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# Block 11 Section 44 Belconnen, ACT.

53 Benjamin Way, Belconnen ACT 2617.

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## Planning Report



For the purpose of a  
**Works Approval Application**

May 2023

Knight Frank Town Planning  
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# Contents

<b>1</b>	<b>Introduction</b>	<b>1</b>
1.1	Overview	1
<b>2</b>	<b>Site and Context Analysis</b>	<b>2</b>
2.1	Site Description	2
2.2	Title Details and Relevant Lease Clauses	3
<b>3</b>	<b>Details of the Proposal</b>	<b>4</b>
3.1	Design and Siting	4
3.2	Lease Variation	4
3.3	Detailed Description	4
<b>4</b>	<b>Statutory Planning Assessment</b>	<b>7</b>
4.1	National Capital Plan	7
4.2	Environmental Protection Biodiversity Conservation Act	10
4.3	Heritage	10
<b>5</b>	<b>Conclusion</b>	<b>11</b>

# 1 Introduction

## 1.1 Overview

This report has been prepared by Knight Frank Town Planning to accompany the submission to the National Capital Authority for a works approval for a lease variation and design and siting application at Block 11 Section 44 Belconnen. The lease variation is to increase the maximum gross floor area permissible to facilitate the proposed mixed-use development. The building's built form is a ground to Level 3 podium and 2 six storey podium mounted towers (Levels 4 – 9). The development comprises a total of 239 apartments across the podium and tower levels, circa 1,875m<sup>2</sup> of retail space and service areas at ground floor and podium car parking at ground to Level 2. There are no proposed basement levels in the development.

This report is to be read in conjunction with the supporting drawings and documentation submitted with the works approval.

This report details the site's location and context and describes the proposed development and provides an assessment of the proposal against the relevant matters under the National Capital Plan.

## 2 Site and Context Analysis

### 2.1 Site Description

53 Benjamin Way (Block 11 Section 44) Belconnen is a regular shaped block with an area of 8,347m<sup>2</sup>, located on the corner of Benjamin Way and Cameron Avenue within the Belconnen Town Centre. The site is currently utilised as an at-grade car park. The site location is illustrated in Figure 1 below:

Figure 1 – Site Location



Source: ACTmapi (accessed April 2023)

The site provides two vehicular entries, one accessed from Benjamin Way and the other accessed from Cameron Avenue, both leading to a bitumen sealed car park.

Surrounding development in Section 44 Belconnen comprises Blocks 7 & 19 comprising student accommodation known as the 'UniLodge @ UC – Weeden Lodge'. Blocks 10 and 20 are the 'Oracle' development which comprises circa 480 residential apartments.

## 2.2 Title Details and Relevant Lease Clauses

<b>Current Registered Crown Lessee</b>	
GGP Belconnen Pty Ltd & BJM Belconnen Pty Ltd	
<b>Title Description</b>	
Block 11 Section 44 Belconnen	
<b>Lease Commenced</b>	
9 May 2005	
<b>Declaration of National Land</b>	
Current	
<b>Easements</b>	
The easements contained within the Crown lease have been extinguished by EE 1634716.	
<b>Relevant Lease Clauses</b>	
GFA 3(b)	<i>That the gross floor area of any building or buildings erected on the Land shall not exceed 12,000 square metres;</i>

The National Land status and DCP are discussed in further detail in Section 4 of this report.

## 3 Details of the Proposal

### 3.1 Design and Siting

This application seeks approval for the demolition of the existing at-grade car park and associated landscaping on site to facilitate the construction of a mixed-use development. The buildings built form is a ground to Level 3 podium and 2 six storey podium mounted towers (Levels 4 – 9). The development comprises a total of 239 apartments across the podium and tower levels, circa 1,875m<sup>2</sup> of retail space and service areas at ground floor and podium car parking at ground to Level 2, landscaping and other associated on-site and off-site works. There are no proposed basement levels in the development.

### 3.2 Lease Variation

The Design & Siting component proposes to increase the GFA of the development to 25,450m<sup>2</sup>. The Crown lease GFA clause (Clause 3(b)) currently restricts this to 12,000m<sup>2</sup>.

This Works Approval is seeking an increase to the maximum GFA under Clause 3(b) of 13,450m<sup>2</sup>.

### 3.3 Detailed Description

#### Design Response

The development proposal is for a mixed-use development. The proposal includes a private communal landscape area, podium parking and retail offerings. A consistent architectural approach has been applied to the building, with a strong focus on urban design, pedestrian amenity and circulation. The use of consistent colour palette across the building delivers a coherent scheme for the site.

#### Amenity to Adjoining Neighbours

Careful consideration has been given to the design of the proposed development to ensure that the amenity of the adjoining neighbours will not be unreasonably compromised. The proposed redevelopment makes a positive contribution to the neighbourhood and does not have unreasonable negative impacts on neighbouring properties.

#### Demolition and Construction

It is proposed to demolish the existing at-grade car parking and associated landscaping on site to facilitate the development. Replacement plantings post construction would be as per the landscaping plans included with this application.

#### Ground Floor Plane

The ground floor plane will accommodate retail floor space and service areas and will incorporate vehicular and pedestrian access to the building from Benjamin Way. The ground floor will also accommodate 47 residential car parking spaces and 74 retail parking spaces including 3 accessible car spaces. Provision is also made for an additional 6 on-street car parks on Benjamin Way.

Speciality retail tenancies will sleeve the northern and western elevations of the ground floor plane. At present five tenancies are illustrated in the documentation, with a total area of 1,872m<sup>2</sup>. It is anticipated that these will be occupied by a mix of retailers, with the exact mix yet to be determined. It is also possible that tenancy number and sizes may be adjusted in response to market demands closer to the time of leasing.

Two residential lobbies are provided from the street address of Benjamin Way, providing pedestrian lift access to the residential floors above. There are also two additional lift lobbies located within the parking area of the ground floor, providing upper-level lift access to the residential towers. A car ramp provides vehicular access from Cameron Avenue to the podium car parking floors on Levels 1 and 2 above.

A service area containing the retail/commercial and residential waste collection will be located in the south-western corner of the development fronting Benjamin Way. Required services are located at ground floor, including a substation and meter rooms. The substation and meter rooms are located along the southern boundary of the site to facilitate access for service providers.

### **Level 1**

The first floor will accommodate podium residents car parking and storage and is accessed from a vehicular ramp from Cameron Avenue. The parking on Level 1 consists of 116 residential car parking spaces. The remainder of the first floor will provide residential storage units and mechanical services.

### **Level 2**

Level 2 will accommodate 15 residential units on the eastern and western elevations. Residential units are arranged around a single corridor with recessed door entries. The residential units on Level 2 are serviced by four lift lobbies (two in each tower) provided in an offset location to the corridor to provide a greater level of interest.

The balance of Level 2 provides 143 residential car parking spaces and pool services for the pool located on Level 3.

### **Level 3**

Level 3 (podium) provides 32 residential units and maintains a similar layout as Level 2. As like Level 2 residential units are arranged around a single corridor with recessed door entries. The residential units are serviced by four lift lobbies (two in each tower) provided in an offset location to the corridor. Substantial resident amenity in the form of a swimming pool, gymnasium and private communal landscape area including two BBQ areas is provided on this level.

### **Levels 4 to 9 – Residential Towers**

Levels 4 to 9 are dedicated to residential uses and maintain a similar layout as Level 3. Floor plates throughout are stacked, meaning that each floor maintains a consistent layout and number of units.

As like Level 3, residential units are arranged around a single corridor with recessed door entries. The residential units are serviced by four lift lobbies (two in each tower) provided in an offset location to the corridor.

### **Roof Level**

The roof level provides for mechanical services and condenser plant, lift overruns and stair access. All rooftop structures are sited in compliance with the maximum building height control for this part of the site, being RL613.7m.

### **Height Limit within the Development Control Plan (NCP)**

The terms of the Development Control Plan (DCP171/08/0003), allows for a maximum building height of RL613.7m. The development has a maximum height of 613.6m.



### **Gross Floor Area**

Based on the Area Plans prepared by GMB Architects, the GFA for the development proposal consists of the following:

Residential: 20,121m<sup>2</sup>  
Retail/commercial: 1,872m<sup>2</sup>  
Services: 1,041m<sup>2</sup>  
Circulation: 2,416m<sup>2</sup>  
Total GFA: 25,450m<sup>2</sup>

### **Residential Units**

A total of 239 residential units are proposed comprising:

One bed: 48 units (20.1%)  
Two bed: 161 units (67.4%)  
Three bed: 30 (12.5%)

The proposed development includes a range of accommodation options and unit sizes. The unit mix has been carefully considered having regard to market demand in the Belconnen area.

### **Landscaping, Trees and Verge Protection**

A landscaping scheme has been developed for the site. The design will embrace this character through matching the species and updating the landscape quality through a strong understorey species.

It is proposed to maintain existing street trees. Refer to the landscape plans prepared by Harris Hobbs Landscapes.

### **Materials and Finishes**

The material selection includes pre-cast concrete, aluminium powder coated cladding and metal balustrades. Material selections are designed to weather gracefully and to be durable and simple to maintain. The colour palette is refined and consistent across the facility with bold accents to aid visual identity. The proposed materials and finishes are complimentary to existing surrounding buildings.

### **Transport, Vehicular Access and Parking**

A new driveway on Cameron Avenue will be utilised as a dedicated vehicular access to the upper-level car parking on Levels 1 and 2 of the proposed development.

The development proposes to incorporate the existing driveway off Benjamin Way to facilitate ground floor car parking access and ground floor service requirements such as loading dock and waste collection areas.

Reticulated truck access to the loading area for the retail/commercial spaces and waste management is confined to Benjamin Way and facilitated by a new arrangement (waste vehicle exit only) that affords service vehicles with forward entry and forward egress from the site.

### **Waste Management**

The layout of the loading dock and waste collection area as designed complies with the requirement of the Territory Waste Development Code by providing for forward entry and forward exit movements from Benjamin Way with all manoeuvring occurring within the site.

## 4 Statutory Planning Assessment

### 4.1 National Capital Plan

The site has a current National land status and is nominated as National land outside Designated areas. A Development Control Plan (DCP171/08/0003) applies to the site. The DCP does not prohibit the development of Block 11 Section 44 Belconnen.

The DCP outlines a number of principles for future development of Section 44. These principles include land use, urban design requirements, building height controls, environment and heritage consideration, mechanical plant, transport and parking, pedestrian access and landscaping.

#### DCP 171/08/0003 – Block 11 Section 44 Belconnen

##### Element 3: Land Use

Principle	Response
<b>3 Land</b>	
3.1 Any land uses on the site will be developed in accordance with the relevant objectives and controls of the Territory Plan 2008, and specifically, with conditions set out in Business Zone Development Table – CZ2. Land is to be developed as follows: (f) Section 44 – Block 11 (i) Block 11 is to be redeveloped (ii) Purpose clause: “To use the Premises for any of those uses included in the Territory Plan under CZ2 Development Table.	The proposal does not conflict with this principle.

##### Element 4: Planning and Urban Design Objectives

Control	Response
4.1 Building design is to be of a high architectural quality both in terms of form and visual appreciation. Building materials and finishes are to reflect the importance of the locations of these Sections in the context of the Town Centre.	The proposal does not conflict with this principle. The proposed development has been designed to integrate the surrounding area and its location within the Town Centre.
4.2 Active land use activities along Benjamin Way, College Street, Chandler Street and Cameron Avenue street level frontages are encouraged in order to contribute to social interaction and liveliness within the Town Centre.	The proposal does not conflict with this principle. Retail uses are proposed on the ground floor along the northern (Benjamin Way/Cameron Avenue) and western (Benjamin Way) elevations.
4.3 Where a block or section adjoining Benjamin Way is to contain non-residential land uses, active land use main entrance to the Belconnen Town Centre.	The proposal does not conflict with this principle. Retail uses are proposed on the ground floor along the northern (Benjamin Way/Cameron Avenue) and western (Benjamin Way) elevations.
4.4 Residential land uses fronting Benjamin Way and other surrounding streets shall provide open space with semi-transparent fencing and pedestrian access to encourage: (a) High-quality landscaping and maintenance (b) Public safety; and (c) Activity on the street.	The proposal does not conflict with this principle. The proposed development provides landscaped areas allowing for outlook to streets and open spaces to provide surveillance of the area.

#### Element 5: Land Subdivision

Control	Response
Subdivision of land within Sections 44 and 49 should generally be in accordance with the Indicative Plan of Subdivision shown on the DCP Drawing 171/08/0003. Any variation to the subdivision as shown on the DCP Drawing shall be subject to approval by the NCA.	Not applicable to this proposal.

#### Element 6: Building Height

Control	Response
6.1 The maximum building height on Sections 44 and 49 is AHD 613.7 metres excluding rooftop plant.	The proposal does not conflict with this principle. The maximum building height of the proposed development is 613.6 metres.

#### Element 7: Environment and Heritage Considerations

Control	Response
7.1 Any adverse environmental impacts on adjacent properties from on-site developments are to be identified by the Lessee in accordance with the relevant legislation (Commonwealth and Territory).	The proposal does not conflict with this principle. The controls for the EPBC Act are discussed in Section 4.2 of this report.
7.2 Environmental protection measures should be adopted as appropriate, to minimise any possible adverse impacts of new development or redevelopment on the physical environment, in terms of air quality, noise, waste water run-off, dust, steam and smoke.	The proposal does not conflict with this principle. The controls for the EPBC Act are discussed in Section 4.2 of this report.
7.3 The Lessee is required to prepare an Environmental Management Plan and have it approved in writing by the Territory before commencing any site works.	The proposal does not conflict with this principle. The controls for the EPBC Act are discussed in Section 4.2 of this report.
7.4 The heritage significance and values of those parts of the Cameron Offices entered in the Commonwealth Heritage List or any other applicable statutory heritage listing is to be recognised by the Lessee and reflected in any redevelopment of the site.	The proposal does not conflict with this principle. The controls for the Heritage Impact Act are discussed in Section 4.3 of this report.
7.5 A work method statement and heritage impact statement prepared by a heritage consultant must be provided to the NCA and to the Department of the Environment Water Heritage and the Arts for any redevelopment works and must include advice on mitigation measures to protect existing heritage values.	The proposal does not conflict with this principle. The controls for the Heritage Impact Act are discussed in Section 4.3 of this report.
7.6 The Lessee is required to prepare a Construction and Demolition Recycling Plan and have it approved in writing by the Territory before commencement of site works.	The proposal does not conflict with this principle. A construction management plan will be prepared in accordance with the relevant standards.
7.7 Any potential adverse environmental impacts on adjacent properties from on-site developments are to be identified by the lessees and action taken in accordance with the relevant legislation (Commonwealth and Territory).	The proposal does not conflict with this principle. A construction management plan will be prepared in accordance with the relevant standards.

### Element 8: Mechanical Plant

Control	Response
<p>8.1 Outside mechanical equipment such as air conditioning units, heat pumps and the like are to be integrated into the overall design of the building, screened from public view and located in such a way as to minimise nuisance to adjacent lessees.</p>	<p>The proposal does not conflict with this principle. Plant and equipment will be integrated into the overall building design.</p>

### Element 9: Vehicular Access and Car Parking

Control	Response
<p>9.3 Section 44 may have two access points from Benjamin Way. Access is also permitted from Cameron Avenue, Chandler Street and College Street.</p>	<p>The proposal does not conflict with this principle.</p>
<p>9.5 Car parking for development proposed on the balance of the site (excluding Blocks 5, 6 &amp; 7 Section 49) covered by this DCP shall be in accordance with the ACT Territory Plan Parking and Vehicular Access General Code.</p>	<p>The proposal does not conflict with this principle. Parking for the site has been provided in accordance with the ACT Territory Plan Parking and Vehicular Access General Code.</p>

### Element 10: Pedestrian Access

Control	Response
<p>10.1 A north-south spine is to be provided through Sections 44 and 49 linking Condell Street, running off College Street, with the Belconnen Bus Interchange. Provision is to be made to connect the spine through to the Swanson Plaza and other activities on Section 54, in the event that the interchange is removed at a future time.</p>	<p>Not applicable to this proposal.</p>
<p>10.2 The spine is to be a feature within the development, with good lighting, paving, landscaping and activities which will make it attractive in order to encourage its safe use at all times.</p>	<p>Not applicable to this proposal.</p>
<p>10.3 The pedestrian spine will comprise an easement included in the leases for all affected Blocks in Section 44 and 49 with provisions made in the leases to ensure free public access is maintained through that area at all times.</p>	<p>Not applicable to this proposal.</p>

### Element 11: Substations, Storage and Service Areas

Control	Response
<p>11.1 Provision is to be made for the storage and removal of waste material and general services areas in accordance with the Development code for best practice in waste management in the ACT and plans prepared by the lessee and subject to this code are to be approved in writing by the NCA. All areas are to be suitability screened from public view.</p>	<p>The proposal does not conflict with this principle. A construction waste management plan will be prepared in accordance with the relevant standards.</p>

**Element 12: External Lighting**

Control	Response
12.1 Lighting for all public access areas on the sites is to be designed in accordance with design standards for urban infrastructure – 12 public lighting (TCCS) and shall be illuminated and kept illuminated by the Lessee at its own expense.	The proposal does not conflict with this principle.

**Element 13: Landscaping**

Control	Response
13.1 Landscaping must be carried out in accordance with a landscape master plan prepared by the lessee and be consistent with relevant elements of the Town Centre precinct code of the Territory Plan.	The proposal does not conflict with this principle. Landscaping plans have been prepared by Harris Hobbs and accompany this application.

This proposal responds positively to the intent of the principles by enabling the redevelopment of the site.

**4.2 Environmental Protection Biodiversity Conservation Act**

This proposed development does not trigger a referral under the EPBC Act. The proposed works will have no heritage impact and does not affect any matter of National Environmental Significance.

It is noted a previous referral (2019/8461 dated 15 May 2019) was determined not to be a controlled activity. An updated EPBC application (2023/09468 dated January 2023) to reflect the current proposal has been submitted. On 11 May 2023 a decision was made that the proposed development on Block 11 Section 44 Belconnen is not a controlled action.

**4.3 Heritage**

The subject site is adjacent to the Cameron Offices Wings 3, 4 & 5 and bridge located on Blocks 7 & 19 Section 44 Belconnen which is heritage listed on the Commonwealth Heritage Register.

The proposed works will occur outside the nominated curtilage (boundary) for the heritage place and are setback from the building.

## 5 Conclusion

In summary, this works approval application seeks approval for a lease variation and design and siting application at Block 11 Section 44 Belconnen. The lease variation is to increase the maximum gross floor area permissible to facilitate the proposed mixed-use development. The building's built form is a ground to Level 3 podium and 2 six (6) storey podium mounted towers (Levels 4 – 9). The development comprises a total of 239 apartments across the podium and tower levels, circa 1,875m<sup>2</sup> of retail space and service areas at ground floor and podium car parking at ground to Level 2. There are no proposed basement levels in the development.

This report describes the proposal and considers it within the context of the existing site, surroundings and relevant NCP and DCP controls.

The purpose of this report is to provide further context and information of the proposed development and support the works approval application documentation and plans as submitted.

The proposed development and associated works are consistent with the principles of the NCP and the DCP specific to this site.