



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

# Consultation Report

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## Works Approval No WA103257

Works Associated with  
(Block 11 Section 44 Belconnen)

*22 APRIL 2024*

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# Introduction

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

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

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

On 15 May 2023 the NCA received a Works Approval application from Knight Frank Town Planning for a mixed use development located at Block 11 Section 44 Belconnen.

## National Capital Authority

The NCA is established by the *Australian Capital Territory (Planning and Land Management) Act 1988* (PALM Act).

The NCA's role is to ensure that Canberra is planned and designed in accordance with its role as the national capital and is a place for all Australians.

## National Capital Plan

The NCA prepares and administers the National Capital Plan (the Plan). The Plan sets out the broad planning framework for the Australian Capital Territory (ACT). Key objectives of the Plan are to:

1. Recognise the pre-eminence of the role of Canberra and the Territory as Australia's National Capital.
2. Further develop and enhance a Central National Area which 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.
3. Emphasise the national significance of the main approach avenues and routes.
4. Respect the geometry and intent of the Griffin's formally adopted plan for Canberra.
5. Maintain and enhance the landscape character of Canberra and the Territory as the setting for the National Capital.
6. Protect the undeveloped hill tops and the open spaces which divide and form Canberra's urban areas.
7. Provide a plan offering flexibility and choice to enable the Territory Government properly to fulfil its functions.
8. Support and promote environmentally responsible urban development practices.

The NCA assesses Works Approval applications and determines the consistency of the proposed works against the Plan.

All works applications in Designated Areas are assessed against the Plan pursuant to Section 12 of the PALM Act. The Works Approval application includes works that are located in Designated Areas and are therefore assessed against the relevant provisions of the Plan.

The Plan requires that any proposed activities defined as ‘works’ must be submitted to the NCA for works approval. Under the *PALM Act*, ‘works’ include:

- 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.*

Implementation of the Plan ensures that Canberra is a city worthy of its status as the national capital.

# Public Consultation requirements

## 1.1 National Capital Plan

Under the Plan, requirements for public consultation apply to:

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

None of these requirements are applicable to this Works Approval application. The National Capital Authority deemed the development to be a significant development on a landmark site in the Belconnen Town Centre and that undertaking public consultation was appropriate due to this reason.

## 1.2 Commitment to Community Engagement

The NCA's *Commitment to Community Engagement* guides the way in which the agency engages with the community to keep people informed about decisions that have already been made and to offer opportunities for input to decision-making. The NCA considers how best to approach public participation processes having regard to the training curriculum delivered by the International Association for Public Participation.

The *Commitment to Community Engagement* sets out the following engagement principles:

### Intentional

- Be clear about what we are trying to achieve.
- Be clear about the scope for people to influence outcomes and where other processes have made recommendations and decisions.
- Be clear about limitations and constraints for community comment and involvement.

### Inclusive

- Use a variety of methods allowing as many Australians as possible to participate if they wish.
- Proactively seek appropriate participants where there are missing voices.

### Timely

- Allow sufficient time for the community to participate in consultation processes.
- Begin engagement at the earliest appropriate stage in the life of a project.

### Feedback

- Let people know how their input and feedback was used.
- Meet or exceed all statutory engagement requirements.

The NCA assesses whether a proposal is consistent with the National Capital Plan and if it requires public consultation. An assessment is made in relation to impacts on:

- public space and community amenity;
- environment, heritage, or landscape values;

- amenity of the locality in terms of materials, finishes, scale, massing, design, and quality; and
- consistency with an existing Heritage Management Plan.

When an application for works approval is lodged and consultation is required, consultation with the community and stakeholders may be undertaken by the applicant, the NCA, or both. Where consultation is undertaken by the applicant, the NCA may choose to stipulate specific requirements that the applicant is required to implement.

## Summary of Public Consultation

### 2.1 The public consultation process

Public consultation was undertaken by the NCA between 15 November and 6 December 2023 in the following manner:

- On Wednesday 15 November 2023, publishing a public notice in *The Canberra Times* detailing the proposed works and inviting submissions to be made to the NCA in relation to the proposal ([Attachment A](#))
- Between 15 November and 6 December 2023, publishing details of the proposal on the NCA's website
- Between 15 November and 6 December 2023, placing two A1 size signs on site

On 15 November 2023 an article was published in the Canberra Times in relation to the proposal. The article outlined that the application was currently under consideration by the NCA and that submissions were due by COB on 6 December 2023.

### 2.2 Submissions Received, Comments and Response

The NCA received a total of four (4) submissions regarding the proposal. All submissions raised issues or objections in relation to elements of the proposal or the whole proposal. None of the submissions noted general support for the proposal.

Emails of acknowledgment were sent to all submitters advising them that their submissions will be taken into consideration before a decision is made on the application.

Key issues raised in the submissions were:

- Overshadowing and reduction in natural light on adjoining residential buildings.
- Impacts of the podium car parking
- Increase in traffic
- Lack of open space
- Loss of publicly available car parking spaces
- Impact on public amenity
- Overdevelopment of the site

A summary of each submission and the NCA response is provided at [Attachment B](#).

# Conclusion

The NCA's consultation process was carried out in accordance with the Plan and the NCA's 'Commitment to Community Engagement'.


The NCA has assessed issues raised by submitters and have been taken into account as part of the assessment process.

The NCA is satisfied that major concerns of the community have been addressed. The proposal is not inconsistent with the provisions of the National Capital Plan and and Development Control Plan (DCP171/08/0003), and is supported by the NCA.

On 22 April 2024, the NCA approved the Works Approval application.

# Attachment A

## The Canberra Times Public Notice, Website, and Site Signage



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


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### WORKS APPROVAL

Open for Public Consultation

#### Block 11 Section 44 Belconnen – 53 Benjamin Way

The NCA has received a Works Approval application for a mixed use residential development on Block 11 Section 44 in Belconnen.



The proposal comprises four, six storey buildings upon three storey podiums. This includes 239 residential apartments and ground floor retail tenancies.

The plans and supporting documentation can be viewed at: [www.nca.gov.au/planning/works-approval/wa-under-consultation](http://www.nca.gov.au/planning/works-approval/wa-under-consultation)

Submissions can be made by email to:  
[WAconsultation@nca.gov.au](mailto:WAconsultation@nca.gov.au).

The NCA welcomes feedback on this application by 5.00pm, 6 December 2023.

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Find out more at: [www.nca.gov.au](http://www.nca.gov.au)

## Block 11 Section 44 Belconnen - Construction of a Mixed Use Residential Development

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Block 11 Section 44 Belconnen – 53 Benjamin Way

#### Consultation type

Works Approval

#### Closing date

6 December 2023

Public consultation has now closed.

#### Planning

- Planning in the National Capital ▾
- Works Approval ▾
- Heritage ▾
- Consultations
- Plans, policies and guidelines ▾

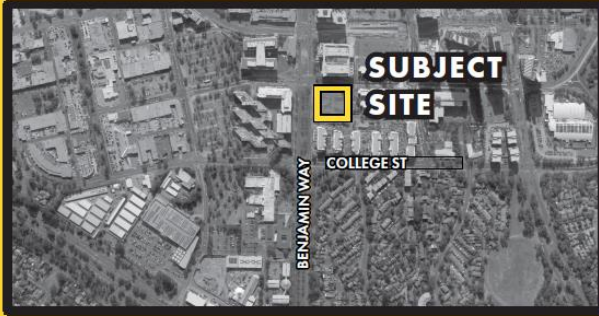


# HAVE YOUR SAY



## BLOCK 11 SECTION 44 BELCONNEN CONSTRUCTION OF A MIXED USE RESIDENTIAL DEVELOPMENT

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Submissions can be made by email to: [WAconsultation@nca.gov.au](mailto:WAconsultation@nca.gov.au).

The NCA welcomes feedback on this application by 5.00pm, 6 December 2023.

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



# Attachment B

## Summary of submissions and NCA Response

The National Capital Authority (NCA) undertakes an open and transparent works approval application process. As part of this process the NCA prepares a Consultation Report for publication on the NCA website, which includes a summary of each submission, along with the name of each person making the submission. Names of submitters have been omitted where a submitter requested confidentiality.

Submission	Issue	NCA response
1.		
Details withheld	<p>I am concerned that, once built, residents on north side of the Oracle Buildings (and especially the lower levels of the buildings) will:</p> <ul style="list-style-type: none"> <li>• Have a reduction in natural light, especially in Winter, as the buildings will likely block the light currently received by having the open space.</li> <li>• This is especially given the podium car park will probably act as a light blocker for the ground, first and second level of the Oracle Buildings.</li> <li>• Be impacted by the podium car park included on the design as it is likely cars on the south side of the car park will shine lights directly into the windows of the lower levels of Oracle.</li> <li>• Be impacted by the added fumes/pollution from having the car park podium being above ground.</li> <li>• Be impacted by the current location of the waste facilities, with the waste facilities aligning with the north side of the Oracle Buildings. It is not clear why the waste facilities could not be aligned with the Cameron Avenue side which does not have any residential impacts.</li> <li>• Be impacted by additional noise from having the new buildings right on the boundary line between the blocks, which means more potential noise from new residents and their pets (which we already get enough of in the Oracle complex, believe me).</li> </ul>	<p>Overshadowing diagrams have been provided in support of the application. The adjoining buildings to the south will still receive some solar access during the winter solstice. Impacts in regard to solar access are deemed to be acceptable in this instance. The proposal complies with the building height limit as prescribed under the relevant DCP.</p> <p>It should be noted that the development site (Block 11 Section 44) is not currently used as open space (the current use is a surface car park) and was not intended to be used for this purpose in perpetuity.</p> <p>The waste collection area has been designed with the intent to meet the ACT Government's waste collection requirements. Internal bin movements will be managed by the body corporate manager and by the retail tenants.</p> <p>Noise, and other pollution matters, are regulated by the <i>Environment Protection Act 1997</i>, which the developer, occupants and residents of the site will need to comply with.</p> <p>Residents will be subject to the body corporate rules and arrangement as well as ACT Government regulations/requirements with regards to noise and pets.</p>
2.		

Submission	Issue	NCA response
Details withheld	<ul style="list-style-type: none"> <li>• Overshadowing of Oracle scheme robbing residents of essential sunlight, particularly in winter months.</li> <li>• Increase in resulting traffic in an already busy neighbourhood.</li> <li>• The open space is not sufficient within and outside the proposed development for the number of units.</li> <li>• I am aware developers often, after approval has been given, apply for an increase in height of a development to make it 'commercially worthwhile' to the developer without any regard for local residents who live in the neighbourhood 24/7 365 days a year.</li> </ul>	<p>The site is located within a commercial zone of the Belconnen Town Centre and is not inconsistent with the surrounding building and extent of existing overshadowing that occurs within the Belconnen Town Centre. With reference to the Shadow Diagram, overshadowing onto the Oracle is identified on the 22 June (winter solstice) on the northern façade of the Oracle and is not deemed to be unacceptable as some solar access is retained throughout various periods of the day.</p> <p>A Traffic Impact Assessment report has been undertaken by a traffic engineer, Quantum Traffic, and was provided as part of the Works Approval application. The report concluded that the proposed development is not expected to significantly impact the performance of the surrounding roads.</p> <p>The development provides communal and private open space that is commensurate with the requirements of the National Capital Plan and the Development Control Plan (DCP171/08/0003) for the site.</p> <p>The development complies with the height and building envelope requirements of the NCP and Development Control Plan (DCP171/08/0003). There is no flexibility to vary the building envelope and the development has been designed within the permitted envelope.</p>

3.		
Details withheld	<ul style="list-style-type: none"> <li>• The much needed car park spaces would be reduced around the commercial area.</li> <li>• It would heavily increase the traffic congestion around the area.</li> <li>• It would be too close to the commercial area.</li> <li>• Overall, we don't need any more hi-rise residential units in the Town centre of Belconnen as we don't have the infrastructure to support more people moving into the already over-crowded area.</li> </ul>	<p>The proposed mixed-use development provides retail and business opportunities, in addition to residential dwellings, that are located in a Town Centre and in close proximity to the Intertown Public Transport Route.</p> <p>The Traffic Impact Assessment, submitted with the application, concluded that the development would not have a significant impact of the surrounding roads.</p> <p>The development will provide convenient outlets for goods, services and facilities to meet the needs of the workforce and residents.</p>

Submission	Issue	NCA response
4.		
Details withheld	<p><b>Crowding on the Site</b> I believe there are too many buildings on a small site, and that they are too high. I think this will create a crowded environment where residential units are too close to each other and the road. The height of the buildings will also overshadow the heritage listed Cameron offices (directly to the South), which will especially have an impact on the gardens that are part of those buildings.</p> <p><b>Impact to Public Amenity</b> I think the public amenity of the area is not being improved enough given the amount of residencies that are being built. A large amount of open space is being taken up by this development, and none is being given back.</p> <p>Despite the number of new apartments that have been built in the Belconnen Town center over the last decade, almost no new public amenities have been created. John Knight park and the waterfront are nice, but most of the town center is not located there and nothing has been added or improved elsewhere.</p> <p>Public parking in the area is being reduced, and traffic on Benjamin way (the busiest street in the town center) is being increased. In particular, pedestrian movement around the town center will be impacted as both more cars and people are being forced onto Benjamin Way.</p> <p>I think the retail spaces beneath apartment buildings on Benjamin Way are also generally of poor quality (and sometimes hard to let). This is because having retail only a few meters from a 6 lane road with frequent traffic lights creates a very sterile and unappealing environment.</p>	<p>The proposed development provides the community with increased residential and retail opportunities and will activate the immediate area and the Belconnen Town Centre.</p> <p>The built form of the development is shaped by the building envelope created by the planning provisions in the NCP and Development Control Plan (DCP171/08/0003) for the site.</p> <p>The subject site is adjacent to, and west of the Cameron Offices Wings 3, 4 &amp; 5 and bridge located on Blocks 7 &amp; 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.</p> <p>The proposed development does not have a significant overshadowing impact on the Cameron Offices, as shown on the submitted shadow diagrams.</p> <p>The development will provide active frontages along main pedestrian routes. This provides activation to the ground level and to this area in the Belconnen Town Centre. The ground floor of the building has been activated as much as possible and will encourage pedestrians through the area.</p> <p>The proposed mixed-use development provides retail and business opportunities, in addition to residential dwellings, that are located in a town centre and in close proximity to public transport routes.</p> <p>The proposed development provides the community with increased residential and retail opportunities and will activate the immediate area and the Belconnen Town Centre more broadly.</p> <p>Existing pedestrian movement networks are established in the area. This includes concrete paved pedestrian footpaths and signalised intersections to allow safe access for residents to nearby retail and employment services.</p>

Submission	Issue	NCA response
	<p><b>A more balanced town center</b></p> <p>Generally I think apartments in the Belconnen town center are a good idea, but I think too much focus has been placed on Benjamin Way. This is both the busiest and noisiest road in the Belconnen town center.</p> <p>Placing more and more apartments on Benjamin Way means that residents seeking an urban, pedestrian-focused experience are constantly contending with 6 lanes of traffic commuting to the public service offices and Westfield. This is not good for either group. Pedestrian access in Belconnen is generally poor, but it is particularly bad on Benjamin Way.</p> <p>The apartments being built between the Belconnen Markets and the Premier hotel are also on Benjamin Way and will compound this problem.</p> <p>There are lots of other sites in the town center that could be used for apartment buildings as part of developments that improve pedestrian access, public amenity, and avoid overcrowding on the main road.</p> <p>For example, on Lathlain street opposite the Westfield - this precinct could be turned into a shared pedestrian/car zone, where residents would have easy access to the Westfield restaurants and bus stop. This would revitalise this part of the town center, and add more dimensionality to the town center generally.</p> <p>The Republic development of five towers on Cameron Avenue is also an example of this - whilst I think there are too many dwellings on the site, most of the residences are not right on a main road, and the public amenities and retail space has a much higher utility to all residents of Belconnen than anything on Benjamin Way.</p>	<p>Any future proposal to change the land uses and zones in the Belconnen Town Centre will be undertaken and managed by the ACT Government.</p>