments to receive no direct sunlight on the solstice and meet the requirement of the rule. Given the north-west orientation of blocks on the Northbourne corridor, the built form outcome on these sites may make achievement of this rule difficult in the context of other site and building design requirements under the Code.

Criterion 32 – Noise

Transmission of noise between habitable rooms is to be minimized. It is unclear how this criterion is to be applied in relation to the Environment Protection Regulation 2005 Noise Standards and how a proponent could successfully determine that internal noise has been minimised, as the criterion is strongly subjective.

Rule 60/61 – Passive Ventilations

Ventilation of all habitable rooms and minimum of 60% of dwellings to be naturally cross ventilated. Similar to previous comments, this control has a significant impact on the configuration of buildings and dwelling layouts and would potentially result in a reduced development yield and increased construction costs to achieve compliance.

Under the criterion, further advice is required on the appropriate performance measures to demonstrate that a comfortable indoor environment has been achieved.

Areas we are able to support

- Increased flexibility to encourage a broader range of commercial and community uses.
- The increase to the permitted height of buildings consistent with the National Capital Plan is required and will lead to improved building design outcomes.
- Agree with simplification of the setbacks (noting the comments above).
- Removal of rear zone coverage rule and associated criterion where a regulated tree was retained in the primary building zone.
- 6m front building setbacks - Where previously this rule was mandatory and often led to inferior building design outcomes, the introduction of a criterion to this control will promote superior design outcomes for the inner north.

Yours sincerely



Executive Director
Property Council of Australia



Chief Executive Officer
Master Builders ACT

March 2020

ADVICE IN RELATION TO DRAFT VARIATION 368 TO THE TERRITORY PLAN

1. We have been asked to provide advice in relation to Draft Variation 368, titled “City and Gateway” (the **Draft Variation**) to the Territory Plan.
2. Specifically, we have been asked to advise whether the amendments proposed in the Draft Variation are necessary to avoid inconsistency between the Territory Plan and recent amendments which have been made to the National Capital Plan. This is because part of the stated justification for the Draft Variation is to amend the Territory Plan by, “incorporating changes and updates to the Territory Plan to remain consistent with the National Capital Plan”; page 8 of the Draft Variation records that certain changes are proposed, “to make sure the Territory Plan is consistent with Amendment 91” to the National Capital Plan.
3. For the reasons set out below, it is our view that it is not necessary to amend the Territory Plan to incorporate the whole of Amendment 91 to the National Capital Plan as certain parts of that Amendment 91 are beyond the power of the National Capital Authority and therefore invalid. As they are invalid, no issue of inconsistency arises.

Invalidity of Parts of Amendment 91

4. There are numerous parts of Amendment 91 which are *ultra vires* the *Australian Capital Territory (Planning & Land Management) Act 1988 (Cth)* (the **PALM Act**).
5. The relevant functions of the National Capital Authority are contained in s 6 of the PALM Act. They are (*inter alia*):
 - to prepare and administer a National Capital Plan; and
 - (e) to foster an awareness of Canberra as the National Capital.
6. The object of the National Capital Plan is set out in section 9 and is as follows:

The object of the Plan is to ensure that Canberra and the Territory are planned and developed in accordance with their national significance.

7. Section 10 sets out matters to be covered by the National Capital Plan. Relevant matters are as follows:

10(1) – The Plan may specify areas of land that have special characteristics of the National Capital to be designated areas.

10(2) – The Plan:

shall define the planning principles and policies for giving effect to the object of the Plan and, in particular, shall set standards for the maintenance and enhancement of the character of the National Capital and set general standards and aesthetic principles to be adhered to in development of the National Capital;

may set out the detailed conditions of planning, design and development in Designated Areas and the priorities in carrying out such planning, design and development; and

may set out special requirements for the development of any area (not being a Designated Area), being requirements that are desirable in the interests of the National Capital.

8. The PALM Act divides the ACT into National Land and Territory Land and it provides for a National Capital Plan and a Territory Plan. The provisions set out above demonstrate that the purpose of the National Capital Plan is to ensure that Canberra is developed in accordance with its national significance. They do not provide for the National Capital Plan setting out detailed rules of design in relation to areas that are Territory Land. This conclusion becomes stronger when it is also read in light of the provisions of the PALM Act dealing with Territory Land and the Territory Plan.

9. Subsection 25(2) sets out the object of the Territory Plan as follows:

- a. The object of the [Territory] Plan is to ensure, in a manner not inconsistent with the National Capital Plan, the planning and development of the Territory to provide the people of the Territory with an attractive, safe and efficient environment in which to live and work and have their recreation.

10. It is the Territory Plan which is to define the planning principles and policies for giving effect to the object of the Territory Plan.

11. Subsection 25(3) also provides that the Territory Plan may include detailed conditions of planning and design and development of land in the priorities in carrying out such planning, design and development. No similar provision is made in the PALM Act for the National Capital Plan.
12. There is a provision in section 26 that the Territory Plan has no effect to the extent that it is inconsistent with the National Capital Plan, however this section presupposes the valid operation of the inconsistent provision of the National Capital Plan. To the extent that there has been an attempt to insert provisions into the National Capital Plan beyond what the PALM Act authorises, those provisions are invalid. The Territory Plan would apply in irrespective of the terms of the National Capital Plan if those terms were invalid.

Which provisions of Amendment 91 are invalid?

13. The National Capital Plan is a “legislative instrument” under section 5 of the *Legislative Instruments Act 2003* (Cth). While the provisions of Amendment 91 which are outside power are invalid, those which are within power continue to operate by virtue of subsection 13(2) of the *Legislative Instruments Act 2003*.
14. There are numerous provisions within Amendment 91 which are unquestionably valid and associated with the planning and development of Canberra in accordance with its national capital significance. Without specifically identifying all those provisions, they include provisions relating to Northbourne Avenue and the Federal Highway concerning height, set-backs, landscaping, length of buildings, articulation, light and shadow on the façade, building materials and quality, parking, balustrades and roof design, would appear to be proper and appropriately authorised provisions for inclusion in the National Capital Plan. These roads are main avenues and approach routes to the capital and are significant to it.
15. By contrast, detailed design provisions for developments occurring on Territory Land such as private open space, minimum balcony areas, ceiling heights, residential apartment

design, common circulation space, and environmental performance are matters which have nothing to do with national capital significance and are not appropriately included as detailed elements of design within the National Capital Plan.

16. A good example of an amendment which is beyond power are the changes to dwelling size and internal dwelling design discussed on page 14 of the Draft Variation. These building elements have nothing to do with the exterior presentation of any buildings and thus have no effect whatsoever on the national capital character of Canberra. Stipulating requirements such as these in the National Capital Plan is beyond the power of the National Capital Authority, and the Territory Plan should not be amended to incorporate these changes.

Conclusion

17. It is our view that the proposed amendments in the Draft Variation which propose to incorporate invalid elements of Amendment 91 are not justified by any perceived need to remove inconsistency. This is because there is no need to ensure consistency between invalid elements of the National Capital Plan and the Territory Plan.

18. If those provisions of the National Capital Plan impose significant cost on the ACT development industry, it would be open for the ACT Attorney General to test them before introducing amendments to the Territory Plan

19. We otherwise advise in accordance with the above



Blackburn Chambers

12 March 20020



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Protecting, promoting and enhancing the economic, cultural, social and environmental well-being of the residents of North Canberra

The North Canberra Community Council receives funding and support from the ACT Government

North Canberra Community Council Submission to the

Planning and Development (Draft Variation no.368) Consultation Notice 2019

The North Canberra Community Council (NCCC) believes that the Draft Variation no.368 (DV368) should not proceed to the Committee stage until there has been a more extensive consultation process. The NCCC believes that there are a number of outstanding issues relating to DV368 relating to heritage, planning and sustainability (more detail below) which need to be subject to further consultation and discussion. The NCCC would welcome the opportunity to work with the Environment, Planning and Sustainable Development Directorate (EPSDD) to facilitate this consultation and ensure that a wider range of stakeholders have had the opportunity to provide input to the DV during this challenging period.

Need for further consultation

Draft variation 368 (DV368), released on 12 December 2019, proposes a number of significant changes to the Territory Plan. Public notification between 12 December 2019 and 28 February 2020, during the period of catastrophic fires, record high summer temperatures, a state of emergency, disastrous air quality, a devastating hailstorm and the COVID 19 crisis, has massively reduced engagement. Fewer than a dozen independent submissions had been received by the deadline.

The changes proposed in the draft DV have a range of implications for North Canberra, including replacing two existing precinct codes with a new Northbourne Avenue Corridor Precinct Code (NACPC). Many community associations, social services and resident groups, together with close to 25,000 private households and over 20,000 ANU students and faculty are directly impacted by the proposed changes but are unaware of them. No presentations have been given to NCCC or to other community stakeholders.

This makes it very hard for the ACT government and the Planning Minister to state with any confidence that DV368 has received the scrutiny and been subjected to the level of debate and healthy discourse that good planning depends on.

Both the National Trust and NCCC rely on volunteers. The COVID-19 crisis has heavily affected the resources available to examine complex lengthy documents. This DV is 70 pages long, containing 10 appendices, but in order to make sense of the changes the reader must also refer to 5 separate suburban precinct codes, the Multi-Unit Housing Development Code, the Inner North Precinct Code and the Northbourne Avenue Precinct Code, the RZ4 medium density residential zone objectives,

and the Commercial Zones Development Code. The burden on community members is grossly unreasonable at this time.

We are aware that it is currently difficult or impossible to undertake normal forms of consultation. This is not a reason, however, to progress these significant changes without appropriate consultation. The NCCC is willing to work with the EPSDD to use its networks, including its ten Residents Associations, to facilitate a consultation process. We could circulate a recorded presentation (equivalent to the type of presentation normally given to NCCC public meetings) and facilitate an online Q&A forum which will give the EPSDD an opportunity to respond to the questions and concerns of residents about the proposed changes. The EPSDD could also consider preparing a short discussion paper as a basis for this consultation.

Concerns about DV368

1. Climate change impacts

In May 2019, the ACT joined many other cities, states and territories around the world in declaring a state of climate emergency, acknowledging the need for urgent action across all levels of Government. There is, however, no acknowledgement of this in DV368 and, indeed, one could read the DV without any awareness that it is proposing major changes to the urban plan in the midst of an emergency. In an environment characterised by extremes ranging from drought to severe storms and flooding, the DV should have an explicit consideration of climate impacts. As it is, however, it is vague about issues such as deep soil for tree planting and appears not to have incorporated modelling of transport impacts (or, if this modelling was undertaken, it is opaque in the DV).

The DV should, at the least, include an environmental impact analysis which would incorporate a traffic impact analysis.

2. Social and economic impacts

From a social planning perspective, DV368 warrants a thorough social and economic impact assessment. One of the big benefits of RZ4 close to public transport is the supply of compact housing in easy walking distance of a light rail node. Allowing commercial into a residential zone increases land value, making RZ4 into another flavour of a mixed use commercial zone. It changes traffic and noise, building standards, fire risks and insurance. It reduces the total stock of dwellings by allowing non-residential in the mix, which changes their cost per square metre, and increases the land value by offering the potential for a supermarket or offices on land that previously could only be used for residential. Boosting land value boosts rate revenue and almost certainly also increases dwelling prices both within the RZ4 zone and in neighbouring RZ3, RZ2 and RZ1 zones, so the net impact is to reduce the affordability of housing within reasonable walking distance of a public transport node and therefore encourage smaller units with less private open space and fewer parking spaces in new developments.

From a planning point of view, there are pros and cons. Competition with established local shopping centres could undermine their viability, since many of the local centres do not command high rents, are in direct competition with group and town centres and depend on local residents to journey to them. On the other hand, small convenience shops or medical offices in a development may be helpful to people who don't own a car. On balance, we would maintain that the benefits of consolidating services into local shopping centres that act as social hubs and meeting places, and offer relatively affordable commercial tenancy space on the first floor, are significant and there

should be tight controls on any proliferation. It makes sense to identify nodes that surround the light rail stations and focus services there, which the NACPC fails to do.

3. Heritage impacts

The threat to heritage and its contribution to place making, and long term sense of community cohesion and belonging and distinctive identity, are significant issues that DV368 fails to address in meaningful ways and are not picked up elsewhere. DV368 does not give sufficient weight to the principle of design within a heritage context and ensuring that heritage values and significance are not compromised. The area covered does contain heritage sites as is mentioned by the ACT Heritage Council on page 17 (except they fail to identify the Dickson and Lyneham Flats). Good urban design recognises heritage places and accepts that there should be consideration of heights and context when new buildings are placed beside or near heritage places. DV368 overlooks this and needs to be reviewed to provide a better urban design outcome.

The National Capital Design Review Panel is endeavouring to apply the principles of good urban design but if heights are permitted within planning instruments then it is virtually impossible to prevent maximisation of development and a poor outcome. DV368 needs to be amended to explicitly respect heritage places and ensure a good design outcome in an urban context. The places affected are those listed in the ACT Heritage Council advice on page 17 but also the vistas from Majura Avenue to Black Mountain, Havelock House, Dickson/Lyneham Flats, Holy Trinity Lutheran Church in Turner and SDA Church Turner.

There is a cursory mention of respecting the Griffin Plan as a key element in 2.15 but the design of the Macarthur node ignores his vision for Majura Avenue. We are extremely concerned about the loss of the vista to Black Mountain that is an intrinsic and fundamental part of the Griffin Plan, because the building heights that the NACPC requires (it stipulates that buildings on those 4 corners must be at least 80% of the specified height, a very unusual planning control) threatens to sever the landscape connection that makes the Majura Avenue approach route legible

Public open space is essential if the intensity of building as intended is realised. There is insufficient at present and the setbacks and lanes will not provide the open space and recreation space required. Assuming Haig Park can manage the total demand is not reasonable or suitable. More open space is essential if wellness and healthy living is to be considered let alone achieved.

4. Planning concerns

This is a complicated piece of legislation made up of a series of 10 Appendices that contain changes to 5 suburban precinct codes (Dickson, Lyneham, O'Connor, Turner and Braddon), together with a new Northbourne Avenue Corridor Precinct Code (NACPC) that redefines the corridor to include both the immediate corridor plus roughly double that on either side including some islands with no clear connection to the rest. No area data or breakdowns have been provided. Haig Park and some roads are excluded but most small roads and schools within the suburbs will be subject to the NACPC or directly adjoin land that is. There is no summary of which bits already exist and which are entirely new, and the reader is simply told that the codes have been "modernised" or "clarified".

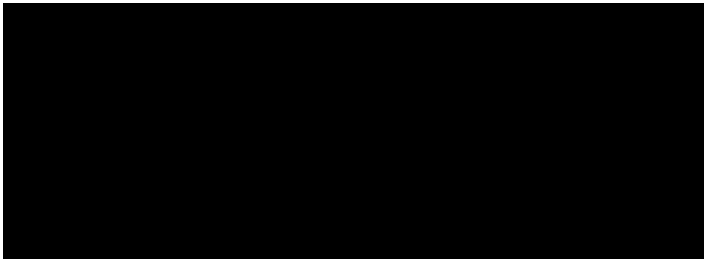
The new NACPC replaces 2 previous codes (Inner North and Northbourne Avenue), and while it's related to the earlier National Capital Plan amendment 91 it departs substantially from what was contained in that and references the National Capital Plan's special requirements only in the Introduction and not thereafter. From a statutory standpoint, the Introduction has negligible effect, which is legally neither satisfactory nor defensible. It places an unnecessary burden on ACAT to hear

arguments and determine to what extent ACTPLA is bound to have regard to the special requirements of the National Capital Plan.

The Explanatory Statement omits to mention that the dominant theme of both the National Capital Plan's new special requirements plus the final City and Gateway Framework document (that was jointly endorsed) was to significantly improve urban design outcomes and design quality by specifying tighter standards and rules for landscaping and built form. Neither the aims nor objectives are mentioned anywhere in the proposed NACPC, so from a practical point of view the rules and criteria have been divorced from the rationale.

The Explanatory Statement fails to mention a substantial revision to the RZ4 zone that occupies a large proportion of the land that DV368 applies to, or a substantial shift in the way that parking provision will be calculated, from a minimum rate to a maximum rate. Up until now, RZ4 has been a residential medium density zone. Commercial and retail floor space have been prohibited. DV368 switches off that prohibition in RZ4, which has important ramifications.

In summary, the NCCC believes that the outstanding issues in regard to DV368 require extending the consultation period and working with the NCCC and other stakeholders to raise awareness of these issues and engage in an effective consultation about them.



Chair
North Canberra Community Council
17 April 2020

Territory Plan Section
EPSDD
GPO Box 158
Canberra ACT 2601

Attn: [REDACTED]
via email to terrplan@act.gov.au

Dear [REDACTED]

Re: DV368 City and Gateway South Northbourne Avenue Corridor (notes added to this private submission)

Overview

The City and Gateway work dates back over 10 years, and was a collaborative undertaking between the Federal and ACT governments. To date it has resulted in a Framework document that sets up a general outline of a popular vision. The dominant theme of the Framework is about quality design in terms of built form and public space, with networks of open space and active travel cycling and pedestrian infrastructure linking areas, efficient nodes at key locations, and an inclusive social mix.

However the Framework is extremely vague about why that's not already the case given a modern planning system with multiple layers of legislation and administration, both a National Capital Plan and a Territory Plan, and numerous government Directorates and the ACT Heritage Council providing input and professional bodies providing training. The Framework is also extremely vague about how that new vision of urban design excellence will be delivered or what the costs and benefits will be in terms of traffic modelling, climate modelling, heritage and social and environmental and economic impacts. The National Trust made a comprehensive submission in relation to the draft Framework and its approach to heritage issues, which was ignored, as was North Canberra Community Council's.

This is again another ACT Government consultation questioned and ignoring comment/suggestions.

That final Framework document, released in mid December 2018, was followed by the NCA's amendment 91 to the National Capital Plan in mid January 2019, which was approved by the Federal Minister in under 3 months. The consultation process was rushed, the NCA denied many groups their urgent requests for further time to consider, and refused to release any background material or show modelling. The National Capital Design Review Panel, which had already been operating for over a year on an ad hoc basis, was made official. The National Trust made several representations in relation to the draft amendment and its likely adverse impacts on a fundamental element of the Griffin Plan, the Majura-Black Mountain landscape axis embodied in Majura Avenue and its vistas, and was once again ignored, as was North Canberra Community Council. Over 70 entities made submissions, almost all of which were summarily dismissed by the NCA in the rush to lock in the amendment before the federal election.

Draft variation 368 (DV368), released on 12 December 2019, proposes sweeping changes to the Territory Plan in the name of consistency with the National Capital Plan (which EPSDD wrongly claims is a requirement¹) but fails to clarify what those changes are or will mean. Public notification between 12 December 2019 and 28 February 2020, during the period of catastrophic fires up and down the coast with over a billion native animals killed, major loss of life and property, record high summer temperatures, a state of emergency, disastrous air quality and a devastating hailstorm, has massively reduced engagement. Fewer than a dozen independent submissions had been received by the deadline.

This is again another ACT Government consultation questioned and ignoring comment/suggestions.

¹ See Section 48 of the *Planning and Development Act 2007*

48 Object of territory plan

The object of the [territory plan](#) is to ensure, in a manner not inconsistent with the national capital plan, the planning and development of the ACT provide the people of the ACT with an attractive, safe and efficient environment in which to live, work and have their recreation.

DV368 departs from the NCA amendment in a number of key respects, without any explanation of why that would be or the implications. **Suspect implications are known (not good) so therefore say nothing.** For instance, DV368 prohibits places of worship and public assembly along Northbourne Avenue and specifies that retirement villages and supportive housing are prohibited on existing primary school and high school sites. It replaces 2 existing precinct codes with a new Northbourne Avenue Corridor Precinct Code (NACPC) which incorporates many statutory changes that are not documented anywhere in the preceding Explanatory Statement.

It introduces previously prohibited commercial and retail uses into the RZ4 zone. There has been no presentation given to North Canberra Community Council or other community stakeholders.

Both the National Trust and North Canberra Community Council rely on volunteers. Many community associations, social services and resident groups, together with close to 25,000 private households and approximately 20,000 ANU students and faculty are directly impacted by the proposed changes but are unaware of them.

The COVID-19 crisis has heavily affected the resources available to examine complex lengthy documents (this is 70 pages, containing 10 appendices, but in order to make sense of the changes the reader must also refer to 5 separate suburban precinct codes, the Multi-Unit Housing Development Code, the Inner North Precinct Code and the Northbourne Avenue Precinct Code, the RZ4 medium density residential zone objectives, and the Commercial Zones Development Code), analyse a gigantic body of legislative and policy content and prepare, distribute, discuss and revise considered submissions.

The burden on community members is grossly unreasonable at this time. Furthermore, given the track record to date, investing the time and energy would appear to be a total waste since so little heed has been paid. **This is again another ACT Government consultation questioned and ignoring comment/suggestions.**

Heritage concerns

DV368 ignores the principle of design within a heritage context and ensuring that heritage values and significance are not compromised. The area covered does contain heritage sites as is mentioned by the ACT Heritage Council on page 17 except they fail to identify the Dickson and Lyneham Flats. Good urban design recognises heritage places and accepts that there should be consideration of heights and context when new buildings are placed beside or near heritage places. DV368 overlooks this and needs to be reviewed to provide a better urban design outcome.

The National Capital Design Review Panel is endeavouring to apply the principles of good urban design but if heights are permitted within planning instruments then it is virtually impossible to prevent maximisation of development and a poor outcome. DV368 needs to be amended to explicitly respect heritage places and ensure a good design outcome in an urban context.

The places affected are those listed in the ACT Heritage Council advice on page 17 but also the vistas from Majura Avenue to Black Mountain, Havelock House, Dickson/Lyneham Flats, Holy Trinity Lutheran Church in Turner and SDA Church Turner.

There is a cursory mention of respecting the Griffin Plan as a key element in 2.15 but the design of the Macarthur node ignores his vision for Majura Avenue.

Public open space is essential if the intensity of building as intended is realised, to meet the needs of a very much larger resident population containing all age groups. The proposed setbacks and lanes will not provide the open space and recreation space required. **The denser the residential development the MORE need for open spaces and greater setback.** Assuming Haig Park can manage the total demand is not reasonable or suitable. More open space is essential if wellness and healthy living is to be considered let alone achieved.

Planning concerns

This is a complicated piece of legislation made up of a series of 10 Appendices that contain changes to 5 suburban precinct codes (Dickson, Lyneham, O'Connor, Turner and Braddon), together with a new Northbourne Avenue Corridor precinct code (NACPC) that redefines the corridor to include both the immediate corridor plus roughly double that on either side including some random islands with no clear connection to the rest. No area data or breakdowns have been provided. Haig Park and some roads are excluded but most small roads and schools within the suburbs will be subject to the NACPC or directly adjoin land that is. Lack of sequential page numbering in the draft makes it hard to follow. There is no

summary of which bits already exist and which are entirely new, and the reader is simply told that the codes have been “modernised” or “clarified”.

The new NACPC replaces 2 previous codes (Inner North and Northbourne Avenue), and while it's related to the earlier National Capital Plan amendment 91 it departs substantially from what was contained in that and adopts a peculiar technique of referencing the National Capital Plan's special requirements only in the Introduction and ignoring them after that. From a statutory standpoint, the Introduction has negligible effect. From a legal standpoint, this is neither satisfactory nor defensible. It places an unnecessary burden on ACAT to hear arguments and determine to what extent ACTPLA is bound to have regard to the special requirements of the National Capital Plan.

The Explanatory Statement is extremely superficial, and omits to mention that the dominant theme of both the National Capital Plan's new special requirements plus the final City and Gateway Framework document (that was jointly endorsed) was to significantly improve urban design outcomes and design quality by specifying tighter standards and rules for landscaping and built form.

Neither the aims nor objectives are mentioned anywhere in the proposed NACPC, so from a practical point of view the rules and criteria have been divorced from the rationale and show no regard for it.

There is no mention within the NACPC or Explanatory Statement of heritage as a consideration or a value. The Explanatory Statement fails to mention a substantial revision to the RZ4 zone that occupies a large proportion of the land that DV368 applies to, or a substantial shift in the way that parking provision will be calculated, from a minimum rate to a maximum rate. Up until now, RZ4 has been a residential medium density zone. Commercial and retail floor space have been prohibited. DV368 switches off that prohibition in RZ4, which has important ramifications. The effect of increasing building heights at the Macarthur node in terms of the vista to Black Mountain has not been addressed, and no 3D graphic representation has been made available to the public other than artists impressions. These are not helpful, as they frequently distort spatial depth of field and extent of landscaping to minimise the viewer's perception of scale and bulk.

Parking

5.2 Parking R37 This rule applies to multi-unit residential development in residential and commercial zones. The maximum parking provision rate is as follows: **Red number normal code**

- a) studio or one-bedroom dwelling – 1 space maximum
 - b) two-bedroom dwelling – 1.3 **1.5** spaces maximum
 - c) three or more bedroom dwelling – 1.5 **2** spaces
 - d) every 8 **4** dwellings – 1 visitor space
- Minimum and maximum parking provision rates contained within the relevant development or general codes do not apply. Note: Parking calculations are rounded up to the nearest whole number.

No reduction in parking requirement – if anything a slight increase as seen by the cars parking on the streets and nature strips with all the new local developments here in Braddon.

5.3 Parking structures R40 Vehicle parking is only permitted in a basement. At-grade, podium or other above ground vehicle parking is prohibited. **GOOD**

Core Issues

The City and Gateway project has taken government agencies a long time to reach this stage, but external scrutiny from community stakeholders all along has been minimal.

From a social planning perspective, DV368 warrants a thorough social impact assessment and urban design analysis that takes in heritage and connection to place. That is missing, as is any traffic impact analysis or environmental impact analysis or economic impact analysis.

The threat to heritage and its contribution to place making, and long term sense of community cohesion and belonging and distinctive identity, are significant issues that DV368 fails to address in meaningful ways and are in no way picked up elsewhere.

The process conducted as a whole suffers from a lack of rigorous scrutiny and underlying research and analysis and evidence, which discredits it. One cannot base a major planning initiative surrounding the primary and central approach route to the national capital on some flimsy sketches and a nominal set of prescriptive quantitative rules typically diluted by subjective criteria. Understanding what is there already,

what works well and what doesn't, and what the central objective is meant to be is fundamental. **Serious impact on amenity especially for those of us who live here.**

One of the big benefits of RZ4 close to public transport is the supply of compact housing in easy walking distance of a light rail node. Allowing commercial into a residential zone increases land value, making RZ4 into another flavour of a mixed use commercial zone. It changes traffic and noise, building standards, fire risks and insurance. It reduces the total stock of dwellings by allowing non-residential in the mix, which changes their cost per square metre, and increases the land value by offering the potential for a supermarket or offices on land that previously could only be used for residential. Boosting land value boosts rate revenue and almost certainly also increases dwelling prices both within the RZ4 zone and in neighbouring RZ3, RZ2 and RZ1 zones, so the net impact is to reduce the affordability of housing within reasonable walking distance of a public transport node and therefore encourage smaller units with less private open space and fewer parking spaces in new developments.

From a planning point of view, there are pros and cons. Competition with established local shopping centres could undermine their viability, since many of the local centres do not command high rents, are in direct competition with group and town centres and depend on local residents to journey to them. On the other hand, small convenience shops or medical offices in a development may be helpful to people who don't own a car.

On balance, I would maintain that the benefits of consolidating services into local shopping centres that act as social hubs and meeting places, and offer relatively affordable commercial tenancy space on the first floor, are significant and there should be tight controls on any proliferation. It makes sense to identify nodes that surround the light rail stations and focus services there, which the NACPC fails to do.

From a planning perspective, I am also concerned that DV368 contains a bundle of significant planning policy departures that are unexplained and untested. Any careful reading of DV368 will throw up many questions such as why certain land uses will be prohibited that were hitherto permitted, others will be permitted in the merit track that were previously prohibited, why DV368 only applies to the section south of Antill and Mouat, how new commercial uses introduced into the RZ4 zones will affect housing affordability, and compete with existing local and group centres, and what redevelopment will mean in terms of percentage of tree canopy cover in 5, 10, and 25 years time .

North Canberra Community Council has had no public meetings during the notification period. No presentation was announced or given to inform residents and businesses in the affected suburbs and take questions. To the best of my knowledge there have been no other attempts made to engage and inform the general public during this period or take questions. This makes it very hard for the ACT government and the Planning Minister to state with any confidence that DV368 has received the scrutiny and been subjected to the level of debate and healthy discourse that good planning depends on.

It seems to me that too much emphasis has been placed on distributing the highest yields to sites where the Commonwealth and ACT governments stand to profit, and too little emphasis on providing information and an accurate model that helps people begin to engage with the material. I would urge the EPSDD to postpone sending DV368 to the Minister and consider preparing a Discussion Paper to tease out the issues and invite broader public debate.

I remain extremely concerned about the loss of the vista to Black Mountain that is an intrinsic and fundamental part of the Griffin Plan, because the building heights that the NACPC requires (it stipulates that buildings on those 4 corners must be at least 80% of the specified height, a very unusual planning control) threatens to sever the landscape connection that makes the Majura Avenue approach route legible. **Surely better to graduate the corners from two or three storey increasing in height from the corners**

Kind regards,

██████████, Retired member Engineers Australia, and Australian Institute of Project Managers

██████████
Braddon 2612



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PATRON: The Hon Margaret Reid AO

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via email to terrplan@act.gov.au

Dear [REDACTED]

Re: DV368 City and Gateway South Northbourne Avenue Corridor

Overview

The City and Gateway work dates back over 10 years and was a collaborative undertaking between the Federal and ACT governments. To date it has resulted in four products:

1. a Framework document that describes a generally popular urbanist vision, but which in our view downplays heritage;
2. a National Capital Design Review Panel, now operating;
3. a National Capital Plan amendment that introduces special requirements to the Designated Area that the NCA directly controls; and
4. this draft variation, which encompasses parts of five suburban precincts, amends those, and creates a new instrument, the Northbourne Avenue Corridor Precinct Code (NACPC).

Heritage concerns

Our primary interest as a community stakeholder is to ensure that heritage values, heritage places, heritage buildings and objects are appropriately considered and respected, and that best practice is followed.

The period of public notification has been marked by a series of national emergencies relating to climate change issues and health. Considering that, we sought and received an extension, for which we were grateful. Having reviewed the material, including the submissions received, we wish to raise a number of concerns about the process as a whole and the content of this draft variation.

The Territory Plan's Statement of Strategic Directions provide a vital benchmark for evaluating whether this draft variation is consistent with the overall planning strategy for the Territory. The Statement highlights the importance of:

- community wellbeing and environmental quality;
- the maintenance of residential amenity;
- the need to safeguard sites for community needs;
- the preservation of open spaces; and
- the promotion of high quality/best practice development.

It includes the assertion that in the Plan “Particular care will be taken to ensure high amenity, quality design outcomes within residential areas, heritage areas ...”

The Statement also says, “Retention of Canberra’s unique landscape setting, including the integration of natural and cultural elements that create its ‘garden city’ and ‘bush capital’ qualities, will be accorded the highest priority. Special attention is to be given to safeguarding visual amenity, protecting vegetation and other important features within the established urban landscape, and ensuring the high quality of environmental design in new developments or redevelopment.”

In its submissions to date regarding both the Framework and the NCA’s amendment, the National Trust has argued that the cultural heritage of the inner North (its garden city and bush capital features, visual amenity, vegetation, and landscaping) is being downgraded and lost. We have argued that urban design and place making must be grounded in a contextual analysis that takes in heritage, acknowledges that heritage values form part of the definition of environment under the *EPBC Act*, and are a key consideration when assessing a proposal in the Merit or Impact tracks. In order to deliver that result, the draft variation’s rules and criteria, together with the zone objectives should in our view be revised to reflect and incorporate heritage significance and values.

The National Trust has repeatedly raised concerns about the likely adverse impacts of increased building heights at the Northbourne-Macarthur/Wakefield intersection on a fundamental element of the Griffin Plan, the Majura-Black Mountain landscape axis embodied in Majura Avenue and its vistas. There is a cursory mention of respecting the Griffin Plan as a key element in 2.15 but the design of the Macarthur node ignores his vision for Majura Avenue as an axis.

DV368 ignores the principle of design within a heritage context and ensuring that heritage values and significance are not compromised. The area covered does contain heritage sites as is mentioned by the ACT Heritage Council on page 17 except it does not identify the Dickson and Lyneham Flats. Good urban design recognises heritage places and accepts that there should be consideration of heights and context when new buildings are placed beside or near heritage places.

The National Capital Design Review Panel is endeavouring to apply the principles of good urban design but if heights are permitted or required within planning instruments then it is virtually impossible to prevent maximisation of development and a poor outcome.

Main points

DV368 needs to be amended to explicitly respect heritage places and ensure a good design outcome in an urban context. The places affected are those listed in the ACT Heritage Council advice on page 17 but also the vistas from Majura Avenue to Black Mountain, Havelock House, Dickson/Lyneham Flats, Holy Trinity Lutheran Church in Turner and SDA Church Turner.

Public open space is essential if the intensity of building as intended is realised, to meet the needs of a very much larger resident population containing a wide range of age groups. The proposed setbacks and lanes will not provide the open space and recreation space required. If Haig Park can manage the total demand is not reasonable or suitable. More open space is essential if wellness and healthy living is to be considered let alone achieved.

DV368 warrants a thorough social impact assessment and urban design analysis that takes in heritage and connection to place. *That is missing, as is any traffic impact analysis or environmental impact analysis or economic impact analysis.* The threat to heritage and its contribution to place making, and long-term sense of community cohesion and belonging and distinctive identity, are significant issues.

We reiterate our concerns about the *loss of the vista to Black Mountain that is an intrinsic and fundamental part of the Griffin Plan*, because the building heights that the NACPC stipulates threaten to sever the landscape connection that makes the Majura Avenue approach route to the city centre legible and memorable.

Kind regards



President

17 April 2020

[REDACTED]

[REDACTED]

[REDACTED]

Subject: late submission on DV368.

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

[REDACTED]

As discussed we see the need to make a late submission on DV 368- please forward this to whomever needs to receive it.

LATE SUBMISSION RE: DV368.

Overview;

It is our understanding DV 368 will need to bring the Territory Plan in line with the already approved NCA Amendment 91.

The one area where amendment 91 defers to the Territory Plan is in regard to building street setbacks for all affected streets, with the exception of Northbourne avenue where setbacks are mandated to be a minimum 10 metres by the current code, amendment 91 and DV 368.

In regard to streets intersecting Northbourne, DV 368 (as notified) shows a criteria based 6m, in lieu of the current codes mandated 10 m setback.

It is worth noting that the NCA Amendment 91 now requires much increased interbuilding / interfacing boundary setbacks. These setbacks grow from 3m (under the current code) to 9m for residential interfaces, and as residential make up the vast majority of all new buildings along the Northbourne corridor, this is most relevant.

The effect of this much increased inter building setback is that there is no room for, or apparent reason to maintain or take a step back to a mandatory 10m setback to streets intersecting Northbourne Avenue . This reasoning is represented in DV 368, where the mandatory 10m setback is replaced with criteria based assessment starting at a 6m setback.

Site assessments:

There are a number of corner sites that would be so affected by the combination of a 10M street setback and then a 9m side boundary setback (as required by NCA amendment 91) as to be rendered undevelopable, in which case the current buildings would remain in place until such time as this oversite is repaired.

We are engaged on 2 sites at the moment that are so affected:

██████████ BRADDON.

Our design review of this site shows that a 10m street setback and an associated 9m side boundary setback to development south of it on Northbourne avenue will result in a building just 8 metres wide. This is clearly an impossible outcome. It is worth noting DV 368 is recommending a zero setback on this site - which we support.

████████████████████ TURNER

is currently undergoing planning review , with a DA lodgement impossible until this issue of street setbacks is clarified. █ Northbourne has its corner address to █ Street. The █ street frontage of this site has a large EVO energy chamber substation on a zero setback. This substation is proposed to be upgraded and will grow in size and stature.

We have proposed a zero building setback to █ Street to enable the larger chamber substation to be hidden within the building fabric. This design outcome has been supported by the CRA, NCA and has EPSDD support- subject to the outcome of DV 368.

We therefore are submitting that the DV 368 “as notified” 0-6m setbacks for streets intersecting Northbourne should be retained in the final version of DV368.

Regards,

██████████
██████████████████

██████████
██████████



██████████
Turner ACT 2612

██████████

Please notify us if you're arriving from interstate prior to attending any appointments.

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Australian Government
National Capital Authority



ACT
Government

CITY AND GATEWAY URBAN DESIGN FRAMEWORK

DECEMBER 2018



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FOREWORD

New development and urban renewal of Canberra's gateway corridor to the city centre, through the Federal Highway and Northbourne Avenue, creates a once in a lifetime opportunity to lay the foundations for a new trajectory of sustainable growth and contemporary urban life.

Cities around the world are measured on how well they support healthy, vibrant and productive lifestyles. With new development along the corridor and in the city centre, opportunity exists to shine a light on a 'grown up' Canberra that confidently complements its symbolic and functional significance as the Nation's Capital with sustainable urban design for an improved user experience and sense of identity.

This City and Gateway Urban Design Framework sets out principles designed to achieve high quality buildings, urban infrastructure, public places and streets that all have one thing in common – they are designed for people and protect the environment. This Framework guides ongoing development and urban renewal to ensure it benefits all Canberrans. It will deliver a city centre and gateway corridor that all Canberrans will be attracted to because of the improved quality of the public domain and buildings and the additional employment and recreation opportunities. Sustainable transport options will also mean that more people can easily access our city with additional spaces for pedestrian and business activity.

A city of design excellence attracts talent and allows residents greater choice in their lifestyle – how and where they live and the places they visit, work and socialise in. Good urban design has people at the forefront and will ensure Canberra continues to be recognised as a liveable, innovative and prosperous place where local urban culture, entrepreneurship and diversity is nurtured in harmony with the natural environment.



Mick Gentleman MLA
Minister for Planning and Land Management

December 2018



Terry Weber
Board Chair, National Capital Authority

December 2018

EXECUTIVE SUMMARY

The Australian Government through the National Capital Authority (NCA), and the ACT Government share planning responsibility in the ACT. The City and Gateway Urban Design Framework (the Framework) has been jointly prepared by the NCA and ACT Government to set the principles for development and growth in the city centre and along the gateway corridor of Northbourne Avenue and the Federal Highway.

Urban renewal and continued growth in the city centre and along this corridor provide a unique opportunity to revitalise central Canberra, demonstrate design excellence and celebrate Canberra's unique landscape character while placing high value on human scale public places that prioritise pedestrians, cycling and public transport. It will enable more people to live and work close to sustainable transport options, services and infrastructure.

Purpose of the Framework

The City and Gateway Urban Design Framework sets expectations and guides future development and urban renewal in the city and gateway corridor. It will ensure a unified landscape and built form that responds to vision, place, community, character and function.

The Framework provides a collective long-term (2030+) vision and principles for this important location along four major planning themes, drawing upon the legacy of historic planning and contemporary design (**Figure 1**):

- City shape and urban built form
- Access and movement
- Better places and streets
- Sustainable communities and urban culture.

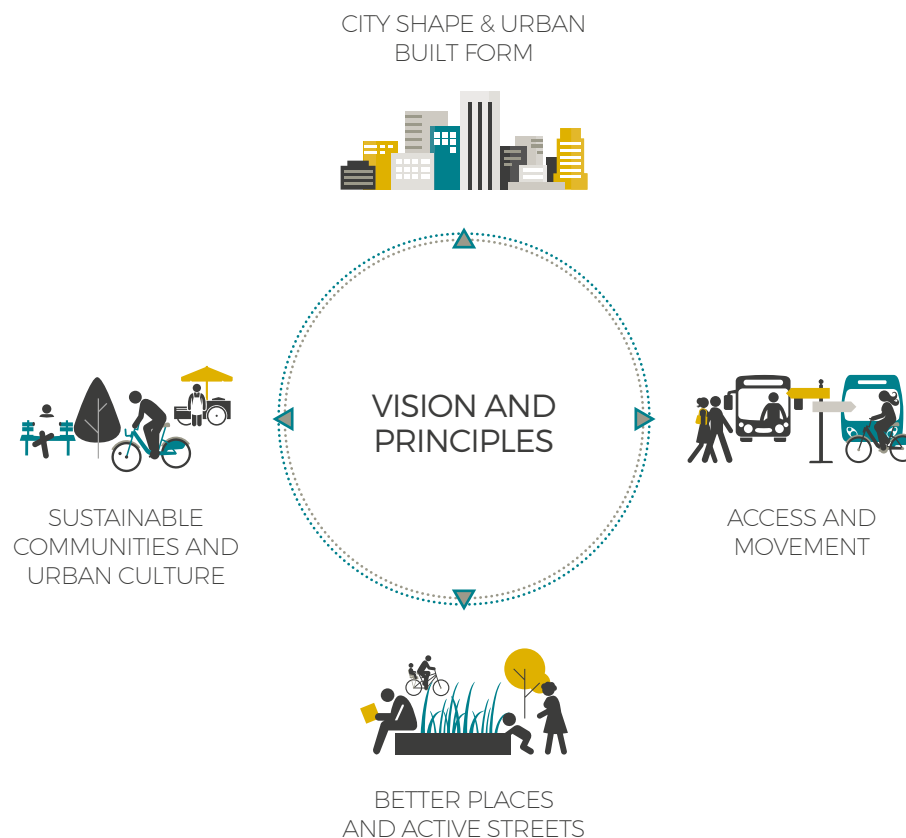
City shape and urban built form

Canberra's unique landscape character and innovative, sustainable design of buildings are celebrated through revised planning and design principles.

The transition from the rural bushland to the city centre is articulated through distinct character areas that signal the approach to the National Capital. These areas reflect how the landscape character blends with the respective urban form. For each character area, there is planning and design guidance on the requirements for building setbacks and heights, landscape zones and building interfaces.

By requiring mid-block pedestrian links and cycle paths through blocks facing Northbourne Avenue, improved east-west access and permeability of sites can be achieved.

FIGURE 1: A framework for a collective vision and principles



Access and movement

Light rail, integrated with the bus network, will provide frequent, reliable and high-amenity public transport in the corridor. Improved walking and cycling connections suitable for all ages and abilities will also increase options for sustainable movement along the corridor, especially for short trips.

A user focused movement and place approach will be adopted to provide safe and effective journeys and while also considering increasing numbers of pedestrians, cyclists and public transport users in this important urban renewal corridor. This movement function will be balanced with recognising the increased place function and activities expected at locations such as the city centre, node and public transport station locations.

Changes to the movement and place function of Northbourne Avenue resulting from urban renewal will balance increased demand for local trips and through traffic and private vehicles with public transit and active travel modes. The wider road network, including the peripheral parkway system, will provide supporting and alternative routes for traffic currently moving through the corridor and city centre. These changes will recognise broader user needs and functions including pedestrians and economic and social activity within the corridor.

Better places and streets

Placemaking principles will guide the creation of better places and streets with the transformation of a series of strategically important open spaces, public places and streets into inclusive, safe and inviting places that service the people who live in, work in or visit the city and gateway corridor. Key opportunities include creating a series of destination parks in key locations such as Haig Park and Sullivans Creek, and transforming Northbourne Avenue between the heritage-listed Sydney and Melbourne buildings (adjacent to the Alinga Street light rail stop) into an urban plaza with increased places for pedestrians, cyclists, outdoor cafes and landscaping and improved use of the heritage places.

Sustainable communities and urban culture

Providing diverse open spaces and developments with cultural and recreational facilities support a vibrant, diverse and connected community. A wider variety of cultural activities and a stronger evening and night-time economy is supported by renewing public spaces and buildings, and promoting mixed use development.

Active living for improved health and wellbeing requires spaces that enable workers, residents and visitors to incorporate physical activity into their daily lives. Collaborative planning and delivery is required to enable facilities and services to adapt and expand to meet changing community needs.

Urban renewal provides the opportunity for a broad cross-section of Canberrans, regardless of age, household size or tenure, to enjoy living in the city and gateway corridor. It will also help contribute to a zero emissions city that remains highly liveable in a changing climate.

Steps to implementation

Planning controls

Implementation of the Framework will require changes to the planning controls along the corridor. The dual planning controls of the National Capital Plan and Territory Plan require changes to both plans to ensure they are consistent in accordance with the [Australian Capital Territory \(Planning and Land Management\) Act 1988](#). Changes to their respective plans will be undertaken by the NCA and by the ACT Government through the Environment, Planning and Sustainable Development Directorate (EPSDD).

Changes to planning controls for the city and gateway corridor will reflect and support the Framework's objectives, and will include leading practice, performance based controls and design guidance that promote design excellence.

Infrastructure

Infrastructure improvements are required to accommodate increased densification, including upgrades to pedestrian and cycle routes to enable alternative transport options, stormwater and a renewed focus on open space and public domain to encourage active living for healthy communities. Social infrastructure, in particular, the provision of adaptive, flexible and integrated spaces are needed to support liveable communities.

Any infrastructure investments in the city and gateway corridor will be subject to future budget decisions.

Implementation agencies

The City Renewal Authority (CRA) and the Transport Canberra and City Services (TCCS) Directorate have leading roles in coordinating, implementing and maintaining the physical changes to the corridor. This includes management of new development, construction of light rail, improved transport and active travel infrastructure upgrades, improvements to the open space in Haig Park and along Sullivans Creek, city centre activation, stormwater upgrades and land release. An implementation project will be subject to future budget decisions.

There are also a number of ACT Government directorates who work collaboratively to efficiently plan and deliver the necessary health, education, sport and recreation, and arts and cultural facilities for a growing and changing community.

'...WHAT THE 'BUSH CAPITAL' LACKS IN
BIG-CITY TOUSLE, IT MAKES UP FOR IN
BIG-SKY BEAUTY, BREEZY CIVIC
PRIDE AND A DECIDEDLY HIPSTER
UNDERBELLY'

NEW YORK TIMES, EMMA PEARSE, 5 JUNE 2014



INTRODUCTION

The City and Gateway Urban Design Framework (the Framework) has been jointly prepared by the National Capital Authority (NCA) and ACT Government to set the principles for development and growth in the city centre and along the gateway corridor of Northbourne Avenue and Federal Highway.

Canberra's main avenues and approach routes have historically been subject to rigorous planning scrutiny by the NCA, and care has been taken to ensure suitably high standards of development and landscaping. A traveller's first perception of a city's character is gained upon approach and arrival. Design policies can ensure that travellers are immediately aware of the special symbolic and functional significance of the National Capital.

Urban renewal along this corridor and in the city centre provides an opportunity to revitalise central Canberra, demonstrate design excellence and celebrate Canberra's unique landscape character while placing more value on public places that prioritise pedestrians, cycling and public transport and the provision of social infrastructure required for sustainable communities.

Purpose of the Framework

The City and Gateway Urban Design Framework sets expectations and guides future development and urban renewal of the corridor. It will ensure a unified landscape and built form that responds to vision, place, community, character and function.

The Framework provides a collective long-term (2030+) vision and principles for this key corridor along four major planning themes, drawing upon the legacy of historic planning and contemporary design:

- City shape and urban built form
- Access and movement
- Better places and streets
- Sustainable communities and urban culture.

The Framework sets the policy context for the city and gateway corridor to ensure broader urban renewal and community benefits are achieved, including new business and lifestyle opportunities. It integrates existing government initiatives with long-term growth management and city shaping strategies and capitalises on the investment in Light Rail Stage 1.



Planning context

The Australian Government through the NCA, and the ACT Government share planning responsibility in the ACT. This includes a joint interest in and responsibility for development of the city centre, Northbourne Avenue and Federal Highway corridor. The NCA develops planning policy for their areas of responsibility, while the ACT Government implements this policy through the development assessment process and undertakes planning for the remainder of the Territory.

The role and responsibility of the NCA includes planning and design of the areas of special national significance within Canberra. Areas for which the NCA has planning responsibility include main avenues and approach routes. The Federal and Barton Highways form a principal northern approach route to the Capital, transitioning into Northbourne Avenue. The NCA's planning framework ensures that the bush capital character of the city is preserved.

The NCA has established design policies intended to guide development of the main avenues and approach routes to ensure the special significance of the approach to the National Capital is protected. These policies, contained within the National Capital Plan (NCP), provide for:

- marking the boundary of the ACT
- establishing a clear and identifiable route from the boundary to the symbolic centre of the city, by providing visual cues and strong structural links, for example, avenue planting
- building up expectations by progressively formalising the design character as travellers approach the Central National Area
- enhancing views to recognisable and popular images of the National Capital so as to further build expectation and define the approach
- ensuring that the structure, detailing and signage is consistent along each approach route into the National Capital.

Changes to the NCP and Territory Plan will help guide sustainable design outcomes in development. This Framework shall be read in conjunction with the NCP, any associated DCP and the Territory Plan.



National Capital Plan

The NCP is the strategic plan for Canberra and the Territory. It ensures that 'Canberra and the Territory are planned and developed in accordance with their national significance'. The NCP defines areas that have the special characteristics of the National Capital to be 'Designated Areas'. Having regard to approach routes and main avenues, the objective for planning and development is to establish and enhance the identity of the approaches to the Central National Area as roads of national significance and, where relevant, as frontage streets for buildings which enhance the National Capital function and as corridors for inter-town public transport.

There are some areas outside of the 'Designated Areas' that are important to the National Capital but not to the extent of Designated Areas. These areas are subject to Special Requirements additional to the requirements of the Territory Plan.

The Territory Plan

The object of the Territory Plan is to ensure, in a manner not inconsistent with the NCP, the planning and development of the ACT provide the people of ACT with an attractive, safe and efficient environment in which to live, work and recreate.

Outside the Designated Areas identified in the NCP, development approval is the responsibility of the ACT Government's planning authority and subject to the Territory Plan.

Changes to the planning controls as guided by this Framework will require a variation to the Territory Plan with changes to relevant Precinct Codes.



Development Control Plans

The NCP sets out Special Requirements for development of areas in the interests of the National Capital that are not 'Designated Areas'. These areas include land fronting the main avenues and approach routes to the National Capital.

In general, Special Requirements require the preparation of DCPs which are approved by the NCA to guide development in association with the Territory Plan.

Northbourne Avenue is subject to Special Requirements, however a DCP is not required. The NCA's interests in this avenue are reflected in a series of principles and policies contained within the NCP.

The subject sites are adjacent to:

- Northbourne Avenue, which is a Main Avenue as defined in the NCP
- the Federal Highway, which is an Approach Route as defined in the NCP.

The Griffin plan for Canberra

Walter Burley Griffin and Marion Mahony Griffin's plan for 'the ideal city' envisaged a place where the city and its landscape setting were in harmony.

The Griffin plan for Canberra created a showplace for the nation: a 'great democratic city' intended to provide a high quality of life for all of its citizens. Elements of the plan reflect these ideals, with generous provision of public open space, recreation and sporting facilities, cultural institutions, grand vistas and commemorative landmarks. The influence of contemporary planning and design ideologies at various stages of the city's evolution, combined with changes in its leadership and governance, have resulted in a multi-layered and responsive planning framework. The Griffin plan continues to provide the underlying blueprint and soul of the city, and ideas developed in successive planning initiatives continue to be influential in current planning policy, including:

- The Future Canberra (1965)
- Tomorrow's Canberra (1970) introducing 'new towns' and the Y-Plan
- The Griffin Legacy (2004)

The Griffin plan intended to be enduring and provides a robust framework that supports the city's growth in changing conditions. It is resilient and provides flexibility to changing needs in areas such as technology, demography, and economics. Canberra's structure reflects many components of the plan, however a number of its aspirations were never fully realised. Alterations to the plan, new plans and changing social trends over the past century have continued to influence the refinement of the planning framework, a process that must continue in order to ensure Canberra remains relevant, competitive and liveable.

Heritage

The ACT is rich in natural, architectural and cultural heritage. There are a number of sites with heritage significance within the city and gateway corridor, including:

- **Haig Park** - a registered heritage place with significance as a landscape feature and a planned mass planting of multiple tree species.
- **Sydney and Melbourne buildings** - heritage listed buildings with heritage values pertaining to Canberra's early planning and architectural history.
- **Northbourne Housing Precinct Representative Sample** – an important contribution to the development and provision of public housing in post-war Canberra.
- **Sullivans Creek** - recognised as containing heritage values of significance to Canberra's Aboriginal, settler, migrant and shared history.

The ACT Heritage Register contains further information about all heritage places and objects that have been nominated, provisionally registered and registered.

The ACT Heritage Council is responsible for the conservation and management of heritage places on the ACT Heritage Register. The Council's advice and/or approval is required for development affecting heritage places within the city and gateway corridor. The ACT Government has an obligation to ensure that identified assets are appropriately conserved, protected and managed in accordance with the [Heritage Act 2004](#).

ACT Government catalyst projects

The delivery of light rail is a strong catalyst for encouraging urban renewal, sustainable development and new investment in the city and gateway corridor. The first stage of light rail will link Gungahlin, Canberra’s fastest-growing residential district, to the city centre with high-frequency light rail services.

As part of the Commonwealth Government Asset Recycling Initiative (ARI), the ACT Government is embarking on the largest renewal of old government buildings and public housing in the history of self-government. This opens key sites in the gateway corridor for urban renewal, creating opportunities to re-imagine and redevelop significant parts of the corridor. Outdated government buildings and public housing are being replaced with quality modern residential and commercial development.

Area subject to the Framework

The area subject to the Framework (**Map 1**) includes the city centre and the linear corridor roughly 1km east and west of Northbourne Avenue (the city and gateway corridor), extending from Lake Burley Griffin to the Federal Highway up to the ACT border. The area is characterised by a mix of residential, commercial, community and open spaces.

It is important to note that the transport and movement section of the Framework takes into account the broader metropolitan context of north Canberra, including the peripheral arterial network of Gungahlin Drive and Majura Parkway.

Population growth

Canberra’s population growth is anticipated to reach around half a million people by 2031. The population of the city and gateway study area, currently about 54,000, is projected to reach 71,000 by 2031.

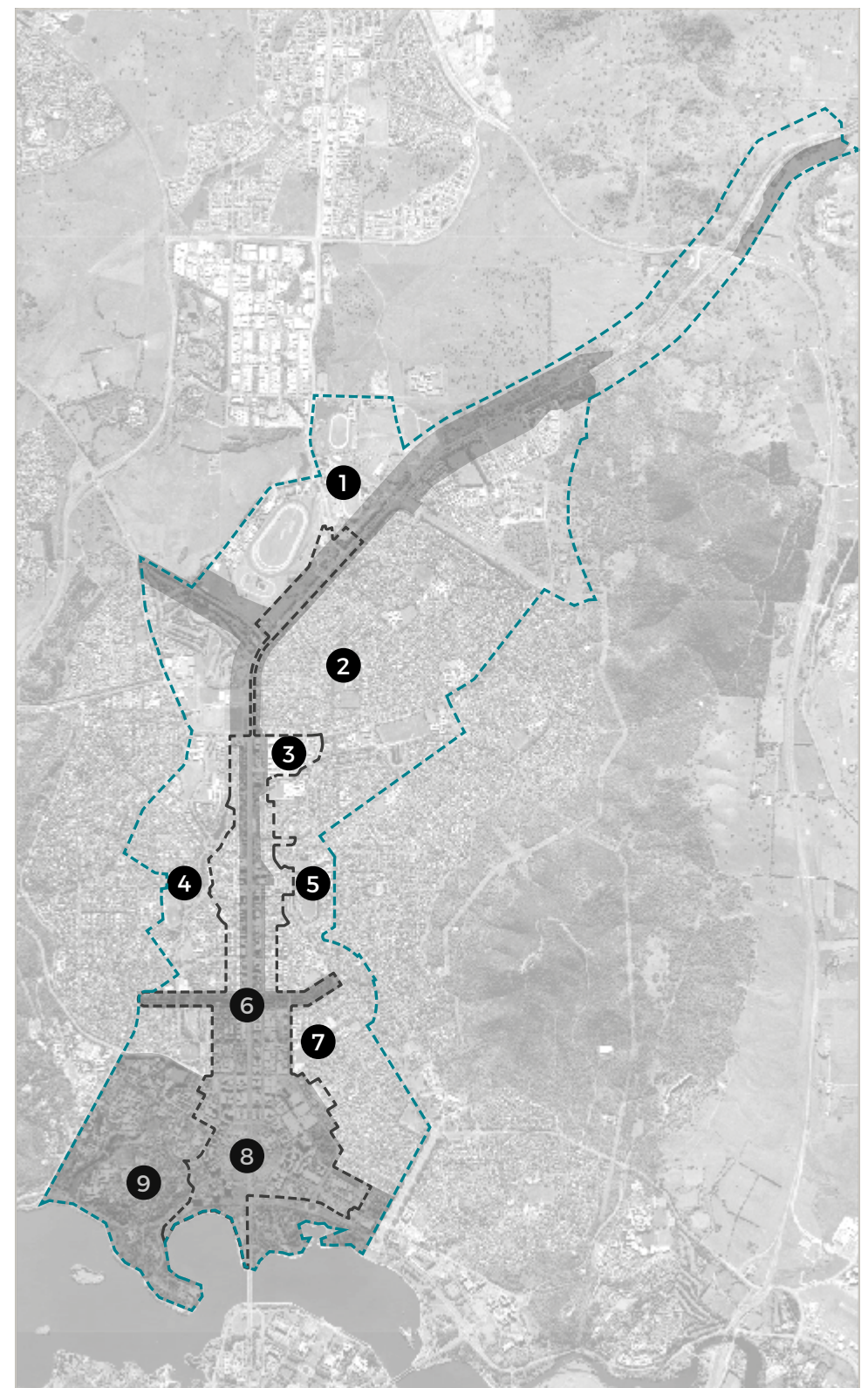
Population growth in the city and gateway corridor must be carefully managed to ensure it builds, rather than diminishes, the attractiveness and liveability of our city. It will be important to ensure that development delivers a variety of housing, services and facilities that support a diverse urban community, and generates economic benefits.

TABLE 1: Estimated population growth in the City and Gateway study area

STUDY AREA	ESTIMATED POPULATION		
	2016	2031	CHANGE BETWEEN 2016 AND 2031
City, Acton, Reid and southern Braddon	9,050	15,200	6,150
Corridor along Braddon, Turner, O’Connor, Lyneham, Dickson	13,100	16,500	3,400
Corridor along Downer, Watson, Lyneham and Mitchell	7,500	11,600	4,100
Surrounding areas of Inner North adjacent to study area boundary	24,500	28,000	3,500
Total study area and surrounding areas	54,150	71,300	17,150

SOURCE: ABS and EPSDD 2016

MAP 1: Area subject to the Framework



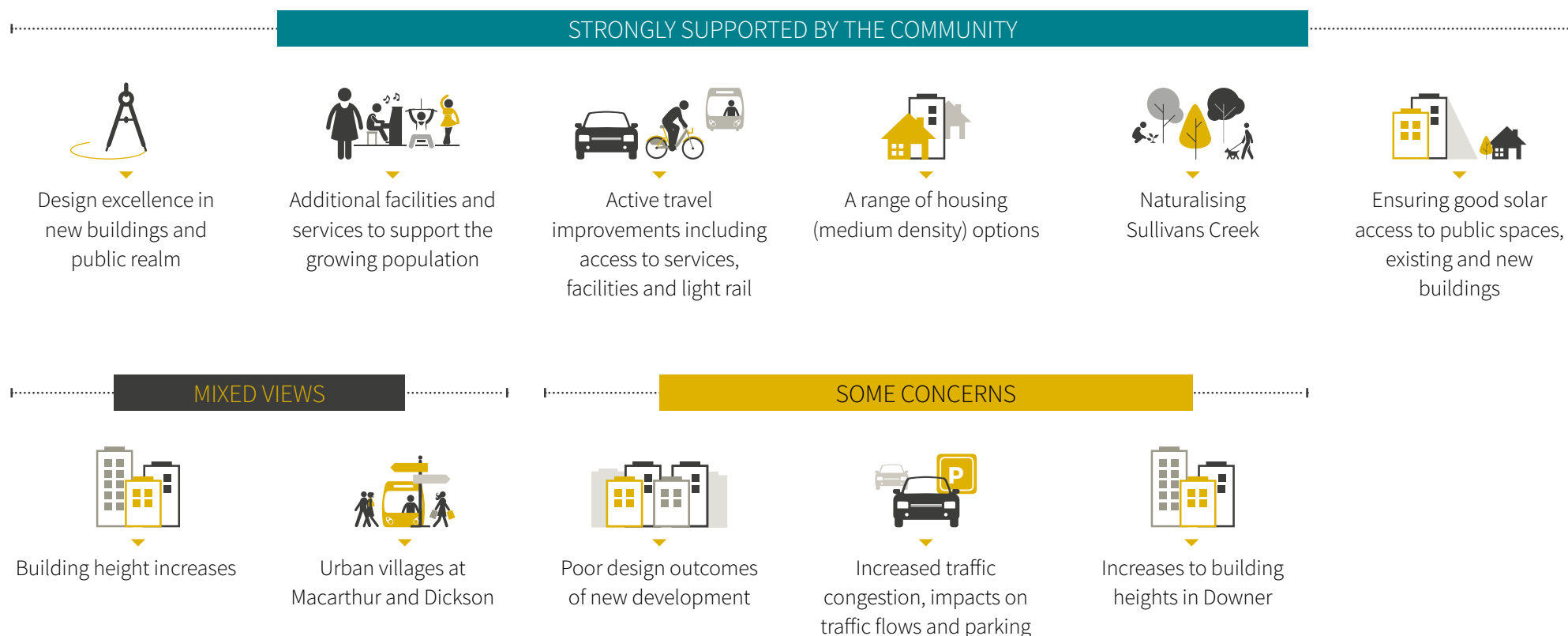
- Study Area
 - City Renewal Authority area of responsibility
 - NCA area of interest
- | | | |
|------------|--------------|----------------|
| 1. EPIC | 4. O’Connor | 7. Braddon |
| 2. Downer | 5. Ainslie | 8. City Centre |
| 3. Dickson | 6. Haig Park | 9. ANU |

Messages from the community

Stage 2 community engagement on the Draft Framework was undertaken between 1 March and 6 May 2018. This process built upon the outcomes of Stage 1 engagement on the City and Gateway Urban Renewal Strategy Discussion Paper, which was undertaken by the ACT Government during 2015-16. The purpose of Stage 2 engagement was to provide feedback about the changes proposed for the City and Gateway Corridor and seek feedback from the community, key stakeholders and government agencies.

Stage 2 engagement involved a range of activities including 'Meet the Planners' sessions, meetings with community groups, a community workshop, government interagency meetings, presentations to key stakeholders and online engagement platforms. The process resulted in the receipt of 145 written submissions. Key messages are summarised in **Figure 2**.

FIGURE 2: Key messages from Stage 2 community engagement



Further information about Stage 2 community engagement is provided in the City and Gateway Draft Urban Design Framework Community Engagement Report – Stage 2.



Spatial Framework

The Spatial Framework map (**Map 2**) sets out the long-term structure of the city and gateway corridor. It shows how land use, public domain and connections could be arranged and delivered. The Spatial Framework map articulates an integrated vision for this key corridor, drawing upon the National Capital's rich planning legacy and bringing key ACT Government initiatives together.

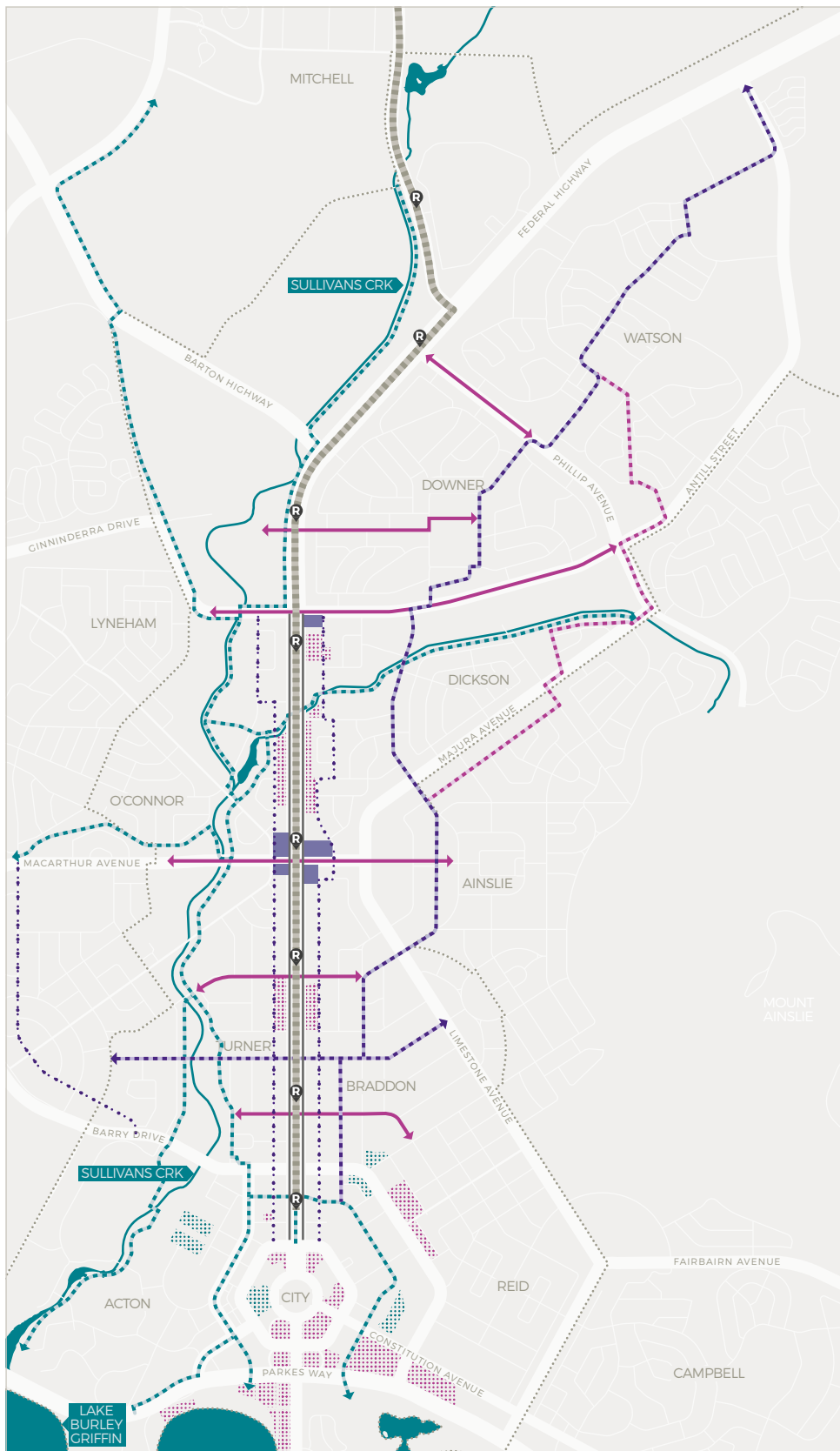
Northbourne Avenue and the Federal Highway form a central spine through Canberra's Inner North. The introduction of light rail, combined with coordinated renewal activity could support the long term revitalisation of the corridor to achieve the following strategic outcomes:











- Sullivans Creek forms the spine of an integrated mesh of parks and green spaces that offer high quality recreation and a safe, welcoming and pleasant active travel route.
- Northbourne Avenue and key light rail stations at the Dickson and Macarthur nodes create a distinctive approach to the National Capital and a sequence of progressively urban places that link the surrounding bush and grassland to the urban heart of Canberra.
- The city centre is the strategic central focus of Canberra, and the northern apex of the National Triangle. It is a place that complements the wider network of town centres and showcases the increasingly cosmopolitan city life that Canberra is known for.
- Canberra is recognised as a city that promotes walking and cycling for recreation and commuter purposes. Its highly efficient public transport and road network underpins the city's polycentric urban structure and provides direct and convenient access between the districts, centres and destinations of Canberra.
- An integrated network of inviting, safe and inclusive urban places and streets are woven together, complementing the city's distinctive green spaces and generous tree lined streets.
- Canberra builds on its liveable and connected neighbourhoods and ensures people have access to community and recreation infrastructure to build social capital and successful communities.

Future changes to planning controls

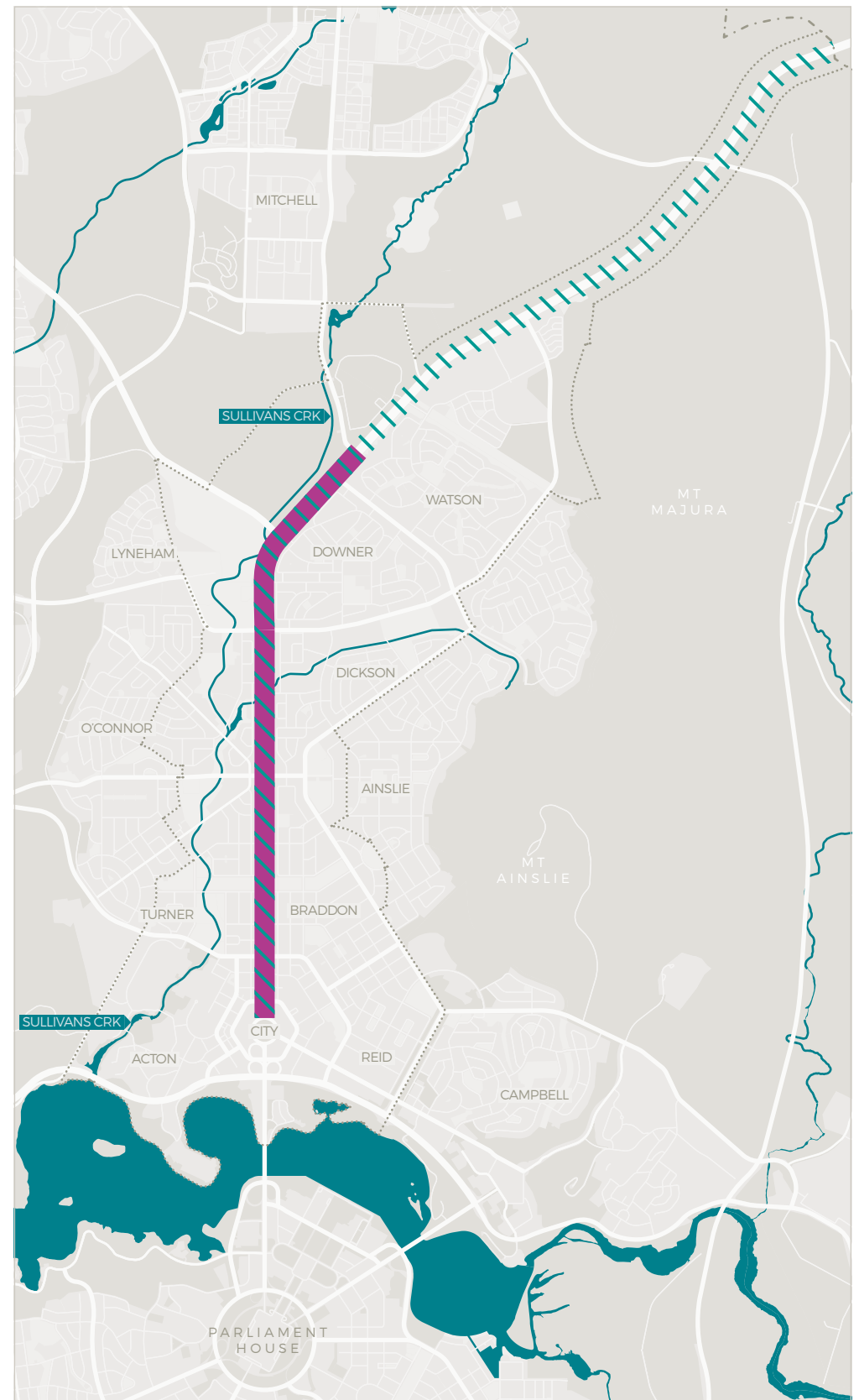
Map 3 identifies the areas for future changes to planning controls as part of an amendment to the National Capital Plan and a variation to the Territory Plan.

MAP 2: Spatial framework



-  Government renewal sites
-  Major development sites
-  Urban nodes
-  Light Rail stops
-  Garden City Cycle Route
-  Principle Cycle routes
-  Garden City Cycle Route Alternative (infill)
-  Active Travel Streets
-  Cycling Connector Streets
-  Light Rail Alignment

MAP 3: Application areas for future revised planning controls



-  ACT Territory Plan variations
-  NCP Amendment

Vision

Informed by the community, the Framework is underpinned by the following vision:

A RENEWED CITY AND GATEWAY CORRIDOR WILL CREATE A DISTINCT SENSE OF ARRIVAL IN THE NATIONAL CAPITAL AND CANBERRA'S LIVEABILITY WILL CONTINUE TO BE HIGHLY RECOGNISED NATIONALLY AND INTERNATIONALLY, PROMOTING OUR CITY AS A PLACE FOR BUSINESS, EDUCATION, ART AND URBAN CULTURE.

Strategic Goals

- an identifiable approach, which increases in formality as it gets closer to the city centre and Central National Area, and which clearly signifies the symbolic and functional roles of the National Capital;
- a renewed city and gateway corridor with easy to access, people-first destinations that offer unique business opportunities and a wide range of lifestyle options for diverse communities and a distinct urban culture;
- a design-led approach to development and urban renewal with a focus on high quality interfaces between built form and urban landscapes, and with outcomes- and performance-based planning controls to guide design excellence, housing choice and sustainability innovation;
- the city centre as the cosmopolitan heart of Canberra with a clear sense of arrival and better place making to make the public domain and city destinations more inviting for people to visit, linger and interact;
- transforming Northbourne Avenue to be a transit boulevard supporting increased passenger capacity and reduced through-traffic over time while ensuring the continued effective function as a main avenue and approach route;
- a sustainable and balanced movement network with greater provision and priority for pedestrians, cyclists and public transport users;
- a landscape setting, green open space network for climate control and responsive social infrastructure that combine to improve liveability, recreation and play; and
- works within and adjacent to the road reservations are carried out to the highest standards, reinforce and, where possible, express the integrity of the Griffin plan's visual structure by strengthening the geometry and form of main avenues, vistas and public spaces.

Urban renewal principles

Urban renewal principles are drawn from the conversation with the community and underpin the vision for the corridor and articulate the desired outcomes for development and urban renewal of the city and gateway corridor:



RENEW

the city centre as the CBD and cosmopolitan heart of Canberra.



REVITALISE

Northbourne Avenue as a world-class boulevard supporting sustainable modes of transport.



FOSTER

nodes around Macarthur and Dickson light rail stops, each with a distinctive character and sense of place.



STRENGTHEN

Canberra's unique landscape setting and bush capital character to improve liveability and mitigate the heat island effect.



INVEST

in quality of the social infrastructure, open space network and urban parks to improve recreation, play and community support.



DELIVER

human-scale places with furniture, landscaping, kiosks and public art.



IMPLEMENT

sustainable and balanced movement network with greater emphasis and provision for walking, cycling and public transport use.



INCENTIVISE

innovative and sustainable design that respects people, place and the planet.



CITY SHAPE AND URBAN BUILT FORM

This chapter articulates the preferred city shape for the city and gateway corridor, its character areas and urban design guidance for buildings and public domain. Its principles will guide contemporary built form and deliver a wide range of urban experiences and opportunities through new development and urban renewal.

City Shape

Integrated within Walter Burley Griffin and Marion Mahony Griffin's vision for Canberra, the city centre will take its place as the cosmopolitan core and retain prominence as the northern apex of the National Triangle (**Map 6**).

Recent years have seen a revitalisation of the city centre and its fringes. World class architecture and placemaking at New Acton, combined with renewal in Braddon, have redefined the offer and character of the city centre and its precincts. Redevelopment at the ANU and new buildings within the city centre is resulting in pockets of exceptional quality and vitality.

Gaps in the city centre's urban fabric continue to be pronounced, with up to 20% of the total land area yet to be developed. Car parking sites dominate the central core, particularly within the City Hill precinct, highlighting a challenge unique to planned cities and leading to perceptions of the city as a disconnected centre lacking identity and soul.

The Framework builds upon the 'good bones' of the existing city structure and planning legacy of Canberra's early conception. The bush capital legacy allowed for capacity in the city centre and corridor to accommodate significant urban population growth without the loss of amenity that makes Canberra a great place to live, work and visit.

One of the key features of this legacy is Canberra's unique landscape setting. Our city's urban forest and green open spaces provide not only natural amenity, recreation and wildlife corridors, they also increase our resilience to climate change and help mitigate the heat island effect from the built environment.

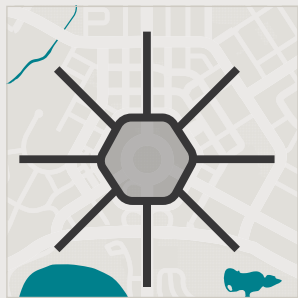


MAP 4: City Precincts



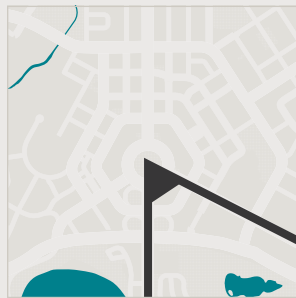
1. City Hill
2. City North-West
3. City North-East
4. City South-East
5. West Basin

MAP 5: Reinforce and realise Griffin's structure



Map 5 shows the formal avenues converging on London Circuit form a unique structure that should be celebrated and reinforced. London Circuit functions as a central unifying street connecting all activity sectors of the city.

MAP 6: The apex of the National Triangle



Map 6 shows a strong synergy can be fostered between the city centre and key event and entertainment facilities in the National Triangle.

Intent

The Framework recommends that a modest additional share of city wide growth be directed towards the city centre to reinforce its role as Canberra's prime centre and significant employment node. Growth will increase population, stimulate business and economic activity, encourage competition and innovation, and sustain a lively and appealing public realm.

This guidance reinforces the vision and key initiatives outlined in The City Plan (2014) (**Maps 4–6**), and sets the policy context to support the future implementation and delivery objectives of the City Renewal Authority (CRA). The following themes categorise the key areas of focus:

Growth

The Framework estimates that up to 8,000 new dwellings and 12,350 new jobs could be accommodated in the city centre by 2031. Like all modern cities, the biggest test will be to successfully integrate this growth within the complex tapestry of our existing centre. The farsighted policy context set by the Framework will ensure that future transformation is delivered in a strategic and coordinated manner to revitalise the city centre and bring about positive change.

The Framework concentrates growth and development at strategic locations within the city centre. This approach will deliver sought after amenity through convenient access to public transport, mixed land uses, public place upgrades and improvements to the pedestrian and cycling networks.

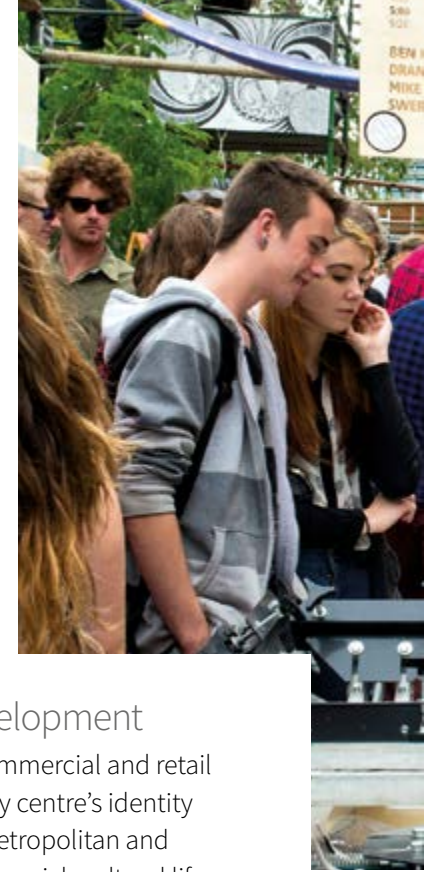
Land use and development

Increased residential, commercial and retail uses will reinforce the city centre's identity as Canberra's primary metropolitan and commercial centre, foster a rich cultural life, increase activity and underpin a strong regional economy.

New and innovative forms of mixed-use development will boost the appeal of inner-city living for a variety of demographics, including families. The emphasis is on creating high-quality streets with ground-floor frontages that contribute to socially inclusive, people-orientated places.

Filling gaps in the existing urban form has been given priority over increases in height entitlements within the city centre; aligning with key Government objectives to support the city centre to achieve its full potential and adding momentum to major city building initiatives.

The City Plan (2014) and City Action Plan (2016) set out a series of initiatives to encourage investment within the city centre, improve amenity and support cultural initiatives. The realisation of the city as a complete, vibrant and people-oriented centre will be critical to realising this objective. Precinct-based place strategies for the city centre, including Braddon, will guide developments to achieve this goals in the future.





Active Travel Connections (includes transport and movement)

Urban renewal offers an excellent opportunity to reinforce and consolidate the core of pedestrian activity around key destinations in the city centre, including the city centre transport interchange on Northbourne Avenue/Alinga Street, City Walk, Garema Place, Haig Park, Braddon commercial precinct, Glebe Park, City Hill, the ANU and New Acton. Additionally, initiatives such as place improvements and development expansion in West Basin will strengthen and complete this existing offer in future years.

Important priorities for achieving better active travel connections to and through the city centre will be to increase activity along existing and future key pedestrian routes and reinforce links with the wider pedestrian and cycle path network. The city's urban structure and street network lend themselves well to this approach. It also supports the integration of an intricate, layered urban structure and encourages human-scale development.

In addition to generating activity and improving conditions for pedestrians, a number of initiatives are underway to improve the strategic cycle network in the inner north. This will have direct benefits for the city centre, as it aims to connect the city, town centres and the Parliamentary Zone. Key routes that will support this initiative include Sullivans Creek, the Garden City Cycle Route, the City Cycle Loop and protected cycle lanes on Northbourne Avenue.



Public places

Increasing numbers of people living within the city centre will drive demand for diversity in the retail, hospitality and cultural sectors and strengthen day and night-time economies. This in turn will support ground floor building activation and generate activity in adjoining public places. Investment in human-scaled spaces and improved pedestrian connections will make it easy to move between destinations, creating more footfall for local businesses and encouraging people to stay longer, which reinforces the objective of bringing more life to public places and streets.

Landscape and open space

The ACT Government and the NCA are focused on high quality, well designed and mixed-use development within the city centre, at nodes and along Northbourne Avenue.

With Canberra's roots deeply embedded in the Garden City and City Beautiful movements, the association between built form and landscape character is intrinsic to Canberra's identity. In the city centre, this relationship is evident through features such as large canopy deciduous trees, tree planting arrangements and urban parks.

The landscape setting will continue to play an important role in the future of the city centre. This will be demonstrated through existing amenity such as the Ainslie Avenue green space, Glebe Park and Commonwealth Park, Haig Park along with new urban parks and green space at West Basin, City Hill Park and beyond.



Principles

SIX PRINCIPLES have been established to guide urban renewal in the city centre. These reinforce the focus areas identified above and inform the place based content outlined in the City Centre Framework.



Build on the legacy of planning and celebrate existing precincts as the basis for change



Put people first



Cultivate design excellence and provide inclusive public places to support civic life



Establish a network of streets, places and activities to support walkability and deliver place-based experiences



Encourage innovation, sustainability and best practice in the urban environment



Sequence growth and unlock the potential of vacant sites

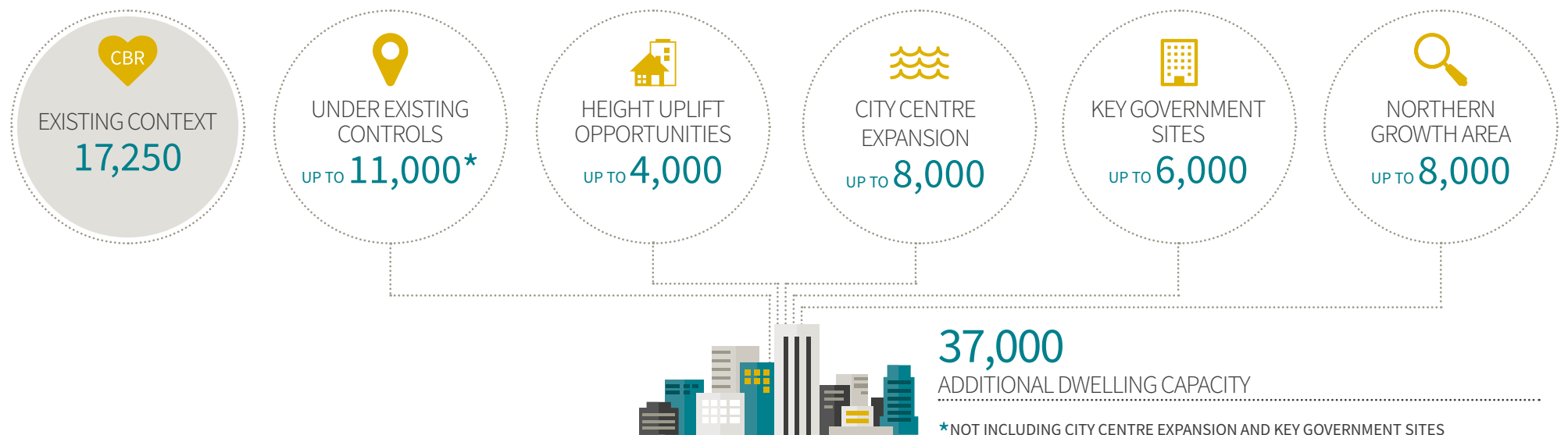


Residential capacity

Given the future demand for residential development, it is important to understand what capacity exists in the city and gateway corridor (Figure 3). Currently, it is estimated that there are 17,250 dwellings in the area and it has an overall growth capacity of 37,000 new dwellings.

Several opportunities exist for renewal of existing developments and underutilised sites. For example, the city centre sites in the City Hill precinct around London Circuit are future development sites and currently used as surface car parks, and the land adjoining Parkes Way is vacant. Also, around two-thirds of development facing Northbourne Avenue is yet to reach permitted building heights.

FIGURE 3: Corridor growth capacity for up to 37,000 new dwellings



Urban form and renewal approach

Various scenarios were developed to explore the relationship between density, the footprint required to accommodate growth and various city shape outcomes. Stakeholder feedback in design charrettes and workshops indicated a preference for a 'hybrid' renewal approach based on the following urban intensification characteristics:

- **FOCUS** new development in the city centre and along Northbourne Avenue, taking advantage of key government-owned sites to reinforce the Avenue's significance as an important national approach route for the National Capital.
- **INTRODUCE** east-west connecting nodes with mixed uses and higher densities in convenient and attractive locations around light rail stations, with better pedestrian and cycle links to existing neighbourhoods, to complement renewal along Northbourne Avenue.
- **ENCOURAGE** development and redevelopment within existing centres, including the city centre, Braddon and Dickson, to foster the renewal of public places and vibrant, street-level activity centres.
- **INTRODUCE** limited new development along selected sites adjacent to open spaces, such as Sullivans Creek, to encourage better safety and surveillance.
- **ENCOURAGE** continued development in the Urban Residential Zones (RZ3) and Medium Density Residential Zones (RZ4) adjacent to Northbourne Avenue and in the northern growth area, and aim to deliver improved design and landscape quality, sustainability performance and a greater choice of housing types.

Figure 4 conceptually illustrates this preferred hybrid scenario. Based on current trends, future development is likely to be predominantly multi-unit housing along the corridor and at commercial centres. Key opportunities exist to encourage a greater diversity of building forms, designs and housing types, along with appropriate community infrastructure and open space provisions, to provide for a range of demographics and levels of affordability. Infill housing close to services and employment offers opportunities to reduce ongoing costs of living and car reliance, providing advantages for first home buyers, the elderly and people with mobility constraints. Mixed use sites and the realisation of nodes also provide key opportunities to incorporate flexible space for a variety of community functions.

FIGURE 4: Preferred urban form

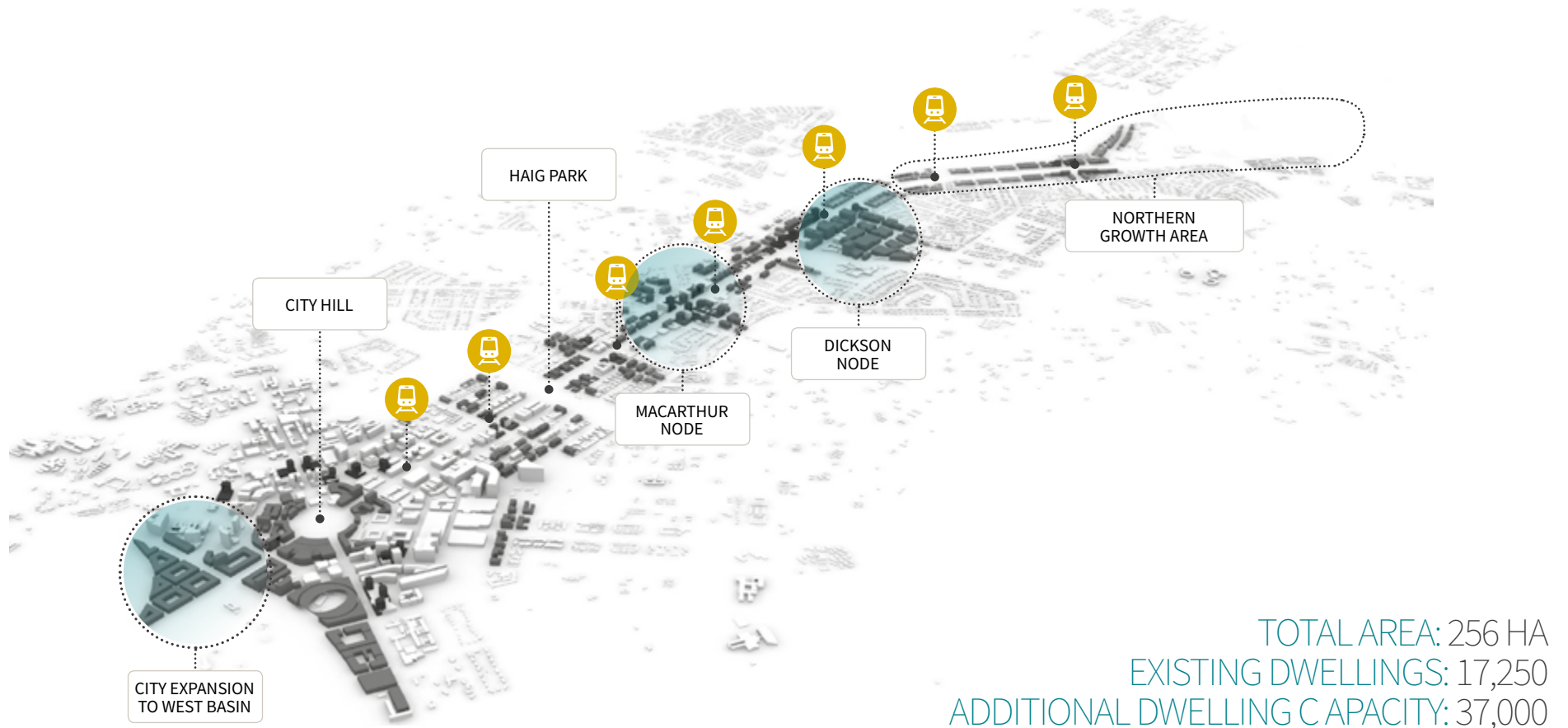
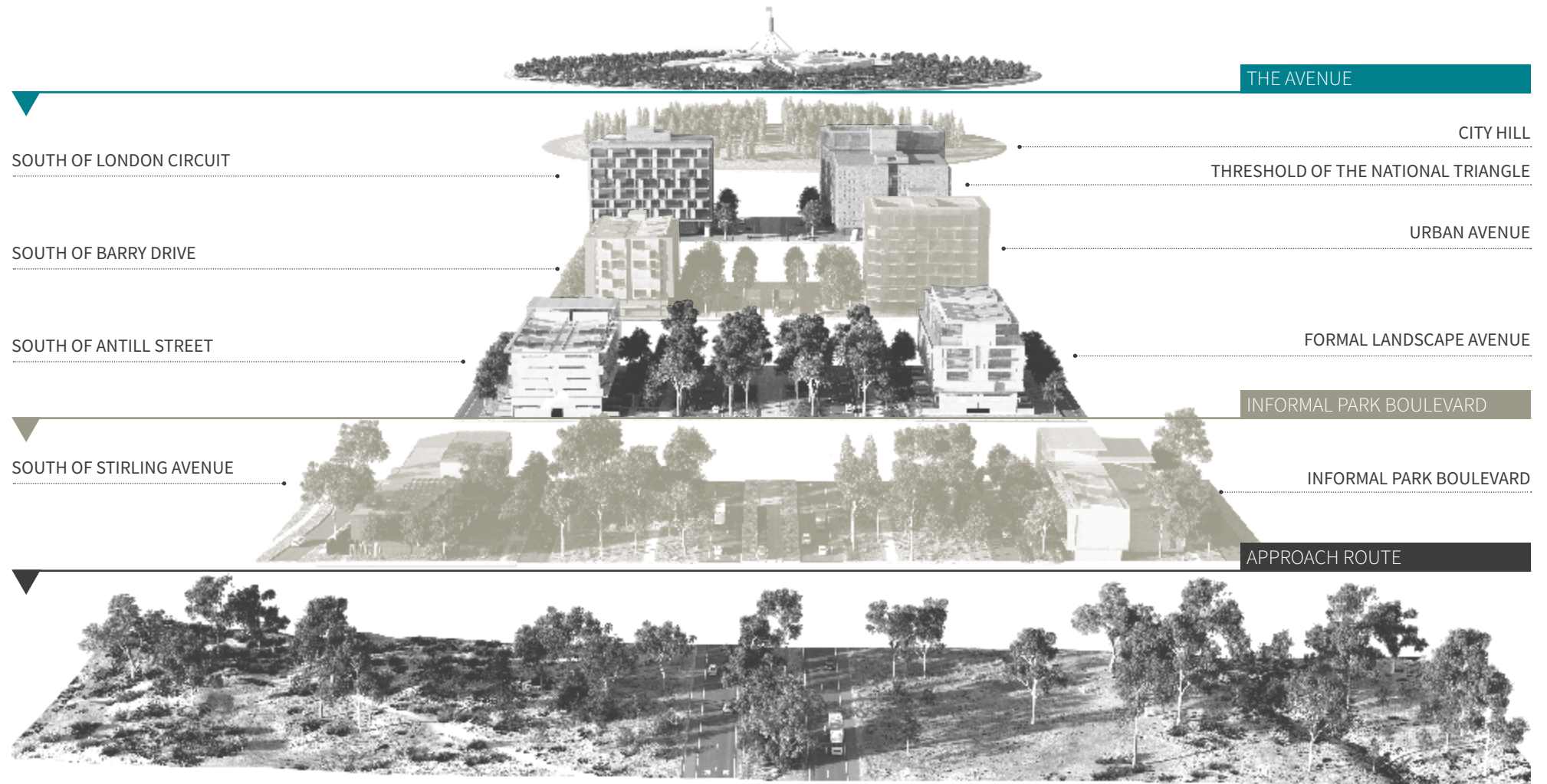


FIGURE 5: Corridor character areas



Intent of the urban form

The preferred urban form respects Canberra’s character as a city in nature and strengthens the relationship between buildings, streets and the landscape. The hierarchy of buildings and landscape in the valley is clearly defined, with nationally significant buildings, the city centre and clusters of buildings at key nodes protruding above the tree lines; and other building heights either at or below the tree line:

- **INTEGRATION** - Ensure buildings are generally integrated with public spaces and the broader landscape and mostly sit at the tree line of large street trees. Buildings are of high design quality and engage with public spaces and streets at ground level.
- **HIERARCHY** - Recognise the hierarchy of buildings in relation to the landscape and the importance of taller landmark buildings in key locations of the city centre and at key nodes along the corridor, such as the Macarthur and Dickson node locations. These landmark buildings will stand above the treeline and punctuate the skyline to make a positive contribution to the shape and character of the approach route into the city centre.
- **LANDSCAPE** - Ensure that buildings demonstrate the relationship with the landscape by allowing landscaped spaces to flow around buildings and provide cooling and seasonal climate control to mitigate the heat island effect. This will also assist in the implementation of a ‘people first’ approach to provide comfortable and walkable spaces between buildings.
- **DWELLING TYPES** - Encourage a greater choice of dwelling types, building designs and diversity of building heights, with higher densities and mixed use close to the Avenue. Buildings should be designed to provide a gradual transition to lower densities as you move away from the Avenue.
- **RESILIENCE** - Ensure that streets and public places retain and promote an urban forest and improve our ‘living infrastructure’ to increase the city’s resilience to climate change and provide a city for all seasons. Urban design, landscaping and shading will help to keep the city cool during heatwaves and permeable surfaces will reduce stormwater run-off, retaining moisture in the landscape. This will provide more shade, thermal comfort and amenity for pedestrians and cyclists and therefore help promote active travel.

The roles of the city and gateway corridor

NATIONAL AND INTERNATIONAL ROLE: The design of Northbourne Avenue should be of a standard that places it alongside other significant urban boulevards in Australia and overseas. Northbourne Avenue should be distinguished by a formality that is uniquely Australian. Spatial experiences include the transition from a ‘bush capital’ character to a progressively more formal boulevard towards the city centre.

CANBERRA AND ACT: Northbourne Avenue must function as more than a ceremonial route. The symbolic and civic functions should be reconciled with the role of the avenue as a forum for the daily life of the city and as a focus for the community. Future development must also provide improved pedestrian and cycling connections along and across the Avenue.

CITY AND INNER NORTH: A key objective will be to broaden the perception of Northbourne Avenue beyond that of an urban arterial road providing for high volumes of through traffic. A greater level of priority will be given to people and their activities. The amenity of people and their active travel experience will be considered including convenient connections and wide, shady tree-lined footpaths providing excellent pedestrian and cycle accessibility and amenity, along and across the Avenue.

Approach to the National Capital

Development from the ACT border to the city centre will progressively transition from an informal bush and grassland character to a formal, structured boulevard, which terminates at City Hill. This Framework articulates design guidance for three distinctive character areas along Northbourne Avenue, that each mark a different stage in the transition from rural bushland to city centre. This transition will be achieved through changes in building height, setbacks, and landscape character.

The three character areas are described below and illustrated in **Figure 5**.

Approach Route

TPOLOGY: TUSSOCK GRASSLAND, SAVANNAH WOODLAND AND DRY SCLEROPHYLL FOREST.

This character area of the approach route sits along the Federal Highway and is identified as an Approach Route in the NCP. The natural setting of Mount Majura reserve and the surrounding rural setting are important features of this area.

Informal Park Boulevard

TPOLOGY: BUILDING TO BUILDING CORRIDOR WIDTH VARIES BETWEEN 100M TO 140M, 3-5 STOREYS

The entrance to Canberra along the Federal Highway via Watson and Downer reflects the current landscape-rich character and generous, park-like boulevard, with buildings generally sitting below tree height.

The Avenue

Formal Landscape Avenue

TPOLOGY: 80M BUILDING TO BUILDING CORRIDOR WIDTH, UP TO 8 STOREYS (27.5M)

This character area represents an urban threshold that starts at the junction of Northbourne Avenue and Antill Street.

This point marks the commencement of a wide planted median and marker buildings along the Dickson centre frontage onto the Avenue.

It continues south along Northbourne Avenue until Barry Drive, with building heights generally at the tree canopy height. There are opportunities for higher marker buildings at the junction of Macarthur Avenue to recognise it as an important point in the Griffin plan, providing improved east-west pedestrian connections to the adjacent suburbs.

The landscape is integral to the design and character of the Formal Landscape Avenue. High quality buildings are set back 10m from the Avenue, establishing a comprehensive tree-covered boulevard.

Urban Avenue and the threshold to the National Capital

TPOLOGY: 40M AND 60M BUILDING TO BUILDING CORRIDOR WIDTH, UP TO 8 STOREYS (27.5M) (UP TO RL617 FOR LANDMARK BUILDINGS)

The character areas between Barry Drive/London Circuit (60m building to building) and London Circuit/Vernon Circle (40m building to building) have a greater focus on pedestrian activity along the Avenue, with a 0m building setback. The design of the boulevard and street verges has a more formalised urban character.

THE APPROACH ROUTE

THIS CHARACTER AREA EXTENDS FROM THE ACT BORDER TO THE INTERSECTION OF THE FEDERAL HIGHWAY WITH FLEMINGTON ROAD.



Objectives

Objectives are to:

- Heighten the traveller's first perception of approach and arrival in order to enhance recognition of the special symbolic and functional significance of the National Capital.
- Ensure Canberra's unique setting within the natural landscape is reflected in the sensitive design and landscape treatment for the highway which reinforces the perception of the National Capital.
- Recognise the significance of views to the surrounding hills and ensure engineering structures respect the landform and landscape patterns.

These detailed conditions are concerned with achieving awareness of this special significance through the following:

- marking the boundary of the ACT
- establishing a clear and identifiable route from the border to the Central National Area, the symbolic centre of the city, by providing visual cues and strong structural links
- building up expectations by progressively formalising the design character as travellers approach the Central National Area
- enhancing views to recognisable and popular images of the National Capital so as to further build expectation and define the approach
- ensuring that the structure, detailing and signage is consistent along each approach route into the National Capital.

Development within the Federal Highway Approach Route from its intersection with Flemington Road to the ACT border is to comply with the detailed conditions.

Landscape

Major landscape realms

The Federal Highway is divided into two broad realms for the purposes of detailing landscape patterns. They are a Rural Realm and an Open Parkland Realm (see Figure 127 of the National Capital Plan 'Federal Highway landscape realms and patterns and **Map 7**).

RURAL REALM: identifies the location of Canberra and establishes the setting of the 'bush capital'. The pastoral setting is a cultural and historical reminder and recognises that the colour and scale of the landscape are important in creating an identifiable and memorable image. Views to the Gungahlin ranges and Black Mountain should be maintained and enhanced.

OPEN PARKLAND REALM: emphasises reflection of the rural landscape, (but with a designed park-like landscape quality), and introduces the visitor to the planned 'garden city' image. Planting and development patterns are to allow filtered horizontal views.

Landscape patterns

Driver experience should be modulated through a series of distinct landscape patterns which identifies a change in landscape character from an informal planting, open, rolling, rural landscape to a regular planted, closed, dense canopy pattern of the semi-urban landscape.

To assist the understanding of the landscape patterns and where they apply, the highway has been broken into sections starting at the ACT border.

PLANTATION GATEWAY (0.0-0.4KM):

creates an introduction and announces the imminent arrival of the visitor in Canberra by establishing appropriately designed tree planting that relates to the rural landscape, but is distinct in character. Within the road reserve, the policy is to develop a formal plantation in the verge and median of the highway.

SAVANNAH WOODLAND (0.4-0.8KM):

reinforces the existing woodland character by maintaining and enhancing the indigenous eucalypts in small groups and individual specimens in the median and verges, and ensures the character is of an open canopy giving a parkland appearance.

TUSSOCK GRASSLAND (0.8-1.4KM):

establishes a grassland community and complements the savannah woodland character of adjacent sections of the highway. It does this through broad scale planting of road verges with native grasses and herbaceous plants with low grasses in medians.

SAVANNAH WOODLAND (1.4-2.8KM):

reinforces the rural pastoral character by planting and protecting indigenous eucalypts in small groups and individual specimens in the median and verges, generally widely spaced, leaving an open canopy and giving a parkland appearance. Residential views are to be screened and views opened up along open space corridors.

OPEN FOREST/WOODLAND (2.8-4.0KM):

reinforces the open forest character of this part of the highway. The policy is to resolve secondary access to rural properties while maintaining continuity of the approach route, and to allow short, filtered horizontal views. Median planting is to be informal and should reinforce existing native planting as well as introducing grouped accent planting.

FILTERED SEMI-URBAN (4.0-5.4 KM):

creates a transition from woodland to the contrasting closed corridor section of Northbourne Avenue and develops a 'secondary' gateway with designed Avenue planting to create a strong contrast with the rural landscape as the introduction to urban Canberra. Direct views should focus along the approach route. The built form should be screened through the use of plant material.

Cultural landscape features

Maintain the significance of the Remembrance Parks through enhancement of their location and access in association with a visitor lay-by, by providing interpretative material, and by the possible extension of areas for planting.

Border identification and marker

Ensure the identification of the ACT by the placement of a marker at a safe and appropriate location, possibly in conjunction with a visitor lay-by. The marker should be similar in form and design to the existing marker but should also include heraldic features which signify the symbolic and functional role of the city and which establishes a relationship to signs and institutions in the Parliamentary Zone. There should be clear lateral views to the border marker; and introduce specialty lighting to highlight the ACT marker. If practical, up-lighting of the border marker and adjacent tree canopy should be used.

Access limitations

From Antill Street to the intersection with the realigned Majura Road, access will not be permitted on the southern side of the highway except to Valour Park. From the intersection with the realigned Majura Road to the ACT border, no access will be permitted except to a visitor lay-by.

On the northern side of the Federal Highway, access will be permitted only in the short term to 'Arnold Grove', 'Bendora Riding School', the AGL lease, and 'Canberra Park' while longer term access is expected to be provided from within Gungahlin.

Intersection design

The continuity of the north/south carriageway driver experience should be reinforced. The Majura Road/Horse Park Drive grade separated intersection should reinforce the visual dominance of the Federal Highway, to maximise views and ensure the least disruption to the landform.

Medians and verges

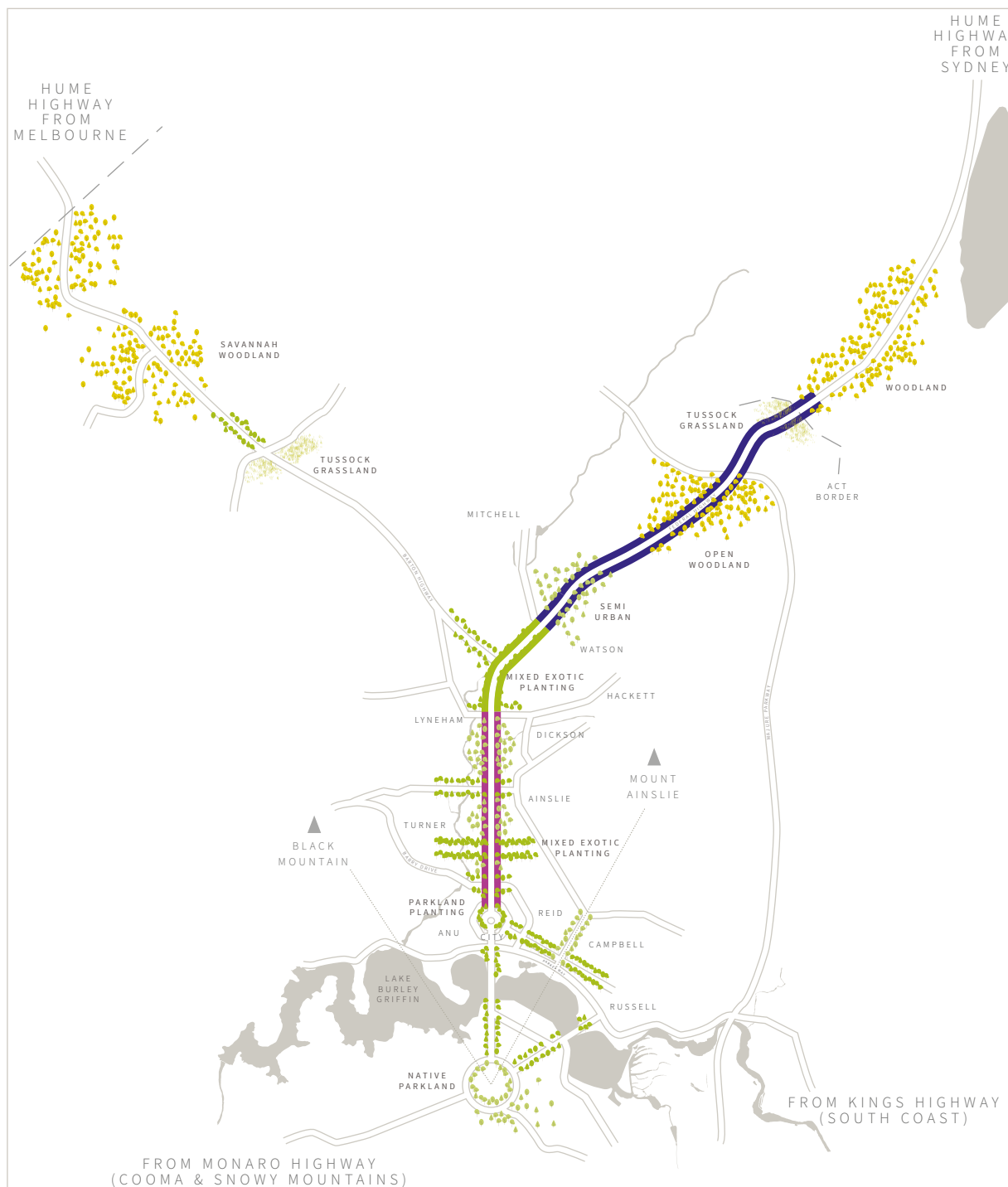
Medians and verges are to provide the opportunity for reinforcement of landscape themes and realms.

Medians should be of a sufficient width to accommodate the appropriate landscape treatments for each landscape realm and pattern and generally be not less than 20m wide.

Visitor lay-by

Ensure access to a visitor lay-by at a convenient location for visitors to stop.

MAP 7: Precinct landscape qualities



- Approach Route
- Informal Park Boulevard
- The Avenue

Carriageways

Roadworks are to minimise the impact on the existing topography. Cuts and fills associated with the design and construction of the highway and associated roadworks are to be kept to a minimum. The highway is to be designed to 'fit' within the landscape and topography. Where possible, the two carriageways are to be designed independently and separated both vertically and horizontally so as to ensure integration into the topography. Road surfaces should be of asphaltic concrete with a clean edge, unless other materials are shown to be more appropriate.

Equestrian trails

- Ensure the design of the highway incorporates appropriately located and connected underpasses for equestrian use and facilitates the continuation of existing equestrian trails; and
- Enhance where possible, the trail concept with provisions for additional facilities at appropriate locations.

Lighting

Where provided, lighting should reinforce the design intent of the Federal Highway as a 'rural' highway road. Further, the colour temperature of the lights should be such that the true colours and features of the landscape are perceived. Light spillage is to be minimised to prevent unnecessary night sky illumination.

Signs

Ensure informative, well presented, factually correct and relevant visitor information is displayed on signs and boards and plays a key role in informing the visitor. Ensure information signage conforms to a uniform standard for Approach Routes. All signs which do not need to be read from the road, such as interest group signs, are to be located in a visitor lay-by. Information appropriate for inclusion in visitor lay-by signage includes:

- **NATURAL LANDSCAPE** - environment information regarding the distinctive natural landscape and features
- **CULTURAL/HISTORICAL LANDSCAPE** - information regarding Aboriginal history and influences and early European settlement and impact
- **SITING OF CANBERRA** - diagrammatic development of Canberra, basic structure of Canberra's layout including important features and elements, monuments and institutions
- community organisations and relevant local information.

Visitor directional signage, other than in the visitor lay-by, will be permitted where shown on Figure 126 of the National Capital Plan to assist identification of destinations between Antill Street and Stirling Avenue, Watson. No other visitor information signs will be permitted along the highway.

THE INFORMAL PARK BOULEVARD

THE INFORMAL PARK BOULEVARD EXTENDS FROM STIRLING AVENUE SOUTH TO ANTILL STREET.



This northern extent of the approach route along the Federal Highway should reflect the rich character and landscape, supporting a generous park-like boulevard with new development addressing and overlooking the street.

Objectives

This character area provides a transition from the open woodland landscape along the Federal Highway, to a formalised and urban landscape at the Antill/Mouat Street node.

The Informal Park Boulevard provides a substantial park landscape between the Federal Highway and a secondary vehicle access street, behind which residential development addresses the public domain. Generally, the Informal Park Boulevard will measure approximately 100m to 140m between building edges (with variation to account for localised characteristics) (**Figures 6, 7 and 8**). Objectives are to:

- Ensure development enables glimpses of to open landscape.
- Ensure a high quality of landscape and architectural design fronting onto and addressing the corridor.
- Ensure that the scale of buildings respond primarily to the tree canopy, enabling the landscape to be the dominant element of the Informal Park Boulevard.

Changes will be proposed to planning controls for sites adjacent to Northbourne Avenue and Flemington Road. These include Kamberra Winery, Yowani Country Club and some blocks in Downer. Proposed changes include rezoning to allow residential and mixed use development at Yowani and Kamberra Winery, and some increases to building heights in Downer. Maximum heights and setbacks established by this Framework are provided in **Map 8** and **9**. Land use zones, development scale and extents and development controls will be determined by a future variation to the Territory Plan.

Landscape

Intent

- Draw the character of the endemic woodland into Canberra's new 'park boulevard' with the use of locally endemic species.
- Introduce 'native meadow' planting to the verges to showcase distinctive seasonal colouring.
- Reinforce a sense of openness by enabling clear sight lines through landscape to building edges.
- Introduce deep shade producing trees for pedestrian comfort.
- Provide a secondary vehicle access street for new development sites at Kamberra Winery, Yowani Country Club and Exhibition Park.

Built form

Intent

- Provide a sense of openness between buildings as a transition from countryside to the city.
- Enable spatial rhythm in built form through appropriate building length and separation.
- Enable development at light rail stops that support transit oriented development.
- Ensure high quality landscaping to the secondary street interface, thereby extending the park into private development.

Design Criteria

For the following design criteria, refer to the Urban Design Guidance section in this chapter:

- Architecture of design excellence
- Street setback areas
- Side and rear setbacks
- Vehicle access
- Ground level public domain interface
- Building height
- Nodes
- Maximum building length
- Minimum building separation
- Articulation of roof space
- Sustainability.

FIGURE 6: Between Barton Highway and Phillip Avenue

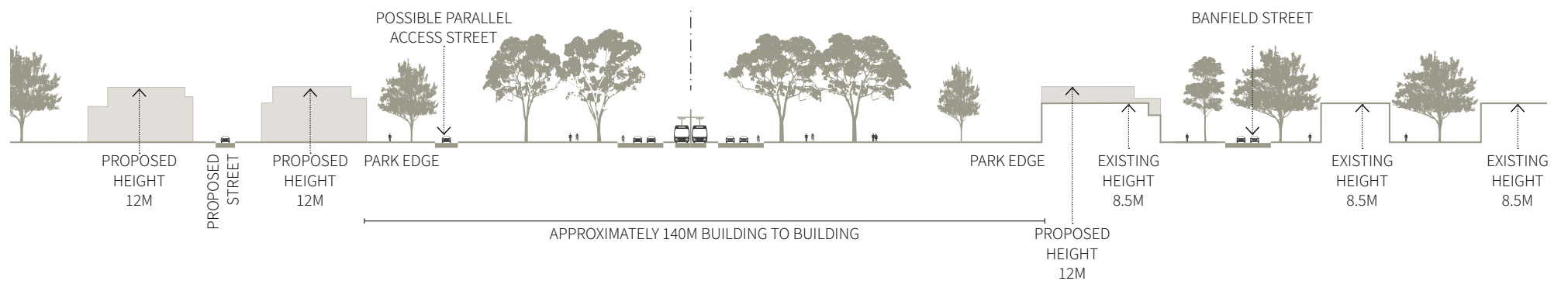


FIGURE 7: Yowani

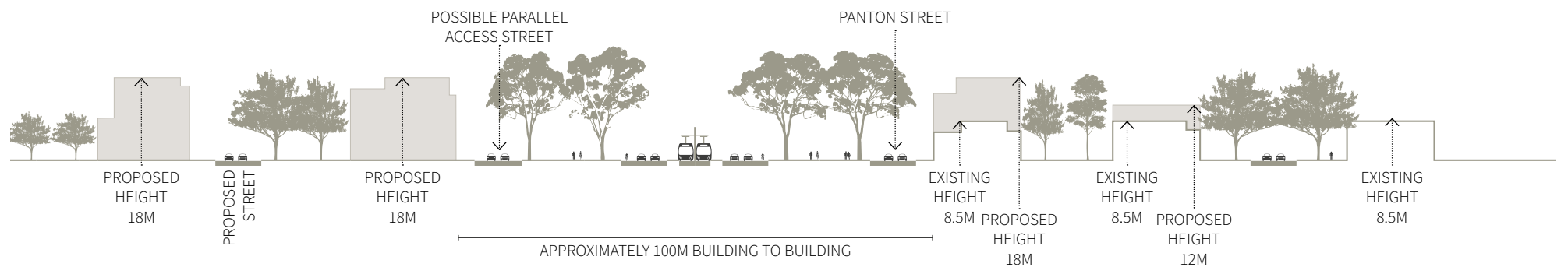


FIGURE 8: Southwell park



THE AVENUE

THE FORMAL LANDSCAPE AVENUE EXTENDS FROM ANTILL STREET TO BARRY DRIVE.
THE URBAN AVENUE EXTENDS FROM BARRY DRIVE TO CITY HILL.



Formal Landscape Avenue

This area of the corridor characterises the majority of Northbourne Avenue (**Figure 9**). It is defined by the formal wide median and verge landscape, reinforced by high-quality buildings and interesting architecture. The wide treed median will newly accommodate light rail. Nodes of increased land use density along the corridor occur at light rail stations at Dickson, and Macarthur Avenue intersections.

This will help realise a transformed Northbourne boulevard with improved planting, cycling and walking infrastructure.

Urban Avenue

Figure 10 illustrates the typical cross-section for the Urban Avenue. Where the Urban Avenue begins, the character changes from a wide boulevard to a built up urban street, with opportunities to rationalise the bus layover and improve the pedestrian and cycling experience.

Objectives

Buildings and public domain along the Avenue will exhibit design excellence in recognition of its capital city context. Objectives are to:

- Demonstrate excellence in architecture, landscape architecture and urban design.
- Encourage sustainability as a base requirement for all new buildings.
- Reinforce and enhance a network of people-places and green spaces to enable city life.
- Enhance pedestrian accessibility to and along the corridor, including public transport stops, by requiring new mid-block links, and improving the pedestrian network.
- Encourage active ground floor uses and building typologies that engage with the street to support human scale public spaces.
- Provide a strong sense of arrival to the urban corridor by encouraging new built forms at nodes.
- Allow a range of uses, with building edges defining the relationship of ground floors to the street.
- Ensure that new development complements the intended urban form of The Avenue, by providing buildings with a uniquely Canberra identity, generally with increasing intensity toward the city centre.

FIGURE 9: Formal landscape avenue

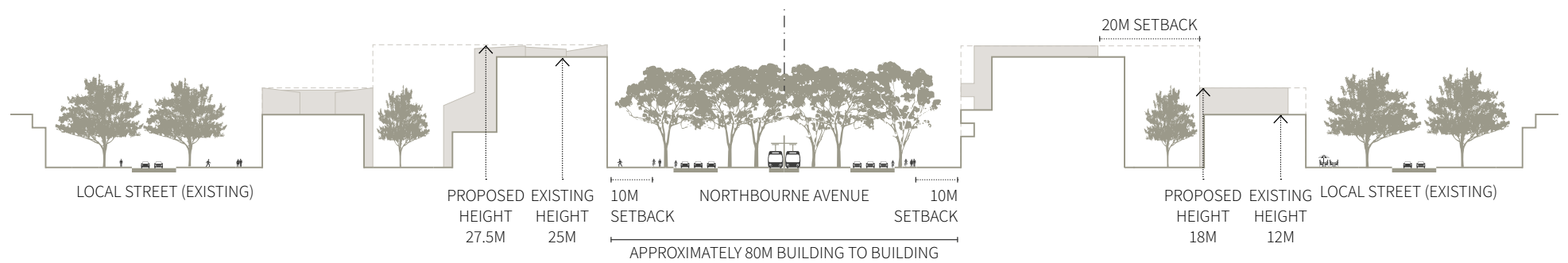
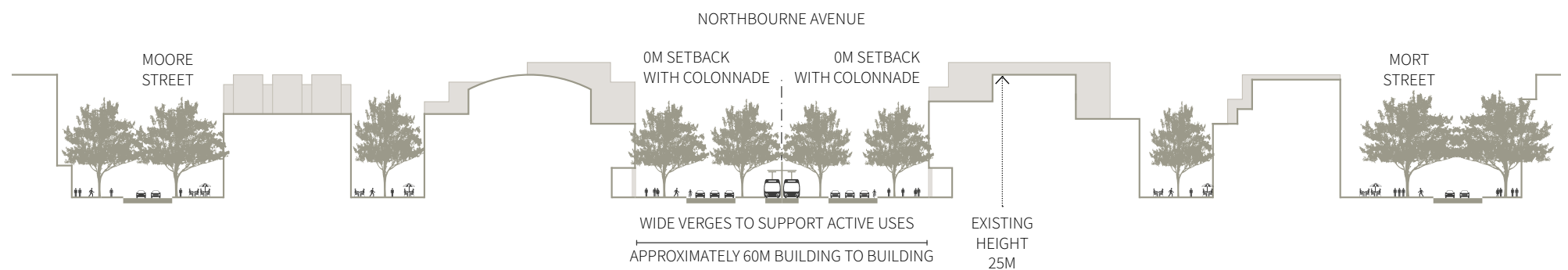


FIGURE 10: Urban avenue



Street setback areas

This area of the corridor is characterised by a consistent building scale and front setback along Northbourne Avenue, creating a high quality streetscape. Setback areas will be designed to be pedestrian oriented, providing a comfortable and an attractive interface between built edges and the avenue.

Setback areas fronting Northbourne Avenue shall not contain car parking, driveway or basement access or porte-cochere vehicle drop off spaces. New vehicle access to concealed parking areas, where there are no other alternative access arrangements may be considered. **Map 17** identifies the restrictions to vehicular access along Northbourne Avenue. Basements and balconies must not encroach into the front setback zone. Minor encroachments such as awnings or architectural details consistent with architecture of excellence may be approved.

A composition of soft landscaping should be provided between the building line and property boundaries to Northbourne Avenue and major cross streets. Hard surfaces, other than for pathways should be avoided.

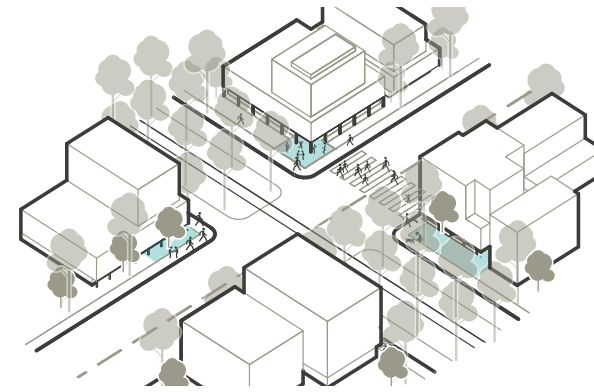
Development shall conform to the identified setbacks described in **Map 9** Street Setbacks, and to the nominated building edge and verge types identified in this Framework.



Urban design guidance

Good design is concerned with functionality, performance, build quality, innovation and creativity. The Framework aims to ensure Canberra's sense of identity is reinforced and enhanced. New public domain and buildings will be required to demonstrate commitment to good design, sustainability and make a positive contribution towards the desire to create a city of international standing.

The following high-level design principles describe the desired building design outcomes in the city and gateway corridor. These principles will guide preparation of revised planning controls for new development and redevelopment. They also guide public domain and infrastructure design and how development could better meet sustainability criteria and improve the interface with the streets and open spaces.



Reinforce the built form

- Create and define public and semi-public spaces using building height and setback controls.
- Use continuous building edges to define and create consistent streetscapes.
- Create an urban appearance to streets by using a building scale that is appropriate to the street, with taller developments along the avenue and stepping down towards the suburbs.

Demonstrate design excellence

Design in the city centre and along the corridor, be it a building, public domain or infrastructure works, will apply the following principles (as appropriate):



Contextual, local and of its place



Sustainable, efficient and durable



Equitable, inclusive and diverse



Enjoyable, safe and comfortable



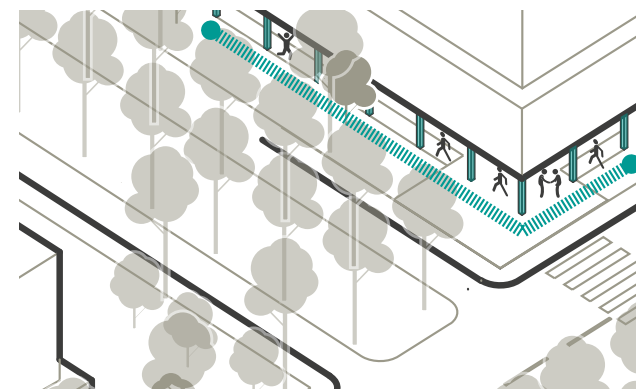
Functional, responsive and fit for purpose



Value-creating and cost effective

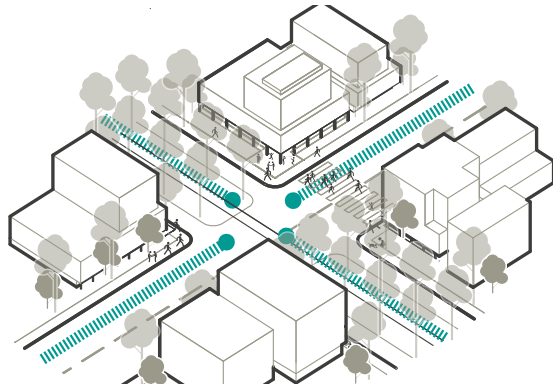


Distinctive, interesting and appealing



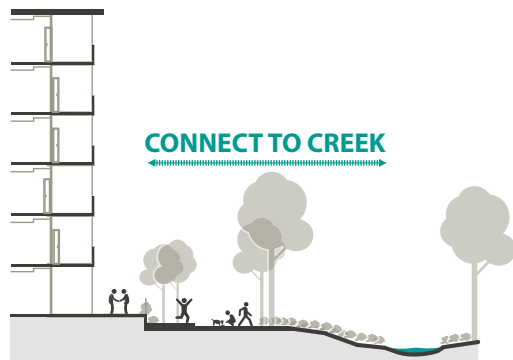
Create better streets and more active building edges

- Orientate buildings towards the street to promote life in the public domain, passive surveillance and the continued activation of the city.
- Design buildings that promote a human scale at the ground level, such as building awnings and colonnades.
- Use buildings to enhance the character of the local place.
- Require active building edges at key locations along the avenue to promote active, people- and business-focused places.
- Require the use of translucent barriers, such as semi-transparent open fences, screens or vegetation, to provide opportunity for surveillance of streets and open spaces.



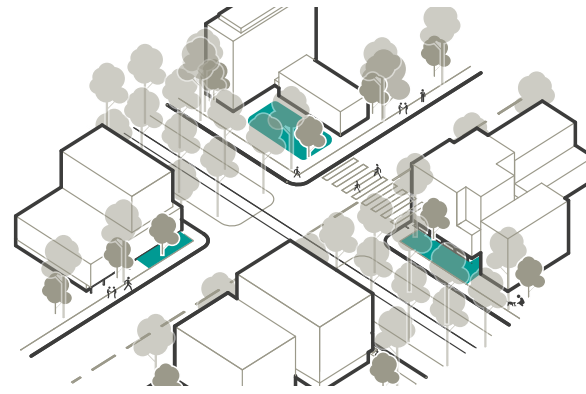
Connect discrete centres and neighbourhoods

- Create places and areas of activity along the corridor and on streets with positive linkages back into the neighbourhoods through improved east-west active travel connections.
- Provide seamless connections and a complementary built form that will strengthen the corridor's character.
- Create an attractive alternative to suburban housing by broadening the range of housing and community spaces within and reinforcing the role of the Avenue as forum for public life.
- Focus high density housing types close to the avenue with a gradual transition to medium-density housing types within walking distance of the avenue.
- Ensure the low-density suburban areas are protected further away from the corridor.



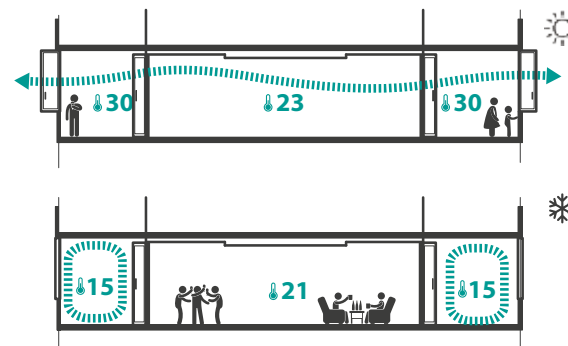
Design for landscape amenity

- Design buildings that respond to the trees and planted vegetation within the verges and setbacks to reinforce the distinctive 'bush capital' character of the Avenue.
- Activate public green space through active building edges, surveillance and climate-smart landscape design. This can improve the quality of adjacent open spaces and protect the urban environment from heat island effect.
- Provide individual residential frontages at ground floor level leading to private outdoor space.
- Ensure the 'garden city' principles and character of the suburbs are protected and reinforced through the planning policy and statutory planning instruments.



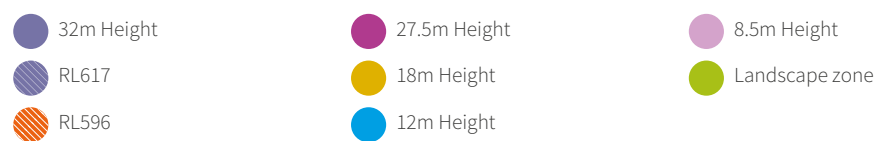
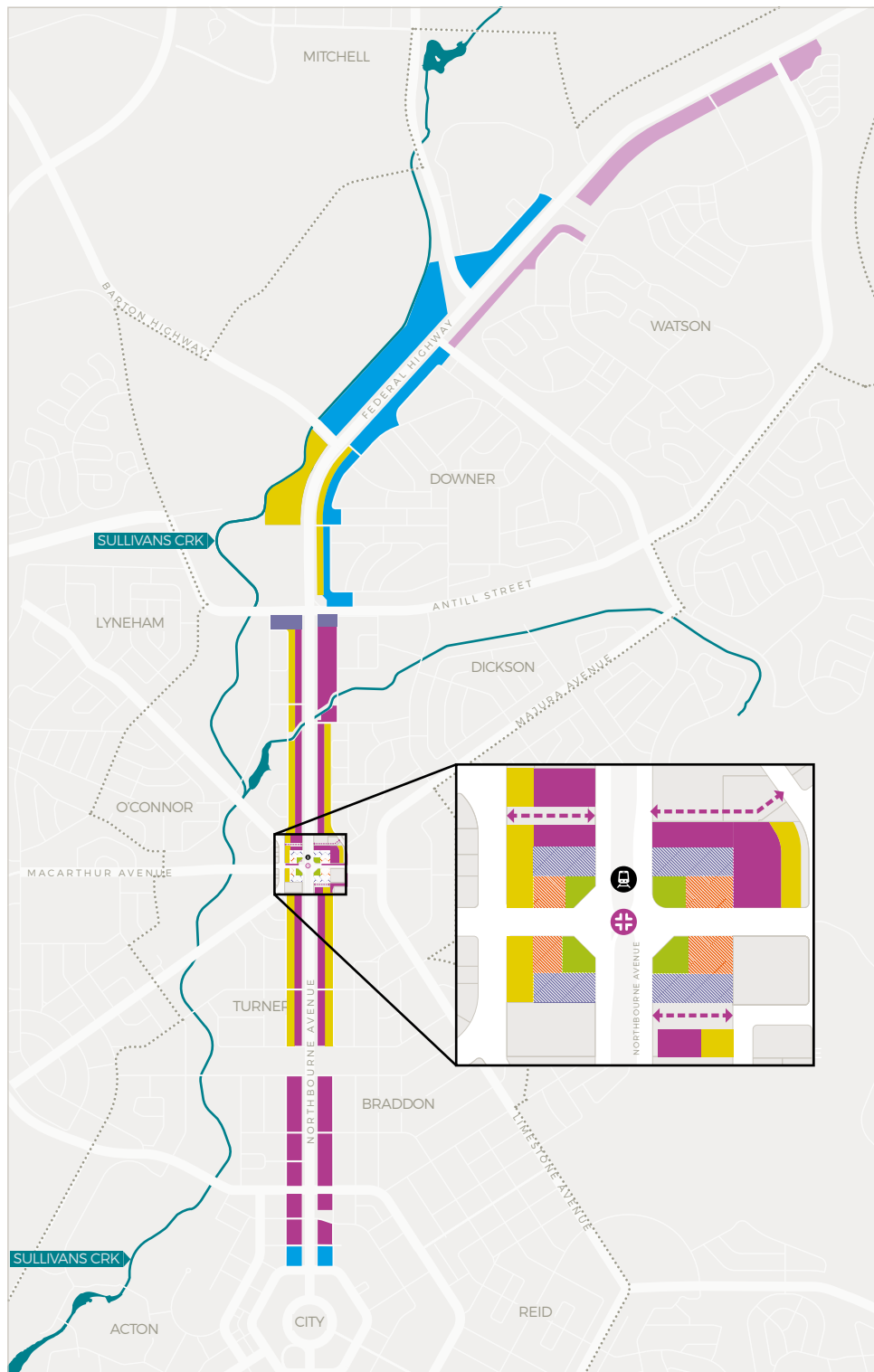
Improve the gaps in the urban fabric

- Encourage the development of underutilised and large surface parking areas to promote a greater level of activity and create places where people want to live, visit and spend time.
- Reinforce a clear distinction between public and private spaces through the design of buildings and the public domain by providing active ground floor uses and high quality landscaping towards streets and public places.



Support sustainable building performance

- Design buildings to respond better to the Canberra climate and climate change with climate-wise design such as high albedo, passive heating and cooling, vertical or roof gardens and microclimate amelioration at the ground level through deep root planting zones and pervious surfaces.
- Minimise energy use by using sustainable materials and passive solar design for low carbon living.
- Minimise water use by using innovative design of open spaces and stormwater capture and re-use.
- Design buildings to support active travel and provide end-of-trip facilities, including secure bike storage.
- Reduce the number of private vehicle parking spaces for individual developments and improve access to other forms of transport, including light rail, buses and car share.



Building design

Buildings play a key role in shaping the quality in our cities and towns, and they form a critical interface with the public domain.

Buildings will be required to be designed to suit location and place - relevant to site, setting, climate and local characteristics:

- External building design should reference the context of the corridor's transition from countryside to city, with a particular focus on the context of the area in which the building is located.
- The intended streetscape qualities of the corridor should be respected, with new building design responding to required edge conditions.

The visual quality of buildings along the corridor is of prime importance owing to its national significance:

- Refinement, simplicity and appropriate use of high quality materials is favoured for buildings along the corridor.
- The overall building proportions and scale to be balanced and appropriate to setting and place.
- The composition of materials and building elements must contribute to an attractive streetscape.
- Integrate sustainable building technologies into the building design.

Buildings will be required to be accessible, welcoming and address the public domain:

- Building edge conditions to respond to their location along the corridor, allowing activity and street life where appropriate.
- Break building mass down into smaller parts, providing human scaled buildings and minimising the impact of large buildings on the public domain.
- Buildings along the corridor with active or semi-active building edges are to be permeable with strong physical and visual connections.
- Building frontages and entrances should be visible, engaging and welcoming.
- Residential building edge types to enable front door access which is visible from the street.

Buildings will be required to provide enjoyable, comfortable and engaging spaces for living, working and socialising. Buildings are to support daily city life to emerge onto the corridor:

- Spatial dimensions and proportions of buildings will be suitable for intended and future possible uses.
- Building layouts will enable activation of the street and internal open spaces.
- Orientation and connection to outdoor areas will optimise comfort and enjoyment of the building's internal spaces.
- Buildings up to RL 617 at the Macarthur node and their locations on the site are identified by the hatched areas in **Maps 8** and **12**. Detailed design and siting of building within the respective sites will be determined through an amendment to the National Capital Plan.

Buildings will be required to be designed to support functional use now and into the future. Buildings will be designed to be adaptable to changing spatial and use patterns:

- Building layouts and room sizes will accommodate and respond to daily activities.
- Buildings must be appropriate to their intended purpose whilst being adaptable to future functional changes.
- Building layouts should not be overly complicated and enable accessibility, legibility and ease of navigation.

Buildings will be required to be highly cost effective, and deliver ongoing value through energy and maintenance performance:

- Design must be resilient and durable to minimise maintenance costs and maintain quality over time.
- Materials will be durable and of high quality fit for the building's context and function.
- Buildings must reflect a commitment to and investment in design excellence.

Buildings will be required to be designed for the long term to minimise energy use, water consumption and contain materials with the least impact on the environment:

- Be responsive to Canberra's climate.
- Provide opportunities for adaptation of uses throughout their life cycle.
- Make optimal use of natural light and ventilation.

These requirements apply to all development in the city centre and along the corridor.

Building height

Intent

Development along Northbourne Avenue and Federal Highway will conform to their intended character and role as a Major Avenue and National Approach Route. Building heights have been established to respond to Canberra's landscape qualities and ceremonial function. Development, along the Formal Avenue will generally present a symmetrical built edge to both sides of the corridor, with development heights and use intensity increasing at identified nodes and towards the city centre.

Development of nodes along Northbourne Avenue will provide intensity around selected light rail stops. These nodes co-locate mixed use commercial land and transit stations, providing limited additional retail opportunities and where nominated, additional building height establishing markers in the urban landscape that respond to the surrounding context.

Design Criteria

Building heights shall conform to **Map 8** Building heights.

Minimum heights shall be no less than 80% of the maximum height prescribed in the height map (**Map 8**).

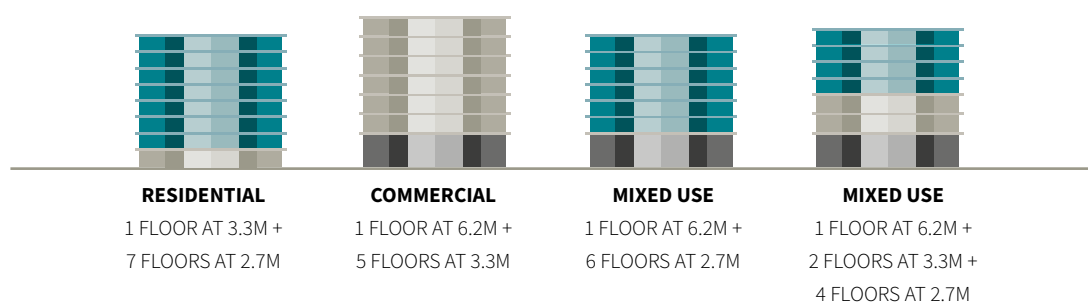
The finished ground floor interface is to provide direct, at grade connections to the street to ensure street continuity, allowing for active frontages and to avoid entrapment spaces. Elevated transitions above street level providing privacy and safety in residential buildings will be allowable. Ground floor levels set below the adjacent finished street level are not allowable.

Where development interfaces at the rear with lower scale built form, or a street opposite containing lower scale buildings, an appropriate transitional height shall be applied.

In addition to building height controls, minimum floor-to-ceiling heights protect the quality of new buildings and produce lighter and more liveable indoor spaces. Ceiling heights create spatial hierarchy and respond to the desired building edge types detailed later in this section. The following minimum floor to ceiling height controls apply:

- Mixed use/Commercial ground level 'active', 'semi-active' or 'adaptable' building edge with optional mezzanine – 6.2m
- Mixed use/Commercial other levels – 3.3m
- Residential ground level building edge – 3.3m
- Residential other levels for habitable rooms – 2.7m
- Residential other levels for non-habitable rooms – 2.4m

FIGURE 11: Examples of the possible mix of uses and application of minimum floor to ceiling heights



Building siting and setback

The following section outlines the desirable planning and design outcomes for the siting and setbacks of buildings (**Map 9**). Considerations include the following:

- overshadowing of neighbouring properties,
- minimum building separation and setbacks for natural light, passive solar design and landscape amenity
- maximum building length for better permeability and active travel links through sites, and
- roof design for incorporating sustainability features and achieving better articulation of the skyline.

Solar access

Intent

Solar access to the public domain and adjacent properties is prioritised through minimising overshadowing during mid-winter.

Design Criteria

- Living areas, private open space and communal open space should receive appropriate solar access.
- Solar access to workplace environments, living rooms, balconies, private open spaces and solar collectors of buildings on adjacent sites should be taken into consideration when siting and designing the development.

Street setbacks

Intent

- Setback areas shall be designed to accommodate the appropriate landscape type suitable to the intended function, character and amenity of the location.
- Street setback areas will be designed to be pedestrian oriented, provide comfort and an attractive interface between built edges and the streets.

Design Criteria

Development shall conform to the identified setbacks described in **Map 9** Street Setbacks and in accordance with the setback provisions of the required Building Edge Type for its location.

- Basements and balconies must not encroach into the street setback zone.
- Minor encroachments such as awnings or architectural details consistent with architecture of excellence may be approved.
- Setback areas fronting major streets shall not contain car parking, driveway or basement access or porte-cochere vehicle drop off spaces.

MAP 9: Street Setbacks

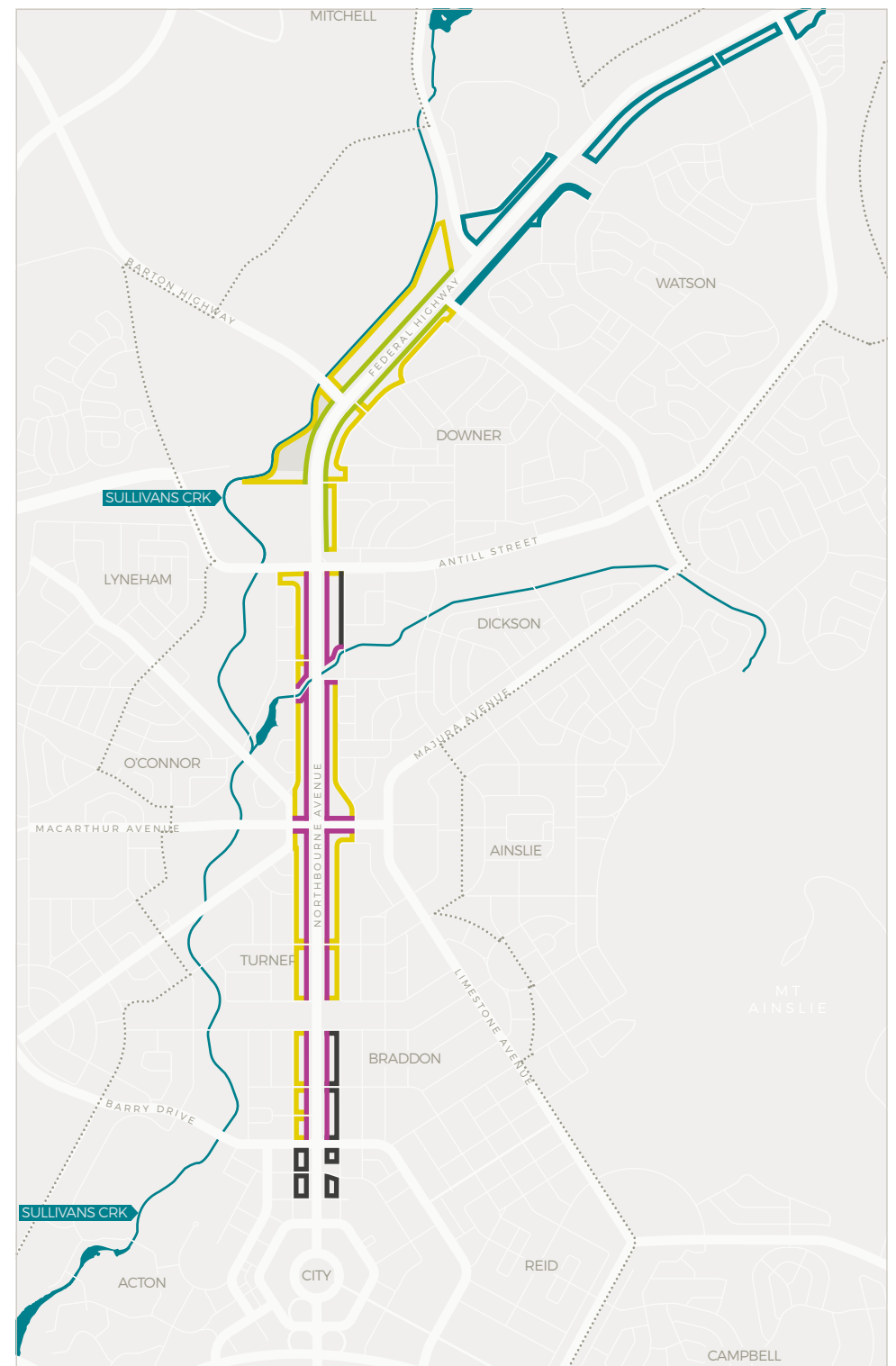


TABLE 2: Design Criteria (Minimum building separation)

BUILDING HEIGHT	BETWEEN HABITABLE ROOMS/BALCONIES	BETWEEN HABITABLE AND NON-HABITABLE ROOMS	BETWEEN NON-HABITABLE ROOMS
Up to 4 storeys	15m	10m	6m
Up to 8 storeys	20m	15m	10m
9 storeys and above	25m	20m	15m

Side and rear setbacks

Intent

The relationship of built form to the property boundary must be carefully considered to balance the needs of the new development with maintaining the amenity of adjacent sites.

The setback areas are important for moderating the extent of built form so that usable land can be provided for common open space, courtyards, driveways, stormwater runoff management, tree planting and landscaping.

Design Criteria

- Side and rear setback distances shall ensure consistency of urban form with the intended character of the area.
- Where development interfaces at the rear with lower scale built form, or a street containing lower scale built form opposite, an appropriate transitional setback shall be applied.

Minimum building separation

Intent

Separation between buildings ensures Canberra's urban form reinforces the high quality landscape character along the gateway corridor and in the city centre.

Separation distances contributes to the urban form, as well as to the amenity within apartments and open space areas. Building separation ensures communal and private open spaces have useable space for landscaping, deep soil and adequate sunlight. Within apartments, building separation assists with visual and acoustic privacy, outlook, natural ventilation and daylight access.

Design Criteria

- Minimum building separation distances apply to buildings within development sites, between apartments and non-residential uses, and to buildings on adjacent sites with a shared boundary.
- When applying separation to buildings on adjacent sites, apply half the minimum separation distance measured from the boundary. The separation distance is increased when adjacent to a different zone that permits lower density residential development to provide a transition in scale.
- Building separation may need to be increased to achieve adequate solar and daylight access to buildings and open space, especially on sloping sites.
- Ensure reasonable levels of visual privacy between buildings in all situations.

Maximum building length

Intent

The length of buildings will generally be limited by existing lot dimensions. However, where sites are amalgamated or precinct-scale sites exist, buildings should be designed to respond to the intended scale, grain and rhythm of the streetscape. Overly long buildings that limit cross-site permeability, block view corridors and disrupt a pedestrian-scaled neighbourhood system should be avoided.

Design Criteria

- All new buildings shall be limited to a maximum length of 55m.
- Longer buildings may be permitted at lower building levels where strong design justification is provided, such as provision of continuous, active street frontages.
- Where this is the case, pedestrian mid-block links between 5m and 10m wide must be provided at least once every 55m through the built form.

Roof design

Intent

Apartment buildings are often prominent in an urban skyline and the roof design is an important design element. Apartment facades are often characterised by repetition of the dwelling module, and the roof treatment is an opportunity to differentiate that form and resolve the overall composition. Recognisable and memorable features can contribute to local identity and wayfinding. Apartment roofs also offer functional possibilities, such as communal gardens and facilities or distinctive dwelling types. Building height limits can be tempered to enable high quality roof design outcomes.

Design Criteria

- Roof treatments are integrated into the building design and positively respond to the street.
- Roof spaces can be designed to accommodate a limited amount of internal floor area, but this should not comprise whole tenancies or apartments.
- Roof design incorporates sustainability features, such as enabling winter light and heat gain, summer shading, skylights and ventilation systems.

Building interfaces

The importance of high quality interfaces between buildings and the public domain are widely recognised to create a public domain that supports urban activity and recreation for a distinct and vibrant urban life. This chapter outlines guidance related to the desired design outcomes of facades, awnings and signage, and building edge types and ground level public domain interface.

Facades

Intent

The design of facades contributes greatly to the visual interest of the building and the character of the local area. Facades that face the street have an impact on the public domain, reflecting use of the building and facilitating the desired level of street activation. Side and rear facades often influence the amenity of neighbouring buildings and communal and private open spaces. High quality facades are a balanced composition of building elements, textures, materials and colour selections.

Design Criteria

- Building facades relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights.
- Use articulation and modulation to clearly express the organisational or structural grid of the buildings and to break-up the mass of longer buildings.
- Create a balance of light and shadow on the facade throughout the day through the use of balconies, deeper window reveals, integrated shading, rebates and expression of structural elements.
- Give important corners visual prominence through a change in articulation, materials or colour, roof expression or changes in height.
- Clearly define building entries.

Awnings and signage

Intent

Awnings are prominent streetscape elements requiring a well-integrated design response. Awnings ensure that the space immediately in front of the building façade is protected from the weather, encouraging pedestrian activity along streets and in conjunction with active frontages, contributing to the vitality of the local area.

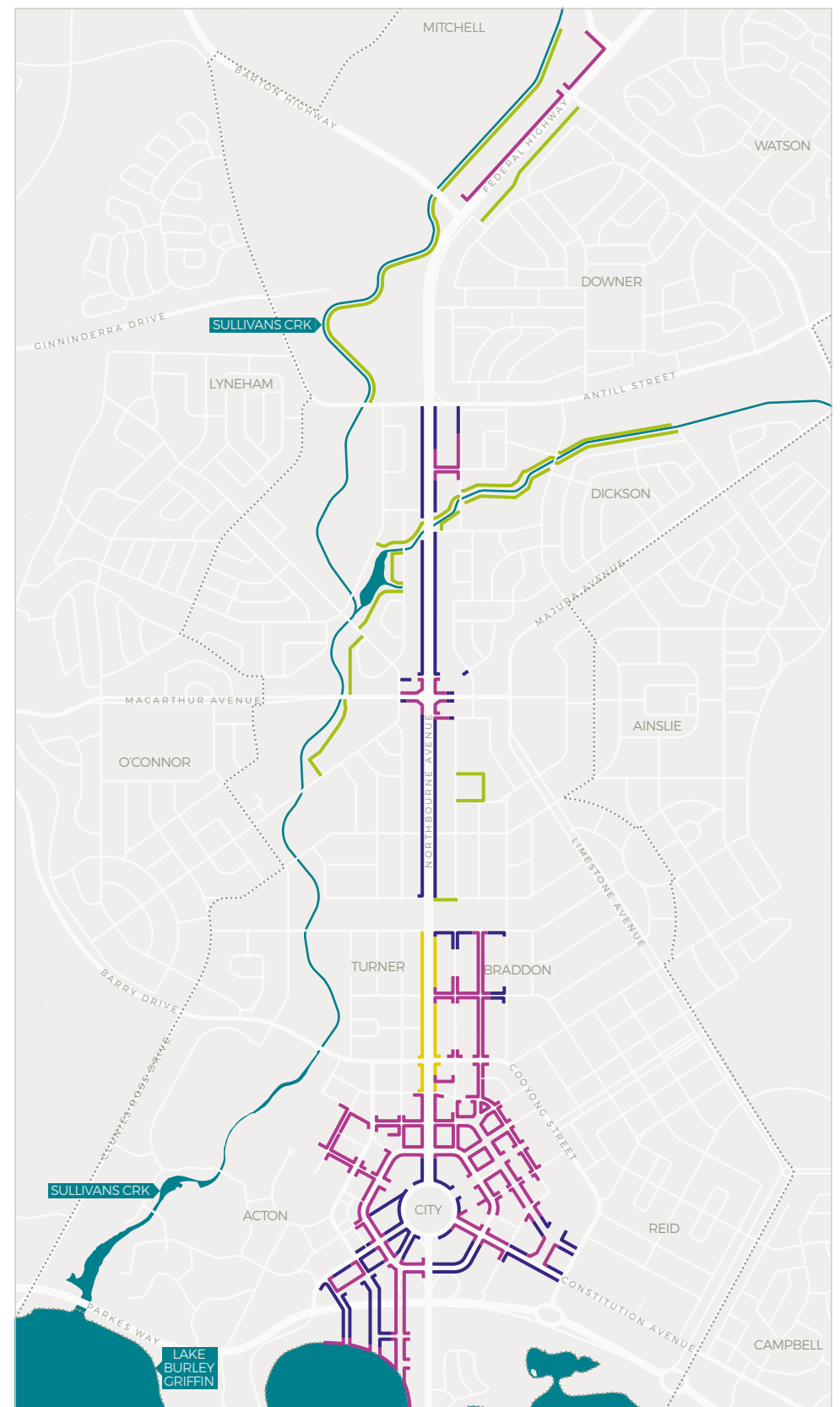
Together with building entries, awnings provide a public address, thereby contributing to the identity of a development.

Signage is to be a high quality and integral component of the building design, contributing to the character of its location within the city and gateway corridor.

Design Criteria

- Active building edge types shall have continuous awnings over the footpath, providing public domain amenity.
- For semi-active, adaptable and residential building edge types, awnings shall be located over the building entry, providing building address.
- The height, depth, material and form of awnings are to comply with relevant regulations.
- Awnings are well located to integrate and enhance the architectural quality of the building.

MAP 10: Building edge locations



Deep soil zones

Intent

Deep soil zones have important environmental benefits, such as allowing infiltration of rain water to the water table and reducing stormwater runoff, promoting healthy growth of large trees with large canopies and protecting existing mature trees which assist with temperature reduction in urban environments.

Design Criteria

- A minimum deep soil zone dimension of 5m should be applied where located on site.
- A minimum 7% of the site should be retained for deep soil zones, except for sites in the city centre, where it is demonstrated high intensity urban outcomes are required.
- Front setback areas should be retained for deep soil planting.
- Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may include:
 - > basement and sub-basement car park design that is consolidated beneath building footprints
 - > use of increased front and side setbacks
 - > adequate clearance around trees to ensure long term health
 - > co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil.

Building edge types and ground level public domain interface

Intent

Development shall present an attractive and functional interface with the public domain. A seamless connection is to be provided between the ground floor of the building and the adjacent verge and setback area.

Given the scale of the corridor and the need to achieve a high level of activation in a number of key locations, it is critical to balance the distribution and intensity of street-based retail so that active, people-orientated streets and places can be created at strategic locations.

Map 10 identifies the desired building edge locations in the city and gateway corridor.

The following guidance is provided to ensure there is a consistent understanding of the different building edge types, and corresponding front setback, to improve the interface between buildings, the landscape, streets and public domain through future development in the study area:

- **ACTIVE:** This building edge type represents primary active street frontages which generate high levels of pedestrian activity and public life at the ground floor level, creating active places and vibrant retail precincts. To achieve this level of activation, specific uses such as retail, restaurants, bars and service industry shopfronts will be mandated for these locations. Generous double height ground floor ceiling heights establish an appropriate urban scale and promote flexibility of use and higher levels of servicing needs. Sound attenuation measures will be provided between different uses, such as restaurants and bars with residential above.

Building frontages will be located on the front setback and have a direct, on grade connection with the street. Continuous awnings with frequent entries and interesting window displays will provide the backdrop to plentiful outdoor dining opportunities.

- **SEMI-ACTIVE:** This building edge type is less interactive, but benefits from activation and pedestrian traffic generated by adjacent public transport networks. Commercial office, with small retail offerings such as foyer coffee kiosks, customer service functions or showrooms seeking brand exposure suit semi-active frontages, with the occupants activating the building.

Building frontages will be located on the front setback and have a direct, on grade connection with the street, with wide formalised pedestrian access from the kerb to the building edge and awnings limited to entries only. Double height volumes, some with mezzanines, at ground level maximise visibility when viewed from the street, especially from the light rail.

- **ADAPTABLE:** The adaptable building edge is used for urban areas where there could be a transition in use from residential to commercial or retail. This may include creating a desired mix of neighbouring uses such as residential or live/work adjacent to lower intensity retail or service industry.

Building frontages will be located behind the front setback providing landscaped private outdoor space for either residents or other users, depending on the current use of the building. The ground floor interface

will provide a direct, on grade connection with the street, with tree planting in the verge and setback areas and awnings to entries only. Double height volumes, some with mezzanines, at ground level ensures longer term adaptability to other uses is able to occur.

- **RESIDENTIAL:** This building edge type creates a less intense street address reflecting its residential use. Building frontages with awnings signalling the entrance to each residence will be located behind the front setback with landscaping providing a balanced level of privacy between private outdoor space and the verge. Elevated transitions to the ground floor level, with semi-permeable screens or fences, will encourage residents to use the private outdoor space at the front, contributing to a subtle active street quality, with passive surveillance and the security it brings. Equally, generous ground floor ceiling levels will contribute to the perception of space and amenity for residents.

- **PARK EDGE:** The park building edge seeks to establish a relationship between residential development and green spaces. The intent is to provide connection, activity and surveillance from the building while balancing privacy for the occupants, ensuring the building edge is activated through frequent use. Examples of this building edge are found along Sullivans Creek and parts of Haig Park, and the Informal Park Boulevard Edge.

Design Criteria

- Unless noted otherwise, the ground floor level to all building edge types is to provide a direct, at grade connection to the adjacent verge and setback area to ensure street continuity. Elevated transitions above street level may be considered for residential and park or building edge types, to provide privacy and safety for residents.
- Finished ground floor levels set below the adjacent finished pavement levels on Northbourne Avenue are not allowable.
- Building design, layout and construction, including sound attenuation measures, are to take into account the impacts of noise between the different uses within a building and from surrounding areas.
- Integrate service areas within the building to avoid impacting the public domain on Northbourne Avenue.

Public domain and verges

The public domain is the collective, communal part of the city, with shared access for all. It is the space of movement, recreation, gathering, events, contemplation and relaxation. This includes streets, parks, plazas, places between buildings and waterways.

Public domain

Intent

Infrastructure and public spaces should be responsive to local place, character and context:

- Canberra's natural features, such as Mount Ainslie, Black Mountain, Sullivans Creek and open grasslands should be reinforced in public domain design.
- Street and infrastructure design should support local business activity, commerce and active lifestyles.
- Landscape design and planting should respond to Canberra's blend of locally endemic and introduced species, reinforcing the 'bush capital'.

Public domain design, through use of appropriate species, materials and components, will be robust, permanent and sustainable:

- Where possible, the public domain will incorporate local materials of high quality.
- Water sensitive design initiatives will be incorporated into streets and site design.
- Plant species will be chosen for their effectiveness and adaptability to Canberra's climate to reduce heat islands and maximum shade.
- Deep soil zones will be sited in accordance with the relevant planning provisions to promote healthy growth of large trees, allow infiltration of rain water to the water table and reduce stormwater runoff.

Design of the public domain will enable a variety of choices to accommodate all aspects of Canberra's local community and diversity of visitors:

- Public domain design should invite use and activity.
- Various user types will be accommodated in public spaces, from children to adult, from able bodied to differently abled.
- The public domain will be designed to enable democratic use of space.

The corridor's public domain will maximise comfort, amenity, safety and opportunities for activity:

- Shade, openness, shelter and solar accessibility will be carefully balanced to enable a range of comfortable user experiences.
- The public domain will be designed to enable flexible use of space for different activities and user types.
- The relationship between built edges and the public domain should maximise passive surveillance, safety and visual interaction.
- The user experience will be maximised along the corridor, with people prioritised over vehicles.

Public domain design will be fit for its purpose, whilst accommodating a range of different eventualities and activities:

- The public domain along the corridor should respond to potential activities, use requirements and movement patterns of the wider area.
- The spatial layout of the public domain will enable ease of use by people, and be accessible, legible and navigable.

Physical design and maintenance requirements will be balanced with the corridor's purpose as the National Capital approach route:

- Cost considerations should take into account the life of infrastructure and should consider wider public benefits over time.
- Built elements should be resilient and durable to maintain long term visual attractiveness.
- Public domain design will be flexible to enable a range of use patterns to emerge over time, responding to adjacent development outcomes.

The visual and material quality of the public domain will attract use, engender pride of place and reflect Canberra's status as the national capital:

- Design of the corridor's public domain will be visually appealing.
- Public spaces will be designed to prioritise enjoyment by pedestrians at slow speeds, where small scale characteristics will be appreciated.
- Incorporation of locally specific design elements, inclusive of materials, planting, signage and landform, will enhance the distinctiveness of the corridor.

MAP 11: Desired Verge conditions



Living Infrastructure

Living infrastructure will help Canberra to adapt to and mitigate climate impacts and remain a liveable city into the future. Guided by the government's ACT Climate Change Adaptation Strategy and ACT Living Infrastructure Plan, living infrastructure components (including plants, soils and surfaces) will be incorporated into the design of open spaces, public places and streets in the city and gateway corridor. Vegetation will be retained and planted to help reduce urban heat by providing shade and circulating moisture in the atmosphere. Water Sensitive Urban Design principles and deep soil zones will be utilised to reduce stormwater runoff, allow the re-use of stormwater and support the growth of large trees.

Landscape design

Intent

Landscape design for development along Northbourne Avenue and the Federal Highway is a fundamental character feature of the gateway into the city centre. It unites new development with the existing landscape character of Canberra, softens the impact of larger building form and provides visual relief to the urban condition consistent with Canberra's status as the Bush Capital. In this regard, new development will be required to enable substantial mature tree and understorey planting, supported by functional, safe and attractive private and public areas of open space. Development will continue to deliver Canberra as a city in a landscape.

Design Criteria

The front setback area and verge type shall be designed consistent with the intended built edge condition. Landscape planting within development sites will complement the landscape design themes evident in the Northbourne Avenue and Federal Highway corridor:

- South of Stirling Avenue: An Informal Park Boulevard containing a mix of native and introduced tree species. Toward and around the intersection of the Federal and Barton Highways, landscaping contributes to the intended 'Gateway' theme, comprising mixed exotic plantings.
- South of Antill Street: A Formal Landscape Avenue containing consistent street tree planting within the verge and extending to the setback area.
- South of Barry Drive: An Urban Avenue comprising a built edge to the street boundary, high quality furniture and paving treatments.
- South of London Circuit: A threshold to the National Triangle which narrows from 60m to a 40m building to building line.

The spaces between buildings will be landscaped to a high quality and promote green links between the private and public domain.

Landscaped spaces will be designed to clearly differentiate between areas intended for public and private use, maximising the functionality of both. Landscaped areas will be designed to maximise pedestrian comfort and safety.

VERGE TREATMENTS

The following articulates verge treatment types and their desired locations (Map 11) which correlate to the building edge types previously described.

Active

INTENT: Active verges will support ground level retail and commercial activity along Northbourne Avenue. They will comprise primarily hardscape areas, complemented by a consistent avenue of street tree planting. The primary verge trees will be eucalyptus, consistent with the broader avenue planting. The secondary tree planting zone will contain exotic species, suitable for providing shade for pedestrians, and may be deciduous to enable light access in winter. Areas of alfresco dining will be accommodated within the hardscape zone adjacent to the building edge.

Semi-Active

INTENT: The semi-active verge type responds to either a showroom or commercial frontage. It is designed to enable pedestrian movement adjacent to the building edge, promoting trade display from the ground floor of the building. Wide, formalised pedestrian accessways are provided between building entries and the kerb line, with soft landscaping pockets making up the remainder of the setback area. This secondary planting zone will contain both exotic tree and understorey planting. A formal street tree alignment will be maintained along the verge area, integrated with understorey planting and lighting.

Adaptable

INTENT: Adaptable verge types will correspond with the adaptable edge types to enable a transition over time from a residential land use. The building facade is set back from the lot boundary in a similar fashion to the residential edge, potentially providing private outdoor space or external support space to a commercial function at ground floor level.

Park Verge

INTENT: The park verge is characterised by substantial informal open landscape between the road edge and block boundaries. This landscape increases in formality progressing towards the city. New development shall present a built interface to the Federal Highway and Northbourne Avenue.

Residential

INTENT: Residential verges offer landscape amenity for residents, providing a park-like separation between the road kerb and building / fence line. A consistent line of street trees situated adjacent the kerb provides separation and a sense of safety for users of an adjacent shared pedestrian and cycle path. This is the primary public zone of the residential verge. A secondary tree and understorey planting zone is situated on the building side of the shared-use path, and will generally lie within a property's front setback area. This secondary planting zone will provide a degree of separation and privacy for residential units. Between the secondary planting zone and fence/building line, a secondary path provides access to ground level residential units. A tertiary planting zone will provide separation between the pathway and fence line.

Framework plans

The Framework Plans sets out how the broad structure of the city centre and nodes could be arranged in the long term. It shows how land use, public domain and connections could be arranged and integrated.

City Centre Framework (place-based objectives)

City Hill – Canberra’s iconic cultural and civic core

Intent

As a historically and geographically significant landmark within the city centre, the City Hill precinct will assert its role as the iconic ‘heart’ of the city and fulfil its intended prominence as an important ‘municipal space’. Under initiatives to be delivered by the City Renewal Authority, the City Hill precinct will be highly integrated and complement the surrounding urban structure and other city centre precincts. The precinct will offer a mix of uses, primarily providing for civic, cultural and community pursuits. Commercial and limited residential uses as well as improved access to City Hill Park are also anticipated. The existing City Hill Park will be retained and enhanced to create a high amenity, functional city park and public gathering space.

This is in line with the strategic directions set in the NCA’s City Hill Precinct Amendment (2012) that also identifies London Circuit as the main public transport circuit and main connector between Northbourne and Commonwealth Avenues with the intention to divert traffic from the avenues onto London Circuit and limiting access to the inner City Hill Precinct to predominantly local traffic.

As part of a carefully sequenced and staged approach, future land use and development will respond to existing transport and movement challenges, including managing fast moving through traffic, the installation and integration of Light Rail Stage 2, establishing a destination focus for the precinct, and improvements to walking and cycle access. Additionally, a programme of cultural initiatives could be progressed to guide future transformation, support business and generate activity in currently underutilised spaces.

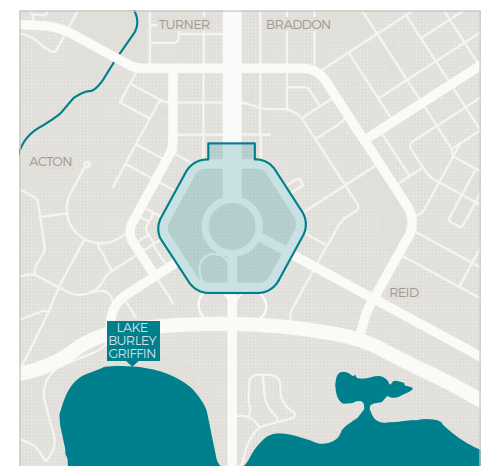
The heritage-listed Sydney and Melbourne Buildings and streetscape improvements to establish Northbourne Plaza will be key to the future of this precinct, providing a clear sense of arrival into the city centre and underpinning a focus on heritage, people and place.

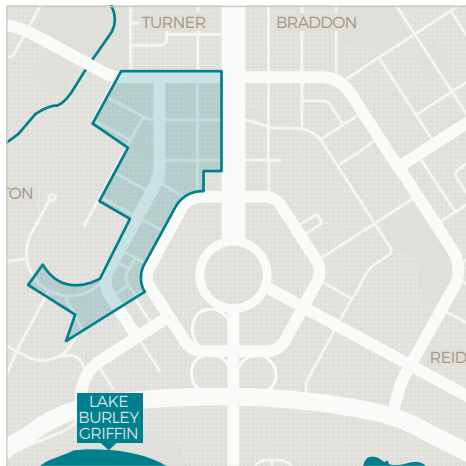
Priorities

- **GROWTH** – Prepare for growth in a manner that utilises existing capacity, supports a variety of uses and ensures the sequenced delivery of supportive infrastructure.
- **LAND USE AND DEVELOPMENT** – Ensure development outcomes reflect the cultural and municipal prominence of the precinct, support the ongoing delivery of mixed-use development and provides a lively and pedestrian-friendly public realm.
- **CONNECTIONS** – Progress planning and design initiatives to facilitate a ‘people first’ approach to the delivery of public transport and integration with pedestrian and cycle infrastructure.
- **PUBLIC PLACES** – Deliver targeted improvements that honour the iconic status of the City Hill precinct and its function as a high quality mixed-use and cultural precinct with a focus on people and place.
- **LANDSCAPE AND OPEN SPACE** – Retain and enhance City Hill Park to provide an enclosed urban park of a standard and quality befitting the significance of the precinct and its prominence within the National Triangle.

Objectives

- Improve the public realm to facilitate access by walking and cycling
- Activate currently underutilised spaces or buildings with ‘cultural’ initiatives
- Reinforce role as civic and cultural heart of the city and links to national institutions
- Support multi-modal transit, including improved pedestrian connections and links between transport nodes.
- Create an iconic location befitting role as cultural, civic and community heart of the city
- Resolve complex traffic and access arrangements consistent with iconic status to allow active travel and access to City Hill





City North-West – Innovation and knowledge quarter

Intent

The City North-West area supports a strong identity defined by the presence of significant existing features and uses such as the ANU and the city's legal quarter. The area has been subject to intensive development activity in recent years and continues to support a diverse range of uses including educational, employment, residential, community and cultural.

In the future, the City-West precinct will continue to build its identity as Canberra's premier business, knowledge and innovation hub. These functions will be supported by residential development, an attractive and inviting public realm, integrated public transport, and a thriving arts culture.

Key areas of focus for the City Renewal Authority will include innovative approaches to renewing and repurposing old buildings, creating a finer-grain public realm, strengthening the pedestrian and cycle network, improving links with the existing cluster of community arts facilities, strengthening connections between the ANU and the city centre, and prioritising the provision of community facilities and a small supermarket as part of new and existing developments.

Priorities

- **GROWTH** – Ensure a measured and targeted response to growth that draws on existing capacity.
- **LAND USE AND DEVELOPMENT** – Provide a mix of uses in future developments, and encourage the adaptive reuse of older buildings.
- **CONNECTIONS** – Prioritise improvements to support a pedestrian and cycle friendly environment within the City North-West precinct including improving access between existing community arts facilities, the ANU and city centre.
- **PUBLIC PLACES** – Establish a fine-grain place plan around business nodes and residential areas as part of development proposals to guide public realm improvements
- **LANDSCAPE AND OPEN SPACE** – Identify opportunities to reinforce and enhance landscape character through establishing green connections between key destinations and the city centre

Objectives

- Ensure development protects conditions and opportunities for existing and emerging innovation and knowledge related employment
- Improve pedestrian connectivity to the city centre
- Retain and establish supporting community facilities as part of redevelopments
- Enhance fine grain characteristics at ground level as part of development proposals
- Develop as Canberra's premier 'CBD' office area, with a selected supportive range of residential typologies including for students/knowledge workers



City North-East – Retail and entertainment heart

Intent

The City North-East precinct is currently home to Canberra’s retail and commercial core, along with a variety of cultural and entertainment uses. A distinctive feature of this area is its extensive network of public places, and streets; including City Walk, Ainslie Place, Petrie Plaza, Bunda Street and Garema Place. These areas establish important pedestrian links to key destinations within the CBD and provide opportunities for people to meet, gather and participate in public life.

In the future, it is intended that City North-East will consolidate existing attributes by retaining its function as the city’s retail and entertainment core, reinforced by new complementary mixed-use (including residential) development. Encouraging a greater mix of uses including independent, niche and boutique retailers will diversify the retail economy and increase activity in the area.

Public places and squares, such as City Walk and Garema Place, that are so integral to the history and design of the precinct will continue to support nearby civic uses, connect clusters of activity and provide the backdrop to public life and urban art initiatives. New complementary development that respects the role of this precinct and is sympathetic to its heritage, will be encouraged to generate activity, support business and attract investment.

Priorities

- **GROWTH** – Facilitate growth that delivers new entertainment, dining and specialised retail uses in locations adjoining key activation areas.
- **LAND USE AND DEVELOPMENT** – Provide for mixed-use residential and expand entertainment and dining uses.
- **CONNECTIONS** – Strengthen strategic pedestrian and cycle connections and reinforce links with City Hill, Braddon, public transport and the wider city centre precinct.
- **PUBLIC PLACES** – Progress with a program of public realm upgrades to activate priority public spaces and key pedestrian routes such as Garema Place and City Walk, and create a sense of journey between key destinations such as Northbourne Plaza, the City Hill precinct and the ANU.
- **LANDSCAPE AND OPEN SPACE** – Promote large canopy street and urban tree planting to complement the area’s existing landscape character, offer seasonal comfort and connect people with nature.

Objectives

- Improve pedestrian connectivity and the ground level experience
- Protect and expand retail and commercial floorspace opportunities, particularly for independent, niche and boutique retail
- Improve interface between existing retail uses and adjacent public areas, working with landowners to facilitate more vibrancy in priority public places
- Make the centre of Canberra the retail destination of choice between the CBDs of Melbourne and Sydney
- Encourage night-time activation



City South-East – Tourism, business and education quarter

Intent

City South-East is defined by community, tourism and recreation uses and benefits from convenient access to high quality parks and open space. Existing uses include: Casino Canberra, Civic Pool, the National Convention Centre, CIT Reid and Glebe Park. The area also benefits from immediate proximity to Commonwealth Park and the lake foreshore.

Opportunities exist to achieve intensification and character improvement in City South-East, capitalising on the backdrop of national avenues, views and vistas which contribute to the northern apex of Canberra's National Triangle. New development will provide a transition to the existing eastern suburbs of the city centre. A growing population will support the provision of further leisure, recreation and educational facilities.

In addition to continuing to support existing primary uses, long-term plans for this precinct include new residential development to support a gradual transition between the city centre and adjacent suburbs, consideration of a new city stadium, retaining and enhancing educational uses at the CIT Reid campus and strengthening physical and visual connections between the city centre, Commonwealth Park and the lake. A priority for catalyst projects such as these, would be to ensure strong integration with surrounding land uses; supporting the roles, function and objectives for this and adjacent precincts.

More intensive development in City South-East will allow for improved connections and greater people flow between the city centre and the lakeside, particularly to Commonwealth Park. City South-East will be accessible by rapid and direct public transport, including connections to key employment nodes, such as the National Triangle.

Priorities

- **GROWTH** – Adopt a strategic approach to the delivery of long-term growth with a focus on leisure, tourism, community benefits, education and sensitive integration with surrounding uses.
- **LAND USE AND DEVELOPMENT** – Provide for tourism, recreation, education and residential mixed-uses that generate activity, provide broad community benefits and create a gradual transition to adjacent suburbs.
- **CONNECTIONS** – Progress initiatives to improve the pedestrian environment and enhance connections between the city centre and the lake.
- **PUBLIC PLACES** – Encourage a transitional approach to public realm design that focuses finer-grain provision within the inner-city and responds to the changing character and context of Commonwealth Park, the lake and natural surrounds.
- **LANDSCAPE AND OPEN SPACE** – Provide safe and convenient access to existing natural amenity by enhancing connections between the city centre and the lake.

Objectives

- Improve pedestrian connections from the city centre to Commonwealth Park and the lakeside
- Reinforce the presence of the grand boulevards as development proceeds
- Become a destination for a range of leisure, recreation, tourism and education uses
- Enhance accessibility by major public transport upgrades including to and from key employment centres like the National Triangle

West Basin

Intent

Set against the iconic shoreline of Lake Burley Griffin, West Basin connects the Acton Peninsula with the picturesque central basin, Central National Area and major transport corridors of Commonwealth Avenue and Parkes Way. The area benefits from award winning private mixed-use development in Acton, delivering residential, complementary hospitality and cultural uses. A more recent addition to the open space offering within the precinct is Henry Rolland Park, a high quality waterside promenade and recreation space, opened in April 2018 as the first stage of the City Renewal Authority's West Basin project.

Ongoing renewal and transformation will continue to shape the future of this precinct. It will extend the city to the lake, providing people-focussed destinations and unrivalled waterfront public realm spaces. West Basin's future development will improve the accessibility of the area and its integration with the wider city precinct.

Development will provide for a mix of land uses (including residential) and in doing so create a neighbourhood with local amenity. A key feature of West Basin will be its community and recreational facilities, which will enhance its green space and waterfront setting. Improving pedestrian and cycling connectivity to and from the waterfront will also be an important priority.

Priorities

- **GROWTH** – Facilitate growth that creates neighbourhood style mixed-use residential development supported by local amenity, including a high quality public realm.
- **LAND USE AND DEVELOPMENT** – Provide community infrastructure and facilities to support residential mixed-use development with local amenity and complementary uses to support the needs of West Basin precinct and wider population.
- **CONNECTIONS** – Continue to deliver improvements to the pedestrian and cycle network and reinforce links with the city centre, public transport stations and the wider city precinct.
- **PUBLIC PLACES** – Progress programs to generate activity, build social capital and inform ongoing transformation.
- **LANDSCAPE AND OPEN SPACE** – Maximise opportunities for residents and visitors to enjoy the area's urban amenity and waterfront setting through careful selection of tree species and well-designed public spaces that provide for a range of passive and active uses.

Objectives

- Enhance pedestrian connectivity from the waterfront and to the wider city precinct
- Revitalise existing public and open spaces through investment in public realm, setting the groundwork for future residential and other development
- Accommodate a mix of uses including residential and community and recreational facilities which serve the local population as well as wider Canberra community
- Develop a distinct, vibrant and accessible Canberra waterfront area as a destination for visitors and residents



Macarthur node framework plan

Intent

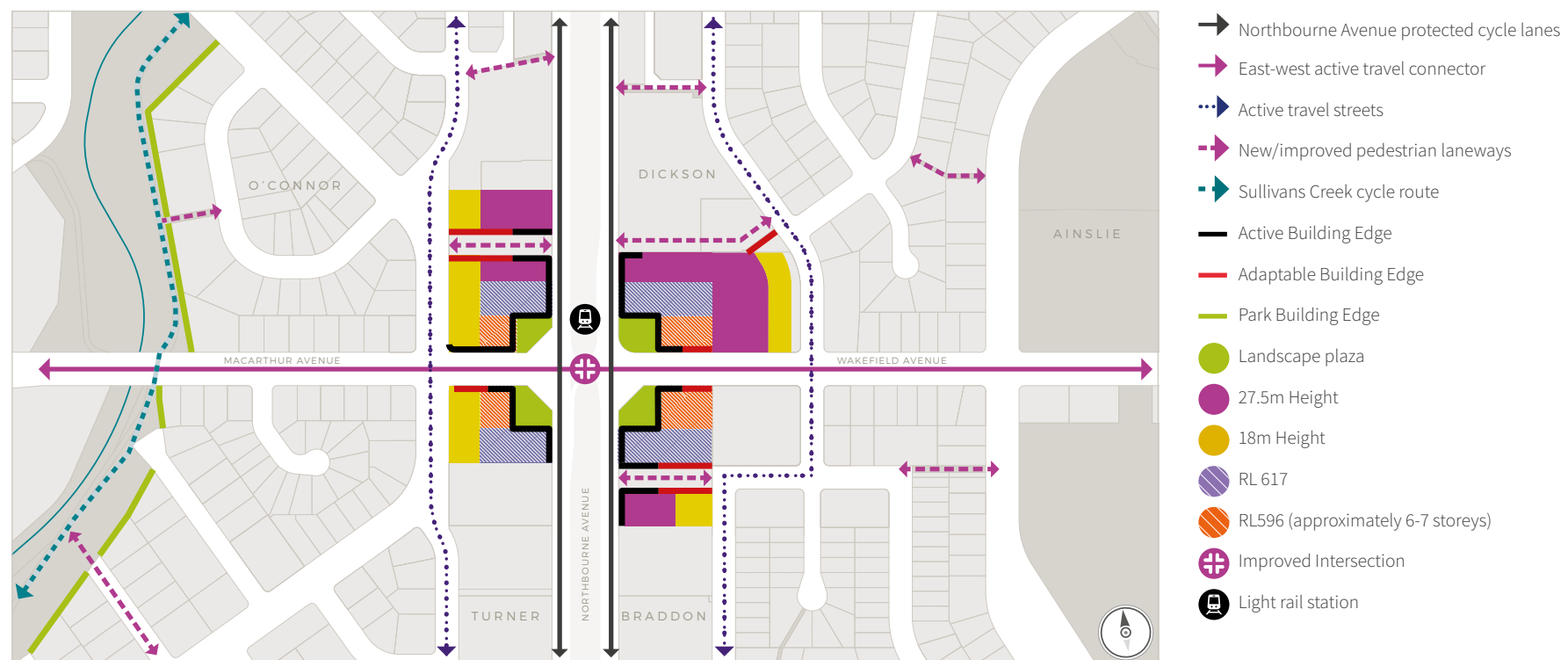
The Macarthur node will become a distinct destination on the light rail network. Buildings with convenience shops, cafes, services and employment around the light rail station, combined with increased pedestrian and cycle priority, and active building edges will create a more people-friendly environment to activate this location on Northbourne Avenue:

- Incorporating a mix of complementary land uses across the four sites will help create a more active precinct, catering to a range of users during the day and night
- Incorporate community infrastructure and services to create a hub that supports the surrounding residential areas and commercial convenience uses.
- Redeveloped buildings should face Northbourne Avenue, with entrances clearly addressing the Avenue and the light rail station and improved access for pedestrians and cyclists between the station, verge and building frontages.
- Improving the public domain through upgrades to the width of paths, verge treatments, street furniture and landscape elements will encourage a greater intensity and mix of uses.
- Ground-level activation on the four corners and the creation of new through block laneways will contribute to a shift towards human-scale development, providing better pedestrian access and amenity to the light rail station and creating more interesting and attractive thoroughfares.
- Developers are encouraged to provide more innovative design, integrating principles of sustainability with world class architecture to create a renewed character at this landmark node.

Design Criteria

- Define the corners and mark the axis - Ensure future development addresses the intersection, with an increased prominence to the buildings to punctuate this node.
- Reimagine the node as an urban plaza - Encourage the transition of the underutilised landscaped spaces on the corners of the intersection to active urban plazas with landscape elements that support increased pedestrian movements around the light rail station and between the four large sites facing the intersection.
- Improve the relationship with the streets - Promote a high quality, human scaled public domain with increased activation at the ground level.
- Clearly define public and private spaces - Improve the quality of the public domain and encourage use of public space, clearly identifying spaces that are accessible to all with a consistent and complimentary palette of materials, street furniture and landscaping.
- Actively encourage compatible community uses combined with commercial and residential uses to create a local scale hub that supports the surrounding areas by requiring at least 500sqm of community use in this location.
- Connect to the wider networks - Ensure continuity of the active travel network through the node to support people moving to and from the light rail network.
- Buildings up to RL 617 at the Macarthur node and their locations on the site are identified by the hatched areas in **Maps 8** and **12**. Detailed design and siting of building within the respective sites will be determined through an amendment to the National Capital Plan.

MAP 12: Macarthur node Framework Plan



Dickson node framework plan

Intent

Integrated public transport and redevelopment in Dickson will result in a range of new uses and opportunities to create a presence for the Dickson commercial centre on Northbourne Avenue, with strong connections to the existing centre (Map 13). The light rail and bus stations and new ACT Government office building will establish a public transport and employment focussed activity node with new frontages from Antill Street to Cape Street, attracting more people to Dickson and providing opportunities for shops, restaurants and businesses to benefit from increased trade.

- The 2011 Dickson Master Plan had a strong focus on increasing the permeability of the Dickson centre by improving east-west connections and creating new mid-block links. Improving permeability in the area will strengthen connections between the existing group centre and the new light rail stop.
- New east-west through block pedestrian connections between Challis Street and Northbourne Avenue will provide a safe and attractive route to and from the light rail stop.
- There is an opportunity to increase the permeability of the sites by establishing new pedestrian laneways as part of future redevelopment. Pedestrian laneways will provide the opportunity for fine-grain commercial uses, with smaller frontages allowing for cafes, pop-ups and convenience-based retail.
- New cross-block links, pocket parks, plaza spaces and building entrances to Northbourne Avenue will increase the ground level activation and improve the centre's presence on Northbourne Avenue.

Design Criteria

- Improve visibility of the centre from the gateway - Provide a greater presence for the group centre on to Northbourne Avenue and strengthen connections to the light rail network.
- Improve connectivity - Extend the pedestrian links from the group centre to public transport and across Northbourne Avenue.
- Integrate transport movements - Improve active travel routes and better integrate all modes of transport along Northbourne Avenue and Challis Street for cyclists, pedestrians, private vehicles and public transport.
- Improve the relationship with the streets - Improve the interface of buildings with Northbourne Avenue and Challis Street and promote a human scale public domain with focussed areas of increased activation at the ground level.
- Integrate new and existing development - Encourage redevelopment of the Dickson sites facing Northbourne Avenue to allow for a greater mix of land uses while ensuring new development does not detract from the successful fine grain character of the group centre.

MAP 13: Dickson node Framework Plan





ACCESS AND MOVEMENT

This chapter identifies improvements and changes that deliver increased integration of the transport network within the gateway corridor in response to growing demand for travel by a broader range of users and travel modes. This chapter also identifies the need to provide better access to services, employment and user/place based design of the access and movement environment.

Light rail, integrated with the bus network, will provide frequent, reliable and high-amenity inter district and local public transport in the corridor. Improved walking and cycling connections will also provide more options for sustainable movement around the corridor.

A Movement and Place Framework underpins the future directions for an integrated transport and land use network along the corridor and surrounding streets, cycling paths and footpaths. This Framework provides a basis for balancing the dual function of streets: moving people and goods, and enhancing the places they connect and pass through and acknowledges that the needs and expectations of place making and land use differ for different spaces and places. Realising successful spaces and places means better integrating land use and transport planning in a way that supports the community to move safely, efficiently and reliably for people and freight while also enhancing the liveability and amenity of spaces and places along the corridor.



Strategic transport network

An integrated transport network considers all transport modes, their key networks and how they interact. **Figure 12** conceptually depicts the strategic transport network elements. The public transport, road, and active travel (walking and cycling) networks make up the overall transport network.

Key design elements include:

- Improving public transport by integrating light rail and buses
- Developing an effective road network that recognises the greater public transport use function of Northbourne Avenue while also providing effective through travel by-pass of important people-focused centres, areas and spaces
- Improving routes and connections for walking and cycling and creating safer streets for people
- Managing the demand for private vehicle travel by providing safe, efficient alternative travel choices
- Considering reducing road capacity on Northbourne Avenue to discourage through traffic and improve active travel

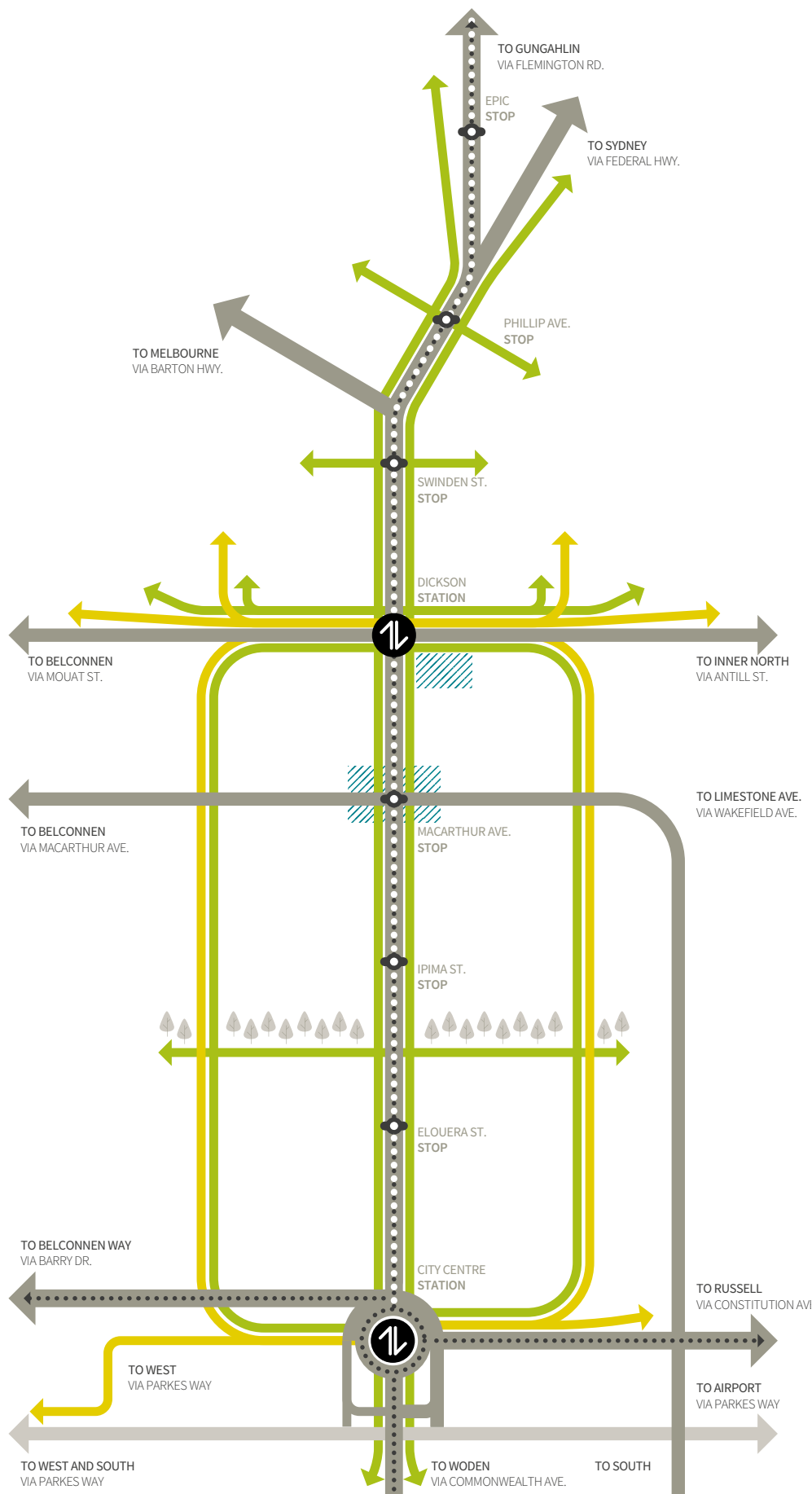
The recognition and integration of broader transport modes aims to balance the needs of each transport mode and deliver the best use of finite space in the corridor. It aims to provide greater mode choice by increasing the priority, provision and support for active travel.

An integrated network with greater transport mode choice and provision has significant benefits for users, including:

- Increased safety for users through a balanced provision of different transport modes
- Increased travel capacity and effective use of space
- Improved public transport reliability
- Improved place quality of the urban environment
- Reduced vehicular traffic dominance
- Increased active lifestyles through people-friendly and safe environments.



FIGURE 12: City and Gateway corridor strategic transport network diagram



Transport stations and stops

- Dickson bus & light rail station
- Light rail stops
- City centre transport station (bus and light rail)
- City centre active travel hub

Transport Network Integration

- Light rail stage 1 and stage 2
- Bus network revision

Road network

- Parkway network access and cross city strategic route improvement
- North-south corridor routes supporting the road function of Northbourne Avenue
- Eastern and western distributor routes to direct traffic around the city centre
- Local area traffic improvements
- Freight bypass route via Majura parkway connecting decoupling locations

Managing the demand for travel -parking management

- Parking plan for the City centre
- Parking and vehicular access management

Improving active travel options

- New north-south cycling routes to the east and west of Northbourne Avenue
- Improved east-west cycling and pedestrian connections including pedestrian mid block links
- Intersection priority to improve pedestrian and cyclist crossing at key city intersections.
- Expanded Civic Cycle Loop
- Improving active travel on Northbourne Avenue

Places and streets for people

- People priority in city centre streets and spaces
- Expansion of the strategic pedestrian network in the city centre, improving connections
- Deliver Northbourne Plaza between Sydney and Melbourne buildings

Urban boulevard - Northbourne Avenue

- Vehicular access management to support active travel
- Reclassify from arterial to transit boulevard

Road Networks

- Rapid transit route
- Arterial road
- Strategic route

Public Transport Networks

- Light rail route
- Bus route (to be determined by TCCS)

Active Travel

- Active travel

Other

- Node
- Transport interchange
- Light rail station
- Haig Park

A user focused Movement and Place approach

The city and gateway corridor has multiple access and movement roles. Its nationally significant role and character as a Main Avenue and Approach Route. It has a nationally significant role and character as a Main Avenue and Approach Route. The demand for movement and access will increase in the future with the growth of the metropolitan and gateway corridor population.

The user experience of the corridor is influenced by many factors including mode and type of journey. Journeys are made using a range of transport modes including: private and commercial vehicles, public transport, cycling and walking. Northbourne Avenue is currently car dominated and as a result provides poorly for pedestrians and cyclists. The introduction of light rail and renewed urban development will introduce higher numbers of people that will increase demand for travel, particularly active modes such as cycling and walking. The renewal of the gateway corridor will respond to the demand by providing improved facilities for public transit and active travel journeys rebalancing user needs.

FIGURE 13: Movement and place matrix

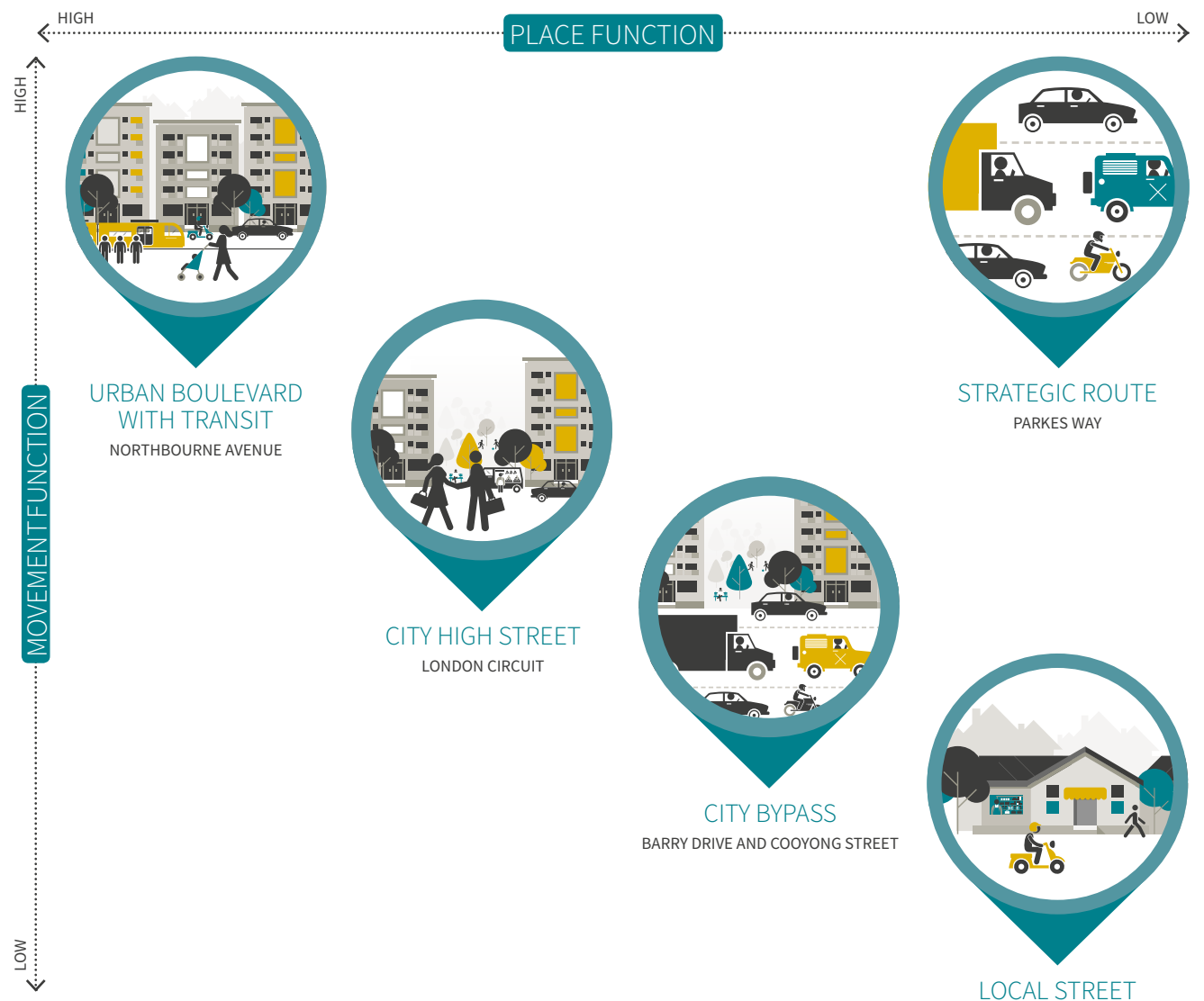
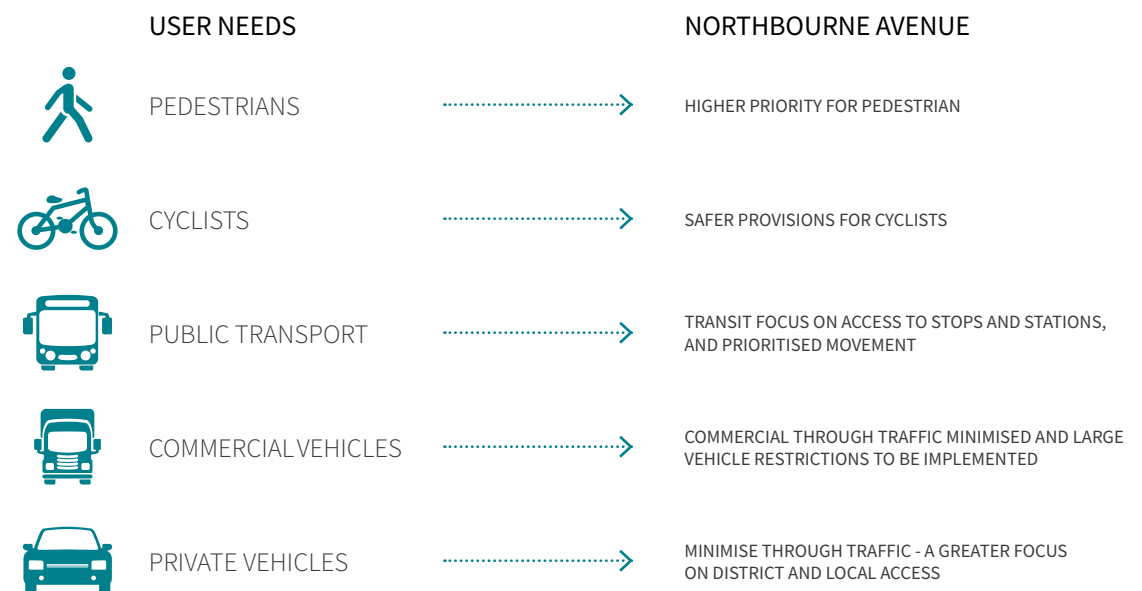


FIGURE 14: A rebalanced user focus - Northbourne Avenue as a transit corridor



Creating a more balanced Urban Avenue through Movement and Place planning and design

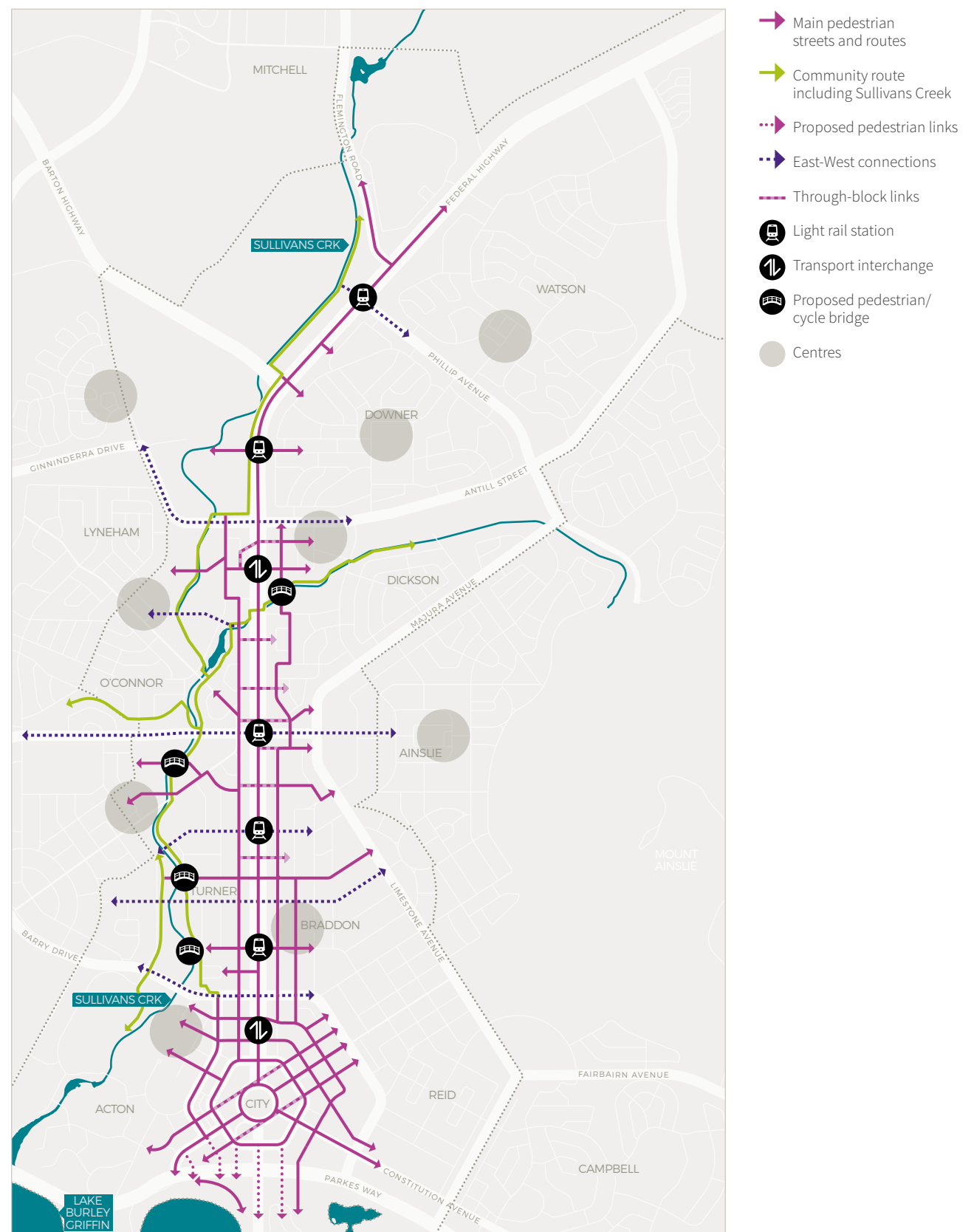
The ACT Government (through TCCS) are developing a Movement and Place Framework for Canberra, which will provide a basis for integrated road network planning across the ACT.

The Movement and Place Framework recognises that street planning is about much more than providing sufficient space for vehicles and standardised facilities for walking and cycling. It is also and equally about quality place making, liveability, urban activation and sustainability. It therefore considers the full breadth of users, uses and activities and how the competing needs can best be balanced through design at particular locations. At the core of Movement and Place street planning is the development of a two dimensional street classification matrix, based on comparable status hierarchies for roads (movement) and streets as places (Figure 13).

The application of the Movement and Place matrix will provide a broader and richer understanding of user needs than the current one dimensional road hierarchy classification system (arterial, distributor and collectors, etc). Although the traditional road classification system will remain, the Movement and Place approach complements and broadens the system for strategic planning purposes. The needs and safety of vulnerable road users, particularly at the nodes and in the city centre, will be balanced against the importance of Northbourne Avenue as a major central road.

Movement and Place planning will put more focus on active travel users for all ages and abilities and support higher-quality urban environment. The approach will also help implement the Minister for Planning and Land Management's Statement of Planning Intent, which also prioritises a people-first approach in delivering high quality public spaces and streets. **Map 14** identifies the rebalancing of the user needs and changes to redefine the function of Northbourne Avenue as a transit corridor with an increased people focus.

MAP 14: Gateway Corridor Walking Connections



Strategic walking network

The aim of the strategic walking network is to increase the mode share of walking for people of all ages and abilities in the corridor. More Inner North residents already travel to work by walking than those in any other district of Canberra. In the future it will become increasingly important to convert more short distance trips to walking as more people live, work, shop and socialise in the corridor.

Intent

Providing infrastructure for people of all ages to walk more is about providing safety and convenience, but it is also about enjoyment and urban experience. Young and old enjoy walking in places that are well designed and landscaped, where they feel safe and can rest, be social with destinations to eat, drink, shop and access facilities and services. Walkable and active streets are therefore about much more than just safety.

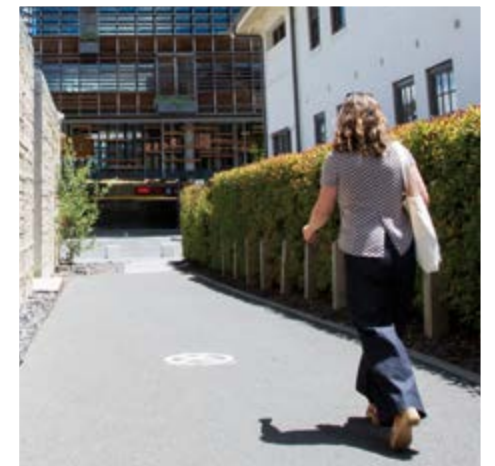
Map 14 identifies strategic walking connections that will enable greater pedestrian connectivity across and along the corridor and within the city centre.

Strategic areas of focus for pedestrian facility improvements are:

- ensuring existing paths are well maintained and safe for establishing strong linkages between the ANU, Braddon and long-stay car parking on the periphery of the city centre
- creating a sense of journey and a unique pedestrian experience between the city centre and Lake Burley Griffin
- providing separated walking and cycling facilities along busy routes to reduce potential for conflict, for example expanding the city cycle loop to separate pedestrians from cyclists in the city centre
- prioritising city centre streets for people and activity in prime locations (e.g. through the introduction of share-ways)
- reducing the dominance of vehicle traffic and parking in prime city centre locations
- elevating the status of key pedestrian routes by reducing pedestrian wait times at signalised intersections and removing left turn slip lanes to improve pedestrian safety and access
- improving accessibility by providing cross-block pedestrian links through new development sites.
- lowering traffic speed in appropriate locations to promote place making outcomes, particularly in relation to improving safe pedestrian and cycling conditions.
- providing pedestrian priority across streets, access roads and along busy walking routes and developing active travel streets that improve conditions and priority for walking and cycling
- locating destination social infrastructure in areas well connected by pedestrians pathways.

Design criteria

- Improving pedestrian facilities such as wider footpaths and safer crossings
- Reducing pedestrian wait times on key signalised intersections
- Adding shade, vegetation and street furniture to make walking more comfortable
- Invest in appropriate street lighting to make people feel safe at night in targeted locations
- Improving wayfinding and signage so that people easily know how to get between destinations and to public transport
- Implementing lower speed environments on targeted city and gateway corridor streets to support more pedestrian activity, cycling and to improve safety for all road users
- Ensuring that mid-block pedestrian links are provided when long blocks adjacent to Northbourne Avenue are redeveloped so that pedestrians have convenient access to Northbourne Avenue (refer to **Map 18** and **Figure 17** in the Section on Access Management of Northbourne Avenue where mid-block linkages are to be provided).



Strategic cycling network

Canberra is one of the leading cycle cities in the southern hemisphere. The city's structure and streets already underpin one of the most extensive on- and off-road cycle networks of any city in Australia and support some of the highest commuter cycling numbers.

The Framework aims to improve the safety and convenience of cycling for all ages and abilities in the corridor, making it an attractive option for short trips. Cycling helps to address two issues currently experienced in the corridor: high levels of physical inactivity and traffic congestion.

However, recent studies show that women and older people are under represented. By considering infrastructure targeted to the interested yet concerned or less confident cyclist, there is scope to attract many more riders, particularly for short trips of 2-5km.

Map 15 shows the strategic cycling network plan for the inner north and key City and Gateway cycle routes. The map includes existing and future principal and main routes. The network will be comfortable and convenient for riders aged 8 to 80 to use. Routes utilise off road paths, protected bike lanes and quiet streets.

Future routes in the network are planned to be direct, connected to more destinations and accessible to more people. Key on-road cycle lanes, identified as future principal routes such as those on Northbourne Avenue, will be upgraded to protected bike lanes.

The key City and Gateway routes are highlighted in **Map 15** and are part of the wider network. These routes are to be improved and developed as part of the City and Gateway Urban Renewal.

The network hierarchy represented includes:

- Principal routes connecting the City, town centres and the Parliamentary Zone
- Main routes typically connect to group centres and employment areas
- Local routes, typically connect to local centres and schools

Access paths are not shown on this map but represent all other routes. Such access paths provide safe connections catering particularly for the 'last kilometre' of journeys ending at for examples homes.

Northbourne Avenue cycle lanes and active travel streets

The existing Northbourne Avenue on-road cycle lane is a popular facility that is used particularly by confident cyclists and commuters as the most direct route for travel north and south, to and through the city centre. Feedback from consultation indicates that, for the broadest range of users, this on-road facility is less attractive because of its proximity to general traffic. Alternative routes to Northbourne Avenue such as residential side streets and Sullivans Creek shared-use path are very popular, despite being less direct. They are perceived to be safer because the routes are either separated from traffic or in environments with less and slower traffic.

Intent

Northbourne Avenue's verge width will be increased to incorporate the existing on-road cycle lane. The cycle lane will be built at the raised level of the verge protecting and separating cyclists from traffic. Improvements to the verge will include increased footpath widths.

The Framework also proposes that the important function of side streets for cyclists be formally recognised and their designation as 'Active Travel Streets' be supported. They provide relatively direct routes from the neighbourhoods of the Inner North, such as Dickson and Lyneham, to the city centre. Active Travel Streets are streets which are designed to make on-road cycling and walking safer.

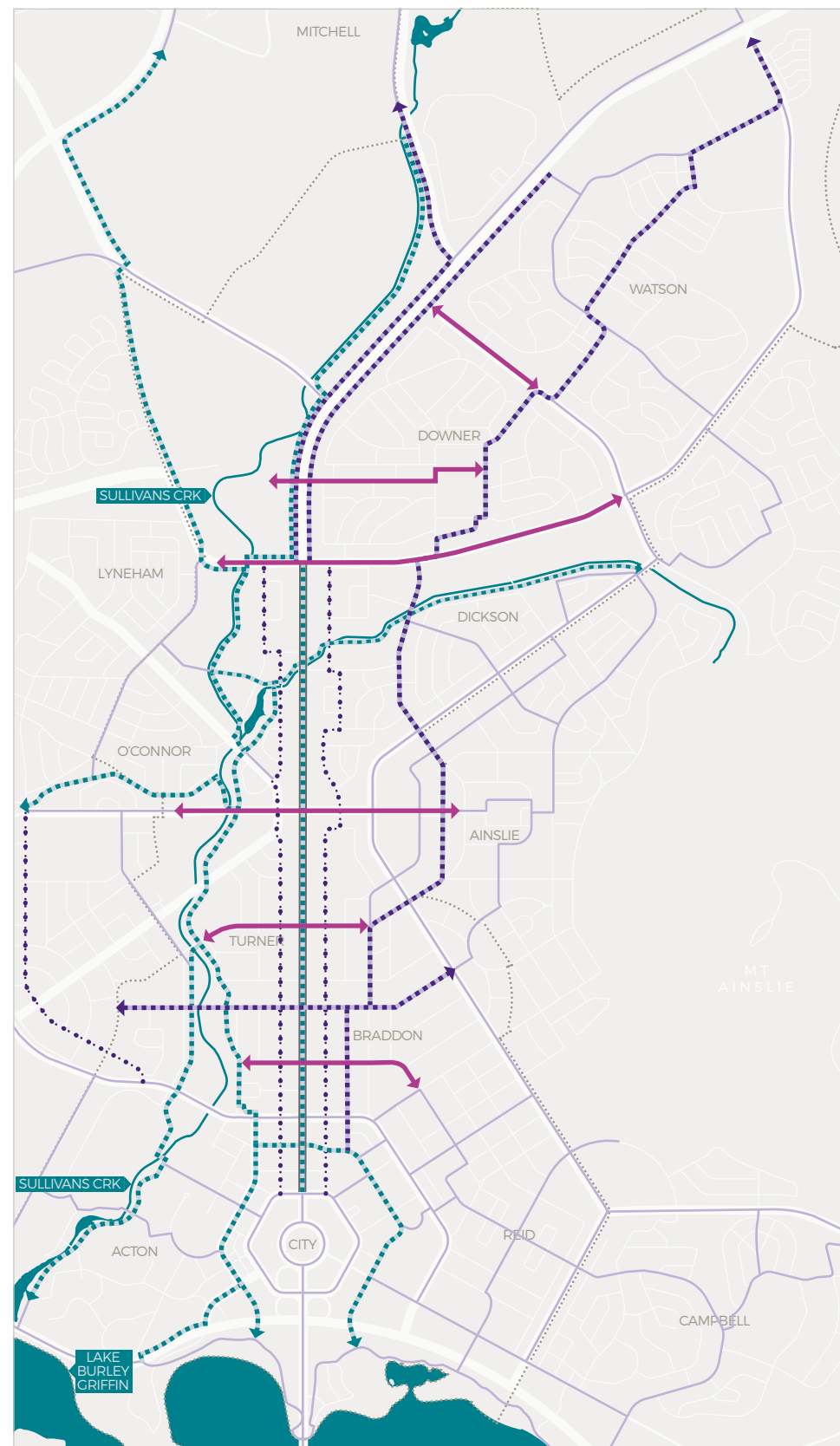
Design criteria

A protected cycle lane will be more attractive to a broader range of users, including city centre residents and residents of neighbouring suburbs. This safer design is consistent with the recently established city cycle loop and is considered a logical expansion of this route. From a network perspective, this route and modified safer facility design will also continue to provide for commuters travelling to or through the city centre.

In the longer term, as part of a coordinated transformation of Northbourne Avenue wider verges and wider, protected cycle lanes can be developed. **Figures 15** identifies the options for protected cycle lane designs.

Improvements to intersections, line marking indicating bicycle use, speed limit reduction and street car parking changes are among the measures to be implemented as part of defining active travel streets in the short term. It is noted that more vehicles will use these side streets of Northbourne Avenue as development increases the number of people living on Northbourne Avenue and access developments via side streets. Active Travel Streets will alert vehicle users to cycle use and promote greater safety along side streets of Northbourne Avenue. A pilot active travel street is currently proposed for Forbes Street and Moore Street, with the first round of upgrades focused on improving the safety of cyclists.

MAP 15: Inner North cycle network and key City and Gateway routes



- Principal routes including Sullivan's Creek
- Inner North Strategic Cycle Network
- Active Travel street
- Northbourne Avenue protected cycle lanes
- Main routes including Garden City route
- East/West Connector streets

Garden City Cycle Route

Analysis shows a gap in safe cycling connections in the eastern area of the corridor. There is an opportunity to provide a direct, convenient cycling route to the city centre and Dickson and north to Watson.

The Garden City Cycle Route is designed to fill this gap and provide safe and convenient cycle connections on the eastern side of the corridor. This new route will complement existing routes such as Sullivan's Creek principal route, Northbourne Avenue protected cycle lane and new Active Travel Streets.

Intent

Using a variety of streets and places, the route will accommodate both cyclists on local trips and visitors exploring the city. The Garden City Cycle Route will use existing streets to link Watson, Dickson, Ainslie and Braddon before connecting to the city and lake edge via the inner city cycle loop on Bunda and Allara streets. The route identified in **Map 15** is suggested and links schools, local centres and green spaces. The map also shows alternative or additional route options. It is recommended that further work to develop the route be undertaken, including confirming the alignment and facility design and that the route be progressively implemented. A strong wayfinding strategy is recommended to complement the Garden City Cycle Route. Branding will also be considered.

Design criteria

The Garden City Cycle Route is intended to cater for both short and longer trips and be suitable for users from ages 8-80. To maximise safety, the Garden City Cycle Route is proposed to be a protected lane for cyclists, separated from vehicles and pedestrians at high use and conflict locations. However, route design and treatment will vary to reflect site specific circumstances.

Sullivan's Creek community route

The Sullivan's Creek shared-use path on the western side of the corridor currently attracts a diverse group of cyclists. In the six months from December 2017 to May 2018 over 250,000 people cycled along the route. It has recently been widened in parts and road crossings improved, which is a reflection on its popularity. The path runs along the Sullivan's Creek open space corridor, providing a high amenity as well as safe and convenient cycling route.

Intent

There are opportunities to extend this popular route to the north and south and progress improvements to existing facilities such as continued path widening and road crossing safety improvements.

FIGURE 15: Formal landscape avenue cross-section medium term Northbourne Avenue 3 lanes each way with protected cycle lane



East-west connector streets

Improvements to cycling and pedestrian infrastructure have been undertaken in preparation for the beginning of light rail. Improvements include footpath widening and cycle lane installation on streets perpendicular to Northbourne Avenue, which is the active travel catchment of light rail. Condamine Street and Macarthur and Wakefield avenues are locations where improvements are planned or complete (Map 15). These improvements will continue.

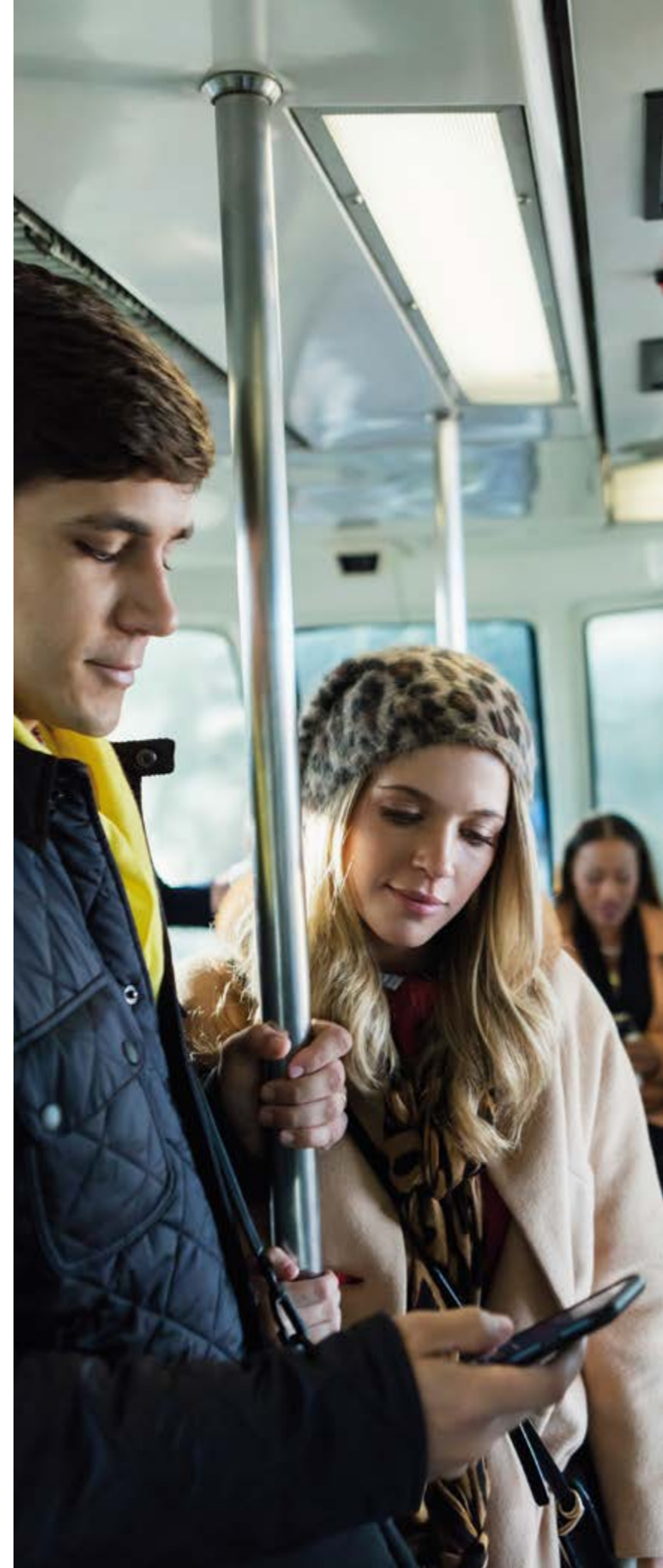
Public Transport Network

With the introduction of light rail rapid transport along the gateway corridor and to the city centre buses along this route will largely be replaced. Transport Canberra is revising the bus network for the corridor and Canberra to include:

- More rapid routes throughout the city.
- Shorter, straighter, more regular and reliable local services that connect into the Rapid Routes and light rail.
- Greater service coverage and frequency, seven days a week at peak and off-peak times.

For the city and gateway corridor local bus services have been simplified to provide more direct routes to the city centre and Dickson Interchange where passengers can transfer to Light Rail or bus services to access destinations covering most of Canberra.

Light rail will provide a high capacity, frequent rapid link through the heart of the inner north providing easy access to the city, Dickson, Gungahlin, and key destinations along Northbourne Avenue.



Strategic road network

The corridor is supported by a road network of parkways and arterial, distributor, collector and local streets. This section outlines opportunities for managing the road network and the changes that will need to be made to the road network to facilitate a safer, more efficient and balanced movement network and to achieve urban renewal outcomes.

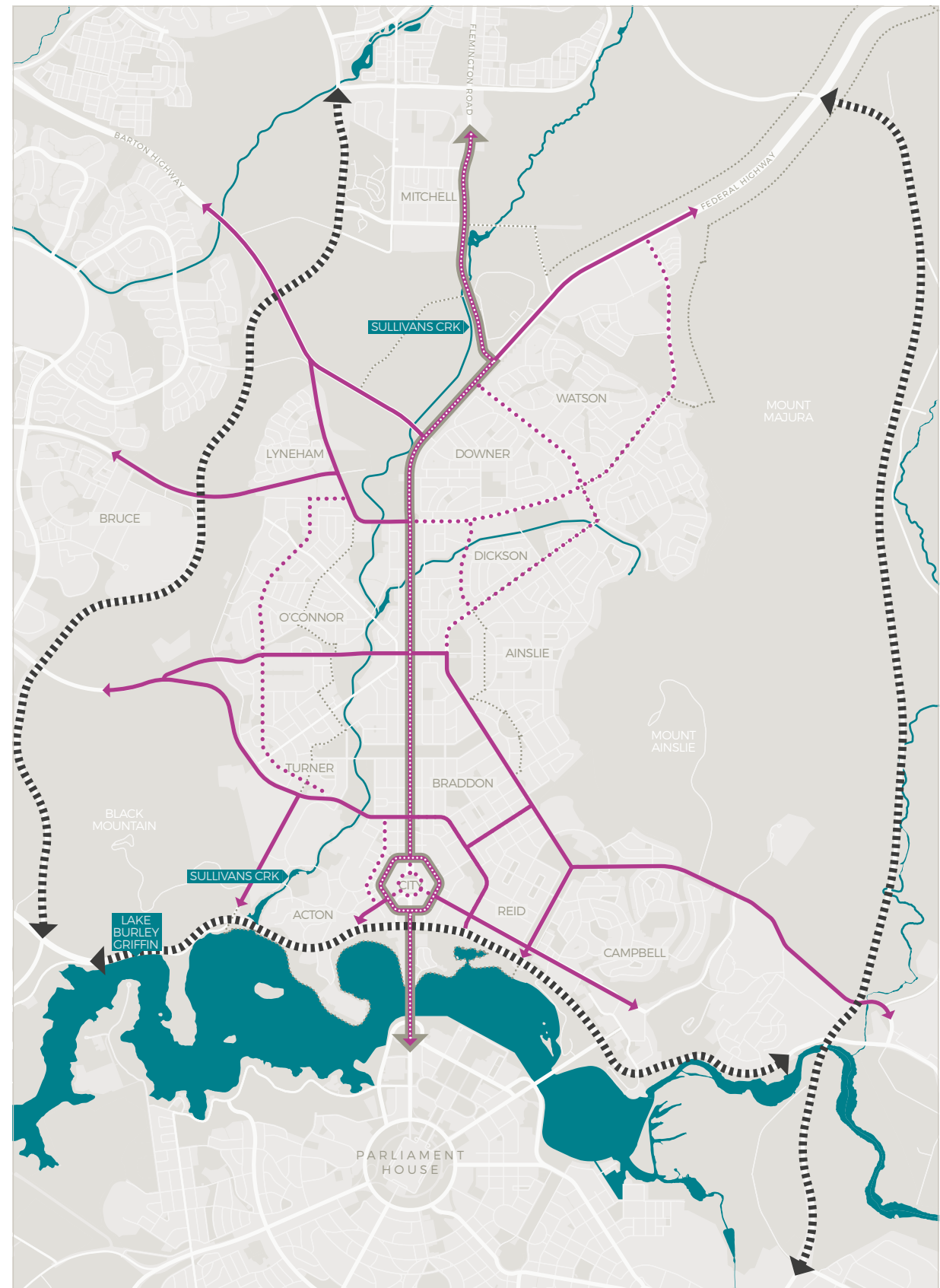
The changing role of Northbourne Avenue

Northbourne Avenue is part of Transport Canberra's Rapid Network of public transport routes and, with the implementation of light rail, will provide significantly increased transport capacity along the corridor. The transit role and function of Northbourne Avenue is increasing and the movement function of the corridor also needs to reflect increased public transport and active travel use. Vehicular through-traffic not destined for north Canberra and the city centre is adding to congestion in the corridor. Alternative routes allowing traffic to divert away from the corridor and the city centre exist, including the arterial road networks of Majura Parkway and Gungahlin Drive. Transport modelling shows that a 50% reduction in through-traffic could occur as a result of:

- changes in mode share from travel to work by car to active transport
- increasing city centre pedestrian, cycling and public transport travel by rebalancing the user requirement, allowing increased active travel priority
- enhancing peripheral parkways to allow alternative access to Central Canberra
- improving traffic routes in the Inner North as part of the North Canberra road network that supports travel on routes other than Northbourne Avenue.

To support these changes, road network improvements will need to be made that take into account the wider metropolitan scale. This includes improvements to strategic routes (such as the parkways), the district network of roads and changes to traffic distribution in certain areas (such as in and around the city centre) (Map 16).

MAP 16: City and Gateway Road Network Hierarchy



|||| Strategic

..... Transit

———— Arterial

..... Distributor



Adapting the function of roads within the road network hierarchy

Northbourne Avenue is currently classified as an arterial road. As an arterial it provides for inter-district vehicular access and supports access to strategic routes for freight traffic. Over time, Northbourne Avenue will transition into a transit boulevard with a greater public transport and local traffic distribution function. By transforming the Avenue to a people-focused boulevard, it will be safer and more attractive for people using active travel, including public transport, yet move more people. To support this transformation, it is proposed that Northbourne Avenue's movement function be adapted to 'transit corridor' providing:

- **For Public transport:** High priority to public transport stops
- **For pedestrians:** High priority for pedestrians
- **For Cyclists:** Provision for cyclists in the form of protected lanes
- **For Commercial Vehicles:** Restricted access for B-Doubles and larger freight vehicles
- **For Vehicular traffic:** reduced inter district through traffic

By adopting Movement and Place planning and design principles the ACT Government will be able to manage and adapt the transport network in response to changes such as user needs, functional requirements and place value.

Within the city centre, changes are also identified to support development renewal. Reducing through traffic and delivering London Circuit as the city's high street will be supported by managing Northbourne Avenue, Vernon Circle and London Circuit as urban distributors rather than arterials (**Map 16**).

Access management for Northbourne Avenue

As Northbourne Avenue progressively changes over time to a people focussed, mixed-use urban boulevard linking Federal Highway to the city centre, it is important to address the issue of vehicular access to blocks fronting Northbourne Avenue.

Vehicle access

Intent

Access changes, coupled with active travel improvements, aim to balance the needs of all users, grow active travel mode share in the city and gateway corridor and provide a safer people focussed environment.

In the past many sites along Northbourne Avenue have been designed with a vehicular access focus. These access facilities cross the verge and are located within the landscape setback of the Avenue intended to enhance the landscape character of the gateway and provide high quality active travel routes.

This framework identifies changes to vehicle access (**Map 17**) to improve conditions for pedestrians, cyclists and the landscape fronting Northbourne Avenue. It identifies locations where:

- no new vehicle set-downs, site access driveways or frontage access lanes are permitted
- limited new vehicular set-downs and site access driveways may be considered for specific uses
- new road connections through large sites are suitable

Vehicle access to sites shall be located and designed to ensure pedestrian priority. **Map 17** identifies the restrictions to vehicular access along Northbourne Avenue.

Analysis of the pedestrian environment of the Formal Landscape Avenue character area between Antill Street and Barry Drive has identified issues that can be addressed to improve active travel, including the following:

- Improve the landscape quality of the verge and facilities for pedestrians by reducing conflicts and interruptions to the continuity of footpaths, widening footpaths and providing street lighting.
- Provide pedestrian links through long blocks to reduce walk times and encourage access to light rail.
- Improve pedestrian and cycling accessibility at major intersections and make pedestrian and cycle crossing safe and easy for all users.
- Avoid additional vehicle set-down facilities (porte-cocheres) at the front of buildings with double verge crossings, as they duplicate vehicle access crossing and create repeated conflict points along the Avenue for pedestrians and cyclists.

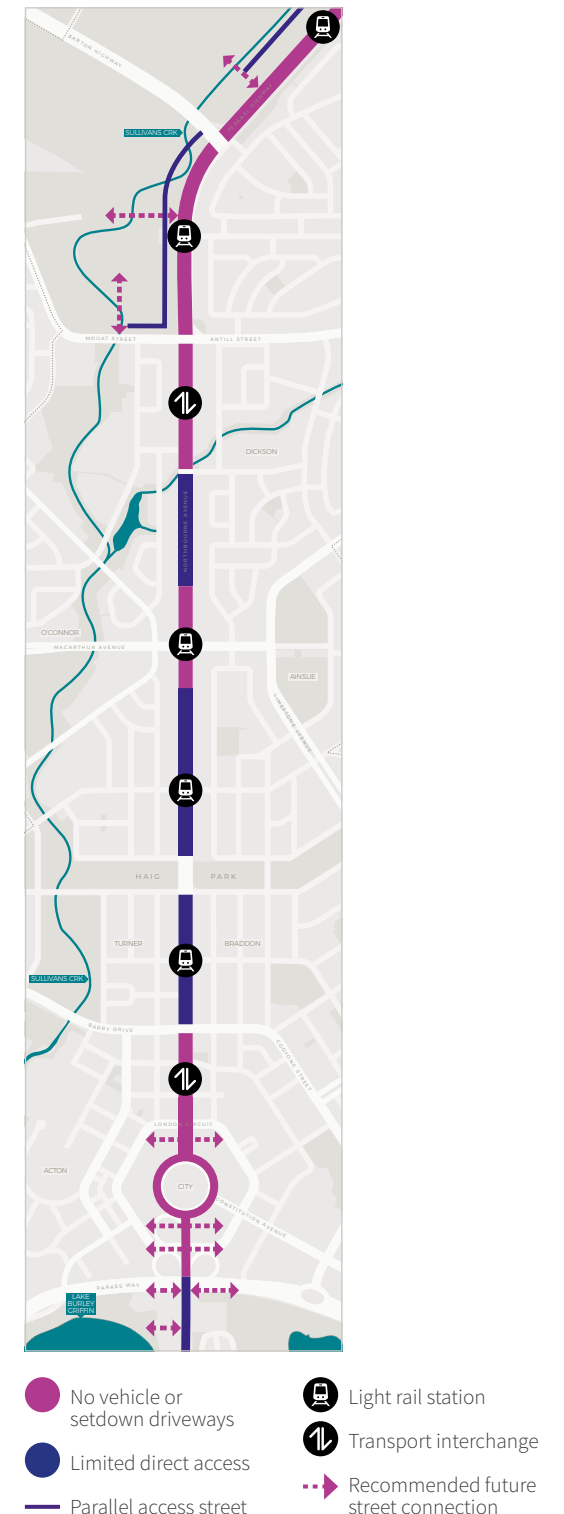
Design Criteria

Vehicle crossovers to blocks fronting Northbourne Avenue shall be minimised. Access shall be from rear or side streets. Individual site access is not permitted in areas along the Avenue in the city centre, near the Macarthur and Dickson nodes and along the Federal Highway south of Flemington Road. Where limited access may be permitted the design of vehicle access arrangements should ensure that continuity of pedestrian footpaths is maintained, vehicle access way width is minimised and materials integrate seamlessly with the intended verge and setback area character.

Map 17 identifies the locations of street connections to development sites north of Antill Street and west of the Federal Highway. The number of street connections will be minimised and managed to ensure public transport reliability and active travel continuity. These street connections will provide access to internal street networks including parallel access streets within the sites and provide individual building access.

Where limited access may be considered a shared space that extends from Northbourne Avenue to the rear street frontage is the preferred design solution. Such shared space is to provide coordinated access for vehicles and provide suitably for through block pedestrian access. These shared spaces shall be designed to prioritise pedestrian movement, contain high quality public domain treatments, including tree planting, footpaths and lighting. Coordinated access between sites and buildings within large sites is to reduce the proliferation of multiple site or building access roads or driveways.

MAP 17: Northbourne Vehicular Access



Vehicle, bicycle and car share parking

Intent

The provision for and storage of vehicles has a significant impact of the urban environment within the corridor. Vehicle access to commercial centres such as the city centre and Dickson is also highly valued. Improvements to public transport and active travel provide more opportunities to access these locations, and the corridor generally, reducing the impacts of vehicle storage. The benefits of improving public transport and active travel will have particular benefits for district level and short distance trips, as well as improving the potential for residents to not own or have reduced car ownership rates.

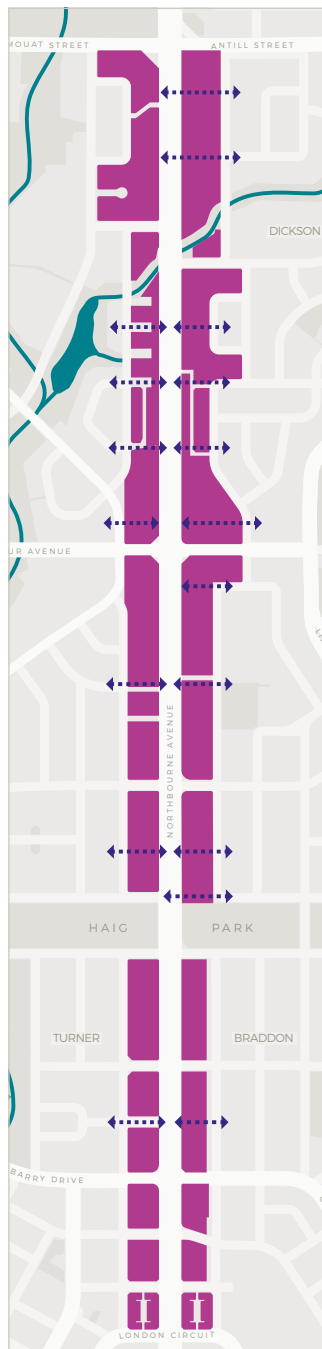
As renewal in the city centre and corridor progresses surface parking will be replaced by structured parking. Integrating car parking within buildings will require considered site planning, landscape and building design. On-site parking can be located underground or above ground within a structure. For all new residential, mixed use and commercial development any required visitor parking will need to be provided on site, as offsite areas are unlikely to accommodate required provisions. On site car parking will need to also consider landscape and, communal open space outcomes.

Design Criteria

- Car parking should be provided in basements or within parking structures screened from the public domain by occupiable floor space.
- The number of car parking bays complies with car and bicycle parking codes.
- Required visitor parking must be provided on site.
- Direct, clearly visible and well-lit access should be provided into common circulation areas.
- A clearly defined and visible lobby or waiting area should be provided to lifts and stairs.
- Natural ventilation should be provided to basement and sub-basement car parking areas.
- Ventilation grills or screening devices for car parking openings should be integrated into the facade and landscape design.
- Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters.
- Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas. End of trip facilities should be provided in non-residential buildings, consistent with Territory requirements.
- Outdoor and accessible bicycle parking should be provided for non-residential development. This may be accommodated in the verge or setback area where deemed appropriate and does not impact on pedestrian enjoyment of the street environment.
- Conveniently located charging stations are provided for electric vehicles, where desirable.
- On grade parking should be avoided. Where on-grade car parking is unavoidable, the following design solutions are used:
 - > parking is located on the side or rear of the lot away from the primary street frontage
 - > cars are screened from view of streets, buildings, communal and private open space areas
 - > safe and direct access to building entry points is provided
 - > parking is incorporated into the landscape design of the site, by extending planting and materials into the car park space
 - > stormwater run-off is managed appropriately from car parking surfaces
 - > bio-swales, rain gardens or on site detention tanks are provided, where appropriate
 - > light coloured paving materials or permeable paving systems are used and shade trees are planted between every 4-5 parking spaces to reduce increased surface temperatures from large areas of paving.
- The provision of car share arrangements for developments could be incorporated to reduce the minimum parking provisions for future developments on a case-by-case basis, subject to consideration and approval by the ACT Planning and Land Authority.



MAP 18: Where mid-block links are to be applied



↔ East-west mid-block links

Mid-block links

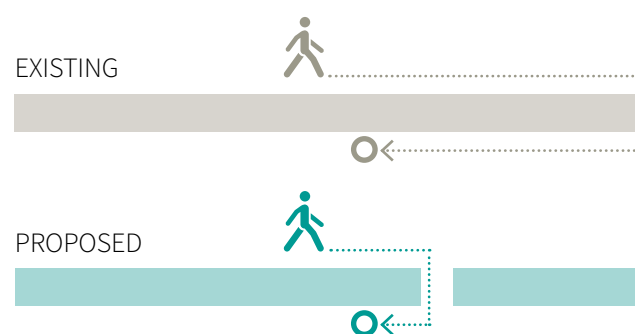
Intent

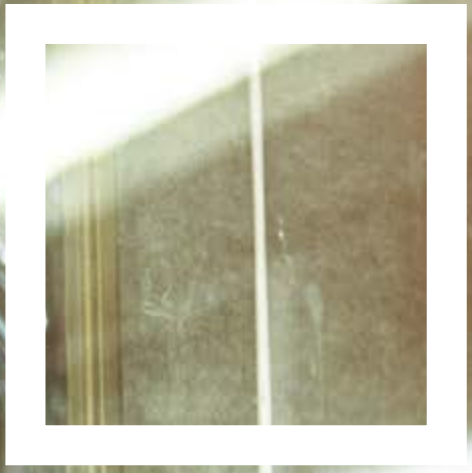
Mid-block links provide pedestrian and cycle access to Northbourne Avenue from adjacent residential neighbourhoods and side streets. Some laneways and routes already exist. New links and routes will be required through larger sites along Northbourne Avenue. New mid-block links will provide legible, safe and comfortable movement through to points of activity, transit stations and the Avenue generally. Mid-block links are particularly important at nodes and where light rail stations are located. Modestly scaled mid-block links between 5m and 10m wide are to provide a public right of way through development sites and will break up long blocks and building development at regular intervals allowing convenient access to the Avenue. Not all laneways will require active frontages to be effective, as ground level entries to multi-unit residential dwellings can support adequate surveillance and a pleasant walking environment. **Map 18** identifies where mid-block links should be applied in the corridor.

Design Criteria

- Mid-block links shall be provided through development sites in the areas identified in these design guidelines.
- Mid-block links can be used for shared vehicle access, where it is demonstrated pedestrians have priority.
- Mid-block links should be between 5-10m wide and at regular intervals along the frontage of Northbourne Avenue.
- Where identified on the edge type plan, mid-block links shall be activated at ground level.
- Mid-block links shall be adequately landscaped and lit to the satisfaction of the relevant authorities.
- Additional mid-block links may be required by the relevant authorities for large development sites.
- Mid-block links should be landscaped, well-lit and accessible at all times.

FIGURE 16: Improving walking times through provision of mid-block links









BETTER PLACES AND STREETS

The city and gateway corridor is set to experience ongoing growth and change. It will be critical to deliver a high quality public domain to support urban renewal and service people who live in, work in or visit the city and gateway corridor.

This chapter introduces place making principles to guide the transformation of public areas, open spaces and streets into people- and business-friendly places that promote community life and engender a distinctive cosmopolitan atmosphere.

What is place making?

Place making is about creating places for people. More than buildings, design or architecture; it is about the often intangible elements that people identify with and relate to and that result in a sense of connection with place and enhanced health, happiness and wellbeing.

Place making is fundamental to good design and the creation of liveable and attractive neighbourhoods and communities. It involves a collaborative and often community-led process to shape public places and streets. Decision making and change is guided by a particular focus on physical, cultural and social characteristics.

Significant benefits can be achieved by using participatory place making processes to improve quality of life and connect communities. Great places can contribute to the social, health and environmental capital of a city by encouraging diversity, building social cohesion, connecting people with heritage values and nature, and attracting investment and innovation.

Place making should be focused on the following principles:

- People-focused places and streets
- Provide for a diversity of uses and users
- Places that are connected and legible
- Places that are safe, appealing and inclusive
- Support and encourage sustainability and innovation
- Empower the community to initiate change/place leadership
- Acknowledge and celebrate heritage places

THE PUBLIC DOMAIN MAKES UP 40% OF THE WIDER CORRIDOR AND INCLUDES THREE KEY AREAS:



OPEN SPACES

Parks, sporting grounds and green corridors



URBAN PLACES

Plazas, squares, laneways and pedestrian areas



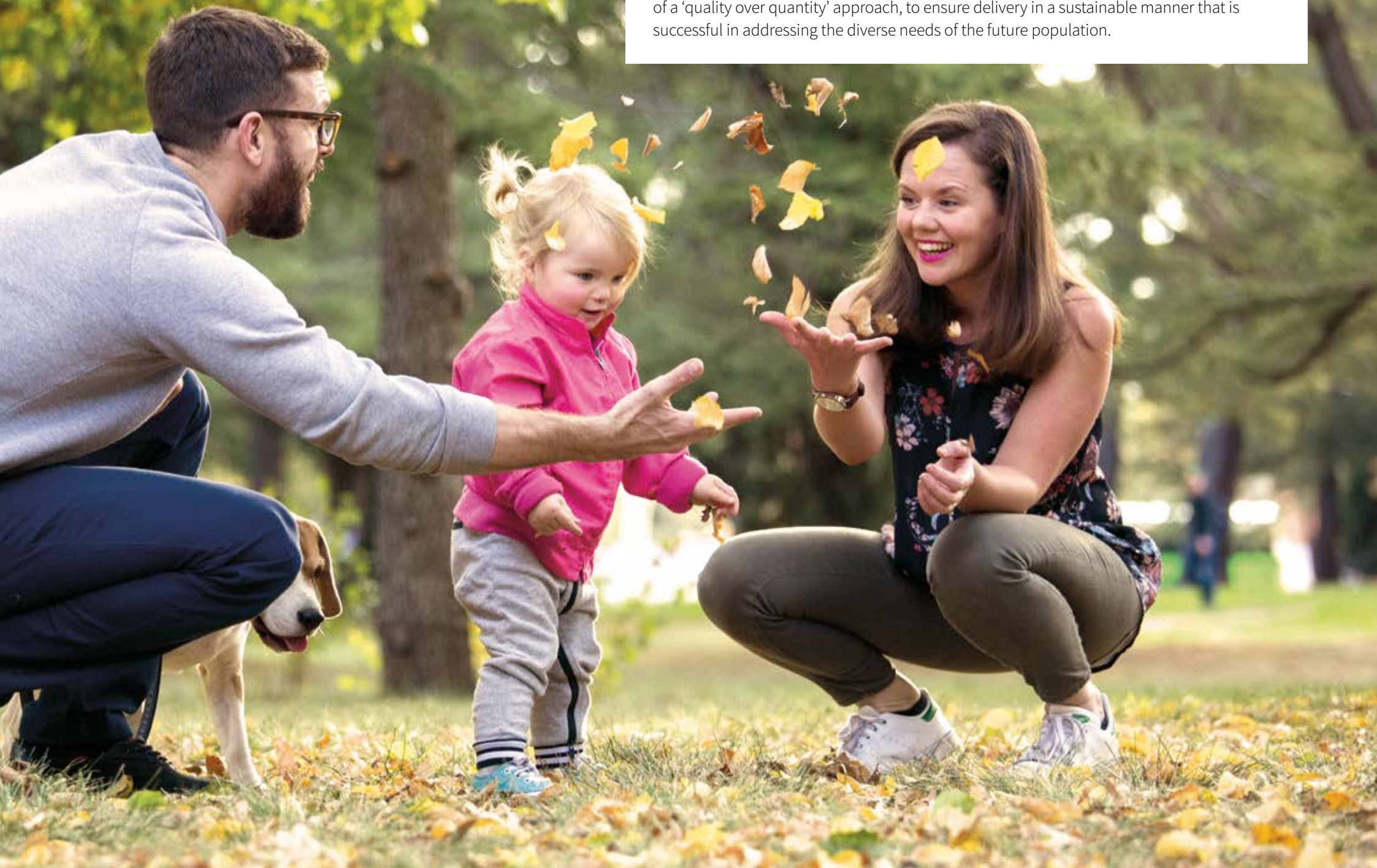
STREETS



Open Space

There is a great deal of open space within the city and gateway corridor – three times the national average and 10 times the current ACT Government provision for new residential communities. However, many areas are underutilised and lack activity and connection. Many parks are similar in character and identity – they typically include lawn, trees, little (and often poor quality) seating, lighting, street furniture and play equipment.

As the corridor's population and demographic mix grow, so too will the importance of, and pressure on, the open space network. Convenient access to high quality, well-maintained open space will be critical to supporting the physical, psychological and social wellbeing of future residents. This may require some consolidation of existing open space, as part of a 'quality over quantity' approach, to ensure delivery in a sustainable manner that is successful in addressing the diverse needs of the future population.



Opportunities

Revitalise Haig Park

Haig Park is a significant green space and heritage-listed landscape feature at the heart of our city centre. Currently, Haig Park is one of the inner city's largest yet most underutilised parks. The park is linear in design, straddling Northbourne Avenue and located next to the major urban renewal areas of Turner and Braddon (Map 19).

Intent

It is intended that Haig Park will become a distinctive and inviting destination for locals and visitors alike and offer a cultural and urban recreation experience with play areas and natural amenity. Opportunities also exist to enhance east-west connections across Northbourne Avenue for pedestrians and cyclists and to promote the heritage significance of the park.

As part of reimagining a future Haig Park, a place plan has been prepared which draws on the findings of community and stakeholder engagement undertaken in 2017. This feedback, which focused on understanding the community's views, issues and aspirations for Haig Park, confirmed that people value and appreciate the park as a large green space close to the city centre. Many feel that the park needs to be improved to meet the changing needs of the surrounding urban area around it. Design ideas for types of activities and ways to use and move around the park suggested that the park provide for a variety of different active and passive uses. The degree of change that the community wants to see for Haig Park was varied.

The Haig Park Place Plan takes a place making approach to the evolution of the park, with three stages guiding change – short term experiments and activations that create momentum and interest; monitoring the success of experiments and activations; and responding through adaption, modification, and implementation of long term improvements based on proven experiments and activations. These stages are cyclical and allow for ongoing evolution and community participation.

A Haig Park Conservation Management Plan (CMP) is being prepared and the implementation of place plan concepts will be established in accordance with the approved CMP.

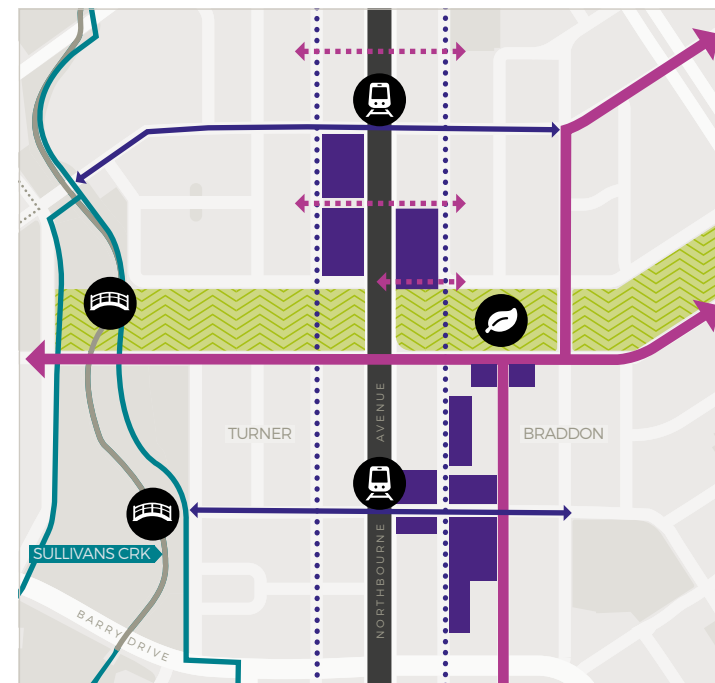
Design criteria

The evolution of Haig Park should be guided by the following:

- **HERITAGE** - conserve and respect the heritage values of the park
- **LINKAGES** - strengthen connections into and within the park
- **INFRASTRUCTURE** - enhance the function and use of the park
- **BIODIVERSITY** - enhance Haig Park's status as a green lung
- **IDENTITY** - celebrate the unique identity of Haig Park
- **SAFETY** - ensure the park is a safe place to be at all times of the day and night
- **PLAY** - strengthen connections between nature and activities
- **HEALTH AND FITNESS** - meet the recreational needs of the local community
- **DESTINATION** - provide a place to meet other people
- **CULTURAL PROGRAM** - provide a diverse range of things to do within the park



MAP 19: Revitalising Haig Park



- Northbourne renewal
- Potential development sites
- Destination parks
- Proposed pedestrian/cycle bridge
- Light rail station
- New mid-block links
- Garden City Cycle Route
- East-West Active Travel Connectors
- Sullivan's Creek cycle path
- Active Travel Streets



Connect and enhance Sullivans Creek

Sullivans Creek can become the backbone of a network of green open spaces offering high quality recreation to urban and suburban communities along the corridor.

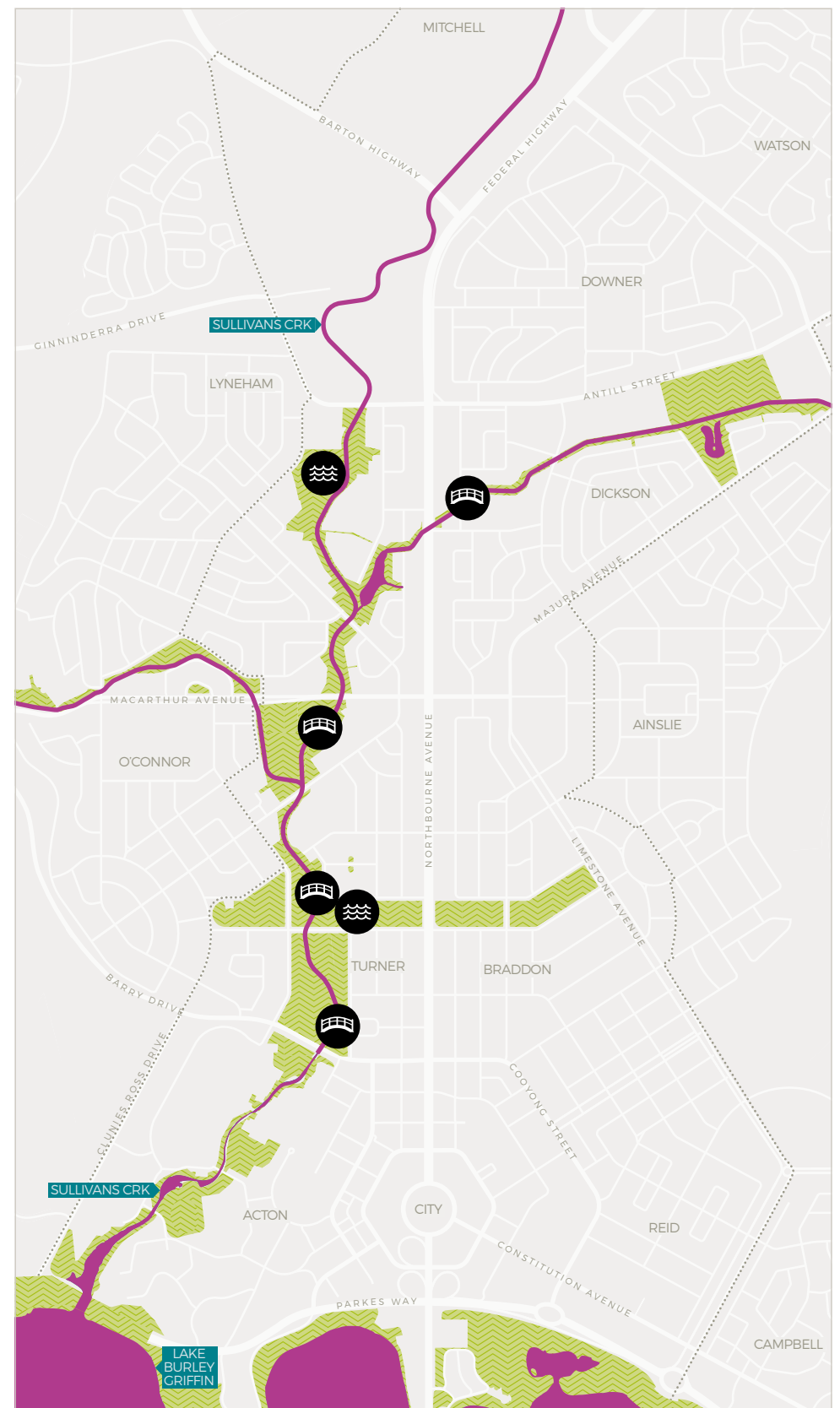
Intent

Improved pedestrian and north-south cycling routes along Sullivans Creek can provide safe active travel connections to Northbourne Avenue, local centres and community facilities. A multi-functional creek corridor can also protect and enhance key environmental values, improve ecological connectivity for wildlife and integrate aboriginal heritage and culture into its design.

Design criteria

- **CREATE A SERIES OF DESTINATIONS** - The creek corridor will become a safe, welcoming and pleasant commuter route and recreational 'green spine' through the city appealing to a wide variety of people, incorporating a series of destinations along the way - for example, parks and wetlands adjacent to the creek and recreation areas. Interpretative signage can be incorporated to celebrate the Aboriginal cultural heritage of the local area and 20th century history of Canberra's development as the nation's capital.
- **IMPROVE STORMWATER MANAGEMENT AND ECOLOGICAL VALUES** - A continuous green space link from the north to the south will create a unique, natural movement network, recasting Sullivan's Creek as a major natural asset. Over recent years, a sequence of sustainable wetland and water harvesting initiatives have already been completed along the creek corridor. These initiatives have demonstrated the significant potential that exists to revitalise the corridor. Innovative engineering projects have transformed parts of the creek into more engaging public spaces while delivering on water quality, flood mitigation and ecological objectives. As urbanisation of the corridor continues to increase the area of impervious surface, flood mitigation options will need to be considered as complementary works with the further development of the creek corridor. Two additional possible urban wetland locations are identified next to the creek corridor (**Map 20**) to help regulate the flow of water in the main channel and provide increased amenity for surrounding areas.

MAP 20: Location of proposed wetlands, pedestrian and cycle bridges



- Proposed destination parks
- Possible wetland location
- Proposed pedestrian/cycle bridge
- Sullivans Creek



→ **ACKNOWLEDGE THE CULTURAL RIGHTS OF ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES**

- Improvement to the Sullivans Creek corridor offers opportunities to acknowledge Aboriginal heritage and culture in the public place design of the corridor, and it is desirable to involve Aboriginal and Torres Strait Islander People in any place upgrades.

→ **INCREASE ACTIVE TRAVEL OPPORTUNITIES** - The Sullivans Creek corridor is one of the most heavily utilised active travel routes in Canberra. Opportunities exist to reinforce and extend this network. At the moment, the pathways cross a number of busy vehicle routes. The continuity of the pathways can be improved in these locations by giving path users greater priority and formalising crossing arrangements as demonstrated in recent upgrades in Turner and O'Connor. Further upgrades would improve travel times, reduce the potential for accidents and encourage more walking and cycling. Opportunities also exist to strengthen active travel connections across the creek by providing additional cycle and pedestrian bridges to improve east-west active travel links between key destinations and strengthen connections with public transport (**Map 20**).

→ **IMPROVE SAFETY AND SURVEILLANCE ALONG THE CREEK** - The boundary conditions of the Sullivans Creek park system vary considerably along its length. Street frontages account for over half of Sullivans Creek's edges. These frontages allow pedestrians to access the area and provide passive surveillance for improved safety. However, the remaining edges mostly comprise back fences. These areas have low levels of passive surveillance from adjacent uses and may therefore feel unsafe. Urban renewal creates opportunities to improve this interface. There is the opportunity for buildings of adjacent blocks to better address and enhance access to the creek (**Figure 17**). However, it should be noted that, given the potential flooding risk associated with development next to Sullivans Creek, any additional development or redevelopment should be assessed against standards for floods up to and above the 1% Annual Exceedance Probability.

Improve links within the open space network

Opportunities exist to elevate the prominence of parks and natural amenity within the urban environment and consolidate maintenance and investment by integrating and emphasising the presence of quality open space. Parks and green corridors will be better linked with urban areas, commercial centres and other key destinations to provide a pleasant user experience, support animal habitat and biodiversity and reinforce Canberra's landscape character. Green spaces should be designed and linked in a way that promotes high levels of accessibility, the use of living infrastructure, a transition between built and natural environments and clearly legible entrances and connections.

These opportunities will help to revitalise the urban ecosystem and transform undervalued open space into a sustainable green spine that connects the city and gateway corridor, improves ecological connectivity and provides new opportunities for walking, cycling and recreation.



FIGURE 17: Potential edge treatment of Sullivans Creek





Destination park themes

To cater for the various recreation needs of a diverse, active and healthy community, there are opportunities to consider multiple themes in the design of destination parks in the city and gateway corridor. Some are listed as follows.



Spaces for play

Creating spaces for children often results in increased social interaction between adults. For this reason we are encouraging a combination of formalised playground facilities and nature-based play areas to support physical activity and creative exploration for all ages. Haig Park and Sullivans Creek lend themselves particularly well to these types of inclusions, which are anticipated to also be major attractors for families, individuals and active retirees alike, and generate important flow-on health and lifestyle benefits. Where possible, play spaces should include facilities such as sheltered seating, toilets and barbecue areas to increase appeal and encourage greater use.

Naturalised areas

Naturalised areas can have a profound effect on our physical and emotional wellbeing. In an increasingly busy urban world, parks and open spaces can act as sanctuaries that allow people to take time out and connect with nature. Naturalised open space should incorporate passive seating areas, providing opportunities for calm and quiet reflection in the natural environment.

Spaces for events

Community events in open spaces develop civic pride, cultural awareness and a sense of place. Many spaces in Canberra offer opportunities for large and small-scale events: outdoor cinema, markets, festivals and celebrations. These events increase open space utilisation and social capital. Locations such as City Hill and Haig Park could potentially have a new role in providing space for major civic events, promoting their symbolic and historical contributions to shaping the city.



Community gardens

Community gardens allow people to grow their own food, learn and engage in activities that promote physical fitness. Just as importantly, community gardens give people opportunities to come together with a common purpose, strengthening social networks and encouraging healthy lifestyles.

Social spaces for gathering

Parks and plaza areas can provide active social spaces for people to meet, linger and engage with others. These should be designed to include a diverse range of offerings that reflect the community's priorities, needs and expectations. The identification of 'zones' or 'precincts' can be an effective way to approach park design ensuring a cohesive overall scheme, pleasant and efficient movement routes and the clustering of complementary uses. Potential uses to encourage activity and social interaction in destination parks could include dog parks, high quality lawn areas, exercise equipment, formal and informal play spaces and picnic and barbecue facilities. Locations that link with existing community facilities and service locations are ideal.

Urban places and streets

In addition to open spaces, urban places such as plazas, squares, laneways and streets are important parts of the public domain. Opportunities exist to establish a network of attractive urban places and destination streets that are connected and layered to create intimacy and vibrancy, providing for a diverse range of activities and uses.

What makes good places and streets?

The following principles outline what makes good public places and streets.



Identity

- Provide distinctive urban form which responds to local environment context, landmarks and vistas
- Derive value from local character and culture
- Acknowledge the cultural rights of Aboriginal and Torres Strait Islander peoples and integrate Aboriginal heritage and culture into public place design



Pedestrian focus

- Prioritise pedestrian movement and experience
- Encourage social interaction
- Create places to rest and linger
- Ensure climatically appropriate design
- Create walkable street environments for all levels of ability
- Provide supportive infrastructure



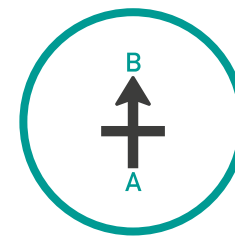
Attractive and safe

- Create a positive experience
- Provide green relief through trees and planting
- Ensure a positive edge environment/building interface
- Incorporate lighting, passive surveillance and way finding elements
- Adapt traffic speed to suit all street uses
- Well maintained



Resource efficient

- Incorporate Water Sensitive Urban Design Principles
- Create a continuous tree canopy to combat heat island effect, and increase biodiversity
- Utilise materials which are durable, visually appropriate to their setting, easily maintained and locally sourced, wherever possible
- Allow for utilities, but they should not dictate layout
- Adapt and re-use buildings and structures where appropriate



Ease of movement

- Highly accessible, catering for all levels of ability
- Provide legible streets hierarchy
- Movement systems support all modes
- Good access to public transport
- Provide connectivity to places
- Intersections put people first
- Clear passage for walking (i.e. avoid clutter)



Opportunities

Transform Northbourne Plaza

The area of Northbourne Avenue between the heritage-listed Sydney and Melbourne buildings will be transformed into a people-friendly place to mark the arrival in the city centre and give the heritage landmark greater prominence.

Intent

Verges along the Avenue will be widened, increasing the space available for pedestrian activity. The median that exists between road carriageways will be retained and accommodate light rail stage two in the future.

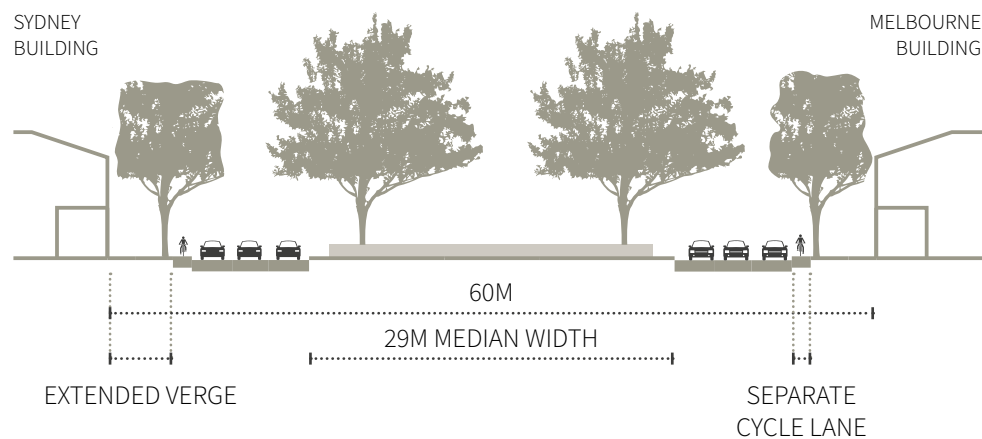
Design criteria

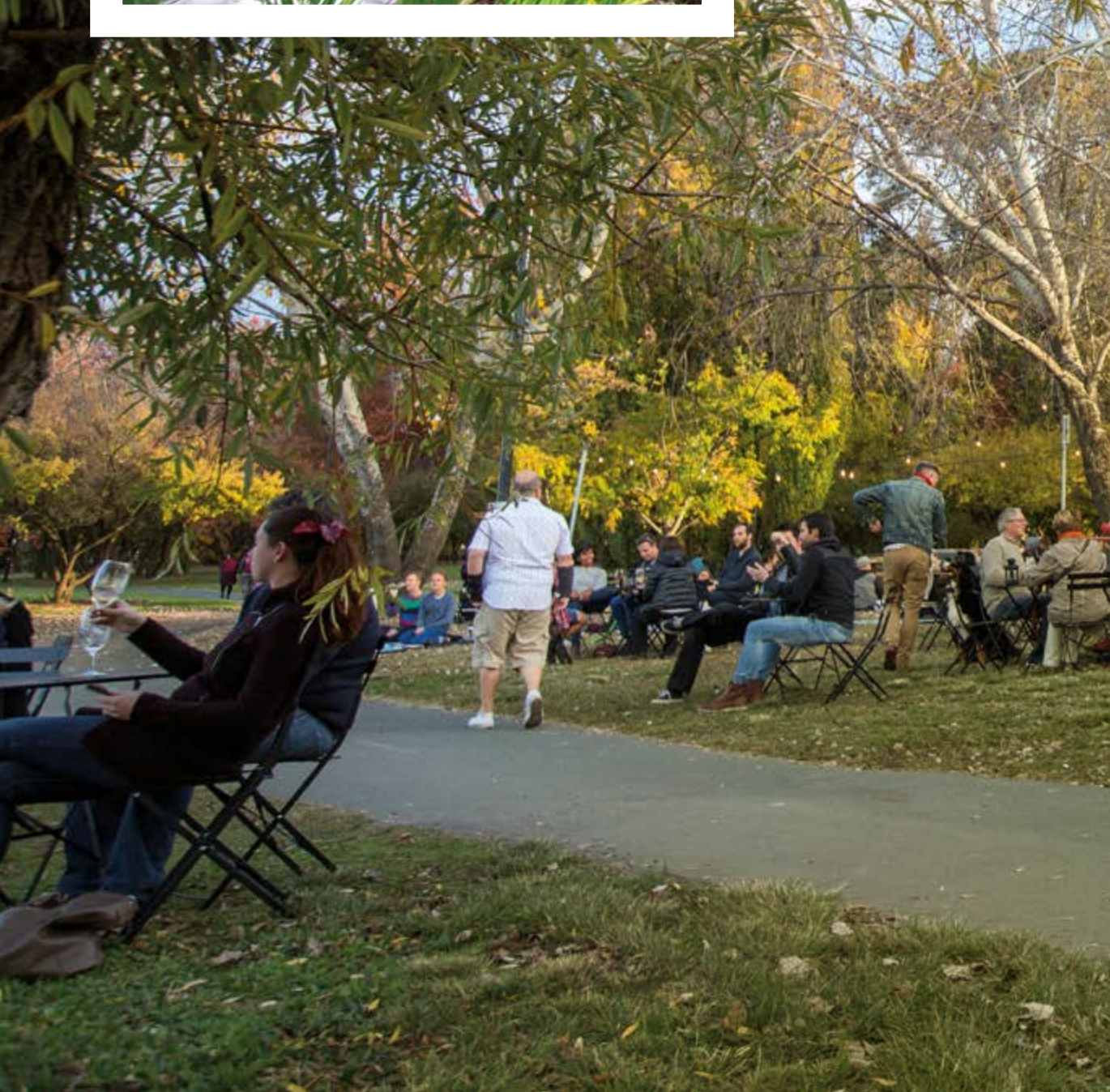
The completed plaza will feature new street trees and plantings, furniture, paving, lighting and public art, creating an attractive setting for this important civic, gateway and transit location. The improvements will reflect the ‘people first’ focus for this priority space, which connects the city centre’s eastern and western activity zones.

The changes will revitalise the pedestrian environment, better connect the plaza to Alinga Street and City Walk and extend the city walking network towards London Circuit and City Hill, stimulating new street life and activity and benefiting tenancies within the Sydney and Melbourne buildings.

A protected cycle path will extend the city centre cycle network. The first stage of Northbourne Plaza will involve an increase in the width of the verges on each side of Northbourne Avenue from 2.5m to approximately 5m by relocating the bus set-down. In addition, the existing cycle lane will be widened from 1.2-1.5m and be separated from pedestrians and traffic. These improvements can be made without reducing the width of the existing median, and there will still be three lanes each way for vehicles in the initial stage (**Figure 18**). This is the first step to realising a people focused plaza, further steps will involve lessening traffic through city centre and managing diverted traffic around the city centre on improved the alternative routes.

FIGURE 18: City centre Northbourne Avenue transformation - Northbourne Plaza - Stage 1
Alinga Street - London Circuit







SUSTAINABLE COMMUNITIES AND URBAN CULTURE

Canberra’s liveability is recognised globally and provides a significant competitive advantage as a place to live, work and do business. In competing with other cities for economic growth, skilled workers and future residents, Canberra needs to continue to offer unique lifestyle choices people want, including cultural events and great urban places, convenient transport options and diverse housing options.

Intent

By 2030, urban renewal in the city and gateway corridor will deliver liveable, inclusive and resilient communities with opportunities for distinctive urban lifestyles and a vibrant culture, building on the current level of diversity amongst people living, working and visiting the city and gateway corridor. The Framework guides the development of spaces that support a vibrant and connected community and cultural life, healthy lifestyles, housing diversity, and appropriate and adaptable community, sport and recreation facilities.

Community infrastructure planning and delivery are important enablers of effective urban renewal and are essential to building healthy and strong communities. It is important that all people can access what they need and that we plan for it spatially early in the planning process. Urban renewal provides the opportunity to rethink existing facilities and potentially address gaps by planning for new infrastructure that meets the needs of the future population. We need to plan and provide appropriate facilities, which are close to other services and active travel options, to support the liveability of our city (Figure 19).

FIGURE 19: Principles of community facilities



Objectives

- Plan and deliver high quality public spaces that are liveable and allow for culturally enriched lifestyles and the enjoyment of nature in the city. This will be achieved by urban renewal of public spaces and buildings so that those places support a greater variety of cultural activities, a stronger evening and night-time economy and safe recreation opportunities with landscaped parks, gardens and play areas.
- Design and facilitate public spaces for people that support safe, healthy and active lifestyles (**Figure 20**) so that it is easy for workers, residents and visitors to be active in the urban environment on a daily basis for greater physical and mental health and wellbeing.
- Ensure that suitable, adaptable, affordable and well-designed housing is available to a broad cross-section of Canberrans regardless of their age, household structure or tenure status (**Figure 21**).
- Collaboratively plan and deliver community, sport and recreation facilities and services, ensuring that existing facilities are fit-for-purpose and can adapt to meet future community needs and that people-friendly public space is provided through urban renewal as required (**Figure 19**).
- Undertake ongoing cross government collaboration to inform more detailed sector level infrastructure planning, funding and delivery in the city and gateway corridor area and north Canberra more broadly.
- Plan for education delivery in the corridor and capitalise on the government investment required by augmenting existing schools and/or investigating new models of delivery and infrastructure.
- Provide supporting social infrastructure (for example libraries, health facilities, emergency services) and opportunities for arts and cultural expression to facilitate liveable and connected communities. Opportunities for ongoing education, social interaction and health and wellbeing services are critical to building strong communities in urban renewal areas.
- Adopt a community hub approach to efficiently deliver social infrastructure. Four key locations emerge which are central to fulfilling community facility delivery. These are the city centre, Macarthur and Dickson nodes and Dickson commercial centre. A community hub is a multipurpose place where a variety of activities occur and where a wide range of community needs can be met in both formal and informal ways. Key features for success include integration and accessibility.
- Support the transition to a net zero emissions city by ensuring efficient and sustainable buildings are available and the urban form supports low carbon living.
- Strategically plan and design public open space for qualitative improvements and increase capacity, quality, diversity, usability and accessibility. This should include consideration of maintenance and priorities for upgrade works to meet future community needs.

FIGURE 20: Active Living Principles



CONNECTED PLACES

Providing connections between major uses and activity centres.



OPEN SPACE

Providing high quality open spaces, parks and places.



MIXED LAND USE AND DENSITY

Encouraging diversity in activities, land uses and development densities.



SAFE AND ATTRACTIVE PLACES

Ensuring places are safe and attractive to everyone using that place.



SUPPORTIVE INFRASTRUCTURE

Providing supportive infrastructure that encourages regular physical activity.



ENVIRONMENTS FOR ALL

Ensuring places are inclusive and have equitable access by all Canberrans.

Opportunities

Deliver housing diversity

The city centre and Inner North have housing and demographic characteristics that are different from those of other parts of Canberra. There is a higher proportion of one-person households and a lower proportion of families with children. This is also shown in the dwelling mix with a higher proportion of one- and two-bedroom units in the area.

Recent trends show that Canberra's population continues to age. The number of residents aged 60 years and over was 17% in 2016. Many residents aged 60 and over currently live in the Inner North. The ageing population trend will directly affect the demand for different housing types as people continue to age in place, either in their current homes or smaller, well-located retirement living situations. Supportive aged care services will gradually need to be introduced and the private sector is actively responding to this demand.

In planning to achieve household diversity, the following factors must be considered:

- The Minister for Planning's Statement of Planning Intent (2015) identifies the need for housing that responds to Canberra's diverse and changing population in the future – in particular, the need for child-friendly and age-friendly neighbourhoods close to shops, transport and services.
- Canberrans express a range of housing preferences (i.e. no one size fits all). Choice of housing type can reflect individual preferences of different socio-demographic groups (**Figure 19**).
 - > Millennials may choose to trade off house and yard size against proximity to city centre locations that offer an urban lifestyle close to work, less need for car ownership, more opportunity for active travel and the ability to rent rather than own a home.
 - > Many older Canberrans want to age in place and have the opportunity to downsize locally. They may have a strong preference to stay within their local area close to services before they transition to higher care accommodation (if needed).
 - > Smaller households may not necessarily choose to live in higher-density settings but would prefer a separate house or terrace with a small garden for children and pets.
- Recent ACT housing trends show that the number of households consisting of a single person or a couple without children is increasing and the number of family households that consist of two parents with children is decreasing.
- Investment market decisions have a significant impact on the type of higher-density dwellings being built in Canberra. The current trend along Northbourne Avenue is to build one- and two-bedroom apartments for a high-density housing market. However, this trend may not be resulting in diverse housing forms that genuinely meet household size and family type preferences.
- Like in other capital cities, housing affordability in Canberra continues to be a significant challenge. The high cost of housing is forcing some younger families and low-income groups to move further out to the fringe of the city or to NSW. This is leading to increased travel costs, greater car dependency and dispersed infrastructure provision.

FIGURE 21: Target groups for housing diversity



MILLENNIALS

More likely to rent rather than own a home, trade off house and yard size for proximity to city centre, which offer an urban lifestyle close to work together with opportunities for active travel.



ACTIVE RETIREES

Want to age in place and have the opportunity to downsize locally, with many preferring their local area before transitioning to higher-care accommodation.



FAMILIES

May not necessarily choose to live in higher-density settings but would prefer a town house or terrace with a small garden for children and pets.

Intent

The precinct will provide a variety of attractive, affordable dwelling types to meet the demands of a broad cross-section of Canberrans, such as young and old, families and singles, low and high income. Development needs to cater for a broad variety of housing markets, so there is housing choice to ensure we attract more diverse population groups for an inclusive and vibrant local community within the corridor.

The community of the city centre and Inner North is already diverse. New development is required to reflect this diversity to attract a broader range of households to inner city locations. Housing renewal should also meet the broadest financial investment interests to ensure that a diverse range of housing is being built and that a single tenure or form does not dominate.

Objectives

The housing types that should be encouraged include housing for:

- first-home buyers
- public housing
- affordable housing for lower-income groups
- urban housing for the owner-occupier market
- families with children
- one-person households (young and old)
- empty-nesters (older couples with grown-up children no longer living at home)
- people ageing in place (either in their current home or within their community)
- younger workforce
- students and group houses
- visitors.

To ensure that urban renewal in the city and gateway corridor is attractive to a broad range of households, both policy and statutory changes are necessary. The ACT Government is developing specific initiatives which focus on encouraging and delivering housing diversity including Housing Choices Policy, the Collaboration Hub and Demonstration Housing Project, and the ACT Housing Strategy.

GLOSSARY

Active travel – Active travel is travel that involves physical activity such as walking, cycling, using a wheelchair or other personal mobility device, whether for general transport or recreational purposes. Using public transport generally includes an active travel component.

Active uses – Active uses generate activity at the ground floor of buildings and include cafes, shop fronts and building entrances.

Age in place – A person who ages in place continues to live independently in their community in their original home, a downsized home, rented home (whether public or privately rented) or supported housing. The desire to ‘stay put’ reflects their attachment to the location. Home is also the source of personal confidence and financial security.

Asset Recycling Initiative – A Federal Government initiative that provides incentive payments to states and territories that sell assets and reinvest the sale proceeds to fund world-class infrastructure across Australia.

Blocks and sections – Blocks and sections are how areas of land are identified in the ACT. The city is divided into divisions, suburbs, sections and blocks. The Territory Plan zoning determines what activities/uses can occur on the blocks. Blocks are usually leased to one entity.

Boulevard – A wide well managed and maintained, often tree-lined avenue, designed to be responsive to adjacent land uses and create a pleasant user experience.

Built environment – All elements of the physical environment created by humans. The built environment includes buildings (dwelling, schools, shops, etc.), transportation infrastructure (streets, paths, bike paths, rail tracks, etc.), parks, public places, athletic equipment, etc.

Built form – Built form relates to the buildings, associated structures and surrounding public spaces.

City centre (or Civic) – An area that is bounded by Barry Drive to the north, Cooyong and Coranderrk Streets to the east, Parkes Way to the south and Kingsley, Hutton, Childers and Hales streets to the west. The city centre includes the ABC Flats and West Basin urban renewal sites.

Connectivity – Connections to streets, lanes and/or paths or between key city spaces and popular destinations, along with open spaces.

Ecological Connectivity – Spaces in the landscape (or corridors) for local native animals to move between the major areas of native vegetation.

Facade – The relationship of buildings to the site, street and neighbouring buildings (alignment, setbacks, boundary treatment) and the architectural expression of their building frontage (projections, openings, patterns and materials).

Fine grain – Fine grain describes the small-scale spaces that provide a vital layer of lower cost, diverse and often specialised activities within a place or building. While often associated with laneways and ‘hole in the wall retail’, fine grain activities can also occur on the major streets and in large buildings. It is the spatial and economic scale of the activity that determines whether it is part of the fine grain of a city or more the regular, larger scale uses.

Human scale – Human scale reflects a sympathetic relationship between the built form and human dimensions where people are not overwhelmed by the built form. Human scale contributes to a person’s perception of buildings or other features in the public domain. It is typically referred to when discussing the bulk and scale of development.

Land use zones – Land use zones are allocated by the Territory Plan to all land within the ACT. Zones define what land uses can or cannot occur on a piece of land. See more about the zoning system at www.legislation.act.gov.au/ni/2008-27.

Living infrastructure – Living infrastructure are natural systems and processes that can be harnessed to protect communities against excessive heat or flooding, improve air, soil and water quality and increase public amenity.

Mixed use – Mixed-use development involves a mix of complementary land uses, such as residential, small offices or convenience stores. This can include horizontal and vertical mixes.

Node – Kevin Lynch, the author of *The Image of the City* (1960) identified nodes as strategic focus points within cities like squares and junctions. Nodes, along with, paths, edges, districts and landmarks help people orientate or find their way and move through cities. The City and Gateway framework identifies urban nodes at specific locations along Northbourne Avenue that integrate building development around transit stops. Building development at nodes includes a broader variety of building uses to support residents, travellers and workers. Nodes along the gateway corridor are more urban in nature being venues for broader people focussed activities such as moving, shopping, waiting, talking, resting and working. These nodes also warrant a higher level of public realm provision and activities within ground floors of buildings to support these activities.

Place – A place comes in to existence when people give meaning to it. Places with a strong sense of place have an identity and character felt by local inhabitants.

Place making – A multi-faceted approach to the planning, design and management of public spaces. It involves looking at, listening to, and asking questions of the people who live, work and play in a particular space, to discover their needs and aspirations.

Public domain – Public domain refers to spaces that belong to or are available to the public, including parks, streets and other public spaces such as plazas, courtyards and open spaces.

RL 617 – RL 617 means 617 metres above sea level. It is the maximum height permitted in the city centre under the National Capital Plan, and is equal to the base of the flag pole of Parliament House.

Shared-use path – A shared-use path is a path that is restricted to non-motorised transport, with the exception of motorised wheelchairs and power assisted pedal cycles. Both pedestrians and cyclists share these paths.

Shared space (or shared zone) – Shared space (or shared zone) is a road or place where the road space is shared safely by vehicles, cyclists and pedestrians. A shared zone may include the removal of traffic lights, pedestrian barriers, road markings and kerbs to give equal priority to all users and require negotiation between users, such as Bunda Street in the City centre.

Social cohesion – A cohesive society works towards the wellbeing of all its members, fights exclusion and marginalisation, creates a sense of belonging, promotes trust, and offers its members the opportunity of upward mobility.

Solar access – Solar access is the ability of a building or public space to receive sunlight without obstruction from other buildings.

Spatial framework – Spatial framework sets out the long-term structure of an area, such as a town centre. It shows how land use, public domain and connections could be arranged and delivered.

Streetscape – The design of public spaces such as streets, open spaces and pathways, and includes landscaping, microclimate, shading and planting.

Surveillance (or passive surveillance) – Surveillance (or passive surveillance) is the ‘eyes on the street’ from residents and people going about their daily activities to create a sense of safety on streets and public spaces.

Visual cues – Visual cues are elements in the public domain that contribute to a person’s understanding of a place. For example, higher or unique elements provide an understanding that you are approaching a node.

Water sensitive urban design – Water sensitive urban design (WSUD) is the planning, design or construction of the built environment to minimise water runoff and ensure any runoff causes the least amount of damage. It is also about the wise use of that water to improve our urban environment, such as the Dickson Wetlands.

