



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

# **Report on Consultation Development Control Plan**

*Manuka Circle Precinct, Canberra Avenue*

*November 2017*

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# 1 Introduction

## 1.1 Purpose and Background

This report summarises the issues raised during the public consultation process undertaken by the National Capital Authority (NCA) on the draft Development Control Plan (DCP) for Manuka Circle Precinct, Canberra Avenue. Canberra Avenue between Hume Circle and State Circle is defined as a Main Avenue in the National Capital Plan (the Plan) and provides the south-easterly approach to the Central National Area (CNA) and Parliament House.

Canberra's Main Avenues have historically been subject to rigorous planning scrutiny and care has been taken to ensure that suitably high standards of development and landscaping have been observed. The road reservations of the Main Avenues are included within the *Designated Areas* for their functional purpose in delivering visitors and dignitaries to Central Canberra but also their historical importance and role in the overarching structure of the city.

Land flanking the Main Avenues as described by the Plan are subject to Special Requirements and require a DCP approved by the NCA. These DCPs are subsequently administered by the Territory planning authority.

DCPs have generally been prepared on a site by site basis and have been responsive to particular development opportunities. The intent of the Manuka Precinct DCP is to provide comprehensive planning and design provisions at the 'precinct' level rather than being responsive to individual sites. As described in Figure 1, the DCP consolidates a number of current site specific DCPs as well as the surrounding areas into one 'precinct' DCP.

The current approved DCPs are:

- DCP 13/01 for Manuka Oval
- DCP 10/08 for Section 96 Griffith
- DCP 10/04 for St Christopher's and Surrounds

The entire DCP precinct encompasses:

- Blocks 7 and 12 Section 26 Forrest
- Block 1 Section 25 Forrest
- Block 1 Section 39 Griffith
- Block 1, 2, 4, 6, 10, 11, 14, 15 Section 15 Griffith
- Sections 40 and 96 Griffith.

The purpose of the DCP is to provide planning and urban design provisions in relation to building height, setbacks and design, landscape character, access and parking.

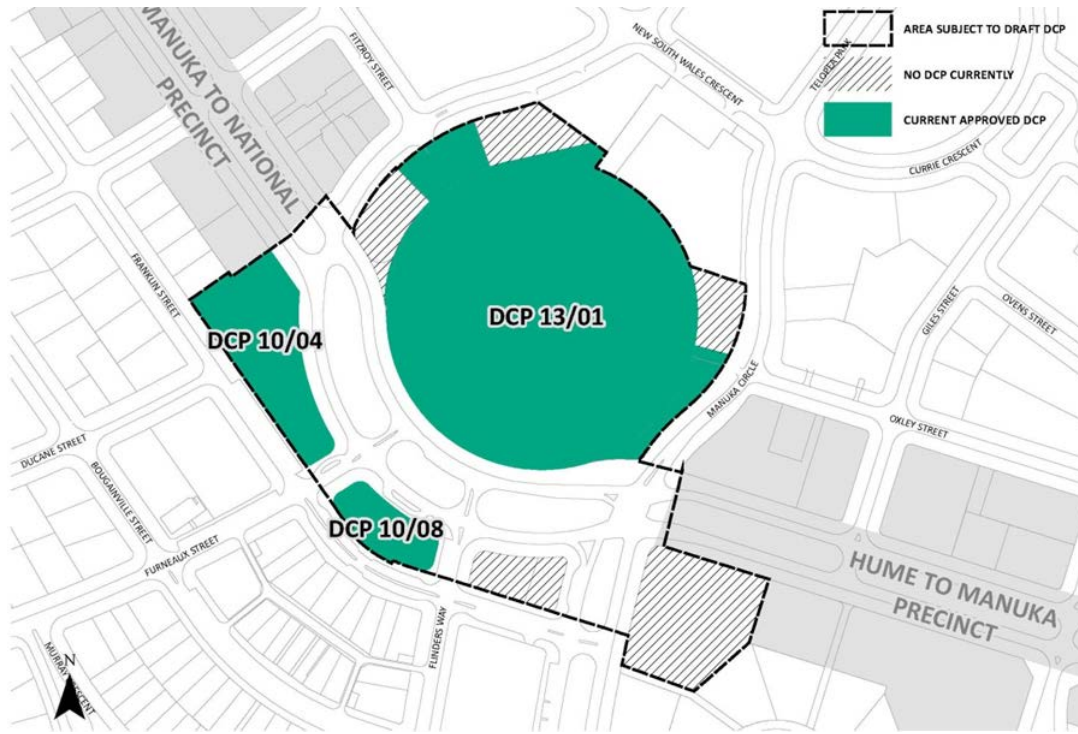


Figure 1 – Area covered by the Manuka Circle Precinct DCP, previously approved DCPs and sites that were not previously subject to a DCP

## 1.2 National Capital Plan Requirements

The National Capital Plan (the Plan) came into effect on 21 January 1990 in accordance with the Australian Capital Territory Planning and Land Management Act 1988 (the PALM Act).

Canberra Avenue is a Main Avenue as defined by the Plan. The provisions of the Development Control Plan (DCP) apply to the Manuka Circle Precinct as described in Figure 1.

Land adjacent to the Canberra Avenue Road reserve in the Manuka Circle precinct is not within the Designated Areas, but is subject to Special Requirements for Main Avenues, as stated in Part 4.23 'Special Requirements for Main Avenues' of the Plan:

*'Development, except in relation to Northbourne Avenue, is to conform to Development Control Plans (agreed by the Authority) which seek to secure the integrity of the Main Avenues as approaches to the Parliamentary Zone and ensure that the setting, buildings and purposes of development enhance that function.'*

In the absence of a provision in the DCP to the contrary, all development on land adjacent to the Main Avenue should be in accordance with the relevant provisions of the Territory Plan. Where an inconsistency arises between the Territory Plan and the National Capital Plan, the National Capital Plan (or relevant DCP) prevails.

### **1.3 Effect of the Development Control Plan**

The DCP amends Planning and Urban Design provisions for the site, including building height, setbacks and design, landscape character, access and parking by replacing site specific DCPs currently in place for the precinct.

The DCP includes the following provisions:

- General planning and urban design objectives for Canberra Avenue as a Main Avenue.
- Requirements for Development Applications to be submitted to the Territory Planning Authority in regards to:
  - building height and architectural quality in built form
  - access to the development and location of parking
  - providing for an enhanced landscape character on along the Canberra Avenue frontage
  - providing for enhance urban design outcomes in regard to pedestrian movement, lighting and materials.

The Draft DCP does not include provisions related to the following:

- detailed conservation requirements for places listed on the ACT Heritage Register
- details of specific land use permitted on sites subject to the DCP.

These matters are appropriately controlled by the relevant ACT Government Directorates and the Territory Plan. Varying their application through this DCP would unnecessarily duplicate processes.

## 2 Public consultation

### 2.1 Stakeholders

On 3 March 2017, the NCA released the draft DCP for public consultation. The following stakeholders were identified as having an interest in the future development of the sites:

- ACT Government Environment and Planning Directorate (EPD)
- ACT Government Territory and Municipal Services Directorate (TAMS)
- ACT Government Chief Ministers, Treasury and Economic Development Directorate (including the Land Development Agency and Cultural Canberra)
- Telopea Park School (TPS)
- Inner South Canberra Community Council (ISCCC)
- Kingston Barton Residents' Association
- Griffith Narrabundah Community Association
- Friends of Manuka Pool
- Forrest Residents' Group
- National Trust (ACT Division)
- Manuka Business Association
- Walter Burley Griffin Society
- St Paul's Anglican Church, Manuka
- St Christopher's Catholic Cathedral, Manuka.

All identified stakeholders were advised by letter and/or electronic mail about the release of the draft DCP for public comment.

## **2.2 Release of the draft Development Control Plan for public comment**

The public consultation period ran for eight weeks, including an initial six week period in accordance with the NCA's 'Commitment to Community Engagement (August 2015)' and an extension of another two weeks, concluding on 30 April 2017. The consultation process included:

- 3 March 2017 – draft DCP published on the NCA's web site.
- 4 March 2017 – a notice was published in *The Canberra Times*.
- 6 March 2017 – written notices sent to identified key stakeholders.
- 15 March 2017 – public information session was held at the NCA offices.
- 17 April 2017 – an extension to the consultation period was announced by the NCA.
- 30 April 2017 – period for written submissions concluded.



### 3 Issues raised as part of consultation

The NCA received 19 written submissions in response to the draft DCP. These submissions were acknowledged by the NCA. Fifteen members of the public attended the information session held on 15 March 2017.

The key issues raised in submissions and at the public information session are outlined below. A summary of each submission, together with a response is at [Attachment A](#).

#### 3.1 Building heights

##### Comments received

The impacts of the proposed increase in building heights for Areas 'A' (12 to 22 metres) and 'B' (18 to 22 metres) was a theme in a number of submissions. In regard to Manuka Group Centre (Area 'B'), submitters specifically raised the impact on the heritage values of the adjacent churches and public amenity of Franklin Street due to overshadowing.

These concerns were similarly raised for Manuka Oval in regard to the nearby Manuka Pool and caretaker cottage. The broader character of the oval was raised and some submitters expressed a view that the oval should remain within a treed landscape and not become a colosseum.

Submitters also raised concern that the reduced building height to the Franklin Street frontage for Area 'B' was not dimensioned and was open to interpretation.

##### NCA response

The draft DCP included a proposal to establish building heights of 22 metres to provide an architectural statement at the Manuka Circle node of Canberra Avenue. Due to impacts on the pedestrian amenity of Franklin Street, the proposal has been revised for Area 'B' and a maximum permitted building height for this area is RL592 (generally 18 metres from the adjacent Canberra Avenue kerb). The proposed increase of permitted building heights for Area 'A' has been revised to RL592 (20 metres from the adjacent Canberra Avenue kerb) to support the continued function of Manuka Oval as a sporting and recreation facility and provide consistency with building heights for the rest of the avenue. Solar access to adjacent uses and nearby public realm has been protected by an additional requirement to submit solar analysis at the Development Application stage.

The changes in the final DCP are:

1. Rule 1.1 'Building Heights' has been amended to reduce the building heights proposed in the draft DCP to read:

### **Rule 1.1: Building Height**

The maximum *building height* permitted for sites, including any rooftop plant, are as follows:

- Area A: RL592 (20 metres from Canberra Avenue kerb).
- Area B: RL592 (18 metres from Canberra Avenue kerb) with reduced building height of RL583 to parts of the Franklin Street frontage.
- Area C: RL592 (18 metres from Canberra Avenue kerb).
- Area D: RL591 (18 metres from Canberra Avenue kerb).

Development proposals must include solar analysis (for all solstices and equinoxes) to demonstrate that reasonable solar access to adjacent uses and associated public realm is not unduly impacted.

The detailed figure describing building height controls has also been amended to address comments regarding its interpretation and changes to Rule 1.1.

2. Figure 6 has been amended to identify the dimensions of building height controls, and remove the shadow line five metres from the property boundary on the southern side of Franklin Street.

## **3.2 Heritage**

### **Comments received**

Submitters suggested that the DCP did not appropriately acknowledge the heritage values in the precinct or recognize that the Conservation Management Plan for Manuka Oval was being finalized. The lack of detailed heritage protection provisions in the draft DCP was noted as an issue.

The ACT Heritage Council identified that references to ‘heritage listed buildings’ should read ‘heritage registered places’ in accordance with the *Heritage Act 2004 (ACT)*.

### **NCA response**

The draft DCP did not include provisions related to the detailed conservation requirements for places listed on the ACT Heritage Register or subject to the provisions of the *Heritage Act 2004 (ACT)* as this would duplicate processes and risk that the DCP could not operate concurrently with heritage requirements under ACT legislation. The NCA agrees that it is necessary for heritage to be considered in the detailed design and siting for specific proposals however, these matters are appropriately controlled by the relevant ACT Government legislation and varying their application through this DCP would unnecessarily duplicate processes. One minor change to the DCP in response to this issue has been made:

1. References to ‘heritage listed buildings’ have been deleted to avoid confusion in terminology.

### 3.3 Building setbacks

#### Comments received

Submitters suggested that the proposed setbacks to some areas are not sufficient to protect heritage values or landscape values of the precinct. Particular comments included:

- the front setback to St Paul's Anglican Church indicated that buildings could be sited in front of the church which would have a detrimental impact on the architecture and landscape of the church and its surrounds
- no setback was provided to Manuka Oval 'Area A' for areas fronting Manuka Circle.
- the current zero metre setback for 'Area B' (Endeavour House and Manuka Cinema site) should be a ten metre setback as required for other development along the Avenue
- a 10 metre setback with a 2.5 metre articulation zone is not sufficient for the growth of large trees, particularly within Manuka Oval ('Area A').

#### NCA response

The NCA acknowledges that applying a 10 metre setback to all sites may not consider the desired character and values of specific sites (for example, in relation to the sites of St Paul's and St Christopher's). Two changes to the DCP in response to this issue have been made:

1. An area specific drawing for St Paul's Church has been added to identify further areas where major development should not occur between the primary building and Canberra Avenue.
2. An area specific drawing for St Christopher's Cathedral has been added to identify further areas where major development should not occur between the primary building and Canberra Avenue.

In regard to the Manuka Group Centre ('Area B'), the buildings are currently built to a zero metre setback and this is considered to be an appropriate urban design response for this area.

The allowances provided for articulation elements aim to balance the outcomes for the mandatory 10 metre landscape setback and add architectural interest for the Main Avenue frontage of buildings.

### 3.4 Landscape structure

#### Comments received

Submitters addressed the landscape structure of Canberra Avenue as proposed in the draft DCP in a variety of ways. Whilst many submitters supported the broad vision for Canberra Avenue and the concept of setting goals to aspire to, other submitters stated that these goals were unrealistic and could not be implemented.

The land custodian (manager) of the avenue road reserve, the ACT Government's Transport and City Services (TCCS) Directorate noted the following concerns with the envisaged landscape provisions for Canberra Avenue:

- the term 'Landscape Structure' is confusing and suggested just referring to 'Landscape'

- the suggested design theme of irrigated grass verges and medians is opposed due to high maintenance costs
- the landscape objectives for the DCP are too generic
- the term ‘deep rooted zones’ for planting is misleading (background on why the key factor for the health and growth of a tree is a suitable soil volume was provided).

### **NCA response**

The NCA has undertaken to establish a broad vision for the Canberra Avenue corridor. The draft DCP included this contextual information to support the provisions of the DCP. The NCA acknowledges TCCS’s role in management of the public realm along this corridor. Therefore it is considered that requiring the installation of irrigated lawn in the verges and median of the Avenue may not be in the best interests of the NCA and TCCS. Two changes to the DCP have been made in response to this issue:

1. Reference to irrigated lawn in Rule 2.4 has been deleted.
2. Rule 2.5 has been added to clarify requirements for ground plane landscape works and remove reference to irrigated lawn. The new rule reads as follows:

#### **Rule 2.5 Offsite landscape works (Paving and Lawn)**

In areas of high pedestrian use, high quality paving shall be installed provided trees are planted in accordance with the Land Custodian’s requirements. Elsewhere, lawn is to be installed in the verge and maintained to a high quality by the lessee.

In order to achieve the desired landscape and urban design structure along the Main Avenue a landscape master plan will be developed in consultation between the NCA and the ACT Government. Any works or proposals coming from this plan will require works approval from the NCA and will be maintained by TCCS.

## **3.5 Landscape maintenance**

### **Comments received**

A number of submissions from members of the community included concerns with the quality of landscape maintenance along Canberra Avenue. The health of the trees in the road reserve and quality of the median were regularly provided as examples of where this could be improved.

### **NCA response**

The land custodian (manager), the ACT Government’s Transport and City Services (TCCS) Directorate is responsible for maintenance of the public realm along Canberra Avenue. The NCA has amended provisions related to the landscape to better align with management objectives of TCCS (refer section 3.4 of this report). The overarching intent of the avenue to become a high quality boulevard remains relevant. The NCA will liaise with TCCS to improve the outcomes for this nationally significant public space.

In order to achieve the desired landscape and urban design structure along the Main Avenue a landscape master plan will be developed in consultation between the NCA and the ACT

Government. Any works or proposals coming from this plan will require works approval from NCA and will be maintained by TCCS.

### **3.6 Tree protection**

#### **Comments received**

Submitters raised concern that the DCP did not offer additional protection for trees at Manuka Oval, on the current Manuka Cinema site, or street trees along the Avenue.

#### **NCA response**

The NCA supports the retention of individual healthy mature trees wherever it is practical. Protection of individual trees on development sites is a matter for the Development Application stage. However, the NCA has required that the important historic planting patterns and landscape structure of Manuka Oval be managed by a Tree Management and Replacement Master Plan.

### **3.7 Authority certification of proposals**

#### **Comments received**

Submissions from the community and lessees of individual sites provided qualified support for the proposed certification of proposals by the NCA. In some instances, it was suggested that this proposal should be further discussed to understand its implications on development proposals.

The ACT Government raised concerns regarding its implementation and procedure and suggested a joint NCA/ACT Government Design Review Panel be initiated to review development proposals in areas of shared interest.

#### **NCA response**

The NCA supports the concept of a joint NCA/ACT Government Design Review Panel. This would provide an alternative to the proposed certification process proposed in the DCP. The NCA will work with the ACT Government to develop detailed terms of reference and ensure a broad range of views when assessing design proposals. Two changes to the DCP are recommended in response to this issue:

1. The following clause in the Preamble has been deleted:

*Redevelopment proposals must seek Authority Board certification that development is consistent with the Planning and Urban Design Objectives of this DCP and are of a quality befitting this important Main Avenue.*

2. The following section has been added to the Preamble with the heading 'Design Review Panel':

*Redevelopment proposals must be considered by the NCA/ACT Government Design Review Panel prior to being approved by the Territory planning authority.*

### 3.8 Manuka Oval media centre

#### Comments received

A number of submitters made reference to the Manuka Oval media centre project. Comments were made on its architectural character, design quality and consistency with the draft DCP. Community representatives were generally critical of the need for a purpose built facility and that the designs presented were not in keeping with the Avenue.

The ACT Government provided a submission requesting amendments to the articulation zone provisions applicable to 'Area A' of the DCP in order to achieve a more logical built form outcome consistent with Manuka Oval's operations.

#### NCA response

The NCA is aware that the ACT Government is currently progressing a permanent media centre at Manuka Oval. The NCA agrees that an amended articulation provision can still achieve the desired outcomes for the Manuka Circle Precinct. One change to the DCP is recommended:

1. Rule A.6 has been added to allow for articulation provisions to apply to 'Area A' to achieve the built form outcome consistent with the Oval's operations. The new rule reads as follows:

#### **Rule A.6 Building Articulation Zone and articulation restriction zone**

Buildings may utilize up to 90 per cent of the articulation zone and include minor encroachments into the articulation restriction zone as described by Figure 3 provided applications demonstrate:

- The proposal is to support the continued function of Manuka Oval as a sporting and recreation facility
- There is sufficient building setback to ensure emergency access is provided to facilities around Manuka Oval
- Implementation of tree planting in accordance with the Tree Management and Replacement Master Plan.

The media centre has been submitted to the ACT Government for Development Approval. The proposal must be consistent with the approved DCP, the Territory Plan and any applicable ACT legislation.

### 3.9 Development capacity

#### Comments received

Submitters noted that the DCP places restrictions on the amount of development that could occur at Manuka Oval and surrounds. It was suggested that this would reduce the ability of Canberra to host high level sporting events and lose the opportunity for substantial pieces of architecture within the precinct. The lessee of Block 1 Section 15 Griffith (the former Canberra Services Club site) noted that building height and setback restrictions would reduce the developable area on that particular site.

## **NCA response**

The proposed draft DCP sought to establish a long term vision for the precinct and provides a clear framework for the detailed development of proposals for sites subject to the DCP. The detailed policy for setbacks and basement parking remains unchanged. The issue of building heights is further discussed at key issue 3.1 'Building Heights'.

No changes to the DCP are proposed in response to this issue.

## **3.10 Area subject to the draft DCP**

### **Comments received**

There were comments made in regard to area subject to the DCP. It was suggested that some sites be included in the DCP such as East Hotel, Kingston Hotel and Forrest Fire Station Precinct. Clarification was sought as to why Manuka Pool, Manuka Arts and Telopea Park were not included in the DCP to align with the CMP being finalised.

Others suggested that only the parts of the oval fronting Canberra Avenue be subject to the DCP to reduce possible impacts on the Pool and Arts Centre.

### **NCA response**

In accordance with the National Capital Plan, Special Requirements apply to development on land adjacent to Canberra Avenue and state:

*'Development is to conform to a Development Control Plan (agreed by the National Capital Authority) which seeks to secure the integrity of the Main Avenues as approaches to the Parliamentary Zone and ensure that the setting, buildings and purpose of development enhance that function.'*

The purpose of DCPs in this context is to ensure development is of a quality expected adjacent to the Main Avenue. Therefore the area subject to the DCP is defined based on the relationship to Canberra Avenue.

The NCA notes the preference for including sites adjacent to Manuka Oval (Manuka Arts Centre and Manuka Pool) however, the NCA has made an interpretation of the requirements of the National Capital Plan when defining the area subject to this DCP based on the relationship or the area to Canberra Avenue.

Other sites adjacent to Canberra Avenue (Forrest Fire Station precinct, Kingston Hotel, Tobin Brothers Funerals, BP service station, Eastlakes Football Club and East Hotel, etc) are currently subject to site specific DCPs and are proposed to be included in future precinct wide DCPs.

No changes to the DCP are proposed in response to this issue.

## **3.11 Pedestrian accessibility**

### **Comments received**

Many submitters noted the current lack of safe pedestrian access between Manuka Oval and Manuka Group Centre (Areas 'A' and 'B' of the draft DCP). Suggestions were made for a high

quality and generous pedestrian/mobility scooter route between Manuka Group Centre, Manuka Oval, Telopea Park and the Kingston Foreshore.

TCCS noted a number of paths in the precinct that were incomplete and led nowhere.

### **NCA response**

The NCA would support any improvements to the connectivity between the Manuka Group Centre to Manuka Oval as well as the surrounding areas. The NCA's preference would be for these connections to be at-grade and supported by high quality urban design consistent with the objectives of the DCP. Works within the Canberra Avenue road reserve are subject to works approval from the NCA and any intervention in this area would need to be of the highest design quality. The ACT Government is responsible for funding and conducting works in this area.

In order to achieve the desired landscape and urban design structure along the Main Avenue a landscape master plan will be developed in consultation between the NCA and the ACT Government. Any works or proposals coming from this plan will require works approval from NCA and will be maintained by TCCS.

No changes to the DCP are proposed in response to this issue.

## **3.12 Design Quality**

### **Comments Received**

Submissions noted that the area should exhibit high design quality and individual developments should be required to ensure that the principles of high quality design are upheld through the planning process.

The Territory planning authority requested clarification of what design elements are considered good design and how these may be assessed at the Development Application stage.

### **NCA response**

The establishment of a joint NCA/ACT Government Design Review Panel (DRP) is intended to provide detailed feedback on the design quality of proposals prior to, and as part of the development assessment process. Design Quality criteria have been included in the DCP to aid development assessment officers in assessing proposals. The change to the DCP is as follows:

1. 'Theme 5: Design Quality' has been added, which includes eight principles to reinforce the importance of design quality in the precinct.

## **3.13 Active frontages**

### **Comments received**

A number of submitters suggested that the definition for active frontages was not clear and suggested there would be difficulty achieving active frontages on Canberra Avenue for this precinct.



## **NCA response**

Active frontages are defined in the Griffith Precinct Code of the Territory Plan. The DCP does not offer an alternative definition and therefore the definition of the Territory Plan applies.

Active frontages are encouraged for all developments in 'Area B' (Manuka Group Centre) but the NCA considers that any structured car parks should also be designed to have active frontages at ground level to promote activity and use of the public realm. One change to the DCP has been made:

2. Rule B.2 has been amended to clarify requirements for active frontages in the Manuka Group Centre. The revised rule reads as follows:

### **Rule B.2 Active frontages**

Active frontages are encouraged for all new development proposals by including direct pedestrian access from areas of intensive pedestrian use and do not have extensive lengths of blank walls unrelieved by doors, display windows or the like.

Active frontages at ground level are mandatory for all frontages for any new above ground structured car parks in this area.

## 4 Recommended Changes

1. **Delete** clause in the Preamble reading:
  - *Redevelopment proposals must seek Authority Board certification that development is consistent with the Planning and Urban Design Objectives of this DCP and are of a quality befitting this important Main Avenue.*
2. **Add** new section to Preamble with heading 'Design Review Panel' to read:
  - *Redevelopment proposals must be considered by a joint NCA/ACT Government Design Review Panel prior to being considered by the Territory planning authority.*
3. **Delete** references to 'Heritage listed buildings' on Figure 2.
4. **Amend** Rule 1.1 'Building Heights' to read:

### Rule 1.1: Building Height

The maximum *building height* permitted for sites, including any rooftop plant, are as follows:

- Area A: RL592 (20 metres from Canberra Avenue kerb).
- Area B: RL592 (18 metres from Canberra Avenue kerb) with reduced building height of RL583 to parts of the Franklin Street frontage.
- Area C: RL592 (18 metres from Canberra Avenue kerb).
- Area D: RL591 (18 metres from Canberra Avenue kerb).

Development proposals must include solar analysis (for all solstices and equinoxes) to demonstrate that reasonable solar access to adjacent uses and associated public realm is not unduly impacted.

5. **Amend** Figure 5 of the draft DCP to clarify the 'frontage' required for deep rooted trees.
6. Rule 2.1 to refer to Figure 5 (rather than Figure 6) when referring to the intent of the landscape plan and to refer to Rule 2.4 (rather than Rule 2.5) in controls for verge works. These were typographical errors.
7. **Amend** rule 2.4 to clarify requirements for replacement of street trees adjacent to development sites. The new rule reads as follows:

### Rule 2.4 Offsite landscape works (Trees)

Where there are gaps in the street tree planting patterns of Canberra Avenue adjacent to the site OR trees assessed in accordance with Rule 2.3 are identified as requiring replacement, then applications must include replacement tree species in locations consistent with the current street tree patterns and OR other species approved by the NCA.

8. **Add** Rule 2.5 to clarify requirements for ground plane landscape works. The new rule reads as follows:

### Rule 2.5 Offsite landscape works (Paving and Lawn)

In areas of high pedestrian use, high quality paving shall be installed provided trees are planted in accordance with the Land Custodian's requirements. Elsewhere, lawn is to be installed in the verge and maintained to a high quality by the lessee.

9. **Add** reference to Figure 5 in Rule 3.4 when describing the area along Canberra Avenue that must be maintained for deep rooted planting. The new rule reads as follows:

#### **Rule 3.4 Basement parking**

Encroachment of basement parking into the building setback to Canberra Avenue may be considered where it would not detract from the quality of the landscape treatment and would not affect the root zone of existing trees in the road reserve. At minimum setback of six metres must be maintained along the Canberra Avenue frontage for deep rooted planting in accordance with Figure 4.

10. **Add** 'Design Quality' as a key theme of the DCP. Eight design quality principles are included in the final DCP that applications are required to address.
11. **Amend** Rule B.2 clarify requirements for active frontages in the Manuka Group Centre. The revised rule reads as follows:

#### **Rule B.2 Active frontages**

Active frontages are encouraged for all new development proposals by including direct pedestrian access from areas of intensive pedestrian use and do not have extensive lengths of blank walls unrelieved by doors, display windows or the like.

Active frontages at ground level are mandatory for all frontages for any new above ground structured car parks in this area.

12. **Amend** Figure 7 to identify dimensions of building height controls, remove shadow line five metres from the property boundary and clarify that it is not intended to imply the closure of Flinders Way between Section 96 and Section 40 Griffith.
13. **Add** site specific drawings to clarify the requirements for St Christopher's Cathedral and St Paul's Anglican Church.

## **5 Conclusion**

The draft DCP was released for public consultation in March 2017 in accordance with the NCA's 'Commitment to Community Engagement (August 2015)'. Nineteen written submissions were received in response to the draft DCP.

In response to submissions made, 13 changes to the draft DCP have been made.

## **Appendix A – Summary of submissions**

Note: The National Capital Authority (NCA) undertakes an open and transparent consultation process. The draft DCP advised that the NCA would prepare a Consultation Report for publication on the NCA website, and that this Consultation Report would include a summary of each submission, along with the name of each person making the submission. This appendix includes each submission and the name of the person/entity making that submission.

Submission Number	Submitter	Comments Received	NCA Response
1	Kris Watson	I'm disappointed that restrictions will be introduced to limit improvements on Manuka stadium. It seems that all the tourist and job opportunities for this town are hindered by short sightedness and minority interest groups who scream the loudest and affect any progress opportunity that things like the Giants upgrade would produce. Considering the crowd and hassle the current set up creates I would think the upgrade to the stadium with additional features would be a welcome one, but because of the loudest few affect the opportunity to enhance fun in Canberra is being hindered once again.	See key issue ' <a href="#">Development Capacity</a> '.
2	Peter Cook	I write in the context of the proposed Manuka Circle (Canberra Avenue) development and do so with the aim of bringing to your attention the deplorable state of Canberra Avenue between St Christopher's Cathedral and State Circle, which in turn provides a totally unacceptable context for the proposed Manuka Circle development and leads me to the view that the proposal for Manuka Circle should not proceed at this time.	Noted. The deterioration of the quality of the landscape along Canberra Avenue has been a major driver for this work.

	<p>The Government guidelines for landscaping state: <i>In order to enhance the character of Canberra Avenue as one of the Griffins' Main Avenues and as one of the main approaches to Parliament House and the Parliamentary Zone, the landscape structure of the road reserve and private landscape areas shall:</i></p> <ul style="list-style-type: none"> <li>▪ <i>provide a consistency and regularity in landscape structure with high quality established trees.</i></li> <li>▪ <i>be developed and maintained as high quality landscaped corridors.</i></li> <li>▪ <i>continue the established design theme of irrigated grass verges and medians and formal tree plantings.</i></li> <li>▪ <i>utilise high quality paving in areas of intensive pedestrian use.</i></li> <li>▪ <i>select tree species for regularity in landscape character along extended parts of the Avenue</i></li> </ul> <p>Canberra Avenue, which in many ways provides the setting and dare I say it, the standard for the proposed Manuka Circle development, is in a deplorable state that in no way conforms with the landscape guidelines for this major thoroughfare, for the median strip in particular:-</p> <ul style="list-style-type: none"> <li>• the trees are of a very poor quality; they are inconsistent and irregular</li> <li>• the outer lines of trees in the median strip have all died over the last few years The existing central eucalypts are poor specimens and bear absolutely no relationship to the other plantings along the avenue, such as the heritage-significant plantings near the cathedral</li> <li>• Broken trees from the last storm are still evident in the median strip and long-dead trees have not been removed</li> <li>• There are no formal plantings</li> <li>• There is no grass whatsoever in the median strip (contrary to the guidelines) and “landscaping” seems to consist solely of dumping wood chip and leaving it in heaps for weeks at a time.</li> <li>• Formal plantings should also be undertaken to minimise noise along this increasingly busy thoroughfare.</li> <li>• It seems the median strip is purposely left as a periodic parking lot ( to handle overflow parking associated with events) at Manuka Oval; any expansion of events will result in even more parking and more damage to the amenity of Canberra Avenue</li> </ul> <p>In all, this “Griffin Main Avenue” is neglected, unattractive and an indictment of government ineptitude. The planning regime is being totally ignored.</p>	<p>The deterioration of the quality of the landscape along Canberra Avenue has been a major driver for this work.</p>
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		<p>So what has this to do with the proposed Manuka Circle development. Essentially that Canberra Avenue in its current state currently provides a totally in appropriate environment for the proposed development, or conversely it provides a low standard of amenity that in turn provides an unacceptably low bar for the proposed development. Additionally the Avenue should in no circumstances be seen as a 'back-up' for parking. This Main Avenue must be brought up the required standard. It is a primary avenue to Australia's Parliament House not the neglected suburban street that it currently is.</p>	<p>The NCA considers Canberra Avenue to be an important Main Avenue and route to Parliament House. The NCA does not support the use of the median of Canberra Avenue for event parking.</p>
		<p>In conclusion I do not believe there should be any development whatsoever of Manuka Circle until the landscaping along Canberra Avenue is remediated to a state where it conforms to the National Capital's own requirements for landscaping of a "Griffin Main Avenue". Then and only then, should consideration be given to the Manuka Circle proposal.</p>	<p>The draft DCP proposes to establish a broad vision for the Avenue. A key goal of the DCP is to improve the landscape quality of the Avenue over time.</p>
3	National Trust (ACT)	<p><b>Built Form</b></p> <p>To appreciate the proposed maximum height it would greatly assist if existing heights along both sides of Canberra Avenue could be clearly defined.</p>	<p>The draft DCP defines the maximum building height for future development. See key issue 3.1 <a href="#">'Building Height'</a>.</p>
		<p><b>View</b></p> <p>A critical issue in heights and landscape, including lighting towers, is the view along Canberra Avenue in the direction of travel and we suggest it be made clear that nothing should intrude above the tree tops. Recognising that, unfortunately, the existing lighting towers are intrusive.</p>	<p>The use of tree height as a planning control for maximum building height is inherently subjective. The use of a relative level (RL) ensures that the maximum height is clear and enforceable at the development assessment stage.</p>
		<p><b>Urban design</b></p> <p>This comment recognises the heritage of the area and all listed places need citations and associated guidelines updated to be consistent with the DCP and include appropriate conservation requirements.</p>	<p>Any development within the precinct will need to comply with the <i>Heritage Act 2004 (ACT)</i>.</p>

		<p><b>Rule 1.2</b></p> <p>How will “overall consistently [sic] in form” be assessed?</p>	<p>The DCP seeks to establish a consistency in built form along this important Main Avenue. This will be assessed at the Development Application stage. The typographical error has been amended.</p>
		<p><b>Rule 4.2</b></p> <p>How will the “unique character” be achieved?</p>	<p>The area subject to the DCP (and its surrounds) currently displays a ‘unique character’ inherent to the place. Development will be required to enhance and not diminish this character.</p>
		<p><b>Rule 4.3</b></p> <p>Active frontages and multiple entries, while desirable, are virtually non-existent at present. It is not quantified as to how this will be achieved.</p>	<p>Development proposals will need to demonstrate consistency with any approved DCP.</p>
		<p><b>Rule A5 and B2</b></p> <p>While the intent is reasonable care needs to be exercised to ensure a good outcome.</p>	<p>Noted.</p>
		<p><b>Rule B1</b></p> <p>There is a heritage listed tree that will prevent built form to 100%. This should be acknowledged.</p>	<p>The <i>Tree Protection Act 2005 (ACT)</i> is considered sufficient protection for significant individual trees.</p>
		<p><b>Rule D1</b></p> <p>The 10m set back to St Pauls is not sufficient and no new structures between St Pauls, Canberra Avenue and Captain Cook Crescent should be permitted as a control.</p>	<p>Agreed. The DCP has been amended to ensure no new structures are permitted between St Paul’s, Canberra Avenue and Captain Cook Crescent.</p> <p>See Issue <a href="#">‘Building setbacks’</a>.</p>



		<p><b>Canberra Services Club</b></p> <p>There is no specific discussion on the Canberra Services Club. This is unfortunate as there remain memorials and history to the site. This should be addressed.</p>	<p>Any development within the precinct will need to comply with the <i>Heritage Act 2004 (ACT)</i>. Discussion of the history of specific sites subject to the DCP is considered unnecessary.</p>
		<p><b>Existing CMPs</b></p> <p>There is no acknowledgement of CMPs for the heritage sites and policies in them that affect the DCP. For example, St Paul’s, St Christopher’s and the Manuka Circle Precinct.</p> <p>The Manuka Circle Precinct Policies 14 – 16 discuss landscape (however we add that his CMP has had no public exposure or discussion. This needs to occur before its adoption).</p>	<p>Any development within the precinct will need to comply with the <i>Heritage Act 2004 (ACT)</i>.</p>
4	Anne Forrest	<p>The National Capital Plan, in relation to main avenues, states:</p> <p><i>“Development.....is to conform to Development Control Plans (agreed by the Authority) which seek to secure the integrity of the Main Avenues as approached to the Parliamentary Zone and ensure that the setting, buildings and purposes of development enhance that function.”</i></p> <p>However, the Draft Development Control Plan (DCP) for Manuka Circle, Canberra Avenue does not enable an understanding of the implied development potential, despite briefings by the National Capital Authority.</p>	<p>The purpose of the draft Development Control Plan (DCP) is provide a clear planning framework to guide future built form and landscape structure of the area. The NCA has set controls for building heights, setbacks and articulation. The Territory Plan provides further controls, including land use provisions. Development will need to be consistent with these requirements.</p>

		<p><b>Built Form</b></p> <p>There is no consistency in height at redevelopment sites adjacent to Canberra Avenue due to the silo approach to planning. In addition, zoning introduced on either side of Canberra Avenue mitigates against consistency and integrity in height and form.</p> <p>Within the Manuka Circle Precinct identified in the draft DCP, there is an expressed desire to reinforce an urban scale relationship while contemplating significant increases in height. In this context, what is the meaning of “urban scale relationship”</p>	<p>The NCA has sought to improve the consistency in building height along Canberra Avenue through the establishment of a precinct wide DCP. The ‘urban scale relationship’ refers to the relationship between building heights and the street.</p>
		<p>The draft DCP seeks to achieve “amenity thru site layout and urban design”. However, there is little detail about how this would be achieved. Furthermore, there are articulation allowances and exceptions to setbacks which may lead to poor outcomes in the public realm.</p>	<p>High quality design will be a requirement of any development proposals on sites subject to the DCP. This will require high quality site layout and ensuring amenity of the area is enhanced. The allowances provided for articulation elements aim to balance the outcomes for the mandatory 10 metre landscape setback and architectural interest for the Main Avenue frontage</p>

		<p>Manuka Group Centre is bookended by two distinctive churches. The footprints, height and architecture of these buildings are dominant features in the urban landscape. Sited within the curve of Canberra Avenue, they mark an arrival point before the final approach to the Australian Parliament. Redevelopment within section B of the draft DCP should not exceed present height limits. However, the restoration of the once grand Canberra Avenue address at section 96 will enhance the experience of arrival.</p>	<p>The NCA acknowledges the importance of the precinct as an arrival point and node along this important Main Avenue.</p> <p>The churches are considered to be key identifying points along the Avenue. See key issue <a href="#">‘Building setbacks’</a>.</p> <p>Redevelopment of Section 96 will require design and site layout of highest quality.</p>
		<p>Note: There is a stated intent to mitigate noise impacts through design, material and construction. This implies that the Australian Building Code is inadequate. Is this the case?</p>	<p>The provisions related to noise impacts suggest that high quality design will address these factors and the DCP simply acknowledges that noise impacts need to be addressed.</p>
		<p><b>Landscape structure</b></p> <p>The landscape character of Canberra Avenue, while of national significance, continues to be eroded. The decimation of the once valued landscape character of Manuka Oval, for example, exposes the seating structures to all vehicles heading towards State Circle. However, no amount of describing what should be achieved is going to prompt the ACT Government to finance restoration of this once important landscape corridor.</p>	<p>The deterioration of the quality of the landscape along Canberra Avenue has been a major driver for this work. The NCA will work with the land manager (ACT Government Transport Canberra and City Services Directorate) to improve this important landscape. The ACT Government is responsible for funding such works.</p>

		<p>A suggestion: As an initial step, kerb and guttering in the median strip would prevent tree loss through illegal parking. This work should be financed by the NCA.</p>	<p>The NCA notes the proposed suggestions and will work with the land manager (ACT Government Transport Canberra and City Services Directorate) to improve this important landscape.</p> <p>The ACT Government is responsible for funding such works.</p>
		<p><b>Transport &amp; movement</b></p> <p>Effective functioning of main avenues mitigates against additional on-grade pedestrian crossings. The draft DCP does not offer any solutions to this increasing problem.</p> <p>Suggestion: 1) Potential redevelopment within section B Manuka, as identified in the draft DCP, could prompt closure of Flinders Way at the intersection with Canberra Avenue. This closure would enable ease of access to redevelopments on the adjacent sections while relieving the pressure of traffic flow within Manuka Circle. 2) The closure, of Franklin Street, Forrest where it enters Furneaux Street opposite Manuka Shopping Precinct, would also calm traffic in the area of the Cathedral while enhancing pedestrian movement in the immediate area.</p>	<p>See issue '<a href="#">Pedestrian accessibility</a>'. Road operations are the responsibility of the ACT Government and not the NCA.</p>

		<p><b>Urban design</b></p> <p>The draft DCP seeks to create identifiable places at key points along Canberra Avenue. Existing identifiable places include two colleges, the Whitley houses which have been incorporated into a multi-unit development, Griffith Oval, the Services Club site, the Forrest Fire Station Precinct. And, the area which is the focus of this draft DCP includes the Manuka Group Centre, St Christopher’s Cathedral Precinct, St Paul’s Church and surrounds, and, Manuka Oval within a landscape setting.</p> <p>Until 1980 another of these identifiable places was the Capitol Theatre, designed by John Smith Murdoch and opened in 1927. The grand entry to the building was via a road reserve off Canberra Avenue. The landscaping was sparse, and, the position of the building within the curve of Canberra Avenue enabled a clear view of St Christopher’s Cathedral when approaching from the east.</p> <p>The Capitol Theatre occupied pride of place on section 96 Griffith. And, any redevelopment of section 96 within precinct B, as identified by the draft DCP, should reinstate the frontage to Canberra Avenue and not exceed the present height restrictions. The draft DCP indicates a potential for the redevelopment footprint to extend from Flinders Way to Furneaux Street. Consequently, setbacks should be introduced in order to improve the Canberra Avenue address. In addition, the present long standing waste enclosures within the Canberra Avenue pedestrian area must be removed and the pedestrian access reinstated.</p> <p>And, the Registered Tree within the setback on Franklin Street, (the subject of recent ACAT and Supreme Court action), must be acknowledged and protected.</p>	<p>See issue <a href="#">‘Building Heights’</a> and <a href="#">‘Building setbacks’</a> for responses to these matters. Redevelopment of Section 96 will require design and site layout of highest quality.</p> <p>The <i>Tree Protection Act 2005</i> (ACT) is considered to sufficiently protect individual significant trees on the sites subject to the DCP. These matters will need to be addressed at the Development Applications stage.</p>
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		<p><b>Manuka Oval Precinct</b></p> <p>In 2014, the Manuka Oval Precinct was the subject of a comprehensive Conservation Management Plan (CMP). This CMP, by Lovell Chen Architects &amp; Heritage Consultants, identifies a number of significant elements within the Manuka Oval Precinct which is not confined to the oval itself but is delineated by the surrounding road network. These elements include existing heritage, height limitations, landscape setting and all-encompassing setbacks. This CMP should be the reference point for decision making in the Manuka Oval Precinct, and should be the hard stick by which any development proposals are measured.</p> <p>The recently installed lights at Manuka Oval have eroded the unique landscape design of the precinct. And now, there appears to be an urgent push to build a very substantial structure, identified as a media centre, within the fence line of the oval adjacent to Canberra Avenue. The footprint, as described would require the removal of part of the landscape and would encroach into the setback from Canberra Avenue. There appears to be no acknowledgement of the requirements of the 2014 CMP. Furthermore, the proposed structure appears to be the catalyst for this NCA draft DCP.</p> <p>In view of these issues this draft DCP should be withdrawn. The Manuka Oval Precinct deserves a discreet [sic] DCP which incorporates the requirements of the Manuka Oval Conservation Management Plan.</p> <p>There should be a separate [sic] Manuka Group Centre draft DCP, which references the Conservation Management Plans for the heritage listed buildings in the immediate area of Manuka. And, any redevelopment of the buildings within section B of this draft DCP must be of an appropriate scale, (including height, setbacks, frontages, and footprint), which compliments the character of the Manuka Group Centre as a whole, respects the two churches, and restores the lost landscape setting to Canberra Avenue.</p>	<p>Any development within the precinct will need to comply with the Heritage Act 2004 (ACT), any CMP approved by the ACT Heritage Council and a DCP approved by the NCA.</p> <p>Discussion regarding the proposed Manuka Oval media centre is noted. See key issue '<a href="#">Manuka Oval media centre</a>'.</p> <p>There are DCPs currently approved for separate sites within the Manuka Circle Precinct. The NCA has made a conscious decision to address the relationship of these sites to Canberra Avenue in a single planning document.</p>
5	<p><b>MAS Property Services on behalf of Liangis Investments Pty Ltd</b></p>	<p>We act for Crown Lessee owner of the Manuka Cinema complex and adjacent property that comprise the total area of Section 96 Griffith ACT (Mrs S. Liangis).</p> <p>Mrs Liangis welcomes the opportunity to comment on this important Draft DCP.</p> <p>Currently, NCA's approved DCP 10/08 of April 2011 sets out the development criteria for Section 96 Griffith ACT. We note a clerical error at 2.2, page 3 of the Draft DCP for Manuka Circle where it is indicated that DCP 10/08 applies to St Christopher's and surrounds.</p> <p>Mrs Liangis supports the changes to the existing DCP 10/08 and development criteria policies set out in the Draft DCP and Explanatory Memorandum, including the Site Specific provisions for Site B at page 20 of the Draft DCP comprising Rules B. 1, B.2, 8.3, B.4 and figure 7, "Detailed building height controls for Sections 40 and 96 Griffith Area B of this DCP".</p>	<p>Noted.</p> <p>Noted.</p>

		<p>In particular, Mrs Liangis welcomes the reinforcement of NCA's role in the planning and future redevelopment of Canberra Ave as set out at page 6, Application, requiring;</p> <p><i>"Redevelopment proposals must seek Authority board certification that development is consistent with the Planning and Urban Design Objectives of this DCP and are of a quality befitting this important Main avenue."</i></p>	See Issue ' <a href="#">Authority certification of proposals</a> '.
		Mrs Liangis looks forward to soon recommencing working again with NCA so as to gain Authority board certification that the family's redevelopment proposal for Section 96 is consistent with the Planning and Urban Design Objectives of the DCP and delivers a quality befitting this important Main Avenue.	Noted.
6	<b>Mr Shane Rattenbury MLA</b>	I welcome the opportunity to comment on the draft Development Control Plan (Plan) for Manuka Circle, Canberra Avenue. Manuka Oval and the area around it are enjoyed by many local residents and visitors to Canberra and any future DCP must ensure that the area can continue to be enjoyed by both locals and visitors. I welcome the Draft DCP treating the Manuka Circle area as one precinct, rather than having separate development control plans as is currently the case. There is significant interaction between the sites covered by the current approved DCPs and future development of the area should be looked at as a whole precinct.	Noted.
		I further welcome the Draft DCP's attention to transport and movement, in particular ease of access for pedestrian and pedestrian safety. In line with treating Manuka Circle as one precinct, there is significant pedestrian and cyclist traffic across Canberra Avenue between Manuka Shops and Manuka Oval, particularly before and after sporting events at Manuka Oval. I welcome any effort to ensure pedestrian and cyclist safety whilst also minimising any disruption to traffic flow on Canberra Avenue.	Noted.
		I am concerned about the limited consideration given to heritage in the Draft DCP. While it is correct that heritage is regulated through the ACT Heritage List, planning and design controls need to reflect the heritage issues to avoid conflicts between the DCP and heritage requirements and to provide a clear, consistent regulatory regime. The final DCP should provide more detailed reflection of heritage issues in its requirements.	Any development within the precinct will need to comply with a CMP approved by the ACT Heritage Council and the <i>Heritage Act 2004</i> (ACT)).
		Finally, I am concerned that increasing the maximum building height of Precinct B to 22 meters will significantly increase overshadowing of Franklin Street, which is a busy cafe strip. While the current proposal includes some overshadowing protection for Franklin Street, this does not appear to be adequate. For example, the 'no shadow' line included in the draft DCP extends 5 metres from the property line but the verge is over 8 metres wide in places. Either the height limit should be reduced or more detailed overshadowing requirements provided that clearly protects the amenity of Franklin Street.	See key issue ' <a href="#">Building heights</a> '.

<p>7</p> <p><b>Jeremy McGrane</b></p>		<p>Trees in Telopea Park leading to and then surrounding Manuka Oval embody the planning principles of Walter Griffin’s plan for Canberra and respected throughout the following century.</p> <p>Trees must be reinforced both within and outside the oval’s boundary. The Draft DCP envisages a 10 metre landscape zone within the boundaries of the Services Club, Manuka Oval and east Manuka Circle adjacent to Canberra Avenue/Manuka Circle. This 10m zone should be extended all around the inside of the Manuka Oval boundary, with additional tree planting to the extensive existing trees. Many of those trees extend over the adjacent blocks. Therefore, a 10m landscape zone should be incorporated into those blocks, with additional planting in those zones. Development on Blocks 1, 2, 10 and 11 could have zero lot line on the Manuka Circle boundaries. As a result of the landscape zone most of Block 6 would not be able to be built on but could be developed as an entrance to Manuka Oval. Buildings should not be higher than the tree line; blocks surrounding the oval should have a reduced height to the Draft DCP. (It was 18m in NCA’s Explanatory Memorandum, January 2017.)</p>	<p>The conservation of the landscape character of Manuka Oval is a key objective of the DCP. The requirement for a Tree Management and Replacement Master Plan seeks to not only protect current trees and landscape areas but conserve the historic planting patterns in place. Establishment of an arbitrary 10 metre setback to the Manuka Circle boundaries may not effectively protect these values.</p> <p>See discussion of key issues related to <a href="#">‘Building setbacks’</a> and <a href="#">‘Building Heights’</a>.</p>
		<p><b>Manuka Media Centre</b></p> <p>Concurrent with NCA’s release of the Draft DCP for Manuka Circle and Canberra Avenue, the ACT Government released draft designs for a Media Centre at the Canberra Avenue end of Manuka Oval. The public could comment until 7 April 2017.</p> <p>The ACT Government stated its planning authority may accept a Development Application now and assess it against the existing Development Control Plan, July 2013, instead of conforming with NCA’s proposed DCP or even taking into consideration the Draft DCP. As the proposed height of RL 590.610 greatly exceeds the existing DCP’s maximum height of RL 581.00, the proposal does not comply.</p> <p>The Draft DCP, March 2017, proposes a maximum height of 22 metres, 10m setback, articulation zone with 7.5m setback and no encroachment of building elements in a 6m high Articulation Restriction Zone. The proposed height is 19.110m. The proponents drawings acknowledge the Draft DCP 10m setback but ignore the requirements for the Articulation Restriction Zone. As the proposal has 9 concrete columns and a clearance of only 4.7m in the zone the proposal would not comply with the draft DCP. Of course, changes could be made in the final DCP and the actual proposal submitted to NCA for board certification.</p>	<p>Discussion regarding the proposed Manuka Oval media centre is noted. <a href="#">See key issue ‘Manuka Oval media centre’</a></p>



		<p><i>Draft DCP Rule 2.1 Landscape Plan – A Landscape Plan must accompany any development proposal.</i></p> <p><i>Rule 2.4 Offsite Landscape works - In areas of high pedestrian use, high quality paving shall be installed provided trees are planted in accordance with the Land Custodian’s requirements. Elsewhere, irrigated lawn is to be installed in the verge and maintained by the lessee.</i></p> <p>I understood this meant the developer installed this work on the verge adjacent to the proposed development. In the meeting on 15 March 2017 Jordan Smith, NCA, said this was not the case. Would the NCA clarify? For example, should not the contractor for the ACT Government’s Media Centre submit landscape plans for the adjacent verge and complete the works? The Media Centre proposal also identifies the adjacent entrance for media representatives on game day but also the main entrance for non-game days with pedestrian access from the Captain Cook Crescent lights. The footpath and verge works should also be upgraded.</p>	<p>The DCP requires that a Landscape Plan must be submitted with Development Applications. This includes upgrades to soft and hard landscaping within the 10 metre setback and adjacent verge. Requirements for off site works have been clarified. See key issue <a href="#">‘Landscape Structure’</a> and <a href="#">‘Manuka Oval media centre’</a>.</p>
		<p>The Media Centre draft proposal envisages extending the broadcast compound which is within the 10m landscape setback from the boundary. This would not comply with the DCP and must not be allowed. Reinforcement of tree planting in this zone must be incorporated in the Media Centre proposal.</p>	<p>Discussion regarding the proposed Manuka Oval media centre is noted. <a href="#">See key issue ‘Manuka Oval Media Centre’</a>.</p>

	<p><b>SITE B: Manuka Group Centre (Sections 40 and 96 Griffith)</b></p> <p><i>Rule B.3 Building Height</i></p> <p><i>Maximum building heights for specific parts of the sites are as described in Figure 7. Building height fronting Franklin Street is reduced and design must be sympathetic and in accordance with the existing streetscape. Buildings in this area shall minimise overshadowing of existing buildings. Solar analysis of the impact of buildings on the pedestrian amenity of Franklin Street is to be submitted with any new development proposals. No overshadowing, at 12 pm on the winter solstice is permitted of the southern verge of Franklin Street within five metres of the current property boundary as described by Figure 7.</i></p> <p>Note: the drawing stated only:</p> <p><i>No shadow to encroach within 5 metres of the property line during winter solstice Pavement cafes opposite Section 90 on Franklin Street are a vital part of Manuka’s experience. People seek out the ambience and sun all year round.</i></p> <p>Implementation of the proposed heights proposed in the draft DCP would result in this area being heavily shaded by a building at times, currently extensively used, when the sun is sought after most. Deciduous trees and umbrellas adapt to the conditions, shading from a building does not.</p> <p>At the meeting on 15 March 2017 NCA handed out an undated document, Manuka Circle Precinct, Draft Development Control Plan, which changed the control on shadowing:</p> <p>No shadow to encroach past property line at 12pm on 21 June</p> <p>Even with this reduction of amenity for users of the outdoor cafes and pedestrians the shadow from proposed building envelope encroaches beyond the property line at 12pm on 21 June, thus not complying with the Draft DCP itself.</p> <p>Clearly, the proposal to increase the building height to 22 metre high is detrimental to human activity at Manuka Shopping Centre. The abstract reasoning that it satisfies Walter Griffin’s plan does not stand up to scrutiny.</p> <p>The final NCA Development Control Plan must include extensive modelling of shadowing during the day and over the months to fully show Canberrans the result of this proposal.</p>	<p><a href="#">See issue ‘Building heights’.</a></p>
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8	ACT Government	<p><b>Conservator of Flora and Fauna</b></p> <p>There is a tree registered under the provisions of the Tree Protection Act 2005 located on Section 96 Griffith (Manuka Group Centre) that must be conserved and protected from development. It is recommended that this be recognised in the planning of the area.</p>	<p>The <i>Tree Protection Act 2005</i> (ACT) is considered to sufficiently protect significant trees on the sites subject to the DCP. The protection of individual trees is a matter for the Development Application stage.</p>
		<p><b>Environment, Planning and Sustainable Development Directorate</b></p> <p>The DCP contains height controls represented in RL levels and metres. The Territory Plan also represents height in storeys. Please consider a way to ensure that it is clear that height in storeys does not apply if you do not intend it to. If this is not intended it is recommended that controls specify that height in RL and Metres replaces all height control (including those in storeys).</p>	<p>The DCP clearly addresses this matter in the Preamble.</p>
		<p>Setbacks to particular development, such as Site C (Rule C.1) and D (Rule D.1), have a minimum separation of 10 metres. It is assumed these setbacks are from the property boundary but would be good to clarify this (i.e. internal or external setback).</p>	<p>Site specific drawings for Areas C and D have been added to site specific provisions to clarify this. <a href="#">See key issue 'Building setbacks'</a>.</p>
		<p>R1.2 – What design elements are considered good design? Can this be articulated further in the DCP to aid with assessment of the proposal.</p>	<p>See <a href="#">key Issue 'Authority certification of proposals'</a> and <a href="#">key issue 'Design Quality'</a>. It is considered essential that good design is promoted and implemented by appropriately qualified professionals through the planning and development assessment process. The establishment of a Joint NCA/ACT Government Design Review Panel and inclusion of design quality principles in the DCP is intended to aid assessment of specific proposals.</p>

		<p>R3.4 – Last sentence, should start ‘A minimum setback of 6m’?</p>	<p>Rule 3.4 has been amended to read:</p> <p><i>A minimum setback of six metres must be maintained free of basement parking along the Canberra Avenue frontage for the purposes of Deep rooted planting. In accordance with Figure 5.</i></p> <p>Figure 5 has been amended to reflect this change.</p>
		<p>RB.2 – What are active frontages? Should this be articulated further? R15 of the Griffith Precinct Map and Code denotes what could be considered an active frontage - should the control be similar to this?</p>	<p>Active frontages are defined in the Territory Plan. The DCP does not offer an alternative definition and therefore the definition of the Territory Plan applies.</p>
		<p><b>ACT Heritage Council</b></p> <p>St Christopher’s Cathedral Precinct, St Paul’s Church, Manuka Oval and Caretaker’s Cottage, and Manuka Pool are all registered on the ACT Heritage Register and subject to the provisions of the Heritage Act 2004 (the Act).</p> <p>Page 3, Section 2.3, the reference to the ACT Heritage List should be amended to “ACT Heritage Register”. Further, Figure 2 (Manuka Circle Precinct extent and subareas within the Precinct), requires amendment to include Registered Heritage Places rather than Heritage Listed Buildings.</p>	<p>References to the ‘ACT Heritage List’ have been amended to read ‘ACT Heritage Register’. Figure 2 has been amended to identify ‘Registered Heritage Places’.</p>

		<p>The intention to provide a maximum building height of 22 metres within Area A, which includes Manuka Oval, 18 metres within Area C (St Christopher’s Cathedral Precinct) and Area D (St Paul’s Church), and the proposed minimum 10 metre setback from Canberra Avenue to Area A, C and D is noted. Any proposed development in accordance with the provisions of the DCP in relation to maximum building heights and the proposed minimum 10 metre setback from Canberra Avenue may diminish the heritage significance of Manuka Oval and the Caretaker’s Cottage, St Paul’s Church and the St Christopher’s Cathedral Precinct. The Council recommends revised provisions which lower the proposed maximum building heights and provide increased setbacks. Where this cannot be achieved, prior approval under the Act including submission of a Statement of Heritage Effect (SHE) application under section 61G will be required.</p>	<p>See key Issues <a href="#">‘Building heights’</a> and <a href="#">‘Building setbacks’</a>. The NCA also notes the supplementary submission from the ACT Government that identifies that ‘Proposals to develop the southern end of Manuka Oval in a manner consistent with the proposed articulation zone provisions have been considered by the ACT Heritage Council. Council is of the opinion that the built form outcomes are appropriate to the heritage and landscape character of the precinct.’</p> <p>See key issue <a href="#">‘Heritage’</a>.</p>
		<p>Please be aware that ACT Government (Economic Development) and ACT Heritage are currently in discussions regarding a suitable setback for the Manuka Oval. ACT Government is confident that these matters can be resolved at or prior to the development assessment stage. Therefore comments relating to the 10m setback have been provided for information purposes only. Comments relating to height (above) are still relevant.</p> <p>The Act provides protection for heritage places in the ACT, through enforcement and offence provisions. Section 74 of the Act sets out that it is an offence to undertake an activity which diminishes the heritage significance of a place, and Section 76(2)(a) of the Act further states that such an activity is not an offence if undertaken in accordance with prior approval, such as a SHE approved by the Council</p>	<p>Noted. The NCA also notes the supplementary submission from the ACT Government that identifies that <i>‘Proposals to develop the southern end of Manuka Oval in a manner consistent with the proposed articulation zone provisions have been considered by the ACT Heritage Council. Council is of the opinion that the built form outcomes are appropriate to the heritage and landscape character of the precinct.’</i></p>

		<p><b>Transport and City Services Directorate</b></p> <p>As a general observation, the DCP does not seem to recognise the traffic impact on the Canberra Avenue Corridor and the connected road networks. Modelling is required to establish a baseline for traffic flows in line with the DCP. We suggest Aimsun modelling be carried out for the maximum yield allowed under the DCP for the Canberra Avenue corridor including the street network connected to understand the impact of the implementation of the DCP. TCCS prefers this study be carried out prior to the implementation of the DCP.</p>	<p>Noted. Detailed traffic analysis of proposals is a matter for the development assessment stage.</p>
		<p>TCCS also notes the reference to High Quality Paving in the DCP. This reference should be supported with additional guidelines such as a design palettes or principles to clarify requirements. TCCS uses The Canberra Central Design manual as a guideline for high quality paving. Some of the key criteria TCCS uses for the choice of pavers are:</p> <ul style="list-style-type: none"> <li>• The correct type and design to minimise damage</li> <li>• Easy to handle and replace when they have to be repaired (not too large)</li> <li>• Easy to remove and replace if any services below has to be fixed.</li> </ul>	<p>In order to achieve the desired landscape and urban design structure along the Main Avenue a landscape master plan will be developed in consultation between the NCA and the ACT Government. Any works or proposals coming from this plan will require works approval from NCA and will be maintained by TCCS.</p>
		<p>TCCS also notes special attention given to “Active Travel” in the DCP. It would be complimentary if some principles for ‘Active Travel’ for the Canberra Avenue corridor is added to this requirement.</p>	<p>The Active travel principles identified in the ACT Government’s background information paper and the Territory Plan changes proposed by Draft Variation 348 provide sufficient criteria to assess proposals and ensure contribution to Active Living in the city. Duplication is considered unnecessary.</p>
		<p>Franklin Street for the section between Flinders Way and Captain Cook Crescent is already operating at more than twice its rated capacity. This is an access street with a 1,000 vehicles per day capacity which currently has daily traffic of 2,384 vehicles per day.</p>	<p>Noted.</p>

		<p>Noting that vehicle access off Canberra Avenue is not possible as this is an arterial road (supported) and vehicle access off Captain Cook Crescent, Flinders Way and Furneaux Street may not be possible due to possible queuing effects on nearby streets, the only vehicle access for Sections 40 and 96 will be via Franklin Street.</p>	<p>Development Applications will be considered by the Environment and Planning Directorate. Detailed site design matters will be considered at this stage.</p>
		<p>If the redevelopment of Sections 40 and 96 proceed with 5 to 6 floors of residential or commercial development the increase in daily vehicle capacity (will need to be assessed) with the redevelopment will lead to following impacts:</p> <ul style="list-style-type: none"> <li>• Franklin Street will not cope with this increase with the current configuration. It will need to have two lanes per direction of traffic to accommodate the generated traffic volume. This will also mean removal of on-street parking on Franklin Street from Furneaux Street to Captain Cook Crescent.</li> <li>• To accommodate the resulting turning movements from the re-development and provide crossing opportunities for pedestrians and cyclists, signalisation of Franklin Street intersections with Captain Cook Crescent, Flinders Way and Furneaux Streets may be required (See Map 1).</li> </ul> <p>There are several missing shared path links and it is a good opportunity to include them in the DCP. The missing links are:</p> <ol style="list-style-type: none"> <li>1. Community path for a length of about 100m west of the intersection of Manuka Circle/New South Wales Crescent (towards Badminton courts). It will provide better active travel facilities along the New South Wales Crescent connecting Manuka Circle.</li> <li>2. There are missing links of community path on either sides of Empire Circuit median strip for a length of about 25m and also at the receiving end</li> <li>3. There is a missing link of community path on either sides of Dominion Circuit median strip for a length of about 25m</li> </ol>	<p>Development Applications will be considered by the Environment and Planning Directorate. Detailed site design matters will be considered at this stage.</p>

		<p>It appears that the references to the landscape for this precinct are too vague and do not recognise the distinct landscape character for this section of Canberra Avenue and the original tree planting in the medians and verges along with the Manuka Oval trees. Together they should provide a very strong treed landscape zone at the Canberra Ave / Manuka Circle frontage (within the block and the road reserve). These treescapes are historically linked and provide a special landscape zone at this node in Canberra Avenue (separate to the other sections of Canberra Ave to the north-west and south-east). We recommend that the historic character needs to be recognised, retained and reinstated where appropriate.</p>	<p>There are many references to landscape in the draft DCP, the objectives for landscape structure are intended to be generic and apply to the entirety of Canberra Avenue (and all Main Avenues of the National Capital Plan). The required Tree Management and Replacement Master plan is intended to recognise the historic character of Manuka Oval's trees.</p>
		<p>Pages 7 &amp;10 - TCCS do not recognise irrigated grass as a component of the established design theme in the verges and medians in the Canberra Ave / Manuka Circle area and are unable support for the following reasons:</p> <ul style="list-style-type: none"> <li>• Even if a developer / lessee are willing to pay for the installation and ongoing maintenance / management of an irrigation system for the grass, it causes adverse impact on existing mature trees.</li> <li>• Irrigation regimes for grass growth are usually not appropriate for trees.</li> <li>• Irrigation is further complicated by the reality that during drought conditions / times of restricted water use it has been illegal to irrigate verges.</li> </ul> <p>TCCS does not have resources to install or maintain irrigation systems in the median or verges. Irrigation is usually only installed / supported for installation in high profile and high use parks. Suggest referring to “grassed” or “mown grass” for the road reserve areas. (Not irrigated).</p>	<p>The resistance to irrigated grass being an established design theme for Canberra Avenue is noted. The references in the DCP to irrigated grass have been replaced with ‘well managed grass’.</p>



		<p>TCCS considers the Statement “A consistency and regularity in the avenue’s landscape with high quality established trees...” too generic and suggest replacing with the following:</p> <ol style="list-style-type: none"> <li>1. To enhance the character of Canberra Avenue as one of the Griffins’ Main Avenues and as one of the main approaches to Parliament House and the Parliamentary Zone, within this precinct the landscape of the road reserve and private landscape areas shall:</li> <li>2. provide a consistency and regularity in landscape composition, maintaining the established trees as long as practicable</li> <li>3. Where replacement tree planting is required utilise high quality trees, which are well-spaced and can develop large canopies.</li> <li>4. Recognise the historic links between the treed landscapes of Manuka Oval and the Manuka Circle road reserve.</li> <li>5. Maintain the distinctive landscape character of the median within the Manuka Circle Precinct, and the verges of Manuka Circle and Section 25 Forrest.</li> <li>6. Select tree species that maintain the landscape character along this zone of the Avenue.</li> <li>7. Continue the established design theme of grass verges and medians and formal tree plantings.</li> <li>8. Utilise high quality paving in areas of intensive pedestrian use, subject to requirements for the protection of existing trees, and provision for replacement planting of trees where appropriate.</li> </ol>	<p>The general objectives for Main Avenues, specifically in relation to landscape structure are intended to be generic and apply to the entirety of Canberra Avenue and all Main Avenues. References and protection of site specific landscape qualities of Manuka Oval are protected through the requirement for a Tree Management and Replacement Master Plan.</p>
		<p>Refer Page 15 - Key Theme 2: Landscape Structure (refer to comment on page 10 as well) Rule 2.1: Landscape Plan. The DCP states: “A Landscape Plan must ..... illustrated on Figure 6” – This should be Figure 5.</p> <p>“Mature trees identified ..... Where..... For removal, the Landscape Plan should include provision for replacement with new advanced stock.” This would be better if it said “quality advanced stock”.</p> <p>“Verge works in accordance with Rule 2.5 and 4.2.” –Incorrect, should be referring to Rule 2.4</p>	<p>The references to Figure 6 have been amended.</p>

		<p>Comment on “Deep root” zones for trees – We consider this is misleading as to what is required. The key factor for the health and growth of a tree is a suitable soil volume. It varies depending on the type of species. To provide a soil profile that is too deep for tree root growth does not necessarily achieve the intended landscaped tree zone. We have given few examples below for the calculation of soil volumes. <i>Cedrus atlantica</i> (Atlas Cedar) needs at least 106 cubic metres of available soil volume (based on a maximum of 600mm depth of soil that tree roots will typically utilise in Canberra, which will mean that a surface area of 177m<sup>2</sup> is required for each tree); <i>Quercus palustris</i> (Pin Oak) needs at least 60 cubic metres of available soil volume (with a 600mm depth – a surface area of 100m<sup>2</sup> for each tree); <i>Cupressus sempervirens</i> ‘<i>Stricta</i>’ (Italian cypress) also needs at least 60 cubic metres of available soil volume.</p>	<p>References to deep rooted zones are intended to provide sufficient space for landscaping and do not preclude the establishment of sufficient soil volume for large trees to establish.</p>
		<p>An additional factor that will affect tree survival, for both existing trees and successful establishment of new trees, is the affect [sic] of changing ground-water levels due to below ground construction such as excavation for basements. Very often the water table is lowered and trees cannot access the ground water, thus leading to declining tree health.</p>	<p>Noted.</p>
		<p>Rule 2.3 Tree Assessments - The DCP states “An assessment of the adjacent trees within the Canberra Avenue road reserve is mandatory for all redevelopment proposals. For minor Development Applications where development involves tree removal or work is proposed in the vicinity of trees, a tree assessment must accompany the Development Application. “</p> <p>TCCS suggests the trees within the blocks to be included as well as part of the DCP requirements in the tree assessment. As a minimum, the trees within the building setback / landscape zone from the Canberra Ave road reserve. (The other trees would be captured under Territory planning requirements.)</p> <p>Rule 2.4 Offsite Landscape Works - The DCP states “Where there are gaps in the Canberra Avenue road reserve planting or trees that are assessed in accordance with rule 2.3 as requiring replacement, new specimens consistent must be planted.”</p>	<p>All trees within the block will be covered under the requirements of the Territory Plan for tree assessments.</p> <p>No changes to the DCP are recommended.</p>
		<p>“New specimens consistent must be planted” –needs clarification and elaboration.</p>	<p>This refers to specimens consistent with the existing streetscape. This provision will be amended to clarify.</p>

		<p>Rule 2.4 DCP further states “In areas of high pedestrian use, high quality paving shall be installed provided trees are planted in accordance with the Land Custodian’s requirements. Elsewhere, irrigated lawn is to be installed in the verge and maintained by the lessee. “</p> <p>In addition to previous comments about paving, paving is not to be installed if it will adversely impact on existing trees.</p> <p>If there are no existing trees, or they are approved to be replaced, and then improved below ground conditions for new tree planting needs to be a requirement when paving is installed in the verge.</p>	<p>The NCA supports the requirement for improved planting conditions for new trees. These matters would be more effectively controlled through land manager requirements rather than planning requirements.</p>
		<p>Suggest the reference to irrigated lawn in the verge be deleted.</p>	<p>Suggestion to remove references to irrigated lawn in the verge is agreed.</p>
		<p><i>Rule 1.5: Building setback from Canberra Avenue The DCP states “The minimum building setbacks to Canberra Avenue are as follows:</i></p> <p><i>Area A, C and D: Ten metres</i></p> <p><i>Area B: Zero metres.</i></p> <p>“Figure 3 shows the allowable articulation zone of 2.5 m. This leaves only 7.5 m for the tree canopy in the landscape zone. TCCS is concerned that the existing 10m setbacks for the existing landscape zone for the existing trees within Manuka Oval is not currently sufficient. A reduction to 7.5m will prove problematic.</p>	<p>The allowances provided for articulation elements aim to balance the outcomes for the mandatory 10 metre landscape setback, requirements for articulated building facades and internal building amenity.</p> <p>The NCA notes that the ACT Government’s supplementary submission in relation to the articulation zone to allow for built form to support the continued function of the Oval as a sporting facility.</p>
		<p><i>Rule 2.5 Courtyard Walls</i></p> <p>Are courtyard walls in the Canberra Ave building setback appropriate for this precinct? If they are deemed suitable for some locations within the precinct then the following needs to be added.</p> <p>ADD - Design and construction of walls and fences must not adversely impact on existing trees, or limit the space required to plant suitable trees in the landscape zone or road reserve.</p>	<p>The current Territory Plan requirements for the construction of walls and fences will ensure existing trees are protected.</p>

	<p><i>Rule 3.4 Basement parking</i></p> <p>The DCP states “Encroachment of basement parking into the building setback to Canberra Avenue may be considered where it would not detract from the quality of the landscape treatment and would not affect the root zone of existing trees in the road reserve. At least six metres must be maintained along the Canberra Avenue frontage for deep rooted planting. The impact of encroachment into the root zone of existing trees within the block must also be considered.</p> <p>See also previous comment re “deep root” zones and comment regarding the clarification required for “frontage”.</p>	<p>Figure 5 of the DCP has been amended to clarify the ‘frontage’ required for deep rooted trees.</p>
	<p>The Urban Design objectives listed on Page 11 don’t have any follow-up / link within the <b>Key Theme 4: Urban Design</b> on Page 17.</p>	<p>Noted.</p>
	<p><b>SITE B: Manuka Group Centre (Sections 40 and 96 Griffith)</b></p> <p><b>Rule B.1 Building Setback, Development Footprint and Articulation</b></p> <p>The DCP states “Buildings may be built to a zero metre building setback on all frontages .....”</p> <p>The use of a zero metre building setback needs to be conditional on the design and construction being achieved without damaging the public landscape, in particular the street trees.</p>	<p>See key issue <a href="#">‘Building setbacks’</a>.</p>

<p><b>8a</b></p>	<p><b>ACT Government (Supplementary Submission)</b></p>	<p>I am writing in relation to the draft Development Control Plan (DCP) for the Manuka Circle Precinct and the ACT Government's work to secure more international sporting events for Manuka Oval. My earlier letter in relation to the consultation draft of the DCP indicated that the ACT Government was still interested in the final expression of setback from Canberra Avenue. I would now like to offer some additional information and seek refinement of the DCP.</p> <p>Manuka Oval is an international sporting venue surrounded by mixed use developments. The general provisions of the Draft DCP are particularly applicable to the mixed use developments but do not necessary accommodate the type of development that is typical of a major sporting stadium.</p> <p>Specifically, under Rule 1.5, Precinct A (Manuka Oval) has a 10 metre mandatory building setback. In order to allow for the creation of a more interesting building facade, Rule 1.6 makes provisions for the encroachment of building elements 2.5 metres into the building setback from Canberra Avenue, beginning at a height of 6 metres above ground level. This Rule is typically applied to residential balconies above ground and first floor commercial space, as are seen on new Canberra Avenue developments.</p> <p>Some modification to the articulation zone for Precinct A would better accommodate building envelopes that need to incorporate Manuka Oval's internal vehicle concourse that is currently constructed 8 metres from the property boundary, or two metres inside the 2.5 metre articulation zone. Provisions for the 2.5m articulation zone in Precinct A, which allow a more logical built form outcome consistent with Manuka Oval's operations, are proposed to be:</p> <ul style="list-style-type: none"> <li>• A colonnade may be created along the outside edge of the vehicle concourse providing sufficient vertical and horizontal clearance for the operation of emergency and outdoor broadcast vehicles beneath the upper building levels.</li> <li>• Levels 1 and 2 combined, beginning at a height of not less than 4.8 metres, may utilise up to 90% of the articulation zone provided {green walls' and natural materials are the dominant expression of the facade.</li> <li>• Level 3 shall step back with less than 20% of the top level external walling to extend into the articulation zone. 1Green walls' and natural materials shall continue in the expression of the facade.</li> </ul>	<p>The proposed changes are considered to be appropriate for facilities required to support the ongoing use of Manuka Oval as a sport and recreation facility. <a href="#">See key issue 'Manuka Oval media centre'</a>.</p>
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		<p>The proposed Precinct A [Area 'A'] amended provisions still achieve the DCP objectives to maintain and enhance the treed landscape setting and to modulate facades in ways that express design quality and functions associated with the variety of land-uses and future development of the precinct.</p>	<p>The commentary regarding the future of the Manuka Circle Precinct is noted.</p>
		<p>Proposals to develop the southern end of Manuka Oval in a manner consistent with the proposed articulation zone provisions have been considered by the ACT Heritage Council. Council is of the opinion that the built form outcomes are appropriate to the heritage and landscape character of the precinct.</p> <p>As you are aware, the Territory has an interest in developing a new Manuka Oval media centre over the next 14 months. Territory officers are happy to meet with the National Capital Authority at any time in order to further refine the DCP in ways that are consistent with your future design aspirations for the Manuka Circle precinct.</p>	<p>Noted.</p>
9	<b>Forrest Residents Group</b>	<p>The Forrest Resident's Group is pleased to have the opportunity to respond to the NCA Development Proposal for Manuka Circle Precinct.</p> <p>Because of the location of Forrest adjoining the Parliamentary Triangle and lying between Red Hill, Manuka and Parliament House, residents have a keen interest in any proposal for future development of Manuka Village, Manuka Oval and Canberra Avenue.</p>	<p>Noted.</p>

		<p><b>Manuka Village</b></p> <p>Without its own shopping precinct, unlike Red Hill, Deakin, Kingston, Narrabundah or Griffith, Forrest is more dependent upon the maintenance of Manuka Village as a shopping precinct than many other suburbs. Manuka is within easier walking distance for most of Forrest than either Deakin or Kingston shopping precincts. Shops, and services that are easily accessed, including a pharmacy, medical surgeries, dental facilities, newsagency, bookshop, clothing and footwear outlets, cafes and a major grocery store, make Manuka a valued adjunct to the suburb's amenity. It is recognized that Barton residents have a similar need in respect of both Manuka and Kingston.</p> <p>Maintaining this amenity, including ready pedestrian access, wide walkways and setbacks, easy parking and a diversity of shops, is important to us. Changing the nature of Manuka to have more general commercial activities and larger, more frequent sporting fixtures that bring large numbers of people to the area can compromise this amenity and create local congestion. The 'village' atmosphere of Manuka is a part of the unique character of the area and is prized by residents and visitors alike.</p>	Noted.
		<p><b>Manuka Oval</b></p> <p>While submissions for Manuka Oval Media Centre have already been sought and the time frame for comment is closed, we believe that any changes to Manuka Oval must be considered in the context of the Manuka Precinct proposal and in relation to other buildings in the area. This particularly applies to the two churches. The spires of these churches currently dominate the skyline and provide an attractive vista that, along with St Andrews further up Canberra Avenue, echo the Parliament House flagpole at the end of the Avenue.</p>	Noted.
		<p>Manuka Oval currently attracts a small number of interstate games a year. When significant sporting events are held at the Oval, parking extends into the surrounding suburbs and foot traffic similarly increases with people walking over grassed verges and onto the edges of gardens. Occupants of these vehicles not infrequently leave rubbish in gutters and on verges that the householder is obliged to remove later. Underground parking facilities are urgently needed for visitors to Manuka Oval to mitigate this problem.</p>	The NCA does not support the use of the median for event related parking but cannot control the funding and provision of future underground parking structures.

		<p><b>Canberra Avenue</b></p> <p>The height of buildings, the encroachment of these buildings on Canberra Avenue and the streets behind, the loss of soft landscaping and green spaces, and reduced tree canopy have caused an overall deterioration in the appearance of the Avenue in recent years. Not least of these factors has been the marked neglect of the urban forest with trees struggling for water, dying or with broken branches. The original vision for the Avenue was a grassed middle section with an avenue of trees that were watered and maintained. Again, when Manuka Oval is in use, parking under the trees along and behind Canberra Avenue causes compaction of the soils that undermine the health of trees.</p> <p>Great boulevards around the world have several things in common – a sense of space and light, trees and green spaces, medium height buildings along the avenue that do not restrict that light and are in proportion to the width of the boulevard itself. In addition, utilitarian features, such as service areas and driveways, do not usually have direct access onto the boulevard.</p> <p>Canberra Avenue has moved away from these standards. Examples of this include the fact that the bins for Manuka Cinema are on the Avenue, and apartments and hotels further up the road adjoining Empire, Dominion and National Circuits, have their driveways directly onto the Avenue. This is dangerous, causes unnecessary congestion and is an impediment to free flow of increasing traffic volumes.</p>	<p>The deterioration of the quality of the landscape along Canberra Avenue has been a major driver for this work. The NCA does not support the use of the median for event related parking but cannot control the provision of future parking structures.</p> <p>In order to achieve the desired landscape and urban design structure along the Main Avenue a landscape master plan will be developed in consultation between the NCA and the ACT Government. Any works or proposals coming from this plan will require works approval from NCA and will be maintained by TCCS.</p> <p>Any redevelopment of Section 96 Griffith (current Manuka cinema site) will require design of the highest quality.</p>
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		<p>An additional concern is that Australia’s Parliament House was deliberately set within its hill to match and enhance the low-lying landscape surrounding it. The resulting effect is much admired; it is modern, beautiful and innovative. Those visiting or using the House appreciate its fine aesthetics, accessibility and bush setting. For these reasons, the streets leading to the Parliament, and those abutting those streets, should maintain a height standard that enhances the view of Parliament House from any direction. Buildings along the main thoroughfares should not obscure or overshadow the Parliament but lead the eye increasingly to the low pyramidal shape of the hill.</p> <p>Clearly, aesthetics should not just to be maintained in an object of itself, but in the context within which it rests. This is why not only those areas under NCA control should respect the environment of the Parliament, but the areas adjoining, currently controlled by the ACT Government, also should conform to the height standard of no more than 18 metres.</p>	<p>See <a href="#">key issue ‘Building Heights’</a></p>
		<p>With the above arguments in mind, the Forrest Residents Group recommends that the NCA adopt a clear and prescriptive approach to development of Manuka Precinct. We are concerned that building standards for construction in the area be high, as is consistent with a national capital, and that a penalty for non-compliance with the standards be applied. We are also concerned that there be consistency in design and materials used in respect of this special environment.</p>	<p>The NCA has attempted to provide a clear approach to applying the Special Requirements of the National Capital Plan and to ensure a high quality of design in these areas. Building compliance is a matter ACT Government.</p>
		<p>In summary, the FRG position is that:</p> <ol style="list-style-type: none"> <li>1. The Draft Manuka Precinct Development Proposal does not offer a compelling argument for a change to be made to the current regulated height of buildings in the area. This means that there are no aesthetic, practical or stakeholder arguments being put forward in the proposal to justify an increase in maximum building height from 18 metres to 22 metres. Indeed, there are significant arguments that could be advanced against the proposal. For example, an increase in building height would add a whole extra storey to current buildings in the area. The extra capacity created would impact vistas to Parliament House, local pedestrian and traffic flows. The latter would result in congestion and pressure on limited parking resources. Variations in building height in the precinct would result and continue for some years until all buildings in the area have been redeveloped to the new height. Consequently, the FRG strongly supports the height limits for structures along Canberra Avenue and in the Manuka Precinct, including Manuka Oval, being maintained at 18 metres. Any future failure to comply with this height restriction we believe should result in an appropriate stiff penalty.</li> </ol>	<p>See <a href="#">key issue ‘Building Heights’</a>.</p>

		<p>2. Similarly, we believe that the current limits for the offset of buildings from verges should be maintained, or increased in some areas to allow for inclusion of appropriate covered entrances. Failure to comply with offset standards also should result in significant penalties.</p>	<p>See key issue '<a href="#">Building setbacks</a>'.</p>
		<p>3. All current green spaces, and tree plantings should be maintained and restored. In particular, the Canberra Avenue median strip should be re-treed, grassed and watered with an appropriate permanent watering system that maintains tree health and keeps the grass green. As is the case in many European cities, 'No Walking on the Grass' signs could be erected to ensure respect for the landscaped areas. Federal funding to support ACT Government work on Canberra Avenue may need to be contingent upon adherence to these requirements.</p>	<p>The deterioration of the quality of the landscape along Canberra Avenue has been a major driver for this work.</p> <p>The NCA will work with the land manager (ACT Government Transport Canberra and City Services Directorate) to improve this important landscape.</p>
		<p>4. Canberra Avenue from Hume Circle to State Circle should have high curbing and guttering to restrict, or prevent vehicles from parking on the median strip. Strategically placed bollards might also help with this. Again, fines should be applied and repeat offenders further penalized.</p>	<p>In order to achieve the desired landscape and urban design structure along the Main Avenue a landscape master plan will be developed in consultation between the NCA and the ACT Government. Any works or proposals coming from this plan will require works approval from NCA and will be maintained by TCCS. Parking regulation is managed by the ACT Government in this area.</p>
		<p>5. Any new buildings on Canberra Avenue should be required to place their service areas and access driveways away from the Avenue. These requirements should be reflected in development plans for buildings and be available for review prior to any development proceeding.</p>	<p>The draft DCP required that service areas not be visible from Canberra Avenue. Also, access driveways are not to be located on the Avenue unless there is no other feasible alternative.</p>

		<p>People who choose to live in the Inner South pay a high price for their real estate and high rates for the privilege. Generally people choose to live in these suburbs on the basis of the peace, quiet, green canopy, large soft landscaping areas and the general sense of an established ambience. These qualities have great value nationally as well as locally and need to be protected, particularly in and around the Parliamentary triangle.</p> <p>Rather than asserting a 'frozen in time' perspective, the FRG is interested in maintaining or improving amenity for residents and visitors. In this context, we see no merit in seeking change for change's sake or in order to convince ourselves that we are achieving modernity.</p>	<p>Noted.</p>
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10	Nick Swain	<p><b>Summary</b></p> <ul style="list-style-type: none"> <li>• At the outset it is important to acknowledge that recent unsolicited development proposals and the processes by which they have been managed have angered the Canberra community and demonstrated the value they place on this area.</li> <li>• This DCP is welcomed as a starting point for sensibly planning the whole of Manuka Circle and its surrounds.</li> <li>• NCA certification of Development Applications is supported in preference to that function being delegated to ACT government planning authorities.</li> <li>• The adoption of a precinct approach is strongly supported.</li> <li>• The surrounds of Manuka Circle include places that commercially and historically relate to the Manuka shopping center. Thus some extension of the area proposed by the DCP is required so that the whole of the Manuka Circle heritage and landscape is included as well as neighbouring commercial areas for which other DCPs are in place.</li> <li>• The heritage landscape character of this National Capital Garden City precinct is highly valued by the community - it is an important national asset.</li> <li>• There is no compelling argument for increasing allowable building heights across the whole of Manuka Oval and its surrounds. Building heights must be kept to a level which does not dominate surrounding heritage places, interfere with views to Capitol Hill and its setting or reduce local amenity.</li> <li>• There are complex traffic and pedestrian management issues to be resolved in this area, resulting from the increasing number of large events at Manuka Oval and the rapidly growing population of the surrounding area.</li> <li>• The draft Manuka Circle CMP prepared by Lovell Chen is a highly relevant document and contains many recommendations about the heritage landscape and character of the precinct. However it needs public exposure and discussion before it is finalised.</li> <li>• There are significant historic tree plantings on the Canberra Avenue median strip and these need to be given greater recognition and care.</li> <li>• Tree management plans are needed, especially for Manuka Oval and Canberra Avenue.</li> <li>• Overall, the final DCP needs to place much more explicit emphasis on the heritage values and character of the precinct.</li> </ul>	Noted. Responses to specific matters are below.
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	<p><b>Background</b></p> <p>It is important to acknowledge that two very controversial projects have significantly coloured the community’s attitude to plans for development in the Manuka Circle Precinct. The first project was the 2016 unsolicited development proposal by the Greater Western Sydney Giants Football Club and Grocon for a massive development around the perimeter of Manuka Oval. An extremely well attended and passionate public meeting convened by the Inner South Canberra Community Council on 28 April 2016 passed a number of motions including that the ACT government:</p> <p>‘Reject the Greater Western Sydney Giants Football Club and Grocon unsolicited proposal to redevelop the Manuka Oval precinct; and</p> <p>Initiate a comprehensive planning process for the Manuka Oval precinct and the surrounding areas in full partnership with the community and relevant stakeholders. It would take into account adjacent heritage and precinct plans, and would agree on:</p> <ol style="list-style-type: none"> <li>a. Objectives for any future development;</li> <li>b. Strategies for achieving those objectives; and</li> <li>c. Mechanisms for continuing community involvement.’</li> </ol> <p>A motion similar to the latter was also passed in the ACT Legislative Assembly in May 2016 (Legislative Assembly Hansard, 5 May 2016). The ACT government eventually rejected the unsolicited proposal (Canberra Times, 5 August 2016).</p> <p>The second project was the attempted land swap aimed at removing the Canberra Services Club from its site next to Manuka Oval. This involved relocating the MOCCA child care centre in Manuka to the site of the Telopea Park School tennis courts.</p> <p>Regrettably the ACT government managed these projects very poorly and was forced to abandon them after sustained community protest. These projects, which have threatened community amenity and heritage, have left the community distrustful of government. This is the context in which the NCA’s draft Manuka Circle DCP is being assessed by the community.</p>	<p>The history of the unsolicited bid process is noted.</p>
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	<p><b>General comments</b></p> <p>I have a deep knowledge and appreciation of the precinct’s history and heritage as well as the dynamic interrelationships both within the precinct and with the surrounding area. This comes from living in the area for a decade, co-authoring a book on the history of the Manuka Centre and articles about the Barton housing precinct, as Secretary of the Canberra and District Historical Society and as a committee member of the Kingston and Barton Residents Group. I have an honours degree in Urban Geography which adds an urban planning perspective to my other involvements.</p> <p>I support reasonable development of playing and spectator facilities within Manuka Oval but oppose any development that intrudes on the heritage landscape setting of the oval and other heritage places such as Manuka Pool, the former Mother craft Centre and the Caretaker’s Cottage. This setting is highly valued by Canberra residents and visitors to the oval. It is intrinsic to the heritage character of the precinct. The whole precinct is unique and nationally significant not only as a fine example of Garden City planning but also because it is in the area designed by Griffin as the national capital’s ‘Initial City’ in 1913.</p> <p>There is much to commend in the draft DCP. I strongly support the adoption of a precinct approach along with the consolidation of existing DCPs. This is consistent with calls by community groups for a more integrated approach to planning, especially for Manuka Circle and its surrounds. Some challenges arise from this approach such as defining the area and also taking account of the dynamic interrelationships and flows within the precinct, for example, pedestrian and cycle traffic crossing Canberra Avenue.</p> <p>The rest of this submission broadly follows the structure of the draft DCP.</p>	Noted.
	<p><b>PREAMBLE - NCA CERTIFICATION</b></p> <p>I strongly support the proposed mandatory certification by the NCA Board of development proposals before a DA is submitted to ACT Planning Authorities. The DCP should make clear that proposals not obtaining this certification cannot proceed to a DA or if they do they would be rejected automatically by the ACT planning authority because the certification has not been obtained.</p> <p>NCA certification should ensure that proposals are assessed by NCA professionals who fully understand and appreciate the intent of the National Capital Plan and the Manuka Circle DCP. This process also has the benefit of protecting the ACT government from any community perception that it interprets NCA requirements in a way that is influenced by competing development objectives.</p>	See key issue <a href="#">‘Authority certification of proposals’</a> .

	<p><b>EXTENDING THE DCP AREA</b></p> <p>There is strong community support for a planning area that extends beyond Manuka Oval itself. The motions passed by the 28 April 2016 community meeting on the Manuka Oval unsolicited development proposal by GWS and Grocon called for a broader planning area to be considered than just the Manuka Oval precinct.</p> <p>I realise that the NCA may not be in a position to extend the proposed DCP area significantly. Nevertheless the proposed DCP area should be extended so it includes the remainder of Manuka Circle (Manuka Pool and the Manuka Arts Centre) and neighbouring places that commercially relate to the Manuka Centre.</p> <p>It is not clear why the Manuka Pool and the Manuka Arts Centre have been left out when they are in Manuka Circle. It seems logical that all places within Manuka Circle should be included in a DCP for the Manuka Circle precinct. Another reason to include these places is that they are an integral part of the heritage landscape setting that is so valued for the whole of Manuka Circle.</p>	<p>See key issue <a href="#">‘Area Subject to DCP’</a>.</p>
	<p>Further support for the adoption of a broader area to include the whole of Manuka Circle can be found in the Manuka Precinct CMP (‘Manuka Circle Precinct, Griffith, ACT Conservation Management Plan’ prepared by Lovell Chen, Architects and Heritage Consultants, July 2014).</p> <p><i>‘Policy 29 Manuka Circle precinct</i></p> <p><i>Consideration of the setting of the place as a whole and its component parts should inform future management and works within the precinct.’</i></p> <p>‘This CMP has found that the Manuka Circle precinct as a whole is of historic, aesthetic and social significance to the ACT. The aesthetic values relate to the landscape character of the place, which was established at the Oval by Charles Weston in the early 1920s; the three later places developed under the influence of the original planning for the site and the original and subsequent landscaping of the Oval. The precinct is considered to include all the land within Manuka Circle, Canberra Avenue and New South Wales Crescent.</p> <p>The individual places in the Manuka Circle precinct ‘also contribute to the presentation of the precinct as a whole and its strong landscape character. This is a place where the three existing [heritage] registrations can also be considered to a greater or lesser extent to be part of a larger place, having been developed within it and under the influence of the original planning for the site and the original and subsequent landscaping of the oval.’ (Lovell Chen, 2014, page 126).</p>	<p>See key issue <a href="#">‘Area Subject to DCP’</a>.</p>

		<p>I also propose that adjoining blocks fronting Canberra Avenue that commercially relate to the Manuka Centre are included. Businesses have over the years spread well beyond the original 1924 centre. They are part of the extended Manuka Centre commercial area. In most cases their inclusion would provide an opportunity to integrate more existing DCPs into a consolidated Manuka Circle precinct. They all have a 'Main Avenues and Routes' overlay on the ACT Territory Plan and are within NCA jurisdiction as they front Canberra Avenue. The three blocks are:</p> <ol style="list-style-type: none"> <li>1. The heritage listed and commercial zoned Forrest Fire Station Precinct (Section 35 Forrest – no DCP apparent despite some development). This precinct addresses both Canberra Avenue and Manuka Circle.</li> <li>2. Block 18, Griffith. Includes East Hotel (DCP 171/00/0003) and other businesses. Immediately opposite St Paul's Cathedral and borders on Manuka Circle.</li> <li>3. Block 19, Griffith. Includes the historically significant Kingston Hotel, Tobin Brothers Funerals, BP service station and Eastlakes Football club. A DCP has already been completed for the whole section (DCP 12/02).</li> </ol> <p>The proposed extensions are justified on the basis of geographic and commercial activity patterns and connectedness with the Manuka Circle precinct.</p>	<p>See key issue <a href="#">'Area Subject to DCP'</a>.</p>
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	<p><b>LANDSCAPE STRUCTURE</b></p> <p><i>Landscape character and Heritage</i></p> <p>There is a close relationship between the DCP landscape structure objective and the urban design objective when it comes to heritage. Heritage is in many respects an overarching issue for this precinct for the reasons outlined below.</p> <p>There is a fundamental relationship between landscape character and the Garden City heritage found in the Manuka Circle precinct. This precinct includes the area where Griffin’s Initial City was located.</p> <p>Garden City planning principles were practiced by Canberra’s early planners – most notably Sir John Sulman. It was under Sulman’s chairmanship of the Federal Capital Advisory Committee that most of the detailed planning of this area was carried out including for the Manuka Centre and Manuka Circle. Sulman was very strong on locating public buildings in a landscape setting. TC Weston carried out extensive tree plantings in this area from the early 1920s.</p> <p>The Federal Capital Commission under Sir John Butters carried on this work including gradually improving Manuka Oval’s playing surface. Very soon after the FCC was disbanded The (Manuka) Swimming Pool was constructed, the permanent Mother craft Centre established and the Caretaker’s Cottage built. These projects and many others have left the Manuka area with a dense and rich heritage of Garden City places in their landscape setting. Their settings are of intrinsic importance. This area could well be called a National Capital Garden City precinct.</p>	<p>The NCA notes the discussion of the historic landscape and planning history of the area.</p>
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		<p>There are a large number of heritage listed places in or near the proposed DCP area which are significant to the early period of Canberra’s development as a Garden City. They form Canberra’s heritage heart. These places include:</p> <ul style="list-style-type: none"> <li>• Telopea Park (a Special Requirements area)</li> <li>• Manuka Swimming Pool</li> <li>• Manuka Oval including the Caretaker’s Cottage and the Jack Fingleton Scoreboard</li> <li>• Site of the Canberra Services Club (including the Lady Gowrie Hall, the famous ‘Fuzzie Wuzzie’ Warrior statue and other war time relics)</li> <li>• Former Mother craft Centre (including Canberra’s original School of Music - now the Manuka Arts Centre)</li> <li>• Telopea Park School and grounds</li> <li>• Baptist Church and Manse</li> <li>• The Forrest Fire Station Precinct</li> <li>• Historic 1926 tree planting by the Institution of Engineers in Canberra Avenue median strip</li> <li>• St Christopher’s Cathedral</li> <li>• St Paul’s church</li> <li>• Manuka Arcade and The Lawns (heritage nominated)</li> <li>• The Kingston Hotel (historically significant)</li> <li>• Barton Heritage Housing Precinct.</li> </ul>	<p>Any development within the precinct will need to comply with the under <i>Heritage Act 2004 (ACT)</i>.</p>
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		<p>The DCP should take particular note of the ‘Manuka Circle Precinct, Griffith, ACT Conservation Management Plan’ prepared by Lovell Chen in 2014. We agree with the National Trust (ACT) submission’s view that this CMP should be subject to public exposure and discussion before it is finalised. It covers a significant part of the area covered by this DCP.</p> <p>The CMP is an extensive and thorough professional assessment and its conservation policies and management strategies should be given very careful consideration. They include the following overarching objectives:</p> <p>‘Having regard to the nature and level of significance of the Manuka Circle Precinct and the properties within it as assessed in this CMP, the conservation policies are framed to address the following overarching objectives. These are to:</p> <ul style="list-style-type: none"> <li>• maintain the use of the Manuka Oval as a venue for sports and recreation</li> <li>• protect and reinforce the aesthetic qualities of the landscaping (mature trees) to the perimeter of the oval based on the original planting themes established in the 1920s</li> <li>• ensure that the landscaping to the perimeter of Manuka Oval remains the dominant feature of the place</li> <li>• ensure that future landscaping works at the precinct as a whole are consistent with the valued landscape qualities of the setting</li> <li>• conserve the interwar buildings at the Manuka Circle Precinct: the Manuka Swimming Pool and its setting; the Curator’s Cottage; and the 1937 block at the Manuka Arts Centre (former Griffith Child Welfare Centre)</li> <li>• ensure that future works to buildings and landscape elements within the study area are compliant with Burra Charter principles, and in accordance with statutory heritage opportunities and constraints</li> <li>• guide the future management of the precinct with the objective of ensuring that all aspects of the cultural heritage significance of the place and its individual elements are acknowledged and maintained</li> <li>• ensure the conservation (preservation, restoration, reconstruction and adaptation) of fabric and elements of significance within the precinct within a policy framework that is robust, easily understood and consistent in its approach</li> <li>• support a sensitive approach to potential future change that is compatible with the heritage values of the precinct and the places within it.’ (pp. 112-113).</li> </ul>	<p>Any development within the precinct will need to comply with the under <i>Heritage Act 2004 (ACT)</i>. See key Issue ‘<a href="#">Heritage</a>’. This notwithstanding the NCA considers the landscape character of Manuka Oval to be important in the context of Canberra Avenue. A Tree Management and Replacement Master Plan has and continues to be a requirement of the DCP applicable to Manuka Oval.</p>
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		<p>The Manuka Circle CMP places a strong emphasis on the preservation of the landscape character of the precinct.</p> <p>‘Implications arising from this assessment are that key features, elements and attributes of the precinct should be conserved in accordance with the following principles:</p> <ul style="list-style-type: none"> <li>• Elements identified as contributing to the significance of the precinct at Section 4.8 should be retained and conserved, including:</li> </ul> <p>The landscape character of the precinct, as established in the 1920s, when Manuka Oval was planted under the guidance of Charles Weston.’ (Lovell Chen, page 103).</p>	<p>The NCA considers the landscape character of Manuka Oval to be important in the context of Canberra Avenue. A tree management and replacement plan has and continues to be a requirement of the DCP applicable to Manuka Oval. It is a requirement of the current Tree Management and Replacement Master Plan that the historic landscape character attributed to Charles Weston and Lindsay Pryor be maintained and enhanced as trees senesce and require replacement.</p>
		<p>Results of the KBRG’s Manuka Oval Community Survey (MOCS, 2016-17) also show strong community support for the landscape character of the precinct. The highest ranked matter to be addressed in a Manuka area plan was the preservation of mature trees and green spaces (86.8%). The third ranked matter was preservation of the area’s heritage character (buildings and settings) at 82%. Tree protection was considered an important condition on any development by 80.1%. When asked to rank what they valued most about Manuka Oval and its setting 62.5% ranked either first or second the heritage inside and around the oval. Mature trees were ranked first or second by 50.7%.</p>	<p>The NCA considers the landscape character of Manuka Oval to be important in the context of Canberra Avenue. A Tree Management and Replacement Master Plan has and continues to be a requirement of the DCP applicable to Manuka Oval.</p>

		<p><b>Significant Trees and plantings</b></p> <p>The DCP should recognise the need to retain the healthy Significant Tree on block 3 of Section 96, Griffith (ACT Tree Register. Tree number PTR093). This tree is an important part of the landscape character of the block and is currently under development threat.</p> <p>The 1926 planting of 96 trees by the Institution of Engineers on the Canberra Avenue median strip (a NCA Designated Area) should be considered for special protection under Commonwealth legislation. There is an historic Engineering Marker plaque at the site. Plantings were also carried out along Canberra Avenue by eleven other organisations. The idea for the plantings came from WB Carmichael of the Associated Chambers of Commerce. His objective was ‘...of creating a greater public interest in our National Capital, and at the same time, taking an interest in the beautifying of it...’ (Institution of Engineers, 1995). This area needs enhanced physical protection such as kerbing and guttering as well as an improved maintenance and tree protection regime.</p> <p>There may well be other trees in the DCP area (for example around Manuka Oval) that should be registered as significant trees. This should be investigated.</p> <p>I suggest that the DCP include more explicit content to support the landscape character objectives and make clear the fundamental link between landscape character and this area’s nationally significant Garden City heritage.</p>	<p>The NCA considers the landscape character of Manuka Oval to be important in the context of Canberra Avenue. A Tree Management and Replacement Master Plan has and continues to be a requirement of the DCP applicable to Manuka Oval. It is a requirement of the current Tree Management and Replacement Master Plan that the historic landscape character attributed to Charles Weston and Lindsay Pryor be maintained and enhanced as trees senesce and require replacement.</p> <p>In order to achieve the desired landscape and urban design structure along the Main Avenue a landscape master plan will be developed in consultation with the ACT Government, and approved by the NCA for the Canberra Avenue corridor.</p> <p>In regard to trees on leased sites, the <i>Tree Protection Act 2005 (ACT)</i> is considered to sufficiently protect individual significant trees within the area subject to the DCP whereas the DCP, the required tree management.</p>
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	<p><b>BUILT FORM</b></p> <p><i>Building heights</i></p> <p>The community’s reaction to, and the ACT government’s rejection of, the GWS/ Grocon unsolicited proposal was largely due to the excessive height (9 storeys) and scale of the proposal, and its consequent negative impact on the heritage character of the precinct.</p> <p>I am concerned about the proposed building heights being raised to 22 metres right across Manuka Oval and on the south side of Canberra Avenue because of its impact on the heritage values and landscape character of the area and on views to Parliament House. The views would be compromised if tall buildings are built on the ‘elbow’ of Canberra Avenue.</p>	<p>See key issue <a href="#">‘Building Heights’</a>.</p>
	<p><b>Subarea A: Manuka Circle</b></p> <p>The proposed blanket 22m height within Manuka Circle is not supported. Development height should not exceed the existing mature tree canopy and should remain at 9m.</p>	<p>Noted. See key issue <a href="#">‘Building Heights’</a>.</p>
	<p>There is extreme community sensitivity to any proposal that would allow a high density wrap-around development of Manuka Oval. Therefore a more nuanced approach is needed to avoid potential destruction of the heritage landscape character of Manuka Oval and certainly one which ensures the landscape character is retained.</p>	<p>The NCA considers the landscape character of Manuka Oval to be important in the context of Canberra Avenue. A Tree Management and Replacement Plan has and continues to be a requirement of the DCP applicable to Manuka Oval</p>
	<p>The need to meet ICC requirements for a media centre is acknowledged. There is justification for a very localised increased height limit specifically and only to accommodate the media tower. The camera deck has to be a minimum of 15m high. A maximum of 18m would clearly suffice. Plans presented by Populus indicate a proposed overall building height of 19.11m and recent correspondence indicates the building could be lowered.</p>	<p>See key issue <a href="#">‘Manuka Oval media centre’</a>.</p>

		<p>The possibility that the Canberra Services Club might wish to develop its site on block 1 of Section 15 is also acknowledged as a case where a building no higher than the mature tree canopy might be appropriate. The existence of important memorials and other military artefacts on the site needs to be acknowledged.</p>	<p>Any development within the precinct will need to comply with the under <i>Heritage Act 2004 (ACT)</i>. Discussion of the history of specific sites is considered unnecessary in the DCP itself.</p> <p>See <a href="#">key issue 'Heritage'</a>.</p>
		<p>The Manuka Circle CMP recommendation for new development is as follows:</p> <p><i>'6.7 New development</i></p> <p><i>Policy 26. Consider impact of new buildings and works on heritage values</i></p> <p><i>The siting, scale and location of new buildings or works should not detract from the prominence or character of the perimeter landscaping to Manuka Oval or the presentation of significant buildings within the precinct.'</i></p>	<p>Any development within the precinct will need to comply with the under <i>Heritage Act 2004 (ACT)</i> and consider the current heritage values of the precinct.</p> <p>See key issue <a href="#">'Heritage'</a>.</p>
		<p><i>'The site of the Canberra Services Club presents as a development opportunity; here development should be no higher than the existing mature tree canopy (approximately three to four storeys).'</i> (Lovell Chen, 2014, page 124)</p>	<p>See key issue <a href="#">'Building Heights'</a>.</p>
		<p><b>Subarea B: Blocks 40 and 96, Griffith</b></p> <p>This area is on the south side of Canberra Avenue between the two heritage listed cathedrals of St Christopher's and St Pauls. This subarea also sits between the heritage nominated Manuka Garden City shopping centre to its immediate south and Canberra Avenue. A significant Griffin axis passes down through Telopea Park, across Manuka Oval and right through Manuka Arcade to The Lawns and beyond.</p>	<p>Noted.</p>

		<p>The draft DCP's proposed increase in heights would enable buildings in sections 96 and 40 to rise above and dominate the two cathedrals and Manuka Arcade.</p> <p>The draft DCP argues that this subarea should be increased in height to form a significant commercial node along Canberra Avenue. However such a height increase does not respect the surrounding heritage and its landscape character and would therefore significantly degrade the heritage values of the area. Development should be confined to four storeys do that it does not:</p> <ul style="list-style-type: none"> <li>• dominate the heritage listed St Christopher's Cathedral. This would be consistent with a similar requirements at the Kingston Foreshore where development must not dominate the Power House.</li> <li>• dominate the heritage nominated Garden City shopping centre, in particular the two storey Manuka Arcade. The centre is much appreciated for its human scale, pleasant outside seating, mature trees and pedestrian accessibility.</li> <li>• cast a shadow on the south side of Franklin Street during winter where many cafes have outdoor seating. Maintaining this is essential to the economy and character of the street.</li> </ul>	<p>See key issue '<a href="#">Building Heights</a>'.</p>
		<p>I have some additional concerns about built form for subarea B:</p> <p>Setbacks. The DCP proposes a setback of zero metres for subarea B. This would appear at odds with maintaining the landscape character of Canberra Avenue. If any redevelopment is proposed that would provide an opportunity to reimpose a 10 metre set back.</p>	<p>See key issue '<a href="#">Building setbacks</a>'.</p>
		<p>Ensure that Griffin's axis from his Market Centre, through Telopea Park, Manuka Oval, Manuka Arcade, The Lawns through to Murray Crescent is acknowledged in the architecture of any redevelopment of the site.</p>	<p>The axis from Mt Ainslie through Telopea Park to the Manuka Circle Precinct must be acknowledged in the architecture of any redevelopment of Section 96 Griffith.</p>



		<p><b>Figure 7</b> (Draft DCP, page 20) appears to imply no entry to Canberra Avenue from Flinders Way. This needs to be clarified. Closing off this entry point makes sense as the line of sight from Manuka Oval across to Flinders Way could become the dedicated pedestrian crossing.</p>	<p>Figure 7 is not intended to imply the closure of Section 96 and Section 40 Griffith. The figure will be amended to ensure this is clear. However, the NCA is open to any improvements to the pedestrian connectivity between Manuka Group Centre and Manuka oval.</p>
		<p>Some buildings in <b>Section 96</b>, Griffith have garbage bins fronting Canberra Avenue and also have vehicles parked along Canberra Avenue (which is meant to be for pick up and set down only). Is this intended 'active frontage'?</p>	<p>Active frontages are promoted for all sites within the Manuka Group centre (Area 'B' of the DCP). The use of the area as waste storage is not an active frontage nor is it a desired outcome for this frontage. See key issue '<a href="#">Active Frontages</a>' for further discussion on active frontages.</p>
		<p>Canberra Avenue median maintenance. Complaints have been received about poor maintenance. There may also be a case for installing curbing along the median strip to prevent private vehicles accessing it (median strip curbing is being installed opposite the St Christopher's development).</p>	<p>The deterioration of the quality of the landscape along Canberra Avenue has been a major driver for this work.</p> <p>The NCA will work with the land manager (ACT Government Transport Canberra and City Services Directorate) to improve this important landscape.</p>

		<p><b>URBAN DESIGN</b></p> <p>I support the National Trust (ACT) view that all the places listed on the ACT Heritage Register should be acknowledged in the DCP. It should require their citations and CMPs to be updated to ensure they are consistent with the DCP. Some listings are very out-of-date and inadequate (for example the Forrest Fire Station Precinct). Some have not been updated since being rolled over from the Commonwealth Heritage Register.</p>	<p>Any development within the precinct will need to comply with the under <i>Heritage Act 2004 (ACT)</i>. Discussion of the history of specific sites subject to the DCP is considered unnecessary.</p>
		<p><b>TRANSPORT AND MOVEMENT</b></p> <p>The movement dynamics of this precinct are important because it is dissected by a major arterial avenue. Pedestrian access to and from Manuka Oval and the Manuka Centre across Canberra Avenue is a significant issue with increasing activity at Manuka Oval and the growing population of the broader area. Recently a person was killed crossing the road next to Manuka Oval.</p> <p>Over 70% of MOCS respondents replied that walking and cycling links to the surrounding area should be addressed in any plan. Over 70% also agreed that public transport needed to be addressed.</p>	<p>See key issue '<a href="#">Pedestrian accessibility</a>'.</p>
		<p>Light phasing needs to allow crossing Canberra Avenue in one go instead of having to wait on the median strip, often for quite lengthy periods. The KBRG MOCS found that improved light phasing was the most favoured option for improving the connection between the Manuka shops and the oval (29.3%).</p>	<p>See key issue '<a href="#">Pedestrian accessibility</a>'.</p>
		<p>Plans for a Media Centre at Manuka Oval also include an additional gate fronting Canberra Avenue creating another potential informal and unsafe crossing point. Safety issues could require that pedestrian access to Canberra Avenue is restricted to formal crossing points.</p>	<p>Noted. See key issue '<a href="#">Manuka Oval media centre</a>'.</p>
		<p>There needs to be a wide, high volume pedestrian, cycle and mobility scooter route from Manuka Centre, past Manuka Oval and down to the Kingston Foreshore. The standard width of shared pathways in the area is inadequate for the current volume and mix of traffic.</p>	<p>See key issue '<a href="#">Pedestrian accessibility</a>'.</p>
		<p>The MOCS results clearly support the restriction of parking near Manuka Oval (76%) and that no more car parking should be provided (68.4%). The implication is that a much better bus service is needed for major events, with enhanced bus drop off facilities on the east side of Manuka Oval.</p>	<p>The NCA does not support the use of the median of Canberra Avenue for event parking.</p>

		<p>The Manuka Oval gate fronting Canberra Avenue increasingly appears to be used as a drop off point during events. This includes parking by team busses during events so players can access the oval through the Canberra Avenue gate as well as VIP guests. This is degrading the verge significantly and often requires the temporary closure of one traffic lane on the increasingly busy Canberra Avenue – the main easterly exit from Canberra south of the lake. There are bus drop off facilities at the East Gate which should be used instead so the Canberra Avenue verge is not degraded.</p>	<p>The deterioration of the quality of the landscape along Canberra Avenue has been a major driver for this work.</p> <p>The NCA will work with the land manager (ACT Government Transport Canberra and City Services Directorate) to improve this important landscape.</p>
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11	Charles Stanger	<p><b>1. Overview</b></p> <p>The clause 2.1 the draft DCP declares under ‘Purpose of Draft Development Control Plan’</p> <p><i>‘The Draft DCP incorporates design guidelines and direction to ensure future design proposals within the Canberra Avenue road reserve to reinforce the NCA’s vision for the entire avenue. These...’</i></p> <p>However the draft DCP proceeds to extend its guidelines beyond Canberra Avenue road reserve to include all ‘SITE A: Manuka Oval (Sections 15 and 99 Griffith)’ public area within the Manuka Circle but with the exclusion of the Manuka pool and Manuka Arts Centre.</p>	<p>Land adjacent to the Canberra Avenue Road reserve in the Manuka Circle precinct is not within the <i>Designated Areas</i>, but is subject to <i>Special Requirements</i> for Main Avenues, as stated in Part 4.23 ‘Special Requirements for Main Avenues’ of the Plan:</p> <p><i>‘Development, except in relation to Northbourne Avenue, is to conform to Development Control Plans (agreed by the Authority) which seek to secure the integrity of the Main Avenues as approaches to the Parliamentary Zone and ensure that the setting, buildings and purposes of development enhance that function.’</i></p> <p>This requirement of the National Capital Plan is found in the next section entitled ‘Areas subject to Special Requirements (Land adjacent to Canberra Avenue)’.</p>
		<p><b>2. Existing Development Control for Manuka Oval (DCP)</b></p> <p>The existing DCP for Manuka Oval is:</p> <p>Development Control Plan 13/01</p> <p>Blocks 4, 6, 10, 14, and 15 Section 15 Griffith</p> <p>Manuka Oval</p>	<p>Noted.</p>

	<p><b>3. Principal Feature of the Draft DCP</b></p> <p>The draft DCP scope includes at Figure 2, Areas A, B, C and D</p> <p>Area B, C, and D have previously been developed and only B has any potential for further development.</p> <p>However, Area A, the Manuka Oval heritage area and surrounds has been the subject of a GWS and Grocon (GWS/G) ‘Manuka Green’ unsolicited bid to the ACT government to develop the oval and surrounds.</p> <p>That bid was strongly objected to by a community forum held on 28 April 2016, attended by over 400 residents and under community pressure the ACT government rejected the bid.</p> <p>The draft DCP exhibits two (2) significant features which are at variance to the existing DCP and appear to be consistent with the GWS/G bid:</p> <ul style="list-style-type: none"> <li>• The Area A has been greatly increased to comply with the amended GWS/G bid and only excludes the Manuka Pool and Manuka Arts Centre</li> <li>• The permissible building height has been increased from RL 581 to RL 594, an increase of 13 m</li> </ul> <p>Both variances would be consistent with the commercial and residential developments proposed by GWS/G.</p> <p>The draft DCP gives no reasons to support the variances</p>	<p>See key issue <a href="#">‘Building heights’</a>.</p>
	<p><b>4. Objection to the draft DCP</b></p> <p>Because the only area impacted by the draft DCP is ‘Area A, Manuka Oval’, the subject of the draft DCP being described as being concerned with Canberra Avenue as a Main Avenue as defined in the National Capital Plan, is at best misleading.</p> <p>The draft DCP extends well beyond the Canberra Avenue to Manuka Oval areas remote from Canberra Avenue.</p> <p>The Draft DCP makes very significant changes to the existing DCP, as notes in 3 above, without any supporting reasons.</p> <p>I propose that the Draft DCP be rejected.</p> <p>If the NCA considers it appropriate, the existing DCP noted at 2 above should be amended incorporating desired changes and submitted to public consultation.</p>	<p>The draft DCP applies to a number of areas fronting Canberra Avenue including Manuka Oval which is considered to be an important element adjacent to the Main Avenue. See key issue <a href="#">‘Area subject to DCP’</a>.</p>

		<p><b>5. Unsolicited Bid</b></p> <p>As noted by Tony Harris at the community meeting held on 28 April 2016, the GWS/G bid was not an 'unsolicited bid' in that the ACT government had previously investigated developments around the Manuka Oval and hence the bid was not a new intervention by GWS/G.</p>	Noted.
12	Canberra Services Club (Michael Kinniburgh, President)	<p>As president of the Canberra Services Club (CSC) I am increasingly concerned that the planned development will prevent the CSC from rebuilding or at best severely limit the type of premises the Club will be able to rebuild on its land located at Block 1, Section 15 Griffith ACT. Points of concern [are outlined below]:</p>	Noted
		<p><b>At page 8 of the Draft DCP</b></p> <p>The sites that are shown in Figure 2 – 'Manuka Circle Precinct Extent and subareas within the precinct' the Canberra Services Club is shown as part of Area A – Manuka Oval and not an area within its own boundaries</p>	The NCA's vision for the Canberra Avenue corridor is for development to provide a consistency in the built forms relationship to the street. Therefore, the NCA considers the Manuka Oval and Canberra Services Club site to be related and should be subject to the same planning controls as they relate to the Main Avenue. Other areas within the Manuka Circle precinct have multiple owners within a single area of the DCP based on their adjacency.
		<p><b>Rule 1.1: Building Height</b></p> <p>The 22 metre height clause for the Canberra Avenue kerb – this will limit the type of premises that we can construct and will probably limit the investment that we are able to attract for the club premises.</p>	See key issues <a href="#">'Development capacity'</a> and <a href="#">'Building heights'</a> for detailed discussion on these matters.
		<p><b>Rule 1.5: Building setback from Canberra Avenue</b></p> <p>The 10 metre setback clause from Canberra Avenue – this will severely limit the footprint of our new club premises and therefore the type of premises that we can construct and probably limit the investment that we can attract for the new club premises.</p>	See key issues <a href="#">'Development capacity'</a> and <a href="#">'Building heights'</a> for detailed discussion on these matters.

		<p><b>Rule 3.4: Basement parking</b></p> <p>The restrictions on basement parking may well preclude the Club from being able to construct and substantial basement parking facilities and will probably limit the investment that we can attract for the new club premises.</p> <p>As an aside, I note that the carpark for the Club and the rear public access lane are already gradually being subsumed by Manuka Oval.</p>	<p>Noted. See key issues <a href="#">‘Development capacity’</a> .</p>
		<p>In conclusion, I don’t believe that the Draft DCP recognises or takes into account that the Canberra Services Club owns the above block and that the Club intends to rebuild on that site. It seems to me that this plan is specifically weighted against the Club being able to erect a premises of any substance on our land. If this is the case this plan would force the Club into an untenable situation where we have not been able to secure the land swap from the ACT Government nor will we be able to rebuild a viable premise on our land in Manuka.</p>	<p>The DCP recognises all sites within the area may be change in the future. The purpose of the DCP is to provide a clear framework that fulfils the NCA’s vision for Canberra Avenue to guide such change.</p> <p>Prior to any redevelopment occurring on the site a DCP, including height restrictions and mandatory setbacks, would need to be approved by the NCA regardless of it being a precinct wide or site specific DCP.</p>

13	<p><b>Elton Consulting on behalf of Anglican Archdiocese</b></p>	<p>Thank you for the opportunity to provide a formal submission on the Manuka Circle Precinct Development Control Plan (DCP) that is currently on public notification. I am writing on behalf of the Anglican Church Property Trust Diocese of Canberra and Goulburn, the lessees of Block 1 Section 39 Griffith otherwise known as St Paul’s Anglican Church, Manuka.</p> <p>We understand it is now the National Capital Authority’s (NCA) preference to prepare DCPs through a precinct approach rather than individual sites. We support this approach and agree that considering Canberra Avenue and Manuka Circle Precinct as part of an integrated and holistic approach will result in the best outcomes for Canberra Avenue, Manuka and the ACT more broadly.</p> <p>We generally support the controls proposed in the DCP but also note that a number of the proposed controls, while generally suitable, remain unclear.</p> <p>As St Paul’s Anglican Church is located in sub-area D within the Manuka Circle Precinct, we have reviewed the DCP in this context and provide the feedback below. This submission marks the conclusion to an extensive and in-depth period of discussion with the NCA and the Environment, Planning and Sustainable Development Directorate and we are grateful for the engagement from both agencies.</p>	Noted
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	<p><b>Rule 1.1 Height</b></p> <p>We note that the maximum building height permitted for Area D, including any rooftop plant, is described as RL591 (18 metres from Canberra Avenue kerb). The proposed height will limit the viability of any redevelopment of the site. This would result in the loss of a great opportunity to add a significant piece of quality architecture and public realm along Canberra Avenue.</p> <p>We have undertaken extensive consultation with regard to an appropriate height control for the site. We have met with the NCA, EPSD and the Heritage Council to discuss and test the best controls and outcomes for the site. Allowing a height of RL591 which does not include rooftop plant will allow us to achieve the best outcomes for any future development. The building height restrictions as proposed will impact this redevelopment by an entire floor. This diminishes the overall quality, performance and viability of the development.</p> <p>We recommend that height be specified at RL591 for habitable space only and allow minor encroachments beyond for rooftop plant and services. A height restriction of RL591 that allows non-habitable projections above allows for a standard 3.0 metre floor to floor height for the number of stories proposed for the redevelopment of the site.</p> <p>We also question the selection of the kerb of Canberra Avenue as the basis for the decision. We believe the building height controls for Block 1 Section 39 should also consider the overall topography of the site, noting that it has a 2 metre fall from the rear of the block to Canberra Avenue. At the rear of the block the ground level is RL 575 reducing the maximum potential building height to around 16 metres rather than the full 18 metres permitted at Canberra Avenue. We suggest that the natural fall of the block be considered in the overall height controls by defining a separate height control that references the ground level at the rear of the block rather than the level of the Canberra Avenue kerb.</p> <p>We suggest a fixed building line along Canberra Avenue rather than one that will vary with the ground level. Area C allows a height of RL 592 (18 metres from Canberra Avenue). We would request a continuous and equal RL along Canberra Avenue rather than the use of the kerb as a guide for overall development height.</p>	<p>See key issue '<a href="#">Building heights</a>' for detailed discussion on this issue. The use of the adjacent Canberra Avenue kerb is considered an appropriate starting point for building height controls for sites subject to Special Requirements due to their adjacency to Canberra Avenue.</p>
	<p><b>Rule 1.2 Building Design and siting</b></p> <p>We support the clause 'Buildings must be sited parallel to Canberra Avenue unless, in the opinion of the NCA, there is no other suitable alternative.' We would suggest an alternative wording to allow site specific designs to allow flexibility. With regard to St Paul's, any future development on the site would need to consider the existing built form and heritage elements of the site. This may mean that siting parallel to Canberra Avenue may be inappropriate.</p>	<p>The current rule 1.2 is considered to provide sufficient flexibility.</p>

		<p><b>Rule 1.5 Setback</b></p> <p>We note the minimum setback from Canberra Avenue is 10 metres. We support this as the minimum setback.</p>	<p>Noted. See key issue <a href="#">‘Building setbacks’</a>.</p>
		<p><b>Rule 3.1 Vehicular Access</b></p> <p>We support access being determined by relevant authorities. While Canberra Avenue is generally not preferred, if there is a more suitable option that uses Canberra Avenue would it be considered with support from the relevant authorities?</p>	<p>The current rule 3.1 is considered to provide sufficient flexibility.</p>
		<p><b>Site D: St Paul’s (Block 1 Section 39 Griffith)</b></p> <p><b>Rule D.1: St Paul’s Anglican Church</b></p> <p>We support the continuing primacy of St Paul’s Church on our site. Any new buildings would be designed to ensure they complement the built form and character of the church. Additionally, the heritage values of the site will be recognised and reflected in the design of any future development.</p> <p>We would ask that this clause allow us to compliment built form rather than ‘not dominate’. Additionally, built form on Block 1 Section 39 Griffith needs to consider the surrounding development context of the topography, Stuart Flats, Canberra Avenue developments and Manuka Circle.</p> <p>The minimum 10 metre separation from the existing church building is unclear. The building has a number of articulations. A setback of 10 metres from the furthest extents of the church may limit the viability of any redevelopment. We would seek a clarification through a plan or graphic of which part of the church building the 10 metres would begin.</p> <p>Please see our proposed site specific DCP plan. This plan demonstrates the desired setbacks, heights and siting for any future development on Block 1 Section 39 Griffith. We recommend a setback of 12 metres from the main body of the church to any form development.</p>	<p>A site specific drawing clarifying the requirements for St Pauls Anglican Church (Area D) has been added to the DCP.</p>

	<p><b>Certification stage</b></p> <p>The draft DCP now states that ‘redevelopment proposals must seek Authority Board certification that the development is consistent with the Planning and Urban Design Objectives of this DCP and are of a quality befitting this important Main Avenue’.</p> <p>Greater detail around how this process is to be delivered will help us and others to understand the development process into the future. Additionally, any advice on whether there will be statutory time frames put in place would also be very helpful.</p> <p>We also request that clarification be provided as to whether this process will be run prior to, or in parallel with, a Development Application lodged to the Territory Planning Authority. Also, who in the NCA will assess the certification process and what level of detail will need to be provided to proceed with a Development Application?</p>	<p>See key issue <a href="#">‘Authority Certification of proposals’</a> for detailed discussion of this issue.</p>
	<p><b>Further detailed plans and policies</b></p> <p>Will there be any further detail/s considered for sites at the close of this public notification? If so, what further detail/s will the NCA seek to implement, particularly with regard to Block 1 Section 39 Griffith.</p>	<p>The NCA has listed further detailed plans and policies required by the DCP, therein.</p>
	<p><b>Summary</b></p> <p>In summary, we generally support the proposed controls outlined in the draft DCP. We believe slight alteration of language may achieve the proposed outcomes while maintaining the commercial viability of redevelopment in the area. We are committed to contributing to the high quality experience of Canberra Avenue and Manuka Circle Precinct.</p> <p>Thank you again for the opportunity to comment on the draft DCP.</p>	<p>Noted.</p>

14	Friends of Manuka Pool	<p>In recent years the Inner South community has become more united and vocal as awareness about various threats to the character, amenity and heritage values of the area has mushroomed. Members of the community have learned to look on the area with new eyes and deeper appreciation of the unique role of Manuka, Kingston, Manuka Pool and Manuka Oval, and surrounding precincts to Canberra’s history and their own sense of place.</p> <p>Regrettably, planning authorities, government agencies and certain government ministers have yet to catch up with this revitalized community spirit and have proposed both small and far-reaching changes to the urban landscape modelled on those one sees in, for example, Sydney. It is as if those decision-makers have forgotten the uniqueness of Canberra’s built environment.</p> <p>Friends of Manuka Pool was founded out of a deep sense of dismay and anger over the proposed GWS-Grocon mega-project that would have despoiled the Inner South. It is mystifying and disturbing to us that such a proposal should ever have been taken seriously by our elected representatives. Although the project was eventually rejected it has left a deep well of suspicion and loss of faith in the ACT’s planning system.</p> <p>Some now wonder whether we can trust the NCA. They ask whether the NCA still brings the best kind of thinking to the planning of this extraordinary city, or is it now influenced by philistines for whom commercial values dominate.</p>	Noted.
		<p>In reading the Draft Development Control Plan the first thing we notice is the strange excision of Manuka Pool from the Manuka Circle precinct. Why has the NCA decided to slice out this vital segment of the Circle? No reason is given.</p> <p>We ask that this anomaly be rectified so that Manuka Pool is incorporated into the planning process for the precinct. Any decision made regarding the rest of the precinct will significantly affect the amenity of the pool. The historic importance of the pool ought to be inseparable from any decision taken on the precinct.</p>	See key issue <a href="#">‘Area subject to DCP’</a> .
		<p>We have read a number of submissions or draft submissions by other community groups. Our views largely coincide with those of the Kingston and Barton Residents Group and we ask that our weight be added to its thoughtful and well-informed submission.</p>	Noted.

	<p><b>We would like to stress several points.</b></p> <p>Protecting the heritage values of the Inner South matters above all else. These values are not only those of the built structures but also of the open areas, and the overall urban plan designed by Burley Griffin. In addition, as we at Friends of Manuka Pool are discovering, the area has a deep social history, one embodied in the physical features of the precinct.</p> <p>The history of the area lends depth and meaning to the local community but also to Canberra as a whole. If Canberra were made up of no more than the suburbs built after 1970 then it would have an impoverished heritage. It is for this reason that so many Canberrans enjoy visiting the Inner South for a broad range of recreational pleasures.</p> <p>With these thoughts as our guide, we are strongly opposed to any alienation of public lands in the Manuka Precinct for private development. Or for any development, other than landscaping or community use. We are not opposed to urban infill and some increase in the density of the Inner South, where appropriate. However, all available green space within Manuka Circle must be protected to maintain the character and sight lines of the area. To lose site [sic] lines to Red Hill for example, would spoil the vista of the precinct. The loss of the last remnant of parkland (between the cricket nets and Manuka Arts Precinct) would also be an irreversible loss of land that could be landscaped for community use. Future generations will thank us for protecting this space.</p>	Noted.
	<p>Height limits are vital. The proposed increase in the height limit from 18 to 22 metres would lead to a serious deterioration of the ambience of the Manuka, Manuka Circle and Canberra Avenue districts. It would allow more buildings that dominate, including overshadowing the two churches and obscuring lines of sight. The original plan for the area with its low-level buildings has created the 'village' atmosphere of Manuka and the peaceful ambience of the surrounding area, one enjoyed by Canberrans residing near and far. Part of the attraction of Manuka Oval is its 'boutique' feel and this too will be lost if surrounded by development. Its advantage as a venue lies in its ambience and it ought not to be judged against larger, soulless ovals in other cities. The case to protect Manuka Oval is even stronger when Phillip Oval has far greater potential as a venue for big sporting events.</p>	See key issue ' <a href="#">Building heights</a> '.

		<p>The proposed increase in height limit for Manuka Oval is also inappropriate, even more so when the primary objective is to cater for a handful of international cricket matches that must accord with the demands of the International Cricket Council. The attempted transformation of the Oval into some kind of world-class facility is a pipedream commercially and a violation of the area's character. The height limits in the immediate vicinity should preserve the unique character of the precinct, as well as Manuka shops and Telopea Park. The social and financial value of this area will increase with time if protected for future generations</p> <p>Friends of Manuka Pool is mystified as to why the NCA would want to vary Canberra's planning policies to satisfy the demands of a sporting body based in Dubai. What Burj Al Arab is to Dubai, Manuka Oval is to Canberra. The proposed media centre should, in its scale and design, express the essential mood of the entire area – modesty.</p>	<p>See key issue '<a href="#">Building heights</a>' and '<a href="#">Manuka Oval media centre</a>'</p>
		<p>It should go without saying that Friends of Manuka Pool would be implacably opposed to the location of the media centre at the north end of the Oval. We note that a firm undertaking has been given to place it at the Canberra Avenue end, although we remain alert for any attempt to renege on that undertaking.</p>	<p>See key issue '<a href="#">Manuka Oval media centre</a>' .</p>
		<p>Friends of Manuka Pool is not opposed to suitable upgrading of Manuka Oval's facilities. However, we believe the ambition of the Chief Minister to turn it into a 'world class' sporting facility capable of hosting major international fixtures is wrong in principles and would be foolish in practice. Manuka Oval simply cannot accommodate such a plan without severe stress on surrounding areas.</p>	<p>Noted.</p>
		<p>The draft DCP makes much of the role of Canberra Avenue as a Main Avenue for entry into the city and as an approach to Parliament House. We agree with the vision. However, as a number of the submissions point out, some of the proposed changes would substantially modify the avenue in a way that detracts from its character as a 'grand boulevard'. Setbacks should be maintained; building heights should be kept as they are; and landscaping requires major renovation. We note that several recent developments have been allowed to exceed the four storeys outlined in current documentation, East Hotel being the first development to reach six storeys. While there are few sites left for development along Canberra Avenue we ask that height limits are restricted to four storeys adjacent to significant areas such as Manuka Oval, Manuka Shops and our historic churches.</p>	<p>See key issues '<a href="#">Building heights</a>' and '<a href="#">Building setbacks</a>' for detailed discussion of these issues.</p>

		<p>Finally, we want to point out that the demolition in 1980 of the old Capitol Theatre was a crime against good planning and heritage protection, and has left an enduring legacy of resentment. The ugly replacement building only aggravated the offence. We understand that the owner wants to knock down the existing building bounded by Canberra Avenue, Furneaux Street and Flinders Way, and replace it with something bigger and more lucrative, possible in excess of six storeys. No one would regret its demolition; but permitting any new building that is bigger, and especially higher, would meet strong community opposition. It would significantly detract from the historic shops that form Manuka Village and St Christopher’s Cathedral.</p>	See key issue <a href="#">‘Building heights’</a> .
		<p>We therefore have strong objection to the DCP’s proposed increase in the height limit in subarea B. We would expect that only a structure in sympathy with the architectural heritage of Manuka would gain NCA approval. In fact, the Capitol Theatre building will probably be the first test of the integrity of the NCA’s Development Control Plan.</p>	See key issue <a href="#">‘Building heights’</a> .
		<p>We return to our opening question. Just as any plan for the future of Manuka and Canberra Avenue could not exclude Manuka Village, the Oval, the churches or the Avenue itself, nor can it sensibly exclude Manuka Pool, and so we ask for the DCP to incorporate that gem of the Inner South.</p>	See key issue <a href="#">‘Area subject to DCP’</a> .
15	<b>Griffith Narrabundah Community Association</b>	<p>The Griffith Narrabundah Community Association (GNCA) welcomes the opportunity to comment on the National Capital Authority’s (NCA’s) Draft Development Control Plan (Draft DCP) for the Manuka Circle Precinct. The GNCA has over 200 members and services an area with about 2,000 dwellings.</p> <p>Cities are not static. Even as cities develop, however, the people who live in them maintain a sense of historical connection that is due as much to the sense of space as to the buildings. Courtyards, parks, and vistas all contribute to the livability of a city and its unique character. The United Nations Educational, Scientific and Cultural Organisation (UNESCO) recognises this aspect in its approach to maintaining Historic Urban Landscapes. Canberra Avenue, a major approach road to Parliament House, links the Manuka Precinct with State Circle in a broad sweep that reveals a continually changing vista that is part of the everyday experience of driving or walking along the road. This would be threatened by further redevelopment of the type that has already occurred on some sites. Any increase in allowable building heights would destroy existing views of the area’s urban forest and Capitol Hill. Inadequate set-back of buildings from the roadway would exacerbate the effect by reducing the existing sense of “boulevard” space that is part of the ambience of Manuka and surrounding areas. We urge the National Capital Authority to maintain building heights at a maximum of 18 metres and to require set-back of new buildings at least at current levels.</p>	Noted.

		<p>The GNCA believes that:</p> <ol style="list-style-type: none"> <li>1. the building height limit at Manuka Oval should not be varied to accommodate the requirements of the International Cricket Council (ICC);</li> <li>2. the building height limit for Sections 15 and 99 Griffith (Manuka Oval and surrounds) remains at the existing limit of 9m;</li> <li>3. the building height limits over the Manuka Group Centre remain exactly as they are at present;</li> <li>4. the Articulation Zone provisions need to be reworded to remove any ambiguity or lack of clarity;</li> <li>5. the setback at Manuka Oval (Area A) should be retained as a simple 10m, without modification;</li> <li>6. the requirement that buildings address Canberra Av should be restricted to Area B (Manuka Group Centre) and Area C (St Christopher's); and</li> <li>7. The NCA should urge the ACT Government most strongly to maintain and replace trees and adequately water and protect the verges of Canberra Avenue.</li> </ol>	<p>Noted. Responses to specific matters are below.</p>
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	<p><b>What does the Draft DCP propose?</b></p> <p>The Draft DCP applies to St Paul’s, Manuka Group Centre (that part of Manuka shopping centre between Canberra Av and Franklin St. i.e. Sections 40 and 96, Griffith), St Christopher’s (Block 1 Section 25, Blocks 7 and 12 Section 26, Forrest), all blocks within Manuka Circle (Sections 15 and 99 Griffith) except Artsound/PhotoAccess and Manuka Pool.</p> <p>It would replace existing DCPs 13/01 Manuka Oval; 10/08 St Christopher’s; and 10/04 Manuka shopping centre (Section 96 Griffith). The Draft DCP consequently extends the area subject to a DCP to Section 40 Griffith in the Manuka Group Centre, Block 1 Section 39 Griffith (St Paul’s) (the text says Section 37 Griffith, but that Section is bounded by Stuart, Hann, Lefroy and Lockyer Streets), and new blocks within Manuka Circle such as Block 1(the Canberra Services Club site), Block 2 and Block 11.</p> <p>The principal changes proposed by the Draft DCP can be seen in Table 1 below. The most significant change is the increase in permitted building height to the blocks within Manuka Circle including Manuka Oval (Area A) from the existing 9m to a proposed 22m. The justification for a uniform height of 22m has not been demonstrated, nor will it be achieved by the proposed changes, as the height limit for the Manuka Group Centre is to be raised from the current 17m for those buildings fronting on Canberra Av to 22m, while the 9m height limit for buildings fronting Franklin St is to some extent to remain in place.</p> <p>The required setback remains at zero for sites in the Manuka Group Centre (that is buildings can be built right up to the property boundary). The 10m setback for Manuka Oval also remains, but this is now to be modified by the introduction of an Articulation Zone of 2.5m at heights of more than 6m above ground level. This policy, which formerly used to only apply to St Christopher’s, would now apply to Manuka Oval and St Paul’s as well.</p>	<p>See key issue <a href="#">‘Building heights’</a> and <a href="#">‘Building setbacks’</a>.</p>
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	<p><b>Building Height Limits</b></p> <p>No justification for the proposed increase in height is given in the Draft DCP. The Explanatory Memorandum for the Draft DCP (penultimate page) suggests that one of the drivers may have been a desire for “consistency and regularity in landscape structure” on Canberra Av. It concedes at the outset that “Development within the Manuka Circle Precinct exhibits a character that is difference to the remainder of the Avenue” but then argues that “The concept of increased building heights at key points along important boulevards ... has been implemented in other parts of the city” and goes on to say that “The intersection of the Canberra Avenue Corridor and the Manuka Group Centre is a location where this concept may be suitable.”</p> <p>This proposition makes no sense. The Canberra Circle Precinct is already marked out as different from the remainder of the Canberra Avenue Corridor by (1) the change in direction of Canberra Av as it passes by Manuka Oval, (2) Manuka Oval itself and (3) the Manuka Group Centre. No increase in building heights is required to emphasise or bring attention to these features. Increasing the permitted building height to 22m over the whole of Manuka Oval would merely encourage further attempts to destroy the essential features of this attractive recreational area in pursuit of ephemeral gains as this site is transformed into yet another boring, monotonic high rise property development with few if any attractive or interesting features.</p> <p>Should the NCA feel that some increase in permitted building height is necessary to allow appropriate development of Block 1 (the Services Club site) then some limited increase from the present 9m to 18m might be appropriate, although this would have to be argued considerably more cogently than the current advocacy for a 22m limit in the Draft DCP. Blocks 2, 6, 10 and 11 lie outside the Oval proper, and are as yet undeveloped, so the existing height limit of 9m allows plenty of room for any future development. The NCA will no doubt be aware of a widespread public feeling that any development of these blocks would need to be very carefully considered and managed to ensure that such development did not damage the existing ambience of Manuka Oval and the Manuka Group Centre. It must also be acknowledged that not every interstate developer will be fully cognisant of these sensibilities, and if they expect to be involved for only a short period they may be indifferent.</p>	<p>See key issue <a href="#">‘Building heights’</a>.</p>
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	<p>The GNCA believes that it would be completely inappropriate to raise the height limit applicable to Manuka Oval from its present 9m just to accommodate a requirement of the International Cricket Commission (ICC) in relation to that body's desired height for a Media Centre to televise cricket Test Matches from that oval. The ICC cannot be expected to be conversant with the requirements of the Territory Plan and it is unlikely that they would wish or expect that its provisions would have to be modified to reflect the ICC's preferences. To accommodate this requirement would set a terrible precedent and would leave the Territory Plan subject to likely modification any time some non-ACT body expressed a desire about some planning provision. Moreover, there can be no guarantee that the ICC or any other sporting organisation will establish a permanent presence at Manuka Oval.</p> <p>The GNCA consequently urges that the building height limit for Sections 15 and 99 Griffith (Manuka Oval and surrounds) remains at the existing limit of 9m. If the NCA feels that it is imperative to raise the height limit applicable to Block 1 Section 15 (the Services Club site), then this should be restricted to 12m (about four storeys) so that it blends in with the surrounding tree canopy.</p>	<p>See key issue '<a href="#">Building heights</a>'.</p>
	<p><b>Increased Height for Manuka Group Centre and Overshadowing of Franklin Street</b></p> <p>Increasing the permitted building height over the Manuka Group Centre from its current 18m to the proposed 22m (RL596) appears to neither necessary nor desirable. We note that despite the existing height limit of 18m only two blocks of the two sections affected have been developed to anything like the existing limit. While an increased height limit might be attractive to potential developers, it is not clear what benefits there would be for the public at large, and as the proposal stands there is a significant risk that the ambience and utility of Franklin St will be reduced by greater shadowing.</p> <p>The risk of increased overshadowing of Franklin St appears to have been recognised in the Draft DCP. Provision has been made to ensure that the areas on the south side of Franklin St within 5m of the property line will still receive sun at 12:00 noon on the winter solstice. In addition, a height limit of RL583 (22m lower than RL596 and only 9m above the kerb at RL574) is to be imposed on an area in the middle of Section 96 on the south side and on the southern half of Block 1 Section 40.</p> <p>Despite these measures there is no guarantee that there will be appropriate solar access along the southern side of Franklin St at 3:00 pm or 4:00pm. In fact the increased heights suggest that it would be almost certain that some areas of Franklin St would have reduced solar access over what is the case at present because of the increased maximum height, particularly as the RL583 limit does not apply all along the entire southern edge of Franklin St. Any increase in shadow along Franklin St would have a significant negative impact on those who use the coffee shops of Franklin St, and on the lessees of such shops.</p>	<p>See key issue '<a href="#">Building heights</a>'. Dimensions have been added to the building height controls for Area B of the DCP.</p>

	<p>These [reduced height] provisions in the Draft DCP are presumably an attempt to reflect the existing provisions in DCP 10/08 currently applicable to Section 96 Griffith which protect the solar access of Franklin St. However, the current DCP 10/08 protects Franklin St more effectively by:</p> <p>(1) restricting development over most of Section 96 to a maximum height of RL591 (5m lower than the height of RL 596 proposed in the Draft DCP and 17m above the kerb at RL574); and</p> <p>(2) by restricting development on the remainder of the Section in a band 5m in from the boundary along Franklin St to a height of RL583, 8m lower than that permitted in the rest of the section, and only 9m above the kerb at RL574.</p> <p>In addition, the proposed protective provisions in the Draft DCP may be hard to enforce, because of the way that they are expressed entirely by way of a diagram, with no horizontal dimensions marked. The area subject to the lower height limit appears to cover perhaps half of Block 2 Section 96, but appears to also include relatively small portions of neighbouring Blocks 1 and 3. Quite where the boundary of this area falls is unclear and could be expected to be the subject of litigation if either ACTPLA or the NCA ever attempted to enforce it. Similar concerns apply to the area of lower height limit on Section 40, which appears to cover the southern third of Block 1. In addition, given the extreme reluctance to enforce planning controls currently displayed by Access Canberra (the body now responsible for policing planning and building regulations) we could expect any attempt to enforce these lower limits, if made at all, to be lethargic in execution, feeble in effect, and most unlikely to deter any potential infraction.</p> <p>In light of these difficulties the GNCA urges that the height limits over the Manuka Group Centre remain exactly as they are at present.</p> <p>The GNCA has no objections to the existing 18m height limit applicable to St Christopher’s (Area C) being extended to St Paul’s (Area D).</p> <p>It may be that the NCA considers that the likelihood of success of its draft DCP depends critically for some reason on a concession such as an increase in building heights. If so, the NCA could partially ameliorate the negative effect of increased building heights by requiring trade-offs such as increased set-backs, or more stringent plot ratios that require planting of trees to soften building facades. While this would not be the GNCA’s first preference, it would be preferable to an unequivocal increase in permitted building heights.</p>	<p>See key issue <a href="#">‘Building heights’</a>. Dimensions have been added to the building height controls for Area B of the DCP.</p>
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	<p><b>Setbacks</b></p> <p>The Draft DCP proposes to extend the setback provisions currently applicable to Area C to St Paul’s and Manuka Oval while leaving the Manuka Group Centre zero setback unchanged. Thus areas A, C, and D will have a 10m setback with an “Articulation Zone” permitting 2.5m penetrations into the setback at heights above 6m.</p> <p>The Articulation Zone is not well explained and it is not entirely clear what would be permitted under this provision. The rule is expressed as Rule 1.6 under Key Theme 1: Built Form, where it provides that “Minor encroachments of building elements into the building setback from Canberra Av may be permitted within the building articulation zone....” And “Articulation elements shall not occupy more than 25 per cent of this defined articulation zone. Articulation elements permitted are verandahs, courtyard walls, porches, awnings, sunscreen and shade devices, pergolas, bay windows, dwelling entries and roof elements.” It is not clear from this whether the “building elements” permitted to encroach into the building setback are identical with the “articulation elements” subsequently listed as permitted.</p> <p>Unclear provisions such as this invite disputes and attract developers and architects happy to exploit ambiguities. The GNCA believes that the provisions need to be reworded to remove any ambiguities and lack of clarity.</p> <p>Given the GNCA’s view that no increase in building height is appropriate for the Manuka Oval area, there seems little purpose in applying the Articulation Zone provisions to Area A. Consequently in Area A the setback should be retained as a simple 10m, without modification or qualification.</p>	<p>The rules controlling articulation elements are supported by diagrams (Figures 3 and 4). These diagrams clarify how the articulation zone operates.</p>
	<p><b>Building Address</b></p> <p>The requirement that pedestrian address to buildings be from Canberra Av (Rule 4.1) should be restricted to Area B (Manuka Group Centre) and Area C (St Christopher’s Cathedral and surrounds). It seems likely that any additional development at St Paul’s will be behind the church and a requirement to address Canberra Av would consequently be inappropriate. Any development at Manuka Oval is likely to be focussed on the Oval, and therefore a requirement to address Canberra Av would be perverse. The GNCA supports the rule that vehicular access should not be from Canberra Av (Rule 3.1).</p>	<p>High quality architecture is required for sites adjacent to Canberra Avenue. It is considered appropriate for buildings to have the main pedestrian address and not have their ‘back of house’ or service functions visible to Canberra Avenue.</p>
	<p><b>Other Comments</b></p> <p>If it is the NCA’s intention that Canberra Av become a “grand boulevard” in the style of St Kilda Rd in Melbourne, it is essential that it puts effective pressure on the ACT Government to maintain and replace the trees, and water the verges regularly. In addition, the verges should be protected against parking and other damage. At present the entire Avenue appears to be neglected by the Government.</p>	<p>See key issue <a href="#">‘Landscape Maintenance’</a></p>

		<p>The ACT Government has proposed a major redevelopment of the Stuart Street flats that front Captain Cook Crescent, close to its intersection with Manuka Circle. It is likely that any such development will generate a significant increase in pedestrian and vehicular traffic in the vicinity, resulting in inappropriate congestion along Manuka Circle and other sections of Canberra Avenue. While we recognise that the remit of the NCA may not extend beyond those blocks that immediate front on to Canberra Av or Manuka Circle, the NCA may have scope to exercise an indirect influence by, for example, specifying an ideal rate of traffic flow along Canberra Avenue.</p>	<p>Traffic impacts of individual developments are matter for the Development Application stage.</p>
		<p>In a similar vein the application of NCA rules only to Sections 40 and 96 of the Manuka Group Centre, while leaving the remaining Sections in the Manuka Group Centre (viz Sections 1, 2 and 41) unregulated is perverse and likely to lead to inconsistent architectural results. Similar comments apply to the exclusion of Blocks 7, 16 and 18, Section 15, and Block 3, Section 99 from the provisions applicable to Manuka Oval. In connection with this we note that the Draft DCP has been extended to Blocks 1, 2 and 11, Section 15. These blocks were not subject to the earlier DCP 13/01 applied to Manuka Oval. While Block 1 faces Canberra Avenue, Blocks 2 and 11 only have a connection with Canberra Avenue by way of Manuka Circle, so if these blocks can be covered by the Draft DCP it is not clear why the blocks listed above could not also be included.</p>	<p>See key issue <a href="#">‘Area Subject to DCP’</a></p>
		<p>The GNCA welcomes provisions requiring that buildings be designed to a high architectural standard and meet an overall consistency in form, massing and detail (Rule1.2). Perhaps a start could be made by requiring the removal of the garbage bins on Canberra Av outside the Capitol Cinema.</p>	<p>Noted. The DCP requires that ‘back of house’ activities and service areas are not be visible from Canberra Avenue.</p>

Table 1: Comparison of Existing DCPs and Draft DCP					The assessment against the provisions of currently approved DCPs and the Draft precinct wide DCP is noted.
	Manuka Oval	Manuka Group Centre	St Christopher's	St Paul's	
Draft DCP Area	A	B	C	D	
Parcel(s)	Sections 15 and 99 Griffith	Sections 40 and 96, Griffith	Block 1 Section 25, Blocks 7 and 12 Section 26, Forrest	Block 1, section 39 Griffith	
Current DCP	13/01	10/04	10/08	na	
Kerb Height	RL872	RL574	RL574	RL573	
Current DCP Height Limit	RL581 (9m)	RL591, (17m) Canberra Av RL583 (9m) Franklin St	RL592 (18m)	na	
Draft DCP Height Limit	RL594 (22m)	RL596 (22m) RL583 (9m) Franklin St sides of Block 2, Section 96, & Block 1 Section	RL592 (18m)	RL591 (18m)	
Current DCP Setback	10m, No articulation zone	0m	10m 2.5m Articulation zone above RL580	na	
Draft DCP Setback	10m 2.5m Articulation zone above RL578	0m, No articulation zone	10m 2.5m Articulation zone above RL580	10m 2.5m Articulation zone above RL579	
Current DCP Address	na	Buildings to address Canberra Av. Blank facades not permitted	Buildings to address Canberra Av	na	
Draft DCP Address	"primary pedestrian address frontage... is to be oriented to Canberra Av..."	As per area A	As per area A	As per area A	

16	<b>Inner South Canberra Community Council (ISCCC)</b>	<p><b>1. Introduction</b></p> <p>The Inner South Canberra Community Council is an incorporated Association of inner south Canberra residents, who elect its officers annually at an Annual General Meeting. All suburban residents groups in the Inner South have formal representation on the ISCCC committee, and so the ISCCC is the peak organisation of these residents' groups.</p> <p>The objects of the ISCCC, enshrined in its constitution, are:</p> <ul style="list-style-type: none"> <li>(a) To protect and enhance the amenity and environmental community well---being of Inner South Canberra residents and the broader community;</li> <li>(b) To promote and represent Inner South Canberra residents in respect of the above;</li> <li>(c) To actively promote communication and coordination among residents and local community groups;</li> <li>(d) To contribute to the planning of Inner South Canberra, consistent with the above objectives; and</li> <li>(e) To assist in ensuring all groups, especially the more vulnerable, are adequately represented.</li> </ul> <p>This submission complements and supports the submissions of inner south residents' groups on the draft DCP, including from Kingston Barton Residents Group (KBRG), Griffith/Narrabundah Community Association (GNCA) and Forrest Residents Group (FRG).</p>	Noted.
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		<p>ii. The ISCCC supports the DCP proposal that redevelopment proposals must seek NCA board certification that development is consistent with the DCP's Planning and Urban Design Objectives and are of a quality befitting this important main avenue and precinct.</p>	<p>See key issue <a href="#">'Authority certification of proposals'</a>.</p>
		<p>iii. It would have been preferable for the DCP to be developed in the context of a master plan for the Manuka Circle and Canberra Avenue precinct, in consultation with the community, as we have advocated for some time to the ACT Government.</p>	<p>Noted.</p>

	iv. The ISCCC does not support the proposed increase from the existing building height restriction of 9 metres to a blanket 22 metre building height within Manuka Circle. Building heights must be kept to a level which does not dominate surrounding heritage places, interfere with views to Parliament House and its setting or reduce local amenity.	See key issue ' <a href="#">Building Heights</a> '.
	v. The ISCCC also does not support the proposed increase in building height for the Manuka Group Centre.	See key issue ' <a href="#">Building Heights</a> '.
	vi. We note that Manuka Oval is public land, and hence subject to a statutory requirement under Chapter 10 of the ACT Planning and Development Act 2007 for preparation of a land management plan submitted to the ACT Legislative Assembly, and developed in consultation with the community. The ISCCC has not seen evidence of an existing land management plan agreed to by the Assembly.	Noted. The NCA is not responsible for compliance under the <i>Planning and Development Act 2007</i> (ACT).
	<p><b>3. Preamble</b></p> <p>The ISCCC supports the provision in the Preamble (page 6) that:</p> <p>“Redevelopment proposals must seek Authority board certification that development is consistent with the Planning and Urban Design Objectives of this DCP and are of a quality befitting this important Main Avenue.”</p> <p>The DCP should make clear that proposals failing to achieve this certification must not proceed to a Development Application.</p>	See key issue ' <a href="#">Authority certification of proposals</a> '.
	<p><b>4. Planning and Urban Design Objectives</b></p> <p>The planning and urban design objectives appear to focus just on Canberra Avenue, rather than both Canberra Avenue and Manuka Circle. This needs to be addressed.</p>	Special Requirements under the National Capital Plan refer to development that is adjacent to Canberra Avenue.
	<p><b>Built Form</b></p> <p>The DCP needs to provide clear objectives relating to built form for Manuka Circle, not just Canberra Avenue. For example, objective 3 under this theme indicates that all new buildings should have their main frontage to Canberra Avenue. However, some buildings in Manuka Circle (Area A) are not adjacent to Canberra Avenue and so will not be able to front that Avenue.</p>	Special Requirements under the National Capital Plan refer to development that is adjacent to Canberra Avenue.

	<p><b>Landscape Structure</b></p> <p>The DCP should be more explicit in supporting landscape character objectives, especially to make clear the fundamental link between landscape and Garden City heritage. It should include objectives relating to Manuka Circle, including:</p> <ul style="list-style-type: none"> <li>• Maintain the use of the Manuka Oval as a venue for sports and recreation for all, not just for elite sports</li> <li>• Protect and reinforce the aesthetic qualities of the landscaping (mature trees) to the perimeter of the oval, and ensure that future landscaping works in the precinct as a whole are consistent with valued landscape qualities.</li> </ul>	<p>Special Requirements under the National Capital Plan refer to development that is adjacent to Canberra Avenue.</p>
	<p><b>Transport and Movement</b></p> <p>The ISCCC supports the proposed objectives for transport and movement.</p>	<p>Noted.</p>
	<p><b>Urban Design</b></p> <p>The ISCCC suggests that this heading should be changed to “Urban design and heritage”. We also propose the following amendment to the last dot point:</p> <p>“Ensure that existing identified heritage elements of the Avenue and Manuka Circle Precinct are conserved and celebrated as key contributors to the character of the Avenue and precinct.”</p> <p>That reference to heritage should carry through to the General Provisions.</p>	<p>Noted. Any development within the precinct will need to comply with the Heritage Act 2004 (ACT). See key issue <a href="#">‘Heritage’</a>.</p>
	<p><b>5. General Provisions</b></p> <p>Key theme 1: Built Form</p> <p>Rule 1.1 Building Height</p> <p>No strong rationale has been provided for increasing the building height to 22 metres for Areas A and B specifically. Building heights must be kept to a level that does not impact on vistas to Parliament House and heritage-listed buildings in the precinct, as well as impact on solar access, and pedestrian and traffic flows.</p> <p>Accordingly, the ISCCC does not support the proposed increase from the current 9 metre height restriction to a blanket 22m building height within Manuka Circle (Area A).</p> <p>Any future development at the Canberra Services Club site should be no higher than the existing mature tree canopy.</p>	<p>See key issue <a href="#">‘Building heights’</a>.</p>
	<p><i>Rule 1.5 Building Setback from Canberra Avenue</i></p> <p>The ISCCC supports the proposal that in Areas A, C and D there should be a minimum building setback from Canberra Avenue of ten metres.</p>	<p>Noted.</p>

	<p><i>Key Theme 2: Landscape Structure</i></p> <p>The ISCCC supports strong protections for trees under this theme. However, the rules under this theme need to be expanded to include reference to Manuka Circle.</p> <p>The DCP rules should reflect these overarching precinct objectives:</p> <ul style="list-style-type: none"> <li>• Maintain the use of the Manuka Oval as a venue for sports and recreation for all, not just for elite sports.</li> <li>• Protect and reinforce the aesthetic qualities of the landscaping (mature trees) to the perimeter of the oval, and ensure that future landscaping works in the precinct as a whole are consistent with valued landscape qualities</li> <li>• Improve Canberra Avenue median maintenance, including through increased tree cover, and laying and maintenance of grass (and perhaps installation of curbing or bollards along the median strip to prevent vehicle access).</li> <li>• Ensure any development is compatible with the heritage values of the precinct and the places within it.</li> </ul>	<p>The DCP requires that a Tree Management and Replacement master plan apply to Manuka Oval and its surrounds. The focus of this document is to ensure the integrity of the landscape surrounding the oval.</p> <p>Other matters such as heritage and land use are more appropriately controlled through the Territory Plan and associated heritage requirements. Any development within the precinct will need to comply with the Heritage Act 2004 (ACT). See key issue <a href="#">‘Heritage’</a>.</p>
	<p>Rule 2.1: Landscape Plan</p> <p>Shouldn't the reference to Figure 6 actually refer to Figure 5?</p>	<p>This reference has been amended.</p>
	<p>Rule 2.2: Landscape Design</p> <p>The ISCCC supports the requirement for landscaping to include deep-rooted trees and deep soil zones.</p>	<p>Noted.</p>
	<p><i>Rule 2.5: Courtyard Walls</i></p> <p>The ISCCC supports the prohibition of blank walls to public streets, and other provisions in relation to courtyard walls.</p>	<p>Noted.</p>
	<p>Key Theme 3: Traffic and Movement</p> <p>Rule 3.1: Vehicular Access</p> <p>The ISCCC is pleased to see that vehicular access generally will not be permitted from Canberra Avenue, and considers that new buildings on Canberra Avenue should be required also to place their service areas away from the Avenue.</p>	<p>Noted. The DCP requires that service areas are not visible from Canberra Avenue.</p>

	<p>Much better bus access is needed for major events at Manuka Oval, ideally on the east side of the Oval.</p>	<p>The NCA supports increased public transport to support event operation of the Oval. However, this is controlled by the ACT Government.</p>
	<p>There needs to be a safe, wide, high volume pedestrian, cycle and mobility scooter route from Manuka Centre, past Manuka Oval and down to the Kingston Foreshore.</p>	<p>See key issue '<a href="#">Pedestrian Accessibility</a>'.</p>
	<p><i>Key Theme 4: Urban Design (and Heritage?)</i></p> <p>What seems to be missing in this section is a fleshing out of the reference to heritage in the Planning and Urban Design Objectives.</p> <p>As suggested earlier in this submission, this heading should be changed to “Urban design and heritage”. All the places in the Canberra Avenue/Manuka Circle precinct that are listed on the ACT Heritage Register should be acknowledged in the DCP.</p>	<p>See key issue '<a href="#">Heritage</a>'.</p>
	<p>The heritage in the precinct that needs protection includes, amongst others:</p> <ul style="list-style-type: none"> <li>• The heritage features of Manuka Oval and its landscape setting</li> <li>• The Interwar buildings at the Manuka Circle Precinct: the Manuka Swimming Pool and its setting; the Curator’s Cottage; and the 1937 block at the Manuka Arts Centre (former Griffith Child Welfare Centre), including its oval drive and garden.</li> <li>• St Christopher’s Cathedral and St Paul’s Church.</li> </ul>	<p>See key issue '<a href="#">Heritage</a>'.</p>
	<p><i>Rule 4.3: Pedestrian Access to Buildings</i></p> <p>It is positive to see the reference to multiple entries to buildings to “activate the street edge on all new developments.”</p>	<p>Noted.</p>
	<p><i>Site A: Manuka Oval (Sections 15 and 99 Griffith)</i></p> <p>The ISCCC supports a requirement for a Tree Management and Replacement Master Plan, but this does not seem to acknowledge the existence in that area of registered trees and the special processes that need to be undergone if a proponent wants to remove such trees.</p>	<p>Detailed tree locations and matters related to specific trees within the Manuka Oval area have been addressed within the current Tree Management and Replacement Master Plan. The processes for the removal of registered and protected trees are found in the relevant legislation.</p>

	It is encouraging to see reference in Rule A.5 to the prohibition of permanent signage in the Canberra Avenue road reserve.	Noted.
	<p><i>Site B: Manuka Group Centre (Sections 40 and 96 Griffith)</i></p> <p>This area on the southern side of Canberra Avenue sits between the two heritage listed St Christopher’s cathedral and St Paul’s church, as well as between the heritage nominated Manuka shops and Canberra Avenue. A significant Griffin axis passes down through Telopea Park, across Manuka Oval and right through Manuka Arcade to The Lawns and beyond.</p>	Noted.
	<p><i>Rule B.1 Building Setback, Development Footprint and Articulation.</i></p> <p>For any new development, there should be a building setback to encourage active use of the public realm on Canberra Avenue.</p>	See key issue <a href="#">‘Building setbacks’</a> .
	<p><i>Rule B.2 Active Frontages</i></p> <p>The ISCCC supports this rule to ensure active frontages for all new developments.</p>	Noted.
	<p><i>Rule B.3 Building Height</i></p> <p>There is no compelling rationale provided for an increase in building height to 22m (RL596) and the ISCCC is concerned that buildings of that height will:</p> <ul style="list-style-type: none"> <li>• Dominate the heritage listed cathedral and church</li> <li>• Dominate the heritage nominated Manuka shopping centre</li> <li>• Cast a shadow on the south side of Franklin Street where many restaurants and cafes have outdoor seating. Maintaining this is essential to the economy and character of the street. The solar analysis provided by the NCA suggests that there will be significant overshadowing in the morning, some at 12pm and more later in the day on the winter solstice.</li> </ul>	See key issue <a href="#">‘Building Heights’</a> .
	<p><i>Rule B.4 Pedestrian address</i></p> <p>The ISCCC agrees that primary pedestrian access should be from Franklin Street, but there should also be pedestrian access from the Canberra Avenue side where possible, as indicated in 4.1 so that there is activation of the Canberra Avenue side.</p>	See key issue <a href="#">‘Active frontages’</a> .

17	Barbara Moore	<p>On 28 April 2016 an ISCCC Community Forum was attended by up to 400 people. Of the six motions there were four pertaining to the Manuka Circle Park, section 15, Griffith. Following considerable discussion all were comprehensively passed and presented to the ACT Chief Minister Andrew Barr in a letter dated 4 May 2016 from Gary Kent, Chair of the ISCCC (see A.1 – 2 pages). A later petition to “Save Our Manuka” collected 500 signatories in three days. Subsequently, in an election year, the Greater Western Sydney/Grocon development, “Manuka Green,” was rejected and Chief Minister Barr in his Media Release of 5 August 2016 committed to a masterplan enabling the involvement of community in discussion and decision on the future of the oval and its surrounds (see A.2).</p>	Noted.
		<p>It is on behalf of those 400 Canberrans, who are not necessarily members of any residents’ organisation or indeed may not live in the inner south area, that this submission is put. Its purpose is to draw to the attention of the NCA in regard to the draft DCP concerning s.15 Griffith, the following motion from the forum which called on the ACT Government to;</p> <p><b><i>Ensure that any proposal restricts development to sporting facilities and other improvement of Manuka Oval, and not include shops, residential or other development.</i></b></p> <p>The above motion necessitates explanation of events leading up to the public outcry and this vote (see A.3 – 25 pages). In regard to s.15 those 400 residents were concerned with government process threatening to bypass or amend legislation that protected the public land identified as heritage under the ACT Heritage Act 2004 and under the Territory Plan zoned restricted access recreation, PR22 which <b>Zone Objectives</b> are as follows;</p> <ul style="list-style-type: none"> <li>a) <i>Accommodate facilities that will meet the recreational needs and demands of the community and are appropriately located for the potential users of the facility</i></li> <li>b) <i>Make provision for a range of sport and recreation facilities, whether in public or private ownership that may be commercial in nature</i></li> <li>c) <i>Ensure the amenity of adjoining development is not unacceptably affected by the operation of sport and recreation facilities, particularly in terms of noise, traffic, parking, privacy and outside lighting at night and</i></li> <li>d) <i>Design and landscaping of development is to be compatible with the surrounding landscape</i></li> </ul>	Noted.

		<p>In particular the residents of Kingston and Barton have observed reduction of public owned buildings and land over time. Per capita green space in both suburbs has been substantially reduced through high rise apartment development including the Kingston Foreshore which previously was open green space on the southern shore of East Basin under NCA control. It is of paramount import for public recreational space within the area of both suburbs to be maintained and indeed further improved. Urban infill should not necessitate the “land grab” of heritage and recreational parkland to accommodate commercial, retail and residential development in this instance concerning the Manuka Circle Park. With the rapid increase in the rate of population density in Kingston alone, there is an imperative to preserve recreational space and conserve heritage sites including the land as contained in the ACT Heritage Register. It is apparent on the area identified as <b>A</b> in the draft DCP that land outside the oval has been degraded with carparks and concrete areas and heritage trees are neglected. Yet surrounding the oval are the public walkway and bike paths which have been maintained and see regular recreational community use on a daily basis. These popular heritage paths link Manuka to the lake and to Kingston. The NCA proposed height of 22m allows for large buildings which will seriously impact public amenity and access.</p>	<p>The NCA notes the discussion on how Manuka Oval has changed over time and recognises the broader need to ensure increases in development density have adequate provision of open space. See key issue <a href="#">‘Building Heights’</a> in response to the proposed building height changes. See key issue <a href="#">‘Landscape maintenance’</a> in response to the deterioration of the landscape.</p>
		<p>To align the vote of those 400 residents with the above zone objectives, sports offices or shops or a supermarket would not constitute appropriate or desirable sporting or recreational “facilities” for community. Mr Barr has already publically announced that residential development is off the table. It can only be assumed then that government is returning to its long held intentions to construct sports’ related commercial development such as offices, gyms and a sports medical centre or the like in line with its Macroplan Dimasi Report (see A.7 - 5 pages) and (A. 8 – 7 pages). The report, “Land Economics and Built Form Analysis” developed in meetings through 2013 and 2014 with that limited group of “stakeholders” is just another acquisition of public land for selective private benefit. Can’t rates revenue, buildings or land sales other than public recreational and green space be applied to upgrades at the oval?</p>	<p>Noted.</p>
		<p>According to zone objectives (a) and (b) the most frequent users of the available space under the Territory Plan would be local community and not elite sports people coming for only 8 events per year as is the case in 2017. It is precisely that elite sports events are so infrequent that local residents and traders tolerate the inconvenience of invasive sports lighting, noise and parking and traffic congestion. Also included in s.15 is the enclosed oval with required practise cricket nets both of which are restricted to very limited use and the remainder is green space which mostly has been degraded or neglected by the Manuka Oval management (see A.4 – 2 pages).</p>	<p>Noted.</p>



		<p>The draft DCP has been extended from the current DCP to include sections 1, 10 and 11 and the eastern side outside the oval. The only publically accessible community sport and recreational facilities being the Manuka Pool and Manuka Arts Centre have been excluded from this extension. This brings into question the motives of the NCA with its draft DCP omitting to provide to community any reason how they, the most frequent users in the proposed development areas, could possibly benefit from the proposed changes.</p>	<p>See key issue <a href="#">‘Area subject to draft DCP’</a>.</p>
		<p>The draft DCP will allow for buildings to a height of 22m over the remainder of s.15 and this supports similar development coverage that has previously been mooted since at least 2009 by the ACT government and developers alike. This vision for the iconic oval was earlier proposed in the various reports commissioned by government such as:</p> <ul style="list-style-type: none"> <li>• The Populous <a href="#">Manuka Oval Masterplan</a> announced by Mr Barr in 2009 (see A. 5 – 2 pages)</li> <li>• The 2013 Cox <a href="#">Manuka Oval Masterplan</a> (see A. 6 - 7 pages) to be phased in over 10 to 20 years. The 2017 proposed 4 storey VIP, Function and Media Centre does not appear in this current Masterplan. These plans were used to inform the Macroplan Dimasi Report commissioned by the LDA and presented at 7 November 2014. This report was titled <a href="#">Manuka Oval ACT, Land Economics and Built Form Analysis</a> and NCA have a copy</li> <li>• The 2014 plans to develop s.15 with “stakeholders” LDA, TE&amp;S, MPD, GWS and AFL Melbourne were held through 2014 in Canberra and Melbourne (see A.7) and (A.8)</li> <li>• In 2014/15 the Barr government attempted to acquire school land in line with the MPD Report but was met with public protest from community, parents and local politicians (see A.9 – 3 pages) Commonly referred to as the Manuka “land swap” the plan was to remove the Canberra Services Club from its site and develop a hotel over blocks 1, 10 and 12. The current draft DCP would allow this intrusion onto s.15.</li> </ul>	<p>See key issue <a href="#">‘Building Heights’</a>.</p>

		<ul style="list-style-type: none"> <li>• Misinformation was embedded in the “Manuka Green” proposal. The GWS/Grocon consortium chose the final “32% downsized” presentation at which both Grocon and local AFL representatives stated that money for oval upgrades was only ever \$20m within the oval and \$20m outside the oval. Yet GWS club representatives spoke not of downsizing the club contribution to the oval as to be expected. The facilities for oval upgrade in preparation for the 2018/19 cricket test would always have been paid by government because the development was not to start until after the test match. The GWS club touting of inflated figures of \$100m to justify alienation of heritage land for private gain does not match reality and appears to be spin. No money was ever to go to oval upgrades before the developers got their profit which was for the Sydney club an expected \$80m as advised by GWS COO, Richard Griffiths before the development</li> <li>• The Greater Western Sydney club joined with developer Grocon to launch “Manuka Green” as an unsolicited bid. This was facilitated through 2014 at “stakeholder” meetings where the LDA provided the GWS club with digital copy of the Populous design concept images and later Cox architects were employed by Grocon (see A.10) was publically announced. For Grocon the planned profit remained undisclosed.</li> <li>• With the rejection of “Manuka Green”, Chief Minister Barr in his press release stated “The panel will have their first meeting by the end of this year with a view to a Territory Plan Variation being initiated by late 2017”; thus pre-empting any community deliberation.</li> </ul>	<p>This discussion of the unsolicited bid process is noted.</p>
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		<p>Now, in April 2017, community is confronted with this additional ratepayer funded \$10m “upgrade” of the oval to provide VIP facilities, Function Room and Media Centre not accounted for in the current Masterplan. Concurrently the NCA draft DCP has been released and it appears, in the first instance, with a view to accommodate this proposed four storey 19m high building on Canberra Avenue with capacity to vary the 10m setback. Then the DCP allows for future building height of 22m over the greatly extended area of Manuka Circle Park closely in align with previous government plans in 2009, 2013, 2014, 2015, 2016 (see A.11 – 2 pages). The cynical reality of Mr Barr’s manoeuvre to undertake to seek advice from a panel of community representatives and that development would be subject to a competitive process does not alter expectations of his intentions to completely develop the area.</p> <p>There is no explanation in the NCA draft DCP of how development on heritage recreational public land will benefit local residents and community. Public patronage for sport in Canberra is falling. The push for 22m that is development greater than 7 storeys (18m evidenced by 6 storeys at present on Canberra Avenue), will benefit the few at great loss for future generations as urban infill continues in the inner south. Community continues to value heritage buildings and green spaces as expressed by Graham Carter on the Council of the National Trust;</p> <p><i>The prominence and importance of the oval has not wavered in the community, and remains highly valued as a place for sporting matches, recreation and social activity. It is heritage listed because the oval and the landscape demonstrates the importance of recreational and sporting venues for the community. The heritage value of the site is vested in its tangible fabric and intangible values – the history of the place and activity gives Manuka Oval its strong historic, cultural and social heritage significance for the ACT community (see A.12).</i></p>	<p>The purpose of the DCP is to provide a framework for the character of built form and landscape structure on the site. The DCP does not amend the current land use controls or heritage requirements. The Territory Plan and <i>Heritage Act 2004 (ACT)</i> will still apply to proposals on the site.</p>
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		<p>The Conservation Management Plan (CMP) for the Manuka Circle precinct was commissioned by Territory Venues and Events in the context of addressing major redevelopment of parts of the precinct. The report advises submission in July 2014, following review by the CMP Taskforce of the ACT Heritage Council. TV&amp;E through 2014 planned development outside the oval with the LDA, GWS, AFL and MPD. Yet excluded as stakeholders from these meetings were local AFL and cricket, NCA, National Trust, CSC and community groups. Developer GWS club with “Manuka Green” in 2016 referred to the CMP. Any CMTEDD and NCA proposed development outside the oval conflicts with the view of the 400 residents voting <b>“to not include shops, residential or other development”</b> and to restrict <b>“development to sporting facilities and other improvements of Manuka Oval”</b>.</p> <p>Lovell Chen was engaged by government to support development within the Kingston Arts Precinct, section 49, in relation to heritage matters. Subsequently the LDA has revealed a DA for demolition of the “chapel”, the previous 1948 switch room, which is to be found on the ACT Heritage Register. This building is in excellent condition unlike the caretaker’s garage falling into disrepair under Manuka Oval management (see A.4). The “chapel” is in use for artists in residence for the Glassworks. It is destined to be removed to make way for a multi storey car park which could be sited elsewhere on section 49 were stakeholder wishes to be taken into account by government.</p> <p>NCA, Jordan Smith states; “The intent of the draft Development Control Plan (DCP) is not to override Territory legislation but to provide guidance on the future built form and landscape structure of the area”. Yet legislation in regard to the <u>ACT Heritage Act 2004</u> and the <u>ACT Parks and Recreation Zone Development Code</u> (page 10) and indeed the <u>Territory Plan</u> all defer to commonwealth legislation. The ACT Heritage Council has failed expectations of many residents in the following instances;</p> <ul style="list-style-type: none"> <li>• The ACT Heritage Council deregistered the site of the former Canberra Services Club in 2015 when it was wanted by government for the “land swap” to align with the LDA commissioned Macroplan Dimasi Report, 7 November 2014 (an application for deregistration was made on 13 Nov 2014 and notified on 09 April 2015).</li> <li>• The ACT Heritage Council compromised on Northbourne Ave cf National Trust response</li> <li>• The ACT Heritage Council refused to hear an application for heritage recognition of Bruce Hall as it confirms that the <u>Heritage Act 2004</u> does not have direct effect because such legislation would <b>defer to NCA control</b> of the site (ref ACT Heritage Register 21.11.2016)</li> <li>• There are currently many outstanding proposed heritage sites open for the consideration by the ACT Heritage Council some for 15 years</li> </ul>	<p>Development proposals on the site will need to demonstrate consistency with any NCA approved DCP and ACT Heritage Council approved CMP. The DCP does not amend the current land use of the Territory Plan.</p> <p>The Territory Plan and <i>Heritage Act 2004 (ACT)</i> will still apply to proposals on the site.</p>
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		<p>The proposed NCA changes deprive community of rights and green space public land existing under ACT legislation. There is no certainty that the NCA would act to protect community amenity or would support community opinion when the following record is taken into account;</p> <ul style="list-style-type: none"> <li>• On 22 February 2007 the NCA released National Capital Draft Amendment 53 – Albert Hall Precinct. The amendment suggested that the land surrounding the Albert Hall would be opened up for commercial purposes with a landmark building. The “Save the Albert Hall” action group was formed and ongoing public debate and anger directed towards the authorities ensued. Finally on 2 April 2007 it was agreed that the NCA would not proceed with the landmark building, and that the land would be used as a “public lakeside park”.</li> <li>• In the NCA vision for Civic – the Albert Hall appears to be swamped yet again (see A.13)</li> <li>• The NCA allowed the development of the lake foreshore at Kingston in East Basin</li> <li>• The NCA failed to support its own requirement for a bike path to continue safely around the lake and for integration of development at the Kingston foreshore</li> <li>• The NCA allowed proposed development in the West Basin</li> <li>• The NCA facilitated the Northbourne corridor development</li> </ul>	<p>The purpose of the DCP is to provide a framework for the character of built form and landscape structure on the site. The DCP does not amend the current land use of the Territory Plan.</p> <p>The Territory Plan and applicable Territory legislation will still apply to proposals on the site.</p>
		<p>In the 2016/17 cricket season attendance was 27,215 and AFL attendance in 2016 for GWS was 44,130 for the four games costing ACT ratepayers \$2.35m per year. These numbers can’t compete with AFL in Melbourne or cricket in Sydney and Melbourne and fail to justify. The recent Friday AFL game at Manuka could attract a crowd of possibly 70,000 in Melbourne. Elite AFL at Manuka where a stadium can’t fit costs Canberra dearly in support of the 3,700 members of GWS ACT. Manuka Oval is utilised to full capacity for about 30 hours annually with three AFL and two international cricket games up to 8 events in 2017. For Chief Minister Barr there is a clear commitment to fund 3 games of AFL per year and he is of the opinion that developing the heritage recreational public land will serve to finance upgrades dictated by elite cricket and AFL organisations. There has been no call from community for commercial development sports related or otherwise outside the oval. Residents support upgrades within the oval itself providing they are in keeping with existing structures and are necessary player and supporter amenities. The 400 residents at the Community Forum voted for no development and wish to preserve heritage and public green space for future generations as evidenced in the “Save Our Manuka” petition collecting 500 supporters in three days.</p>	<p>Noted.</p>
		<p>There is nothing irrational about community wanting to enforce the Territory Plan to preserve the aesthetic of the oval and surrounds. There is nothing irrational about community wanting to preserve heritage sites and public parkland. Heritage trashed is gone forever.</p>	<p>The Territory Plan will still apply to proposals on the site.</p>

		The NCA should withdraw the application of built form height of 22m in line with community expectation and not that of developers with profit for the few at the expense of the many into the future.	See key issue ' <a href="#">Building Heights</a> '.
18	Peter Moore	<b>Submission Part 1</b> Following from [our] meeting please find attached as discussed Manuka Oval ACT - Land Economic and Built Form Analysis. Final Report, 7 November 2014. The report, a public document, was commissioned by the ACT Land Development Agency on 10 June 2014 at its MPD Inception Meeting (ref page 1 at f.31 of the report). There is a long history of proposed development on Manuka Circle Park outside the oval since 2002 and even 1998. The Populous 2009 and the 2013 Manuka Oval Masterplans are on the Manuka Oval website (ref. <a href="http://manukaoval.com.au/">http://manukaoval.com.au/</a> ) with associated records of public consultations held on the Phase 1(b) drawings. This phase included permanent media funding but no plans for development outside the oval. The Cox drawings from following phases, not yet presented for consultation, are from the current masterplan which informed the Macroplan Dimasi economic modelling. Stakeholders at meetings through 2014 were the LDA, TE&S, MPD, GWS and AFL. Other groups one may well consider would be interested in development in line with the Manuka Oval Masterplan were notably omitted. These would include the NCA, cricket, local AFL, National Trust and various community representatives. There was never an intended inference that you would have been at these meetings.	The NCA thanked the submitter for the additional information and noted the information therein.
		Should residential, commercial or retail development outside of the oval be facilitated or again raised it would be in conflict with the wishes expressed by residents attending the ISCCC Community Forum on 28 April 2016. There were approximately 400 people present and voting was overwhelmingly in favour of the motions rejecting the outrageous GWS/Grocon proposal and restricting development to sporting facilities within the oval (see attached). Additionally any comprehensive planning process would take into account adjacent heritage and precinct plans.	The DCP does not provide requirements for land use, which is controlled by the Territory Plan. The DCP does not amend the current land use of the Territory Plan.
		It appears in the draft DCP that the NCA proposal might allow construction of 18m, approximately six storeys, to extend over section 15, Griffith, with the exclusion of the Manuka Pool and the site of the Former Child Welfare Centre now the Manuka Arts Centre. All the sites on Manuka Circle Park with the exception of the site of the demolished Canberra Services Club (block 1) are on the ACT Heritage Register. Consequently at present only block 1 is available for development under ACT legislation. To permit development on the public land apart from block 1, that is to vary both the ACT Restricted Access Recreation zoning and the ACT Heritage Act 2004 requires assent from the Legislative Assembly.  Thus it would appear that this NCA draft DCP will serve to disempower the ACT legislature. Could you confirm whether the above is accurate and whether the NCA has taken this into account for it appears that authority in this instance transfers from the ACT Assembly to the Commonwealth body.	Development proposals will need to address the requirements of the Territory Plan, the Heritage Act and any NCA approved DCP.

	<p><b>Submission Part 2</b></p> <p>With reference to the comprehensive documents listed in my [previous submission]... it is obvious that Manuka Oval Park, the heritage surround of Manuka Oval is under concerted threat of development for commercial use. Recent press indicates that this threat is still current and that progressing of the DCP along the lines you have foreshadowed in your consultation documentation can only be seen by the community as supporting such development on this much loved iconic parkland. The community is very conscious of the implications of your decisions. I notice that Jordan Smith in his note to me of 5 April has stated “The intent of the draft Development Control Plan (DCP) is not to override Territory legislation but to provide guidance on the future built form and landscape structure of the area. It also seeks to clarify the NCA’s interest in the future of the area.” You should understand that this is the core of the problem with the current suggestions in the DCP as it opens the way for 18 metre development on public recreational parkland. This should not be a consequence of actions by the NCA if it has respect for community views and the current nature of this parkland.</p> <p>Jordan Smith’s response to my email to you of 5 April suggests that he has not understood or not given adequate careful consideration to the message and intent of my email.</p> <p>Many of the participants, including myself at the consultation meetings have suggested that the proposed height limits on the Manuka Oval park area should be excised from this DCP lest it give comfort to those who have inappropriate commercial development aspirations for this historic public parkland.</p>	<p>See key issue <a href="#">‘Building Heights’</a>.</p>
	<p>I would like to remind you of the text of the NCA’s own “vision” statement which reads “A National Capital which symbolises Australia’s heritage, values and aspirations, is internationally recognised, and worthy of pride by Australians”.</p> <p>Such a vision can never be achieved if significant elements of our history and amenity are extinguished as will inevitably occur if this key public space becomes open for commercial development. And equally as expressed in the Canberra Times on 2 March 2017 “The NCA needs to act in the long-term interests of the nation not simply to enhance the short-term revenues of the ACT Government and the developers. This is why it is the National Capital Authority.”</p> <p>You must be aware that the NCA already has a tarnished reputation with many in the Canberra Community because of its earlier proposals for Albert Hall, support for the West Basin development, the Northbourne Corridor and the controversial container village. It is in this context that members of the community are suggesting that the Manuka Circle Park should be excised from the height/development recommendations of this DCP.</p>	<p>Noted.</p>

19	Kingston Barton Residents Group	<p>The Kingston and Barton Residents Group (KBRG) welcomes the opportunity to comment on the National Capital Authority's (NCA's) Draft Development Control Plan (Draft DCP) for the Manuka Circle Precinct. The KBRG has about 130 members and services about 6,200 dwellings.</p> <p>The KBRG welcomes the proposal to identify a precinct that treats Manuka Oval and surrounds, the Manuka Group centre and its flanking churches as a discrete entity, and believes that:</p> <ul style="list-style-type: none"> <li>A. This Draft DCP provides a starting point for sensible planning of Manuka Circle and its surrounds.</li> <li>B. The heritage landscape character of the proposed Manuka Circle Precinct is highly valued by the community and is an important national asset.</li> <li>C. There are significant historic tree plantings on the Canberra Avenue median strip</li> <li>D. The draft Manuka Circle CMP prepared by Lovell Chen may be a highly relevant document and may contain many recommendations about the heritage landscape and character of the precinct. In spite of many requests the KBRG has not been provided with a complete copy.</li> <li>E. There are complex traffic and pedestrian management issues to be resolved in this area, resulting from the increasing number of large events at Manuka Oval and the rapidly growing population of the surrounding area.</li> <li>F. Recent unsolicited development proposals, and the processes by which they have been managed, have angered and offended the Canberra community, who have demonstrated the value they place on this area.</li> </ul>	Noted.
		<p>Flowing from these propositions the KBRG makes the following recommendations:</p> <ul style="list-style-type: none"> <li>1. Building heights must be kept to a level which does not dominate surrounding heritage places, interfere with views to Capitol Hill and its setting or reduce local amenity.</li> </ul>	See key issue ' <a href="#">Building Heights</a> '.
		<ul style="list-style-type: none"> <li>2. In particular there is no compelling argument for increasing allowable building heights across the whole of Manuka Oval and its surrounds.</li> </ul>	See key issue ' <a href="#">Building Heights</a> '.
		<ul style="list-style-type: none"> <li>3. Existing setbacks allowing for large deep rooted trees should also be maintained and should not be weakened through the introduction of articulation zones or the like.</li> </ul>	See key issue ' <a href="#">Building setbacks</a> '.
		<ul style="list-style-type: none"> <li>4. The historic tree plantings on the Canberra Avenue median strip urgently need greater recognition and care.</li> </ul>	See key issue ' <a href="#">Landscape Maintenance</a> '.
		<ul style="list-style-type: none"> <li>5. Consequently Tree Management Plans must be introduced as a priority, especially for Manuka Oval and Canberra Avenue</li> </ul>	The DCP requires a Tree Management and Replacement Master Plan applicable to Manuka Oval and includes the adjacent area of Canberra Avenue.



		<p>6. Any final DCP that emerges from the consultation process must place much more explicit emphasis on the heritage values and character of the precinct, and in particular that a provision be inserted requiring that the impact of new buildings and works on heritage values be considered as part of the approval process.</p>	<p>See key issue <a href="#">‘Heritage’</a>.</p>
		<p>7. The Lovell Chen draft Manuka Circle CMP referred to above needs considerably public exposure and discussion before it is finalised.</p>	<p>Noted.</p>
		<p>8. Consideration needs to be given to whether some extension of the currently proposed Manuka Circle Precinct would be desirable.</p>	<p>See key Issue <a href="#">‘Area subject to DCP’</a>.</p>
		<p><b>Building Heights</b></p> <p>The KBRG believes that there is no case for any increase in the building height limit for Sections 15 and 99 Griffith (Manuka Oval and surrounds, identified as Area A) beyond the existing limit of 9m. A reported desire by some external organisation such as the ICC is not grounds for relaxation or removal of long standing planning rules, and an assessment of the requirements suggests that the needs of any journalists attending matches could be adequately met at other already existing Manuka Oval venues. The few cameras needed at 15m could be (and have been previously) housed on a temporary tower.</p> <p>Any development on Block 1 Section 15 (the Services Club site) should be restricted to four storeys or 12 m.</p> <p>Increasing the permitted building height over the Manuka Group Centre from its current 18m to the proposed 22m (RL596) is not warranted. We note that existing apartment blocks on Canberra Avenue, currently at 18 metres, are 6 stories. The proposal holds a real threat that public amenity in the Franklin St entertainment strip could be significantly degraded by increased winter shadow, and it is difficult to see why the NCA has advanced such a proposition that so clearly favours the interests of property owners on the north side of Franklin St to the clear and obvious detriment of the owners of properties on the south of Franklin St. The KBRG therefore urges that the height limits over the Manuka Group Centre (Area B) remain unchanged from those presently in force.</p> <p>The KBRG would have no objections to the existing 18m height limit currently applicable to St Christopher’s (Area C) being extended to St Paul’s (Area D) with the latter’s inclusion into the precinct.</p>	<p>See key issue <a href="#">‘Building heights’</a> and <a href="#">‘Manuka Oval media centre’</a>.</p>

		<p><b>Set backs</b></p> <p>The KBRG believes that the existing setback provisions should be retained. In addition, the introduction of some modest setback in Area B (Manuka Group Centre), where developers can currently build right to the property boundary, would seem worthy of reconsideration.</p> <p>The existing setback in Area A should be preserved unchanged. There is no case for the introduction of an “Articulation Zone’ which would merely serve to cloud the rules and invite the Government and developers to seek to subvert or circumvent the existing rules. In addition, we note that the rules relating to the proposed Articulation Zone are also unclear (what is the difference between an articulation element and a building element?).</p> <p>The KBRG notes that the Articulation Zone provision currently applies to Area C (St Christopher’s). For consistency this should be removed so that a simply unqualified setback of 10m applies to Areas A, C and D.</p>	<p>Articulation elements are minor building elements such as balconies, verandas, fin walls, porches, awnings, sunscreen and shade devices, pergolas, bay windows, dwelling entries, and roof elements designed to enhance the architectural interest of the building from Canberra Avenue. Buildings in Area ‘B’ are currently built to a zero metre setback and this is considered to be an appropriate urban design response for this area. See key Issue <a href="#">‘Building setbacks’</a>.</p>
		<p><b>Trees</b></p> <p>Large, wide spreading trees are an essential element of Canberra Avenue and the Manuka Circle Precinct. Canberra’s urban forest has been neglected for the last several years and it is clear that extra resources be applied to maintaining and managing the existing trees and replacing those that have died from drought of neglect. While the KBRG recognises that the Government faces budgetary challenges, perhaps some of the funding currently directed towards importation of “elite sport” from interstate could be redirected to maintenance of these vital public assets.</p> <p>The early development of appropriate Tree Management Plans for the trees on Canberra Avenue and around Manuka Circle is imperative.</p>	<p>The DCP requires that a Tree Management and Replacement Master Plan be approved by the NCA. It is a requirement of the current Tree Management and Replacement Master Plan that the historic landscape character attributed to Charles Weston and Lindsay Pryor be maintained and enhanced as trees senesce and require replacement.</p>

	<p><b>Heritage</b></p> <p>The proposed Manuka Circle Precinct contains a large number of heritage sites. The key features, elements and attributes of the precinct should be appropriately protected. Nick Swain’s excellent submission discusses these elements in detail and we commend this submission to the Authority.</p> <p>In particular the KBRG supports Nick’s suggestion that the Draft DCP be revised to adopt the conservation objectives identified at pp112-113 in Lovell Chen’s 2014 <i>Manuka Circle Precinct, Griffith, ACT Conservation Management Plan</i>. These are:</p> <ul style="list-style-type: none"> <li>• maintain the use of the Manuka Oval as a venue for sports and recreation;</li> <li>• protect and reinforce the aesthetic qualities of the landscaping (mature trees) to the perimeter of the oval based on the original planting themes established in the 1920s;</li> <li>• ensure that the landscaping to the perimeter of Manuka Oval remains the dominant feature of the place;</li> <li>• ensure that future landscaping works at the precinct as a whole are consistent with the valued landscape qualities of the setting;</li> <li>• conserve the interwar buildings at the Manuka Circle Precinct: the Manuka Swimming Pool and its setting; the Curator’s Cottage; and the 1937 block at the Manuka Arts Centre (former Griffith Child Welfare Centre);</li> <li>• ensure that future works to buildings and landscape elements within the study area are compliant with Burra Charter principles, and in accordance with statutory heritage opportunities and constraints;</li> <li>• guide the future management of the precinct with the objective of ensuring that all aspects of the cultural heritage significance of the place and its individual elements are acknowledged and maintained;</li> <li>• ensure the conservation (preservation, restoration, reconstruction and adaptation) of fabric and elements of significance within the precinct within a policy framework that is robust, easily understood and consistent in its approach; and</li> <li>• support a sensitive approach to potential future change that is compatible with the heritage values of the precinct and the places within it.</li> </ul> <p>Specifically the KBRG urges the NCA to include in the DCP a provision similar to that proposed in Policy 26 of the <i>Manuka Circle Precinct, Griffith, ACT Conservation Management Plan</i>.</p> <p>Consider impact of new buildings and works on heritage values</p> <p><i>The siting, scale and location of new buildings or works should not detract from the prominence or character of the perimeter landscaping to Manuka Oval or the presentation of significant buildings within the precinct.’</i></p>	<p>See key Issue <a href="#">‘Heritage’</a>.</p>
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	<p><b>Extension of the currently proposed Manuka Circle Precinct</b></p> <p>The surrounds of Manuka Circle include places that relate, both commercially and historically, to the Manuka shopping centre. However, some of these elements of the Manuka Circle heritage and landscape, and some neighbouring commercial areas, with existing DCPs in place, lie outside the area of the proposed precinct. It has been suggested that some extension of the currently proposed Manuka Circle Precinct would be desirable.</p> <p>Areas suggested for inclusion include the Manuka Pool; the Manuka Arts Centre; Forrest Fire Station Precinct (Section 35 Forrest); Block 18, Griffith (includes East Hotel (DCP 171/00/0003) and other businesses); and Block 19, Griffith (DCP 12/02) (includes Kingston Hotel, Tobin Brothers Funerals, BP service station and Eastlakes Football club).</p> <p>Manuka Pool and the Manuka Arts Centre are in Manuka Circle and form an integral part of the heritage landscape setting that is so valued for the whole of Manuka Circle. The Forrest Fire Station Precinct addresses both Canberra Avenue and Manuka Circle. Block 18, Griffith is immediately opposite St Paul’s Cathedral and borders on Manuka Circle, and would appear to be just as much part of Manuka as St Paul’s. Block 19, Griffith is an extension of the business area of Manuka on the northern side of Canberra Av, and its natural connections are with the Manuka Group Centre. Block 19 is separated from other buildings further east on Canberra Avenue by Kingston Oval, providing a natural boundary.</p> <p>The KBRG believes that the appropriate boundaries of the Manuka Circle Precinct require further discussion and invites the NCA to explain why it included the elements that it has and excluded others.</p>	<p>See key issue <a href="#">‘Area subject to DCP’</a>.</p>
	<p><b>NCA Certification of Development Applications</b></p> <p>There are pros and cons with the proposal that NCA certification of Development Applications supplants the current role of the ACT government planning authorities, and further public debate and consideration of this proposition is needed. There is a risk that a hypothetical future Federal Government indifferent or hostile to the national capital might do lasting damage if appropriate safeguards and checks and balances were not in place.</p>	<p>See key issue <a href="#">‘Authority certification of proposals’</a>.</p>