

# Planning Report

## Works Approval Blocks 3 Section 22 Barton

Prepared for:

DOMA Group

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## 2. Introduction

### 1.1. Location and Site Description

Block 3 Section 22 Barton (**the site**) is situated at the east of Capital Hill, in Barton. The site is located at 15 Sydney Avenue and is 11573m<sup>2</sup> in area.

The site lies to the south east of the Australian Passport Office and Department of Foreign Affairs and Trade. The site lies to the south west of the National Press Club of Australia. The Grady Strata development is located at 1 Sydney Avenue.

Open spaces and water bodies include Bowen Park, Lake Burley Griffin, York Park and the Parliament gardens.

Block 3 Section 22 Barton is 'Designated' land under the National Capital Plan.

The Barton Precinct Code that applies to the subject block under the National Capital Plan identifies the site as being within a National Capital Use area.

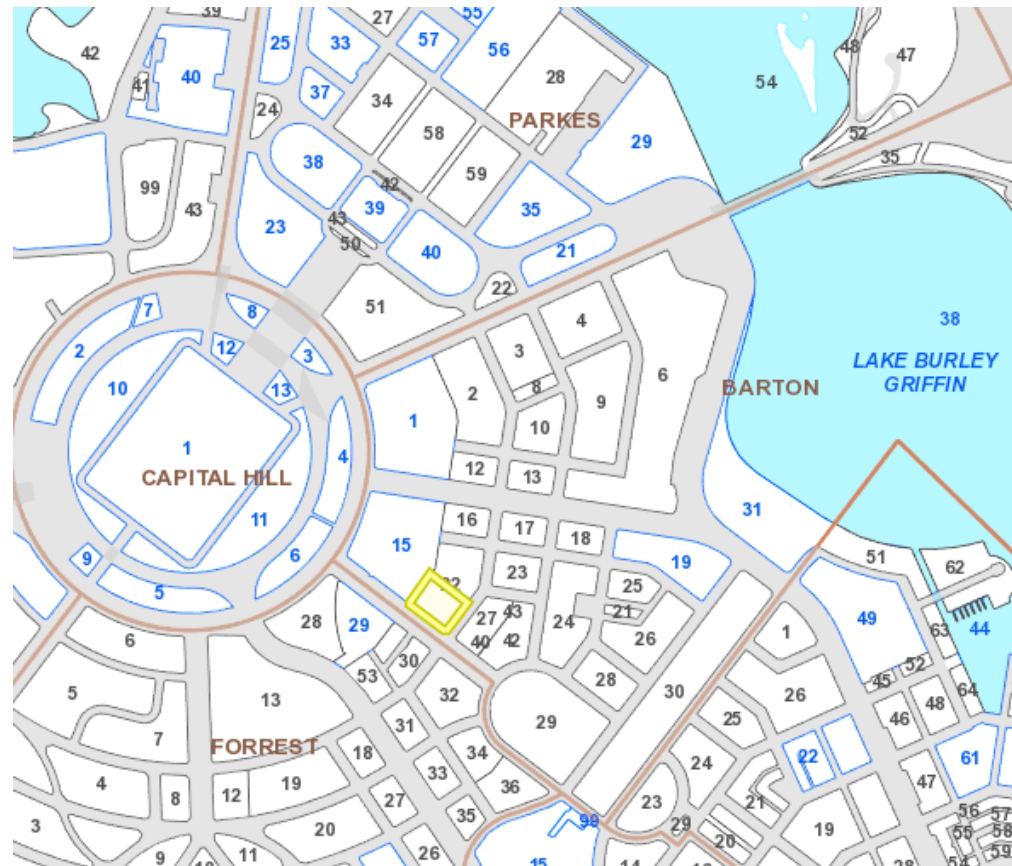


Figure 1: Regional Site Location (Source: ACTMAPi, September 2022)

## 1.2. Land Status and Crown lease

**Table 1** below details the key Crown Lease covenants for Block 3 Section 22 Barton

Table 1 – Summary of Crown Lease Provisions

Lease Item	Clause
Site Identifier	Block 3 Section 22 Barton
Site Address	15 Sydney Avenue, Barton
Owner Lease	Tenants in Common
	Doma Barton Pty Ltd 4/3 Sydney Avenue Barton ACT 2600 as 50/100 Shares
	Lentsure Pty Limited Level 2, 59 Wentworth Avenue Kingston ACT 2604 as 50/100 Share
Site Area	11573 square metres or thereabouts
Lease Commenced	14/02/2020
Lease duration/termination	99 years
Deposited Plan	7799
Easements	No easements identified in the lease
Concessional	No, market value lease
Previous Crown Lease variations	None
Use/ Purpose Clause	3 (a) To use the premises for any purpose permitted under the National Capital Plan
Interests	No interests

## 3. Background

### 3.1. Overview of National Capital Plan Approval Requirements

The process followed in preparing this works approval application is shown below in **Figure 3**.



**Figure 2:** General Works Approval Application Process

This process and the associated tasks within this process is set out below:

#### **Start Dialogue:**

- Early discussions with the National Capital Authority are undertaken to help identify appropriate design solutions and requirements of the National Capital Plan (NCP) to inform design.
- Discussions progressed and centre on the National Capital Plan Requirements and compliancy.

#### **Design Development:**

- Proponent prepares sketch designs and Works

- Approval Documents are prepared ready for formal submission.

#### **Works Approval Submission and Notification (this Stage)**

- Formal submission of Works Approval (Formal application lodged with drawings and supporting documents).
- Mandatory Public Notification (to the specification of the National Capital Authority and at Proponents' cost).
- Application Fees invoiced and paid by the Proponent while assessment continues.

#### **Proposal Assessment and Approval Granted (Future)**

- NCA considers formal application and final documentation as submitted.
- Once satisfied that all relevant matters are resolved and proposal meets the planning controls applicable, the NCA may issue works approval.

## 4. The Proposal

This Works Approval application seeks consideration for the Development of a new large format office development at the Subject site.

This application is for a new 6 storey office building of circa 37000 square metres catering to Commonwealth and private sector tenants. In developing this concept, the applicant has carefully considered the context of the site's potential while respecting and enhancing the natural features offered by the site itself and its surrounding areas.

The solution is offered as a sole tenant building (with future flexibility for multiple Tenants) enhancing the security management of the building and ensuring the maximum opportunity for dedicated amenity to Commonwealth Agencies and its employees. The solution provides a highly legible address and entry sequence for staff and visitors across all transport modes.

It is designed to achieve a 4.5 star NABERS Energy rating and 5 star Design & As Built Greenstar rating.

The proposed development includes 2 basement levels providing the required parking for the building.

The building will be a striking building within the locale. The ground floor will be highly activated by the proposed uses on the ground floor level. The retail Café is located on the western side of the building and address' Windsor Walk.

People can relax outdoors adjacent to the café area, or in the many external seating areas positioned amongst the landscape.





Figure 2: Perspective 1 of Proposed Development

## 5. The National Capital Plan

This section sets out an assessment of the development proposal against the relevant sections of the National Capital Plan.

The object of the National Capital Plan is to:

*Ensure that Canberra and the Territory are planned and developed in accordance with their national significance.*

In prescribing matters to be covered in the National Capital Plan, the *Australian Capital Territory Planning and Land Management Act 1988 (Cwlth) (the Act)* requires the Plan to set out:

- The planning principles and policies for giving effect to the object of the Plan;
- General standards and aesthetic principles to be adhered to in the development of the National Capital; and
- General policies for land use, and for the planning of national and arterial road systems throughout the Territory.

The Act also provides that the Plan may specify:

- *Areas of land that have the special characteristics of the National Capital as Designated Areas. The Plan may set out detailed conditions of planning, design and development in Designated Areas, including priorities for carrying out these activities.*

The Act defines ‘works’ as:

- a) *the construction, alteration, extension or demolition of buildings or structures;*
- b) *landscaping;*
- c) *tree felling; or*
- d) *excavations;*

*but excludes anything done inside buildings or structures.*

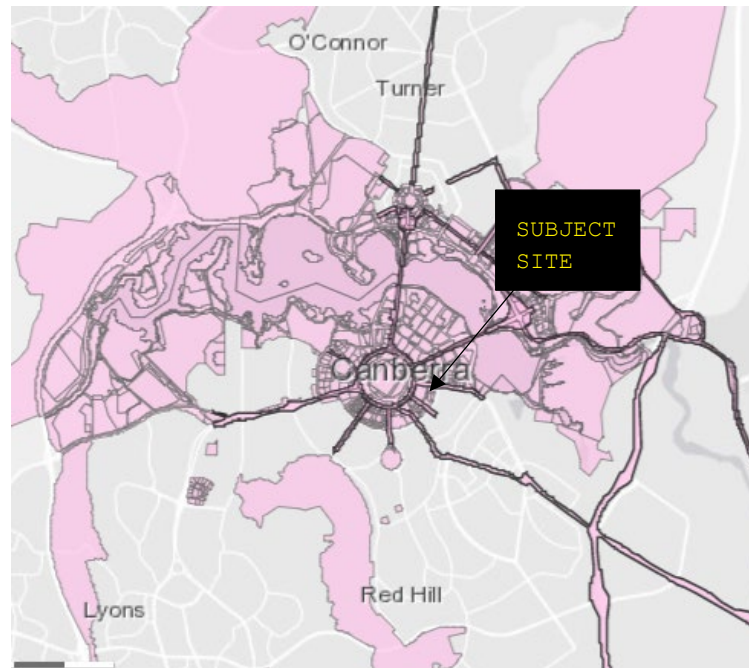
The proposed works would be defined as ‘works’ under the Act and therefore require development consent through a Works Approval, assessed by the National Capital Authority.

## 5.1. Designated Areas and National Land

Figure 3 of the National Capital Plan identifies the Designated areas.

As illustrated in **Figure 3** below, the subject site is Designated Land located within the Central National Area.

In the context of the site being Designated Land, the National Capital Authority is the consent authority for planning/development approval and the proposal must be assessed as a Works Approval.



**Figure 3:** Extract from National Capital Plan (Source: National Capital Plan (September, 2022))

## 5.2. Land Use Zoning

The site is located within the ‘Urban Areas’ policy area as per the General Policy Plan of the NCP shown in Figure 4.

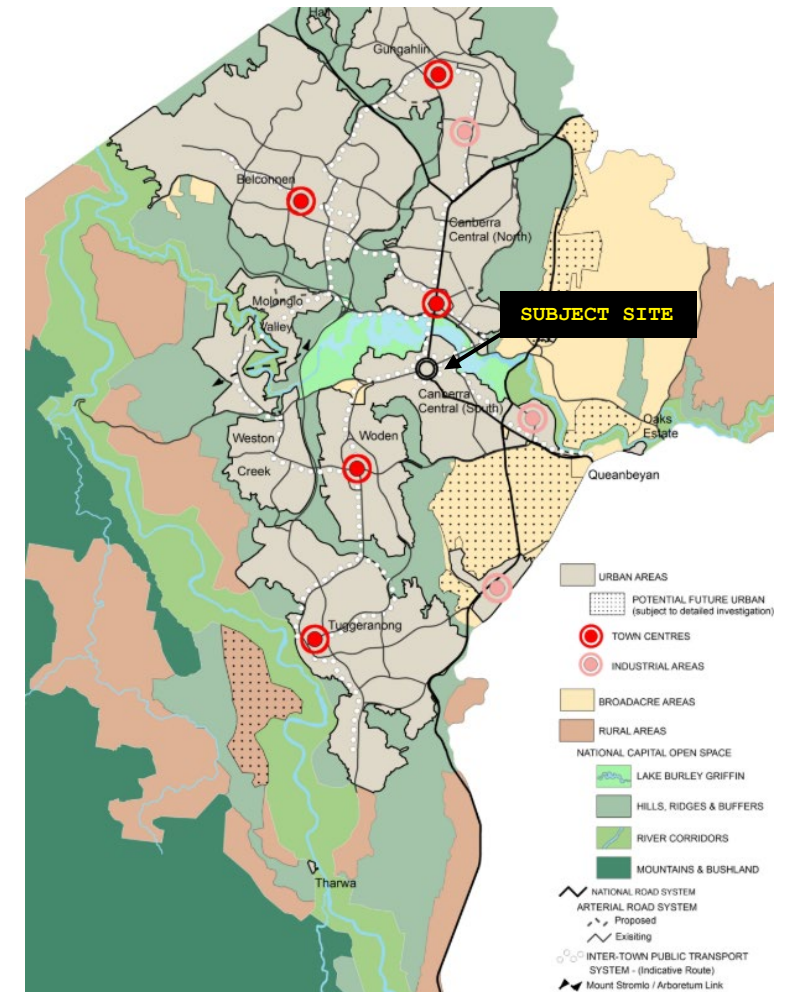
According to the NCP, urban land within the Territory should be ‘organised as a series of distinct and relatively self-contained towns by hills, ridges and other major open spaces’.

The Plan provides for the ‘continuation of urban development in the ACT as separate and distinct towns set in broad landscaped valleys, with the immediate hills, ridges and other major open space providing separation between towns and the distant mountains providing a natural landscape backdrop’.

The range and nature of uses permitted in the Urban Areas includes those uses that are compatible with residential, commercial, community, cultural, recreational and industrial activity, other than uses not permitted in the Territory Plan.

The subject site is located within the designated land area and is subject to the Barton Precinct Code as described below.

The Plan includes special and specific/detailed planning controls that are applicable to the Barton Precinct and the subject site. These requirements are specifically considered in the preparation of this proposal as described below.



**Figure 4:** General Policy Plan (Source: National Capital Plan (September, 2022))

### 5.3. Employment Location

As detailed in the NCP, one of the key principles of Canberra's urban structure has been the hierarchy of activity/employment centres, with each town having a centre acting as a focal point for higher order retail functions, commercial services, offices and community facilities.

The hierarchical principle, at the metropolitan level, means that:

- Canberra Central has been, is and continues to be the main location of office employment in the ACT.
- The City centre is to be encouraged to develop as the most specialised retail, commercial, cultural, entertainment and tourist centre.
- Town centres provide retail, commercial, cultural, entertainment and other facilities to meet community needs, and to serve also as locations for office-based employment.

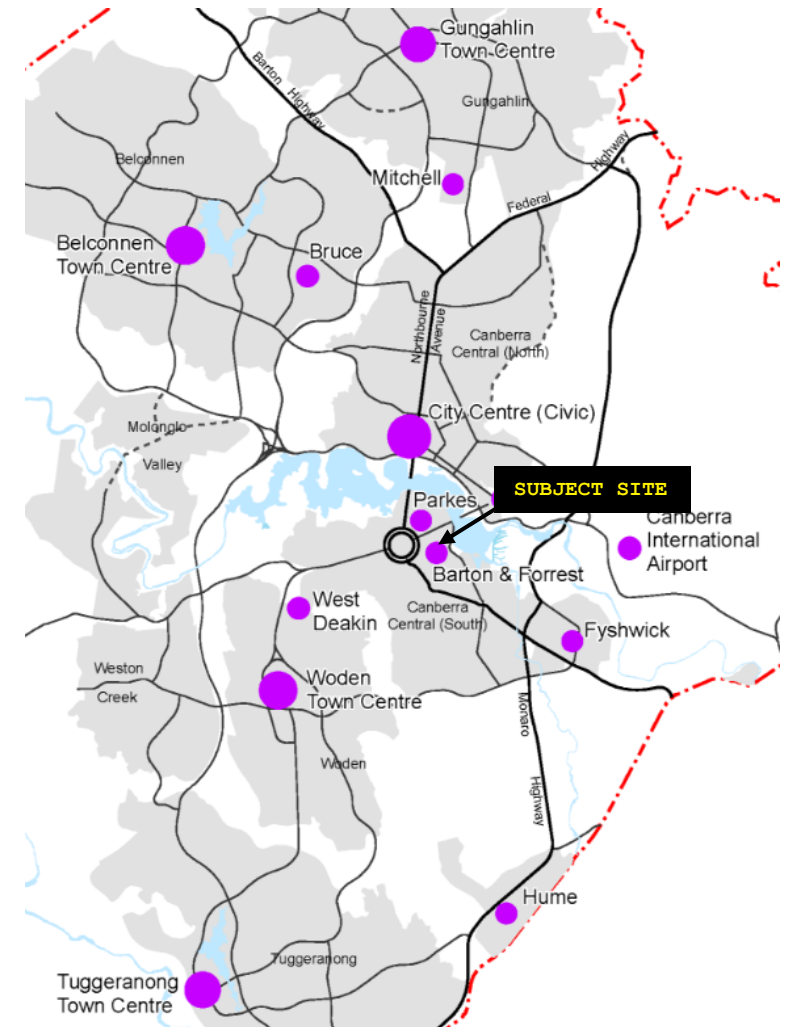
The principles for employment locations (other than the city) include that the proposal should not detract from the City's role as the National Capital.

Major employment proposals should have regard to transportation and environmental impacts.

Proposals should be cognitive of their role and focus and hierarchy of centres with increasing specialisation at successively high levels.

As shown in **Figure 5** below, **Barton is identified as a defined Activity Centre.**

The proposal is for a use that will be consistent with the uses anticipated within the Barton activity centre.



**Figure 5:** Defined Activity Centres (Source: National Capital Plan (September, 2022))

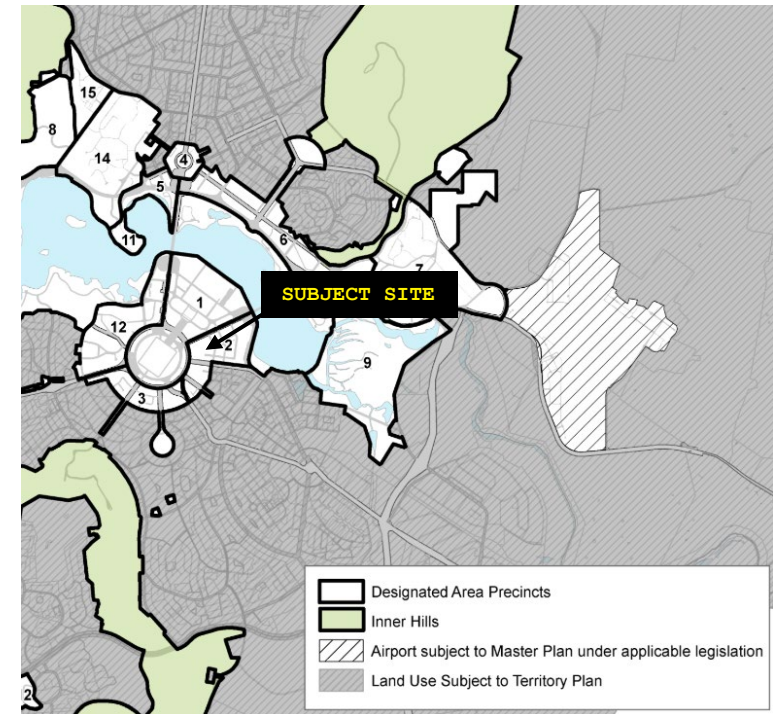


#### 5.4. Central National Area

Designated Land and National Land areas are provided with specific planning provisions and requirements under the National Capital Plan.

The site is located within the Central National Area of the Capital – an area that includes the National Triangle and its setting, Lake Burley Griffin and its foreshores and the diplomatic sites and national institutions, as the heart of the National Capital.

The site is within the Central National Area, Precinct 2 – Barton (refer to Figure 6). This Precinct Code sets out the detailed conditions of planning, design and development in relation to the subject site.



**Figure 6:** Designated Areas Precincts (Source: National Capital Plan (September, 2018))

# 6. National Capital Authority Outdoor Lighting Policy

This Policy is applicable to proposed external lighting.

Table 2 – Assessment Against the Outdoor Lighting Policy

Condition	Response
<b>Part one: urban context - Strategies</b>	
<b>1a) Express the key geometric elements of the Griffins' formally adopted plan for the city through lighting design and distribution.</b> <ol style="list-style-type: none"> <li>1 Emphasise the three node points of the Griffins' National Triangle by creating and maintaining strong visual 'anchors' at Parliament House, City Hill and Russell.</li> <li>2 Create a unique identity for the roads that form the Griffins' National Triangle, being Commonwealth, Kings and Constitution Avenues, through careful selection and installation of an integrated suite of street furniture and lighting. Achieve a high degree of uniformity in lighting performance on these three main avenues.</li> <li>3 Illuminate the Griffins' Land Axis by retaining the existing Anzac Parade street lighting and illumination of Federation Mall.</li> <li>4 Reinforce the Griffins' Water Axis by illuminating the promenade along the southern foreshore, Commonwealth Place and the International Flag Display.</li> <li>5 Use full cut-off light fittings in all landscape areas, roads, paths and car parks within the Central National Area (except where noted in this policy).</li> <li>6 Use full cut-off street and pedestrian lighting on all main avenues that contributes to their development as high quality landscape boulevards.</li> <li>7 Align lighting hardware to strengthen the framing of the National Triangle, main avenues and formally landscaped open spaces.</li> </ol>	<p>Full cut off street and pedestrian lighting is proposed in landscape areas, driveways and along paths as required.</p> <p>The location of lighting fixtures has been considered with respect to the formal geometry of the Central National Area.</p>
<b>1b) Create a clear hierarchy of built environment illumination in central Canberra.</b> <ol style="list-style-type: none"> <li>1 Illuminate the exterior of key built elements to reflect their relationship to Griffin's National Triangle and their symbolic function, according to the following comparative luminance values in candela per square metre (cd/m2): Level Four- all other buildings adjacent to Constitution Avenue = (5cd/m2)</li> </ol>	<p>Refer to the Lighting Plan which outlines the performance of proposed lamps and conformance with relevant Australian Standards.</p>

Condition	Response
<ol style="list-style-type: none"> <li>Create a dramatic backdrop by restricting the use of external lighting for other buildings within City Hill Precinct, Parkes, Reid, Campbell and Russell to entrances, window displays and signage. Consideration will be given to additional building lighting where it contributes to identity, legibility, silhouette, architectural expression, façade articulation and Canberra's unique skyline at night.</li> <li>Use full cut-off light fittings for new building façade lighting installations, that are carefully integrated into the building's structure.</li> <li>Minimise any sources of light spill or glare throughout Commonwealth Park, Kings Park, Rond Terrace, Black Mountain Peninsula, Yarralumla Bay, Weston Park, Grevillea Park, Yarramundi Reach, Acton Peninsula and Kingston Foreshore.</li> <li>Minimise any sources of light spill or glare beyond the intended area to be lit.</li> </ol>	
<b>1c) Maintain subtle illumination of the city's topography.</b>	
<ol style="list-style-type: none"> <li>Consider identification of Red Hill and Mount Pleasant through the installation of a single light source, such as a navigational lighting beacon.</li> <li>Use full cut-off lighting of pedestrian pathways and landscape areas in proximity to the edge of Lake Burley Griffin around West, Central and East Basin, that effectively manages the unwanted effects of light spill on the lake ecosystem (unless otherwise noted in this policy).</li> <li>Use full cut-off lighting in all areas of the Inner Hills to control the effects of light spill.</li> </ol>	Full cut off lighting is proposed for the subject site.
<b>1d) Conserve significant heritage lighting fabric and design elements.</b>	
<ol style="list-style-type: none"> <li>Consider all relevant Heritage Management Plans in developing lighting designs.</li> <li>Retain the essential character and lighting performance characteristics of any existing lighting installation with identified heritage value, in any proposed maintenance or replacement activity.</li> <li>Preserve the appearance, location and layout of lighting installations with heritage value.</li> <li>Do not replicate or extend poor performing heritage lighting hardware into new areas or in new installations.</li> </ol>	No heritage items are located in the immediate vicinity of the subject site and development.
<b>Part two: Place-making - Strategies</b>	
<b>2a) Ensure the scale and character of lighting is appropriate to the location.</b>	
<ul style="list-style-type: none"> <li>Use lighting standards and categories of a lighting type and quality that is appropriate to the application and location.</li> <li>Light public art installations with individual designs according to the intentions of the artist, where it is not contrary to the objectives or strategy of this policy.</li> <li>Manage the inter-relationship of lighting intensity and character between all structures, landscape elements and buildings.</li> </ul>	<p>Refer to the Lighting Plan included in this submission.</p> <p>The lighting hardware proposed is of a high quality and is consistent with the lighting palette of surrounding public spaces.</p>



Condition	Response
<ul style="list-style-type: none"> <li>• Ensure that the colour and finish of light poles and fittings in landscape areas integrates with and visually complements their surroundings. Lighting installations in proximity to the edge of Lake Burley Griffin must mitigate the visual impact of poles or fittings on the landscape during the day.</li> <li>• Add visual interest to public spaces through engaging, interactive lighting designs where appropriate.</li> <li>• Locate light sources and poles to highlight the repetition and rhythm of their form, spacing and pattern, giving consideration to the definition of space and their role as sculptural elements in the urban landscape.</li> </ul>	<p>The lighting design enhances the character of public spaces in the night time, and illuminates and augments the buildings proposed.</p>
<p><b>2b) Ensure the form, material and finish of lighting hardware is appropriate to the location and co-ordinated with other street and park furniture so as to form an integrated, cohesive palette of materials and fittings.</b></p> <ul style="list-style-type: none"> <li>• Use high quality light fittings and hardware with a high standard of detail and finish.</li> <li>• Locate lighting hardware outside key desire or movement lines, to optimise accessibility and safety.</li> <li>• Locate lighting hardware around trees, signs, and street furniture to achieve a spacing, pattern and alignment that complements these and other urban elements.</li> <li>• Consider opportunities for integration of lighting into street furniture, built form or road/bridge structures.</li> <li>• Co-ordinate the colour and finish of light poles and fittings and with other lighting hardware and street furniture.</li> <li>• Develop lighting plans in advance of any wide-scale installation or replacement of poles or fittings within the Parliament House Vista and Lake Burley Griffin and adjacent parklands. Address the context and the character of the landscape setting and its elements including street furniture in the lighting plans.</li> </ul>	<p>Refer to the Lighting Plan included in this submission which details the lighting hardware proposed for the development and the location of these fixtures.</p>
<p><b>2c) Ensure the colour and form of the physical environment is accurately rendered.</b></p> <ul style="list-style-type: none"> <li>• Use lamps that offer a colour temperature close to the appearance of daylight (approximately 4500-6500 degrees Kelvin).</li> <li>• Select lamps that offer good colour rendering ability, of 80 or greater on the Colour Rendering Index.</li> <li>• Select lamps and fittings that provide the most accurate colour rendition of landscape possible throughout the parklands surrounding Lake Burley Griffin, along the main avenues, and in the Parliamentary Zone.</li> </ul>	<p>Refer to the Lighting Plan which outlines the performance of proposed lighting in relation to these standards.</p>
<p><b>Part three: Safety - Strategies</b></p>	
<p><b>3a) Maintain a well-connected movement network of public paths, roads and spaces.</b></p> <ul style="list-style-type: none"> <li>• Install and maintain lighting throughout the network of pedestrian and cycling paths and formally-recognised public spaces in the Central National Area.</li> </ul>	

Condition	Response
<ul style="list-style-type: none"> <li>Install and maintain lighting on all public roads and car parks in accordance with the volumes and patterns of activity and their role within Canberra's transport network.</li> <li>Select light poles and locations that minimise the risk of injury for people travelling on paths or roads.</li> </ul>	Lighting is proposed along pedestrian paths and fixtures are to be located to minimise risk of injury. Refer to the Lighting Plan provided.
<b>3b) Ensure Australian Standards for illumination are met as a minimum.</b> <ul style="list-style-type: none"> <li>Demonstrate compliance of lighting design proposals with the Australian Standard AS/NZS 1158 - Lighting for Roads and Public Spaces and the suitability of the proposed lighting category for the intended application.</li> <li>Demonstrate compliance of lighting design with other relevant Australian Standards relating to the installation and operation of outdoor lighting. Where an inconsistency arises between this policy and any Australian Standard, this policy prevails.</li> </ul>	Refer to the Lighting Plan which outlines the performance of proposed lamps and conformance with relevant Australian Standards.
<b>3c) Effectively manage glare.</b> <ul style="list-style-type: none"> <li>Select lamps of the lowest required intensity.</li> <li>Select light fittings and optical systems that shield light from being directed sideways or upwards.</li> <li>Locate light sources beyond the typical field of view for people in any given area, through the location and scale of light poles and fittings.</li> <li>Minimise any sources of light spill or glare beyond the intended area to be lit.</li> </ul>	Refer to the Lighting Plan which outlines the performance of proposed lamps and conformance with relevant Australian Standards.
<b>3d) Create integrated lighting designs that enable the human eye to adapt to changes in light levels.</b> <ul style="list-style-type: none"> <li>Achieve a high degree of uniformity in illumination levels along pathways and roads.</li> <li>Install transitional lighting treatments between areas of contrasting illumination that accommodate the human eye's capacity to adapt to changes in light levels.</li> </ul>	The design and location of lighting is intended to provide uniform illumination across the site to enhance visibility and safety.
<b>Part four: Environment and sustainability - Strategies</b>	
<b>4a) Manage light pollution through the selection and placement of lighting hardware.</b> <ul style="list-style-type: none"> <li>Use full cut-off light fittings, lens diffusers, or light sources that provide indirect or reflected light (unless otherwise noted in this policy).</li> <li>Select optical systems and shielding designs for artificial light sources that effectively manage glare and light distribution behind and above the light source.</li> <li>Install and operate lighting only where it responds to a demonstrated need or requirement. Consider the removal of lighting where it does not fit this criteria.</li> <li>Co-ordinate the removal or replacement of existing light fittings in proximity to any proposed lighting works to reduce variances in lighting hardware and effect.</li> <li>Minimise the distribution of artificial light beyond the intended area to be lit.</li> </ul>	Refer to the Lighting Plan which outlines the performance of proposed lamps and conformance with relevant Australian Standards.

Condition	Response
<p><b>4b) Minimise energy use.</b></p> <ul style="list-style-type: none"> <li>• Select lighting hardware components that offer a long service life, feature an enduring aesthetic appeal, be of a high quality construction and offer reliable, low maintenance performance.</li> <li>• Consider energy use and value for money in any lighting upgrade or new installation.</li> <li>• Install efficient lighting control systems that can adjust illumination to suit activity levels, saving energy whilst maintaining safety when required.</li> <li>• Use co-ordinated lighting management systems to reduce energy and maintenance and improve uniformity and safety.</li> </ul>	<p>The proposed lighting nominates fixtures that are to be designed and installed to minimise energy use.</p>
<p><b>4c) Ensure the installation and maintenance of lighting infrastructure does not have a detrimental effect on landscape.</b></p> <ul style="list-style-type: none"> <li>• Design light poles and outreach arms around the long-term form of trees to maintain light performance and minimise tree maintenance.</li> <li>• Locate light poles and power cables around established tree and root locations.</li> </ul>	<p>The location of light fixtures and power sources has been considered with respect to proximity to vegetation and trees.</p>
<p><b>4d) Minimise the impact of lighting operation on wildlife health.</b></p> <ul style="list-style-type: none"> <li>• Use full cut-off light fittings within landscape areas to reduce impact on wildlife.</li> <li>• Reduce the intensity or turn off lighting at times it is not needed in landscape areas, to reduce impact on wildlife.</li> <li>• Reduce the intensity and duration of external building lighting operation during migration periods of the Bogong moth in October and between February and April. Shut off lights that are not needed during the second half of the night at times of peak moth migration.</li> <li>• Ensure that the design and operation of lighting does not cause wildlife or avifauna disorientation, injury or death.</li> </ul>	<p>Full cut off lighting is proposed for the subject site. Lighting extent provided is to be appropriate to the use of the building.</p>

# 7. Barton Precinct Code

## 7.1. Objectives for Barton Precinct

The objectives for the Barton Precinct are as follows:

- ***Ensure the highest standards of architecture for all buildings in the precinct.***
- ***Ensure that individual buildings contribute to the coherent definition of streets, blocks and public spaces intended for the Precinct.***
- *Create a legible network of paths and streets and enhance connectivity and accessibility to the Lake.*
- ***Encourage a mix of land uses which contribute to the vibrancy, amenity and convenience of the Barton Precinct as an attractive place in which to work and live.***
- ***Ensure new development meets leading practice for environmental sustainability including energy efficiency and water sensitive urban design measures.***
- ***Ensure development recognises and complements the precinct character; as a major employment centre and area of national importance.***
- *Recognise and reinforce the different streetscapes associated with Kings, Brisbane, and Sydney Avenues, and State Circle.*

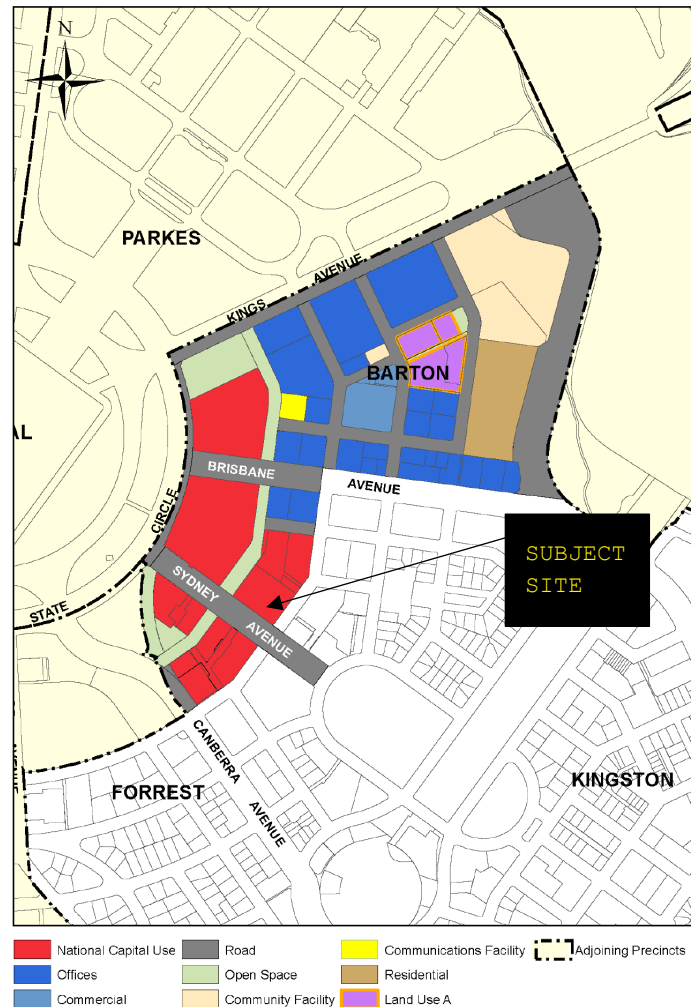
- The objectives in bold are considered to be satisfied and/or supported as a result of the proposed development with commentary listed below them.

Commentary in relation to these key objectives are as follows:

- The proposal is for a high-quality architectural design as presented in this Application. The designer is a national and international award-winning firm and under direction from the proposal presents this high quality designed building proposal;
- The proposed building will house a mix of uses that will be predominately National Capital/Office use with supporting commercial at ground level. This is in line with the primary use objective for the site. Being a proposal for a large format Government (Commonwealth) Office building the proposal reflect the objective for Barton to be a major employment centre and area of national importance.
- The building is designed to meet a high level of sustainability and energy efficiency (in excess of the BCA standards). This is in line and exceed Commonwealth tender requirements and future proof the building to expected changes in sustainable building standards anticipated to be introduced in the future.
- The proposed development is anticipated to have a 4.5 star rating (NABERS) and a 5 star Green Star.
- The proposed building is designed to integrate into the existing building context of the precinct and will support the existing office environ in Barton.

## 7.2. General Land Use Provisions

Land use provisions for the Barton Precinct are as per **Figure 7:**



**Figure 7:** Land Use for Barton Precinct (Source: National Capital Plan (July, 2019))

The site is located within an area identified as National Capital Use. The use definition of which is as follows:

**National Capital Use:** The use of any land, building or structure for the purpose of a work of special status and national interest.

This includes the National Library, the National Gallery, the High Court, the National Archives, the National Museum of Australia, the Australian War Memorial, the Prime Minister's Residence, the Governor-General's Residence, the Australian National University, the Australian National Botanic Gardens, Commonwealth Offices needing prestigious locations, national memorials, National Association Offices as herein defined, a hospitality house or a Commonwealth Government conference centre and the like.

**National Use:** Any of the following uses as herein defined:

1. Diplomatic Mission
2. Parliamentary Use
3. **National Capital Use**

For the York Park area (as detailed below) permitted land uses are refined and may include:

- Diplomatic Mission
- **National Capital Use**
- Office (which may include Commonwealth offices and offices for national associations)
- Open Space.

Permitted ancillary uses are:

- Retail
- Personal Service Establishment
- Child Care Centre.

### 7.3. General Planning, Design and Development Conditions

The detailed planning, design and development conditions that apply to the Barton Precinct are detailed in **Table 3** below.

**Table 3:** Barton Precinct General Planning, Design and Development Conditions

Planning Requirement	Response
<b>General Controls</b>	
<b>Building Height</b>	
<p>A building height limit of RL 591 <b>generally</b> applies to the Barton area. This level corresponds with the level of the parapet walls at all four corners of Parliament Drive and establishes an appropriate limit in terms of creating and maintaining built form relationships to Parliament House when seen from vantage points in and around the Central National Area.</p> <p><b>Minor building elements</b> (such as <b>lift overruns and roof plant</b>) that extend building height above RL 591 will be considered where this enhances the architectural quality of the building, and fosters energy efficiency, indoor amenity, appropriate urban scale, and adds visual interest to the skyline. <b>Minor building elements should be carefully integrated within the form of buildings.</b></p> <p><b>Lift overruns</b>, plant rooms and any roof mounted aerials, masts and dishes should be designed and sited to have a <b>low visual impact</b> when viewed from the street or Parliament House.</p>	<p><b>Applicable.</b></p> <p>The proposed building has a height of 6 storeys to an upper limit of the plant to RL595.5.</p> <ul style="list-style-type: none"> <li>– The central roof plantroom has been positioned either side of the atrium which provides excellent occupant amenity and optimises the access to daylight to within 12m as per Figure 8 below. The skylight roof forms that deliver sunlight into the floorplates have been inverted to minimise height extrusions and a localised single Goods lift on the eastern core that serves the plantroom from the loading dock for maintenance has a minor encroachment of the overrun consistent with the general controls.</li> <li>– In delivering the NABERS rating for the building the services engineers are proposing energy efficient heat exchange units to reduce energy usage of the building and have positioned this equipment and the air handling plant and associated ductwork for the VAV system within the plantroom enclosure proposed. The design of the plantroom fosters energy efficiency for a building for this size and has appropriate scale being setback behind the parapet. The architects have also proposed a series of sunshade blades that are shown on varying elevations that extend beyond the line of the parapet to add visual interest at a pedestrian scale. The nearest building to the proposed roof plantroom is 21 National Circuit (Little National Hotel) and is 28m from the boundary to the nearest point of the plantroom and the hotel rooms facing this building have been setback a further 3m from the boundary.</li> </ul>

## DAYLIGHTING WORKPLACE

### LEGEND

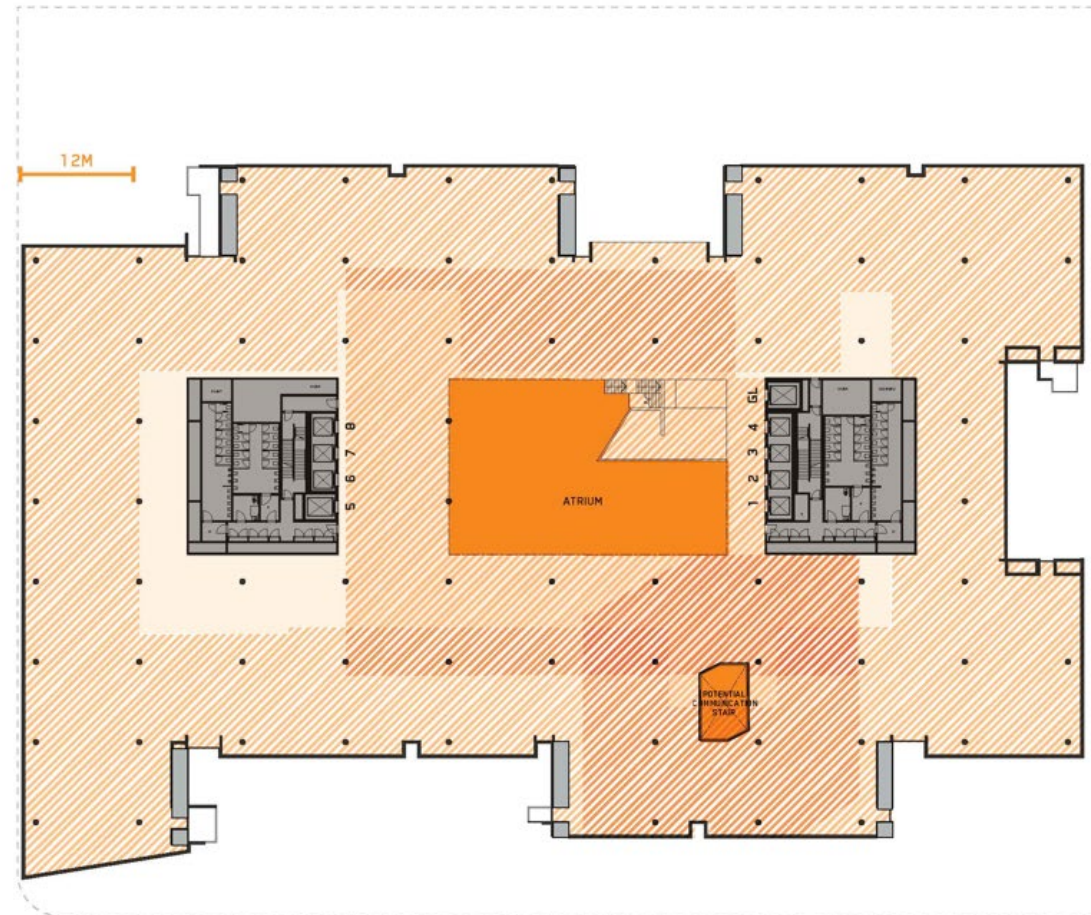


Figure 3: Daylight Model



Planning Requirement	Response
<b>General Controls</b>	
<b>Landscaping</b>	
A high quality of landscape design is sought and mature trees are to be retained wherever possible.	<p><b>Applicable.</b></p> <p>Refer to landscaping works report for further information.</p> <p>The landscape design responds positively to the precinct character and offers a visually rich experience, drawing on the aesthetic cues and design form of the proposed building.</p> <p>Plantings will create a network of recognisable character zones, offering an unfolding experience of vegetation communities, each suited to the function, building context and aspect.</p>
Street trees and other large trees are to be planted in deep-root soil conditions	<p><b>Applicable.</b></p> <p>Refer to landscaping works report for further information.</p> <p>It is proposed for retention of verge trees and irrigated turf in the National Circuit verge.</p>
<b>Pedestrian and Bicycle Movement</b>	
Windsor Walk will be constructed and landscaped to form the main pedestrian spine through the Barton Precinct.	<p><b>Applicable.</b></p> <p>The site is along Windsor Walk and includes two accessways from the building to the main pedestrian spine. These accessways are landscaped and integrated into the proposed landscape design for the development.</p>
Cycle ways and pedestrian paths will be provided to enable safe and convenient movement and should connect to major peripheral paths.	<p><b>Applicable.</b></p> <p>Please see attached sections, elevations and ground/site plans indicating that all efforts have been made to accommodate and interface with existing cycle and pedestrian paths; there are no encroachments onto or over these paths.</p> <p>Pedestrian access is through a highly vegetated frontage similar to the existing. The porte-cochere sits immediately adjacent to the entry. The proposed retail Café is located at the lobby entry, maximising its exposure to the building occupants and providing opportunities for activity and passive surveillance to the street and building entrance locality. All servicing is via the rear of the site off the side street.</p>
Pedestrian safety and visual amenity should be secured through traffic calming and appropriate streetscape design.	<p><b>Applicable.</b></p> <p>Please see attached sections, elevations and plans (including landscape design details) indicating that all efforts have been made to accommodate cycle paths and pedestrian paths as there are no encroachments on these paths and their designs are cognitive of CPTED design principles.</p>



Planning Requirement	Response
<b>General Controls</b>	
New development should provide a positive address to pedestrian areas, to provide visual interest, activity and passive surveillance. Blank façades and exposed service areas should generally be avoided.	<p><b>Applicable</b></p> <p>The design will have a positive impact on the pedestrian environment with an open foyer entry space to reception and integrated café space sharing an outdoor seating and private terrace area.</p> <p>The ground floor will be highly activated with people accessing the lobby, end of trip facilities and café.</p>
Opportunities for linking the pedestrian networks of the Barton Precinct with the surrounding areas such as the trail system in the peripheral parklands of Parliament House should be addressed by new developments, particularly in the development of Section 1 Barton.	<p><b>Applicable.</b></p> <p>Please see attached sections, elevations and plans indicating that the design presented connects to and to accommodate cycle paths and pedestrian links onto and around the site; there are no encroachments on these paths.</p>
<b>Sustainable Development</b>	
Promote environmentally sustainable development including increased pedestrian and cycle accessibility and public transport use while reducing dependency on private vehicles.	<p><b>Applicable.</b></p> <p>The proposed development includes a combination of a café, office space and end of trip facilities to promote pedestrian and cycle commuting and reducing dependency on private vehicles.</p> <p>There is current public transport connectivity to the proposed development site which connects to many destinations including City Interchange and Woden Bus Station. There is connectivity to the bus network across the road from the proposed development.</p> <p>Refer to the Traffic and Parking Assessment Report attached.</p> <p>The site is along Windsor Walk and includes two accessways from the building to the main pedestrian spine. These accessways are landscaped and integrated into the proposed landscape design for the development.</p>
<b>Off-Site Works</b>	
Public domain works and site infrastructure should be implemented concurrently with new adjoining development.	<p><b>Not applicable.</b></p> <p>No public domain works proposed other than standard access and servicing infrastructure that is detailed in the proposal.</p>
New developments may be required to provide public infrastructure, including adjacent access roads and landscaped public spaces such as Windsor Walk, in accordance with detailed development requirements set by the National Capital Authority.	<p><b>Applicable.</b></p> <p>There are works to Windsor Walk, as shown in the landscaping plans. This is supported in the submitted minutes of the Pre-Meeting with TCCS. These works relate to the Stormwater, flooding and flow paths. Kindly refer to ‘220238 TCCS Pre-Lodgement Meeting’ for additional information.</p>

## 7.4. Location Specific – York Park Area

The York Park area should be developed primarily as a prestigious office area and landscape setting to satisfy the demand for office accommodation requiring proximity to Parliament House.

The objectives for the York Park area are commensurate to the development of a **prestigious office** and landscaped area that will service and/or in proximity to Parliament House the urban structure and character are to reflect the geometry and intent of the Griffin Plan including street and public space hierarchy. High quality architectural and landscape design excellence are important with particular attention given to recreation opportunities, pedestrian amenity in a range of formal and informal spaces.

Buildings should contribute to a coherent definition of streets, blocks and public spaces that support the public domain of precinct that contribute to the domain's active pedestrian qualities. Public transport (including proposed light rail stage 2) integration are important with alternative transport opportunities to be encouraged with specific consideration of convenience, safety and proximity. Any identified natural and heritage values of the area are to be protected.

The proposal is developed and designed to be consistent with these objectives being for a high quality, architecturally designed office type use building with ancillary activity generating uses.

As shown in **Figure 8**, the site is identified as being within the York Park area. This indicative development plan highlights the site as subject to future building.

The detailed planning, design and development conditions for the York Park area are detailed in **Table 4** below.



**Figure 8:** York Park Area (Source: National Capital Plan (December, 2019))

The proposed use is consistent with the York Park use provisions being for National Capital Use with ancillary uses.

**Table 4:** York Park Area Planning, Design and Development Conditions

Planning Requirement	Response
<b>Building Orientation</b>	
Buildings are to be sited parallel with the Avenues (Kings Avenue, Brisbane Avenue and Sydney Avenue), with National Circuit and State Circle, to provide definition to the geometry of the Griffin's Plans with built form.	The site fronts onto Sydney Avenue and John McEwan Crescent and the building design and geometry seeks to provide definition and frame the public realm of this street space.
<b>Car parking</b>	
Surface car parks are inappropriate as foreground to the views from Parliament House and, to the extent they are permitted on a temporary basis, they are to be carefully screened with landscaping.	<b>Not applicable.</b> Only basement car parking is proposed. There are ground floor street parking spaces that are in addition to the proposed basement. These ground floor parking spaces are not located on site.
Basement car parks should be constructed below finished ground level and concealed from public streets and pedestrian areas.	<b>Requirement satisfied.</b> The proposed basement car parking will be constructed below finished ground level and thus be concealed from public view and pedestrian areas.
Multi storey parking structures are to be designed to minimise their visual and physical impacts on the important public streetscapes of the Main Avenues and Windsor Walk.	<b>Not applicable.</b> Only basement car parking is proposed.
A parking structure, if provided on the corner of Windsor Walk and Brisbane Avenue, should be located behind a screen of habitable retail/office buildings with address frontages to Brisbane Avenue and Windsor Walk and integrated in design with the retail/office buildings.	<b>Not applicable.</b> Only basement car parking is proposed.
Particular attention should be given to the design of roofing to parking structures to relieve the visual impact of large roof areas. A maximum height below RL 591 may apply to parking structures to relieve their visual and physical impact on the public domain.	<b>Not applicable.</b> Only basement car parking is proposed.
Undercroft parking, that is, open parking basements projecting above ground level, will only be permitted where the National Capital Authority is satisfied that it does not limit the opportunity to create attractive landscape areas, and will not be permitted on public street frontages and Windsor Walk.	<b>Not applicable.</b> Only basement car parking is proposed.
Parking policies for the York Park area are designed to encourage greater use of public transport for the journey to work.	<b>Requirement satisfied.</b> The development is designed to cater for commuters using alternative modes of transport.

Planning Requirement	Response
	<p>The design includes extensive end of trip facilities (including bicycle parking spaces, repair station and lift that will facilitate the use of non-private car based transport options.</p>
<p>An overall reduction in the total long-term car parking provision is proposed. This will be achieved by initially limiting the amount of on-site parking permitted in new developments.</p>	<p><b>Requirement noted.</b></p> <p>As per the comments below, the proposed on-site parking provision is considered to be suitable for the commercial development as proposed and in-line with potential tenant expectations. A total of 360 carparking spaces are proposed. This is in line with the current Large Format office specifications commonly adopted by Commonwealth departments.</p>
<p>On-site car parking should be provided, at a rate of 1 space per 100 square metres of gross floor area, for new offices approved in the York Park area.</p> <p>A higher on-site and/or off-site provision may be required by the National Capital Authority in specific cases, after taking into account the relationship between on-site parking, off-site parking opportunities and the capacity of public transport in the area.</p>	<p><b>Requirement satisfied.</b></p> <p>The proposed development comprises 37,473m<sup>2</sup> GFA across the entire building including the basements. This includes 269 m<sup>2</sup> for the proposed café.</p> <p>The proposed development includes 36,331 m<sup>2</sup> of commercial office space GFA which equates to a requirement for 363 car parking spaces at the given parking provision ratio.</p> <p>The small café/restaurant (circa 269m<sup>2</sup>) located at the ground floor level is ancillary to the primary commercial office use and, is not expected to create additional car parking demand over and above notionally its operational carparking for its owner and manager.</p> <p>The proposed basement car park will accommodate 360 standard car parking spaces (including 4 disabled car parking spaces).</p> <p>The Bicycle Parking General Code specifies that office land uses have an allowance for a reduction of car parking requirements. This allows a development with a provision of bicycle parking above the minimum required number to reduce the provision of car parking spaces by one space for each additional Class 1 or 2 bicycle parking space, up to a maximum 5% of the total number of car parking spaces.</p> <p>A total of 268 bicycle parking spaces are proposed to be provided, well above the required 185 spaces (total employee and visitor bicycle parking requirements), as to be discussed in Section 5. Therefore, there is a proposed excess of 83 bicycle parking spaces which can reduce the number of parking spaces required up to 5% of the 370 spaces, equal to 18 spaces.</p> <p>Therefore, the car parking requirement is reduced to 352 spaces when taking into account the proposed bicycle parking provisions. This is exceeded by the proposed provision of 362 parking spaces.</p>

Planning Requirement	Response
	Refer to the Traffic Impact and Parking Assessment included with this Works Approval Application for further details in this regard.
Parking for non-office uses will be provided at rates consistent with the standards of the ACT Government.	<p><b>Not applicable.</b></p> <p>As noted above, the café/restaurant at ground floor level is ancillary to the primary commercial office use and not expected to generate significant additional car parking.</p> <p>Patrons are expected to access this use by walk-up from with-in and potentially from surrounding buildings.</p>
Surface car parks on unleased land will be progressively replaced by strategically located multi-level parking structures and/or underground parking areas. Supplementary car parking in temporary surface car parks may be provided pending the development of these parking facilities.	<p><b>Not applicable.</b></p> <p>Basement car parking is proposed.</p>
If for specific sites the National Capital Authority determines that the amount of parking to be provided should be above the minimum on-site amount specified in the requirement above, this additional parking may be provided either on-site, or by way of a contribution to the ACT Government for off-site provision of that parking in the locality, or by a combination of these methods.	<p><b>Not applicable.</b></p> <p>Basement car parking is proposed for the development that accommodates parking generated by the proposed development.</p>
<b>Building height</b>	
<p>To protect the integrity of views to and from Parliament House, development is generally limited to a maximum height of RL 591.</p> <p>On Section 1 Barton, buildings up to RL 602, inclusive of plant and roof height, may be considered where they add visual interest to the skyline, are set back from the Main Avenue frontages, and ensure that Parliament House remains pre-eminent in views from elevated viewing points such as Mount Ainslie and from the East Basin of Lake Burley Griffin.</p> <p>As Parliament House is sited above York Park, the roofscapes of buildings warrant particular attention. Roof plant is to be carefully integrated and enclosed within the roof form. Minor roofscape elements will be permitted to extend above the RL 591 height limit, to an extent not exceeding that of the RG Casey building, to add visual interest to the skyline.</p> <p>Buildings should be a minimum of four storeys on the Main Avenue frontages.</p>	<p><b>Variation proposed.</b></p> <p>Refer to the comments in relation to building height provided in <b>Table 3</b> above.</p> <p>Please refer to the architectural set for sections and elevations that details the proposed development with the context with surrounding buildings.</p> <p>The extent of encroachment, its context in relation to adjoining buildings and design integration with the building will present the plant room as a minor building element that is of low visual impact as viewed from parliament house.</p>
<b>Building setbacks</b>	
<p>Building setbacks have been established for Kings, Sydney and Brisbane Avenues within the York Park area as follows:</p> <ul style="list-style-type: none"> <li>▪ fifteen metres for buildings along Kings Avenue</li> </ul>	<p><b>Applicable.</b></p> <p>Site fronts Sydney Avenue where a setback of 16,49m is proposed.</p>

Planning Requirement	Response
<ul style="list-style-type: none"> <li>ten metres on Brisbane Avenue</li> <li>six metres on Sydney Avenue.</li> </ul> <p>On State Circle, a variable setback of a minimum of 20 metres is to apply, to allow the buildings to merge visually and spatially with the informal character of the woodland landscape surrounding Capital Hill.</p>	<p>The site is located along National Circuit where a setback of 18,4m is proposed.</p> <p>A further setback of 0.35m along Windsor Walk.</p> <p>There are minor encroachments which has been designed to provide visual interest and articulation in the façade of the building.</p>
Building articulation and entries	
<p>Drop off points and minor architectural elements, which articulate and enhance the building elevation, will be considered within front setback zones.</p>	<p><b>Requirement satisfied.</b></p> <p>The building entrances and basement entry point are positioned in prominent locations and accentuated in the building geometry and design presented for assessment. The design includes a formal pedestrian entry way and access for vehicles.</p>
<p>High quality paving, lighting and bollards, integrated with soft landscape treatments, are required within site boundaries to complement the standards set and maintained in the public domain.</p>	<p><b>Requirement satisfied.</b></p> <p>A landscaping scheme incorporating high-quality soft and hard landscaping elements has been prepared to complement the proposed development and the standards set in the adjoining public realm.</p> <p>Refer to the Landscaping Plans included with this Works Approval Application for further details in this regard.</p>
<p>All buildings on blocks with a frontage to Kings, Brisbane or Sydney Avenue should generally have a significant entry facing the avenue.</p>	<p><b>Applicable.</b></p> <p>The proposed development fronts onto Sydney Avenue and John McEwan Crescent and includes a large landscaped area with the lobby and café fronting the landscaped area and John McEwan Crescent. Pedestrian ways are proposed from Sydney Avenue.</p>
<p>Spaces in front of building setbacks are to be landscaped to reinforce the theme of York Park as prestigious buildings in a landscape setting.</p>	<p><b>Requirement satisfied.</b></p> <p>The proposed landscaping scheme will complement the proposed building and will reinforce the theme of York Park as prestigious buildings in a landscape setting.</p> <p>Refer to the Landscaping Plan included with this Works Approval Application for further details in this regard.</p>
<p>External security barriers, if required, such as bollards and retaining walls, should be designed as integral and attractive elements of the civic landscape of York Park.</p>	<p><b>Requirement satisfied.</b></p> <p>Some External security barriers are proposed and incorporated into the landscape design response as can be seen in the Landscape design and project perspective drawings submitted.</p>

Planning Requirement	Response
Services and service entries should be concealed from Main Avenues and pedestrian pathways.	<p><b>Requirement satisfied.</b></p> <p>Building Services and service entries are generally concealed from the adjoining public realm or integrated into the building and landscape design response to minimise visual impact. Landscaping and architectural finishes have also been considered to provide necessary screening to these services.</p> <p>A dedicated service vehicle lane has been included to the rear of the building for necessary access and maintenance.</p>
The number of vehicle crossings should be kept to a minimum, to enhance the amenity and safety of pedestrian paths.	<p><b>Requirement satisfied.</b></p> <p>The only vehicle access infrastructure is proposed along the National Circuit frontage and will provide access to the basement car park facilitating access/egress of smaller vehicles only. A service laneway is proposed along the northern boundary to provide access for servicing and larger vehicles.</p>
<b>Landscape</b>	
The landscape setting of York Park will consist of a range of formal and informal spaces that reinforce the geometry of the Griffins' plans and contribute to the setting of Parliament House.	<p><b>Requirement satisfied.</b></p> <p>A high-quality landscaping scheme has been prepared to complement the proposed development and to contribute to the landscape setting of York Park.</p> <p>Refer to the Landscaping Plan included with this Works Approval Application for further details in this regard.</p>
Landscape design in York Park will be of a high quality, commensurate with the location adjacent to Parliament House and places of national significance within the Central National Area.	<p><b>Requirement satisfied.</b></p> <p>A high-quality landscaping scheme has been prepared to complement the proposed development and the standards set in the adjoining public realm.</p> <p>Refer to the Landscaping Plan included with this Works Approval Application for further details in this regard.</p>
Landscaping of frontages to State Circle will generally be informal, and similar in character to the native woodlands surrounding Parliament House, in order to visually connect York Park to Capital Hill and contribute to its landscape setting.	<p><b>Not applicable.</b></p> <p>The site does not have a frontage to State Circle.</p>



Planning Requirement	Response
<p>The design of car parking areas and arrival courts should incorporate generously scaled tree planting beds to provide shade and separation to parking bays. Quality streetscape furnishings and paving treatments are to be utilised to provide visual relief to surface car parks and vehicular areas within or adjacent to places characterised by higher levels of pedestrian use.</p>	<p><b>Requirement satisfied.</b></p> <p>The front landscaped areas around the basement entry, building entry and drop-off/arrival court will be of high quality and incorporate planting as set out in the design.</p> <p>The proposed furnishings and paving treatments to the main building entry and vehicular access ways will be of a high-quality and will provide visual relief from the adjoining public realm.</p> <p>Refer to the Landscaping Plan included with this Works Approval Application for further details in this regard.</p>
Building form	
<p>High quality, prestigious and durable building materials are required to be used for all developments.</p>	<p><b>Requirement satisfied.</b></p> <p>As per the Architectural Plans included with this Works Approval Application, the building materials proposed will be of high-quality, prestigious and durable.</p>
<p>New buildings should complement, but not necessarily imitate, the style, colour, form, scale and finishes of surrounding buildings.</p>	<p><b>Requirement satisfied.</b></p> <p>The building design is that of an iconic contemporary form, which will complement the adjacent and other established buildings in the vicinity of the site.</p> <p>The architectural design of the building is innovative and will enhance the architectural quality of the immediate area and the address to the public realm of both streets that it fronts.</p>
<p>Unpainted or galvanised metal will not be permitted on roofs, parapets or fascias.</p>	<p><b>Requirement satisfied.</b></p> <p>Unpainted or galvanised metal is not proposed to be utilised for the roof, parapets or fascias of the proposed new building.</p>
<p>Lift overruns, plant rooms and any roof mounted aerials, masts and dishes should be designed and sited to have a low visual impact when viewed from the street or Parliament House.</p>	<p><b>Requirement satisfied.</b></p> <p>As detailed previously, the proposed roof top plant room has been substantially setback from the National Circuit building façade and parapet so as to reduce its visual impact. The proposed materiality of the plant room has ensured its seamless integration into and blending with the contemporary style of the proposed new building.</p> <p>It is considered that the proposed roof top plant room is unlikely to have an adverse impact on the existing views from Parliament House or other vantage points in and around the Central National Area.</p>



Planning Requirement	Response
	With reference to the Elevation Plans, Sections and Height Analysis in the design response, the height of the building integrates with its immediate neighbours despite being of similar or slightly higher context.
Internal courtyards of office buildings should generally provide deep in-ground planting conditions and be of a dimension suitable for establishing large trees	<p><b>Requirement satisfied.</b></p> <p>The proposed building design includes a internal atrium without deep in-ground planting.</p> <p>However, as detailed on the Landscaping Plans included with this Works Approval Application, the landscaped frontages surrounding the building will provide deep soil planting conditions suitable for the establishment of medium to large trees and a high quality design/landscape response.</p>
Open Space	
Windsor Walk is to serve as a central linear park and continuous pedestrian spine connecting public car parks, office destinations, the proposed retail plaza and a variety of landscaped recreation areas. It is to provide spaces for active recreation as well as quiet outdoor places for workers to enjoy during the day. Nodes of intimate formal parks are to be developed as accents within an otherwise informal woodland character extending the length of the walk. Larger spaces for recreation are to be provided at either end of Windsor Walk.	<p><b>Requirement satisfied.</b></p> <p>Site fronts Sydney Avenue and setbacks are largely compliant. There is a minor encroachment which has been designed to provide visual interest in the façade.</p>
Windsor Walk is to be developed and retained as landscaped open space. Windsor Walk will be constructed and landscaped to form the main pedestrian spine through the York Park precinct.	<p><b>Requirement satisfied.</b></p> <p>Refer to the comments above. Proposal will not impact on Windsor Walk.</p>

## 8. Design and Siting General Code

As per the General Code application statement in the National Capital Plan, the provisions of the Design and Siting General Code are to be applied to works within the **Barton Precinct**.

The proposal is for *non-residential development with provisions for buildings other than detached houses* being applicable; as addressed in **Table 5** below.

**Table 5:** Assessment Against Provisions of the Design and Siting Code

Planning Controls	Response
<b>Relationship to Neighbouring Buildings</b>	
<p>The height, bulk, form, siting and character of building proposals in relation to neighbouring buildings, roads and landscape must not be conducive to congestion of parking and road facilities in the locality and must ensure a harmonious relationship with adjoining buildings.</p> <p>To implement this general policy, it is necessary for the following design and siting controls to be exercised. In special circumstances, it may be necessary for the National Capital Authority to determine additional conditions to those set out hereunder.</p>	<p><b>Noted.</b></p> <p>The building will be of an iconic contemporary form, which will complement the adjacent established buildings in the vicinity of the site.</p> <p>As detailed in the Traffic Impact and Parking Assessment included with this Works Approval Application, the proposal will not create congestion of parking and road facilities in the locality as it is provided with adequate carparking provisions and will be furnished with generous end of trip facilities that is intended to allow modal change opportunities for commuters.</p>
<b>Re-building</b>	
<p>The National Capital Authority will consider a proposal for re-building or any major alterations of an existing building which materially alters the bulk or appearance of the building, only if it is accompanied by a plan indicating a scheme of comprehensive development of the block in accordance with announced policies for the area in which the block is located.</p>	<p><b>Not Applicable.</b> The proposal is for a new building, not a redevelopment.</p>
<b>Coverage</b>	
<p>Unless otherwise specifically provided for, the area occupied by buildings including any outbuildings on a block should not exceed one-half of the total area of the block.</p>	<p><b>Applicable</b></p> <p>The proposed building will exceed the nominated coverage for the site.</p> <p>The proposed development has been discussed with the NCA and site coverage was not raised as a matter of concern for design resolution.</p>

Planning Controls	Response
	The bulk and scale of the proposed building is not dissimilar to other built forms developed in the vicinity of the site and the Barton Precinct.
Height	
Generally, the height of any building should not exceed two storeys.	<b>Applicable.</b> Refer to the comments in relation to building height provided in <b>Table 3</b> above – as per the response to the specific height provisions in the Barton Precinct.
Plot Ratio	
The Plot Ratio must not be greater than 1.00 for commercial and industrial buildings, unless otherwise specifically provided for.	<b>Applicable.</b> The proposed new building will exceed this nominated plot ratio. The proposed development has been discussed with the NCA and the proposed plot ratio was never raised as a matter of concern for design resolution. The plot ratio of the proposed building is not dissimilar to other built forms developed in the vicinity of the site and the Barton Precinct.
Building Line and Setbacks	
The building lines and setbacks for commercial and industrial buildings will be such distances as may be approved in particular circumstances.	<b>Requirement satisfied.</b> The proposed building lines and setbacks are considered to be appropriate for a commercial office building of this nature.
External Appearance of Buildings	
<p>The external treatment of buildings, including materials, colours and general standards of finish must ensure that the buildings, walls, fences and other ancillary structures are appropriate to and not discordant with the general development and amenity of the locality.</p> <p>To implement this general condition it is necessary for the following design and siting conditions to be exercised. In special circumstances, it may be necessary for the National Capital Authority to determine additional design and siting conditions to those set out hereunder.</p>	<b>Requirement satisfied.</b> The building will be of an iconic high quality contemporary design form, which will complement adjacent established buildings in the vicinity of the site.
Roofs	
<p>Permanently highly reflective metal roofs will not be approved.</p> <p>Generally, tiled roofs having a strong pattern or marked colour contrast will not be approved.</p>	<b>Requirement Satisfied.</b> The proposed roof (inclusive of the proposed roof top plant room) will not comprise highly reflective metal, nor will it include strong pattern or marked tiles.

Planning Controls	Response
	Refer to the Architectural Plans included with this Works Approval Application for further details in this regard.
<b>Facades</b>	
<p>All façades of commercial and industrial buildings and returns should be of durable and low maintenance material and be subject to approval in respect of proportions, fenestrations, materials and colours having regard to the building itself and its relationship to adjoining buildings.</p>	<p><b>Requirement satisfied.</b></p> <p>The building materials proposed will be of high-quality, prestigious and durable and of a quality consistent with adjoining buildings.</p>
<b>Screening Walls</b>	
<p>Generally, where service areas are visible from the road or a public reserve a screening wall or fence will be required.</p> <p>Where a commercial or industrial building is not constructed along the full frontage of the block, a screen wall with gates may be required between the building and the front and/or side boundaries of the block.</p>	<p><b>Requirement Satisfied.</b></p> <p>The proposed driveway is located off National Circuit, which will service the entry to the basement car park servicing and loading/unloading areas and, are somewhat visible from the Street</p> <p>Landscaping is proposed to screen/filter views towards these areas on approach to the new building from both National Circuit and Darling Street.</p>
<b>Structures in Front of Buildings</b>	
<p>Generally, no structures are to be erected between the building line and the front property boundary.</p>	<p><b>Requirement Satisfied.</b></p> <p>Some structures are proposed between the building line and the front property boundary to facilitate implementation of the building and landscape design as presented. These structures are carefully incorporated into or are a structural part of the building and landscape response that makes up an integrated ensemble of building and design fronting the surrounding streets.</p>
<b>Landscaping and Other Matters</b>	
<p>In order to satisfy the objectives contained in the general conditions it may be necessary for the National Capital Authority to require the submission of acceptable landscape proposals as a condition of approval.</p>	<p><b>Requirement Satisfied.</b></p> <p>A set of Landscaping Plans have been included with this Works Approval Application for consideration.</p>
<b>Siting of buildings</b>	
<p>The siting of buildings on blocks must ensure adequate space for access, internal circulations, parking, off-street loading, light, air and landscaping.</p> <p>To implement this general condition it is necessary for the following design and siting conditions to be exercised. In special circumstances, it may be necessary for the National Capital Authority to determine additional design and siting conditions to those set out hereunder.</p>	<p><b>Requirement Satisfied.</b></p> <p>Please consider responses below demonstrating that the building's siting on the site is suitable for the site and proposed use.</p>

Planning Controls		Response
<b>Access</b>		
<p>Vehicular entrances and exits for all blocks must be of sufficient width having regard to their probable use and be located in a position which, in the opinion of the National Capital Authority, is not hazardous to traffic safety and not likely to create traffic congestion.</p>		<p><b>Requirement Satisfied.</b></p> <p>A proposed driveway onto National Circuit will provide access to the site, the basement car park and services/loading areas.</p> <p>As detailed in the Traffic Impact and Parking Assessment included with this Works Approval Application, the proposed vehicular access arrangements have been designed to be compliant with the relevant Australian Standards.</p>
<b>Internal Circulation</b>		
<p>Where appropriate, adequate provision must be made for internal vehicular circulation on sites leased for residential buildings other than detached houses and for commercial and industrial buildings.</p>		<p><b>Requirement Satisfied.</b></p> <p>Heavy rigid vehicles will be required to enter the site via National Circuit into a services land and loading dock area.</p> <p>The internal vehicular circulation for light vehicles will be accommodated by the basement car park layout and appropriate turning circles are allowed for in the loading/unloading dock.</p> <p>The Civil Drawings included with this Works Approval Application demonstrate the required turning circles for the basement car park and loading/unloading dock.</p>
<b>Parking</b>		
<p>Off-street parking spaces, open or enclosed, must be provided for all new buildings and enlargements or conversions of existing buildings in accordance with the following provisions where relevant or other agreed standards:</p>		<p><b>Requirement Satisfied.</b></p> <p>The NCP Barton Precinct Code stipulates that development within the York Park area are to be designed to encourage the use of public transport facilities and provide a reduced level of on-site car parking. The Code states that new commercial office developments in this area should be provided with <b>1 parking space per 100m<sup>2</sup> GFA</b>.</p> <p>Refer to the comments at <b>Table 3</b> above for an assessment of the proposal against the NCP Barton Precinct Code car parking requirements. In summary, the proposal complies.</p> <p>Further details are provided in the Traffic Impact and Parking Assessment, which is included with this Works Approval Application.</p>
<b>Type of Building</b>	<b>Minimum parking space requirement</b>	
Residential Building	Two spaces per dwelling unit if such unit is designed for family accommodation and one space per dwelling unit plus adequate space for visitor parking if such unit is designed for single accommodation.	
Motels, Hotels Guest Houses	One space per bedroom and/or rooming unit.	
Commercial and Industrial Building	One space per two employees except in areas where the parking requirement is varied by policy instrument.	

Planning Controls		Response
Institutional	To be determined for each building proposal depending on use, building floorspace, employees, visitors and location.	
<b>Off-Street Loading</b>		
In order to satisfy the objectives contained within the general conditions, it may be necessary for the National Capital Authority to require that facilities for loading and unloading of goods be provided wholly within the boundaries of the block.		<b>Requirement satisfied.</b> The proposal includes a loading/unloading area located wholly within the boundaries of the subject block that may be accessed from a dedicated services driveway.

## 8.1. Signs General Code

This Code is applicable to developments including signage within a Designated area. The proposed signage comprises a ground sign as well as a tenant sign on level 2 height along the Sydney Avenue frontage.

**Table 6 – Assessment Against the Signs General Code (NCP)**

Condition	Response
<b>General Conditions</b>	
1. The type, position, size, appearance, illumination, animation, content or other characteristics of any proposed sign must ensure a quality and character of appearance both by day and night which, in the opinion of the National Capital Authority, befits the National Capital.	Proposed signage include: <ul style="list-style-type: none"> <li>Development signage for building identification and tenant</li> </ul> The design and materiality of the proposed signage is to be of high quality and respectful of the character and status of the place, as indicated on the Signage Plan and illustrated in architectural and landscape concepts provided.
2. The National Capital Authority will refuse to approve any sign where it is of the opinion that the type, position, size, appearance, illumination, animation, content or other characteristics of the sign may adversely affect: <ol style="list-style-type: none"> <li>the amenity of the locality or neighbourhood with particular regard to nearby residential development</li> <li>the architectural character or appearance of a building</li> <li>traffic safety</li> <li>a 'place' within the meaning of and subject to the provisions of the relevant Commonwealth heritage legislation.</li> </ol>	Proposed signage does not create significant adverse impacts on the surrounding development and nearby dwellings. Proposed signs are not intended to distract drivers along National Circuit, and do not contain flashing or animated elements.
3. The National Capital Authority will refuse to approve any sign which it considers offensive	Noted. Sign content will not be of an offensive nature.

4. The National Capital Authority will not grant approval of an application with the respect to the external design and siting of any structure or sign unless such structure or sign would comply with all other relevant policies or conditions of this Plan.	The signs are considered to meet the conditions of the plan, and are proposed to be within the site boundaries.
5. The National Capital Authority may, either unconditionally or subject to such terms and conditions as it deems necessary, modify or waive the provisions of the sections that follow, where it is of the opinion that the application of the same to or in respect of any particular sign would be impracticable or unreasonable and provided that the requirements of the 'General conditions' herein are satisfied.	Noted.
6. Any application for the use, construction or erection on or above the roof or top of any building of any device, advertisement, sky sign, sign, signal or structure of the nature of a sign or signal, excepting flags and flag poles, will not be approved where the proposal would alter any silhouette of the building by extension beyond or above the walls, parapet or roof of the building, lift tower or plant room.	No signage proposed above the roofline of buildings.
7. Animated or flashing signs and signs illuminated by exposed lamps or neon tubes as distinct from backlighting or floodlighting, will generally not be approved.	Signs proposed are not animated or flashing.
<b>Signs on Commercial and industrial Buildings and on institutional and other buildings not located within residential areas</b>	
1. Signs above first storey level, signs facing residential development nearby or on the opposite side of the street within residential neighbourhoods which may be visible from residential buildings nearby, must not be animated or flashing or be illuminated by exposed lamps or neon tubes as distinct from backlighting or floodlighting.	Signs will not be animated or flashing. Proposed signage lighting will be subtle and localised. Signs will be at ground level, not be animated or flashing or be illuminated by exposed lamps or neon tubes.
2. Subject to (1) above, signs located at ground level and first storey levels including signs projecting from buildings at these levels and signs on or under awnings, will not be restricted provided that: i. they are consistent with the 'General conditions' of this code ii. the clearance between the pavement level and any sign projecting from a building or affixed to an awning, must not be less than 2.5 metres.	Signs proposed are consistent with the general conditions as detailed above.
3. Signs above first storey level will be restricted in content to the name of the building and the name, insignia and type of activity of the principal occupant. Such signs must not project from the building and must constitute only separate characters and/or symbols individually affixed to or represented on the building façade. Generally, there will not be more than one sign on each face of the building above first storey level.	No signs are proposed above the first storey level. Sign content relates to the development and its principal occupants.

## 8.2. Telecommunications General Code

The Telecommunications General Code is not considered to be relevant in this instance as no new telecommunications facilities are proposed.

## 9. Other Matters

### 9.1. Consultation

The proponent has engaged in community consultation prior to the lodgement of this application. Consultation included meetings with the NCA, Grady Strata, JGS Property.

The meeting scheduled with the NCA was scheduled for the 23rd of August and included a presentation to the NCA for the proposed development. The NCA provided comments upon which the proponent finalised the design of the development for the submission of this Works Approval Application.

The NCA had requested that the proponent considers the RL's of the building and reduce the building height, to include dimensions on the relevant plans, and to provide a palette board a traffic report upon submission. The NCA further recommended that engagement takes place with TCCS for the crossovers.

The meeting with JGS Property was scheduled for the 8th of September 2022. JGS Property Group are the building managers representing the occupants of the DFAT Building. JGS Property have known the site would be developed and had no significant concerns.

The meeting with Grady Strata was scheduled on the 7th of September 2022. Grady Strata are the strata managers representing the residents located at 1 Sydney Avenue. The residents' concerns primarily relate to noise, traffic, accessibility and dust caused by construction. The strata management queried the height of the building and noted the likelihood that the residents will have concerns about obstruction of views.

The proponent noted that the design and construction will be in accordance with NCC 2019. Noise levels and hours of operation will be as prescribed by the EPA and in accordance with Australian Standards. The proponent further noted that the building height is in accordance with the NCA limits and façade is designed for visual interest. A review of the performance of the proposed building in relation to height is provided in Table 3.

A consultation report is submitted in support of this application detailing the consultation process that was undertaken prior to the submission of the Works Approval Application.



## **9.2. Heritage**

The site is not identified as being subject to heritage citations, values and/or specific heritage considerations. There are no items of natural, historic and indigenous places of outstanding significance listed on the National Heritage List that are within proximity to the subject site. The closest items are Old Parliament House and the National Gallery of Australia, which are both located in the Division of Parkes. .

## **9.3. Environment & Contamination**

The site is currently undeveloped. It is unlikely that the site includes matters of environmental interest. Reports undertaken by the Commonwealth and the previous owners (before the applicant) have indicated that there is no contamination present.

## **9.4. Environmental Protection & Biodiversity Conservation Act 1999**

The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) is the Australian Government's central piece of environmental legislation and provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places as defined in the EPBC Act as matters of national environmental significance.

The objectives of the EPBC Act are to:

- provide for the protection of the environment, especially matters of national environmental significance
- conserve Australian biodiversity
- provide a streamlined national environmental assessment and approvals process
- enhance the protection and management of important natural and cultural places
- control the international movement of plants and animals (wildlife), wildlife specimens and products made or derived from wildlife
- promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources
- recognise the role of Indigenous people in the conservation and ecologically sustainable use of Australia's biodiversity
- promote the use of Indigenous peoples' knowledge of biodiversity with the involvement of, and in cooperation with, the owners of the knowledge.

Nine matters of national environmental significance to which the EPBC Act applies have been identified and in addition to this the EPBC Act confers jurisdiction over actions that have a significant impact on the environment where the actions affect, or are taken on Commonwealth land or are carried out by a Commonwealth agency.

The nine matters of national environmental significance (MNES) are:

- world heritage properties
  - national heritage places
  - wetlands of international importance (often called 'Ramsar' wetlands after the international treaty under which such wetlands are listed)
-

- nationally threatened species and ecological communities
- migratory species
- Commonwealth marine areas
- the Great Barrier Reef Marine Park
- nuclear actions (including uranium mining)
- a water resource, in relation to coal seam gas development and large coal mining development.

Where a proponent is likely to, due to the nature of works activities or actions proposed, have a significant impact on any of the matters of NES there is a requirement to prepare a formal referral for consideration by the Australian Government Minister for the Environment.

The purpose of the referral process is to determine whether or not a proposed action will need formal assessment and approval under the EPBC Act.

This assessment is important in the context of the Planning Approval process as the NCA must not approve actions that are likely to contravene the provisions of the EPBC Act. The potential environmental impacts of the proposed works have been considered in accordance with the provisions of the commonwealth's Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

The site is currently undeveloped. By way of the EPBC Act Referral, the previous owner (the Commonwealth) referred the proposed clearance of the Property to the Environment Minister under the EPBC Act seeking to clear the land of all vegetation to allow for development (EPBC Act Referral 2017/8028)

By way of the EPBC Act Referral Decision, the delegate of the Environment, decided that the proposed action to clear the land of all vegetation, as described in the EPBC Act Referral was approved on the 21st February 2019 subject to conditions. Kindly refer to this approval as submitted in support of this application.

On 6<sup>th</sup> January 2020, the NCA advised that Works Approval (reference WA101740) is granted pursuant to Section 12(1)(b) of the *Australian Capital Territory (Planning and Land Management) Act 1988* for the removal of vegetation, signage and fencing as shown on Drawing Nos. B3 S22 Barton – Demolition Plan, B3 S22 Barton – TTE19-CCC-1768-1 was granted, and these works are now complete.

The proposed development includes extensive site works such as site preparation, excavation, and construction works associated with roads and buildings. These activities are not expected to result in any notable impacts to any matters of National Environmental Significance (or any matters of local significance either), and as such, referral to the Commonwealth Department of Environment and Energy (DoEE) in accordance with the provisions of the EPBC Act is not considered necessary.

## **9.5. Moral Rights**

The site is currently undeveloped.

