



**Australian Government**  
**National Capital Authority**

# Consultation Report

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## Works Approval No. 102535

Block 18 Section 6 Forrest

Construction of a Nine Dwelling Townhouse  
Development

*March 2022*

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# Introduction

**Under the *Australian Capital Territory (Planning and Land Management) Act 1988*, the National Capital Authority (NCA) prepares and administers the National Capital Plan (NCP) to ensure Canberra and the Territory are planned and developed in accordance with their national significance.**

The Plan sets out the broad planning framework for the Australian Capital Territory (ACT). Areas designated as having special characteristics of the National Capital are subject to detailed planning policies and guidelines.

Any buildings or structures, demolition, landscaping or excavation works in Designated Areas require the approval of the NCA. The NCA considers such proposals in the context of the relevant provisions of the Plan.

## BACKGROUND

On 7 September 2021 the NCA received a works approval application the construction of a townhouse development and associated works on Block 18 Section 6 Forrest (11-13 State Circle).

# Public Consultation requirements

## 1.1 National Capital Plan (NCP)

Under the NCP, requirements for public consultation apply to:

- Major developments proposed for Section 9 Barton;
- A landmark building to RL617 adjacent to Commonwealth Avenue (within the Constitution Avenue and Anzac Parade Precinct);
- Detailed plans for development at Academy Close, Campbell;
- High-impact telecommunications facilities;
- All residential proposals within the Deakin/Forrest Residential Area Precinct; and
- All residential and commercial development proposed for Section 5 Campbell.

Public consultation is mandatory under the National Capital Plan. In addition, public consultation was undertaken on the application as significant community interest has been demonstrated in recent developments of the precinct and in planning policy proposals for the Deakin Forrest Residential Area Precinct.

## 1.2 Commitment to Community Engagement

The NCA's 'Commitment to Community Engagement' details how the NCA conducts consultation. The purpose is to achieve a greater level of consistency and transparency in the NCA's decision making process.

The 'Commitment to Community Engagement' describes the minimum requirements for consultation, and the process by which Works Approval (WA) applications that are released for public consultation will be assessed.

Part 2.7 *Works Applications* and *Attachment C Protocol for Development Applications for Works Which Require Consultation* of the NCA's 'Commitment to Community Engagement' describes the consultation process for WA applications. The NCA undertakes an assessment of whether a proposal is consistent with the National Capital Plan and level of public consultation required.

# Summary of Public Consultation

## 2.1 The Public Consultation Process

Public consultation was undertaken on the application by the NCA between 27 November and 17 December 2021. Consultation took the form of:

- On Saturday 27 November 2021, the NCA published a public notice in The Canberra Times detailing the proposed works and inviting submissions to be made to the NCA in relation to the proposal ([Attachment A](#)).
- Between 27 November and 17 December 2021 the NCA published the proposal and plans on the NCA's website.
- On 29 November 2021,, two A3 size signs were placed on site.
- On 26 November 2021 the NCA wrote to key stakeholders and community groups via email advising of the consultation process and inviting comments (including Forrest Residents Group, Inner South Community Council and Deakin Residents Association).
- On 26 November 2021 the NCA provided hard copy letters to all adjoining and near-by neighbours advising of the consultation process and inviting comments (7, 15A, 15B, 17-23 State Circle (side adjoining neighbours) and 2, 4, 6, Somers Crescent (rear adjoining neighbours)).

## 2.2 Submissions Received, Comments and Response

The NCA received a total of two submissions on the proposal. A range of issues were raised in the submissions to elements of the proposal.

Key issues raised in the submissions included:

1. Proposal not consistent with planning principles and does not enrich surroundings (architecture to State Circle).
2. Traffic (congestion, noise and air pollution).
3. Overshadowing to western property.
4. Addition of more and preservation of existing landscape spaces (Garden City concepts and streetscape character).

Emails of acknowledgment were sent to submitters advising them that their submission would be taken into consideration before a decision is made on the application. Key themes raised and NCA's response is outlined in Part 2.3 below.

## 2.3 Key Issues Raised

Issues raised in submissions have been summarised below, with NCA consideration and comment.

<b>1. Proposal not consistent with planning principles and does not enrich surroundings (architecture to State Circle).</b>
<p>Block 18 Section 6 Forrest is a previously amalgamated block fronting State Circle, subject to location specific requirements under Part 4.5 <i>Deakin/Forrest Residential Area</i> of the National Capital Plan (NCP).</p> <p>The NCA considers that the proposed contemporary three storey development is of a scale and design commensurate to the setting of Parliament House, State Circle and character of the precinct. Architecture and design are subjective and the NCA considers the proposal is cognitive of the site. The proposed townhouses are attached in form with shared walls to create one building form.</p>

The building articulation includes strong vertical and horizontal elements with varying shades of metal cladding/materiality, with appropriate fenestration allowing for an interesting form to the development. The vertical elements aim to create a distinct recognition of the individual townhouses in the building mass.

The Architectural Plans included with the Works Approval application demonstrate the building materials proposed will be of high-quality, prestigious and durable. The architectural design aims to enhance the architectural quality of the immediate area, provide for diverse housing types and address the public realm of both streets it fronts.

The proposal is set to the north of the site with adequate separation and landscape buffer to prevent adverse overlooking and shadowing impacts to/from and within the subject site (refer point 4 below regarding landscaping).

## **2. Traffic (congestion, noise and air pollution).**

Part 4.5 of the National Capital Plan (NCP) prescribes requirements for vehicle access and car parking. A single access driveway to the site is off Hobart Avenue consistent with Figure 31 of the NCP.

The development allows for two attached garaged car parking spaces per dwelling (18 total). One visitor space can be accommodated per dwelling in tandem configuration. The Gross Floor Area of the garages are included in the GFA calculation. Given the plot ratio is under the permissible plot ratio on site, basement parking is not required.

In 2010 the NCA granted works approval to a 42 unit (three storey plus basement) proposal. This proposal significantly reduces yield on site bearing far less impact on the surrounding environment, including traffic.

*A traffic effects form (TEF) was prepared by Indesco for the proposal on the subject site. The TEF stated:*

*Traffic volumes generated by the subject site have been distributed in the surrounding network via four key routes. The percentage allocation for each traffic route is based on the 2016 ABS Census Journey to Work data for residents of Forrest, ACT.*

- *North: via State Circle, onto Commonwealth Avenue*
- *Southwest: via State Circle, onto Adelaide Avenue*
- *Central: Via State Circle, onto Melbourne Avenue*
- *South/East: via State Circle, onto Canberra Avenue*

*As seen in Figure 1, the traffic numbers generated by the development are considerably low and will therefore have a negligible effect on the surrounding traffic network.*

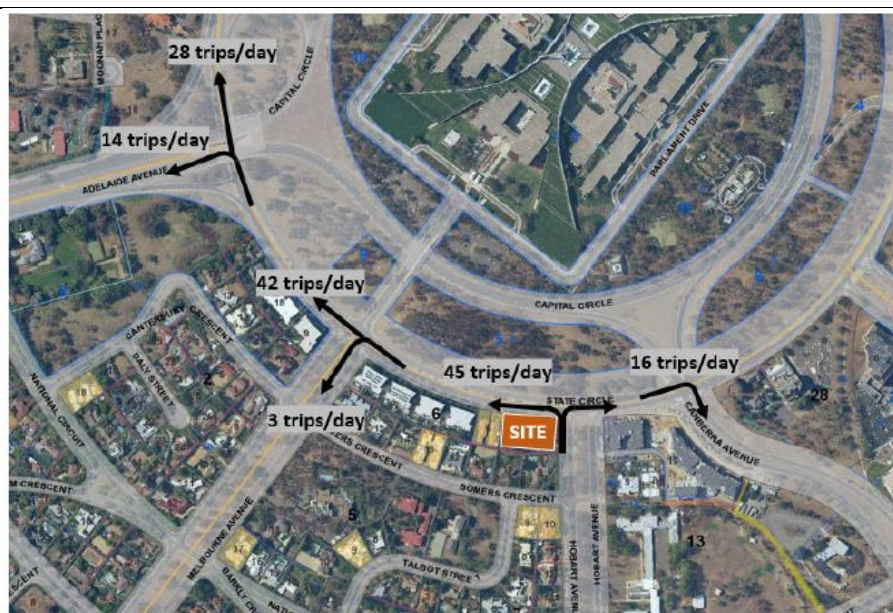


Figure 1: Traffic generation

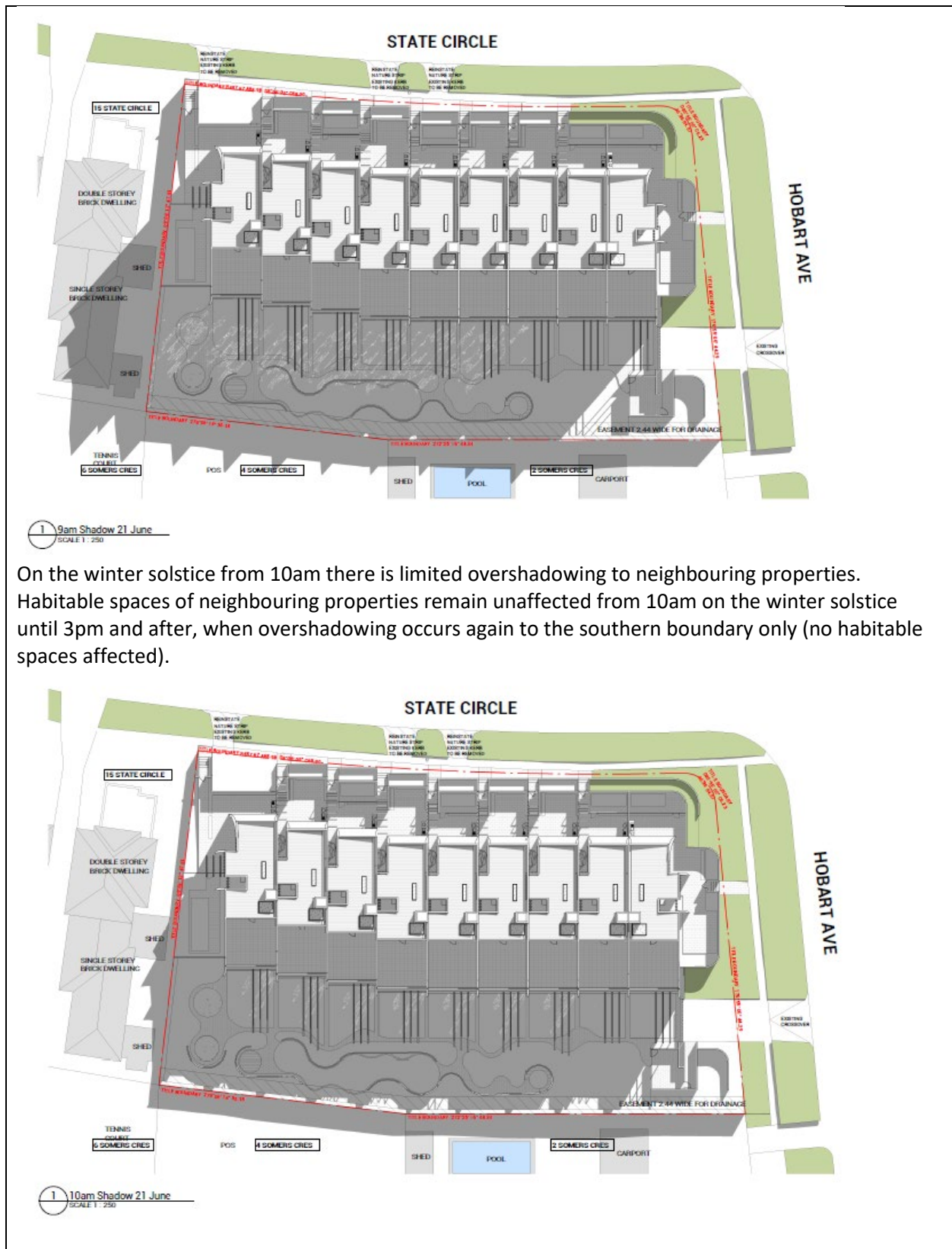
### 3. Overshadowing to western property.

Block 18 Section 6 Forrest is a previously amalgamated block fronting State Circle, subject to location specific requirements under Part 4.5 *Deakin/Forrest Residential Area* of the National Capital Plan (NCP). Figure 32 of the NCP prescribes building envelopes in which buildings should *generally* be contained within (10m landscape zone from State Circle boundary, 18m landscape zone to rear of block, 10-12m overall height – 3 storeys, 20m building width, 6m side setbacks). The NCA considers the proposal is in accordance with the building envelopes prescribed under the NCP.

The building is setback a minimum 6m from the side boundaries, with one minor encroachment to the western side where the setback is 5.5m for 2m in length, due to the radial nature of the State Circle frontage and practical replication of unit typologies of building footprints across the site. The minimum setback for the remainder of the building to the western boundary exceeds the minimum requirement and is over 7m.

The applicant provided shadow diagrams to demonstrate potential overshadowing of the development on neighbouring properties. Following consultation, the NCA requested shadow diagrams be provided for the winter solstice (worst case scenario).

Overshadowing to parts of the southern and western blocks primarily occurs prior to 9-10am during the winter months as demonstrated below.



On the winter solstice from 10am there is limited overshadowing to neighbouring properties. Habitable spaces of neighbouring properties remain unaffected from 10am on the winter solstice until 3pm and after, when overshadowing occurs again to the southern boundary only (no habitable spaces affected).





During the equinox, partial overshadowing occurs around and prior to 9am. From 10am there is no significant overshadowing to any adjoining properties.





Given the proposed development is generally located within the prescribed building envelope outlined the NCP, the NCA concludes that reasonable solar access to adjoining properties can be achieved as:

- reasonable solar access to dwellings on adjoining residential blocks and their associated private open space is maintained
- the proposed building does not shadow the windows of habitable rooms of any approved and constructed dwelling on an adjoining residential block at noon on the winter solstice
- The floor or internal wall of a daytime living area of a dwelling is exposed to not less than 3 hours of direct sunlight between the hours of 9am and 3pm on the winter solstice
- Buildings do not overshadow the principal private open space of any approved and constructed dwelling on an adjoining residential block to a greater extent than a 2.4m fence on the boundary at noon on the winter solstice.

The NCA considers that there will be limited overshadowing to adjoining properties as demonstrated in the drawings above.

#### **4. Addition of more and preservation of existing landscape spaces (Garden City concepts and streetscape character).**

Part 4.5 of the NCP prescribes location specific requirements regarding landscaping of the subject site (noting that the NCA's Landscape and Sustainability Guidelines for the Deakin/Forest Residential Area do not apply to the subject site). A landscape plan has been provided with the application, and documentation prepared by Registered Landscape Architects - Redbox Design Group.

The NCA considers that the proposed landscape design meets the requirements set out in the NCP, and responds positively to the existing Forrest character comprising a variety of native and exotic planting types. A network of different character zones aims to provide a unique experience responding to the building's function, context and aspect.

The landscape design provides for encircling landscaping which includes hedge planting to boundaries and large trees where appropriate.

The State Circle frontage includes terraced garden walls sufficiently integrated with hedge planting and medium sized deciduous trees which contribute to privacy and sustainable solar access. The use of garden walls to the State Circle frontage is consistent with other recent nearby developments fronting State Circle. The terraced walls vary in height and are softened/screened with significant hedge, tree and shrub planting. The NCA considers the garden walls acceptable given the high quality landscape setting proposed by the landscape architect.

The driveway to the southern side of the block is broken in layout by soft landscaping and the use of pergolas with planting, which aims to form a green canopy over the driveway.


## Conclusion

The NCA's consultation process was carried out in accordance with the Plan and the NCA's 'Commitment to Community Engagement'. The NCA has considered issues raised in the submissions as part of the assessment process.

The NCA has assessed the proposal as not inconsistent with the provisions of the NCP and concerns of the community have been addressed.

On 4 March 2022 the NCA approved the proposal.

## Attachment A – The Canberra Times Public Notice




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### WORKS APPROVAL

Open for Public Consultation  
**Block 18 Section 6 Forrest (11-13 State Circle)**  
**Construction of nine new townhouses and associated landscaping**

A Works Approval (WA) Application has been submitted to the National Capital Authority (NCA) by Canberra Town Planning. The application is for the construction of a new nine townhouse development and associated landscaping located on Block 18 Section 6 Forrest (11-13 State Circle).




The plans and supporting documentation for this WA application can be viewed at the NCA's website. The NCA welcomes feedback on this application **by 5pm, Friday 17 December 2021**. Submissions can be made via email to [WAconsultation@nca.gov.au](mailto:WAconsultation@nca.gov.au). Please contact the NCA for further information on [WAconsultation@nca.gov.au](mailto:WAconsultation@nca.gov.au).

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### HAVE YOUR SAY

#### WORKS APPROVAL

**BLOCK 18 SECTION 6 FORREST (11-13 STATE CIRCLE)**  
**CONSTRUCTION OF NINE NEW TOWNHOUSES AND ASSOCIATED LANDSCAPING**



A Works Approval (WA) Application has been submitted to the National Capital Authority (NCA) by Canberra Town Planning. The application is for the construction of a new nine townhouse development and associated landscaping located on Block 18 Section 6 Forrest (11-13 State Circle).

The plans and supporting documentation for this WA application can be viewed at the NCA's website.

The NCA welcomes feedback on this application **by 5pm, Friday 17 December 2021**. Submissions can be made via email to [WAconsultation@nca.gov.au](mailto:WAconsultation@nca.gov.au)

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Please contact the NCA for further information on (02) 6271 2888  
[www.nca.gov.au](https://www.nca.gov.au)