



Australian Government
National Capital Authority

Consultation Report

**Works Approval Application 19652 (WA19652) – Block 13
Section 9 Barton Stage 3 Residential Development**

June 2015

1 Introduction

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

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

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

On 3 October 2014, the NCA received an application from Colin Stewart Architects for Stage 3 Residential development of Block 13 Section 9 Barton. The application comprises the construction of a seven storey residential development with two levels of basement parking and ground floor retail/café space to Macquarie Street. This application forms the final stage of a three stage development of Block 13 Section 9.

A map detailing the location of the application is at [Attachment A](#).

2 Public consultation requirements

2.1 National Capital Plan

Under the Plan, the requirements for public consultation apply, but are not limited to, certain residential developments, telecommunications facilities (that are not considered low impact) and amending or issuing an instrument under the Plan (including Development Control Plans).

2.2 Commitment to Community Engagement

The NCA's 'Commitment to Community Engagement (February 2015)' details how the NCA conducts consultation. The purpose is to achieve a greater level of consistency and transparency in the NCA's decision making process.

The Commitment to Community Engagement describes:

- the minimum requirements for consultation
- the timeframes for amendments to the Plan
- what is involved in preparing a new Development Control Plan
- the process for amending or issuing an instrument under the Plan
- the process by which WA applications, which are released for public consultation, will be assessed.

Part 2 (Consultation Protocol) of the NCA's 'Commitment to Community Engagement (August 2011)' describes the consultation process for WA applications. The consultation protocol includes criteria for which an application will be assessed, in order to determine whether the application should be released for public notification or full public consultation.

For development applications, the NCA undertakes a risk assessment of each proposal against the assessment criteria set out in the Consultation Protocol. The public notification process will include information about the NCA's risk assessment of the proposal against the assessment criteria below.

1. What is the likelihood that the proposal will adversely affect existing public space and / or community amenity?
2. What is the likelihood that the proposal will adversely affect existing environmental, heritage or landscape values?
3. What is the likelihood that the proposal is discordant with the general development and amenity of the locality in terms of materials, finishes, scale, massing, design and quality?
4. What is the likelihood that the proposal is inconsistent with an existing Heritage Management Plan (HMP)? (If there is no HMP, this question is not applicable).

The combination of the likelihood and consequence from the criteria described in the above categorises an overall perceived risk into five ratings being 'negligible', 'low', 'significant', 'high' or 'extreme'. Works assessed as having an 'extreme' risk will be rejected.

Full public consultation for WAs will be required where the NCA's perceived risk rating is 'significant' or 'high', and also for any development where consultation is a mandatory requirement under the Plan.

When a WA application is lodged and consultation is required, the applicant is required to consult with the community and stakeholders. The NCA may stipulate specific requirements for consultation and, for higher perceived risk proposals, may undertake the consultation process itself.

The NCA may set aside the requirement to undertake full public consultation where:

- (a) previous consultation has been undertaken
- (b) for minor amendments to previously approved works
- (c) proposals are exempt, as demonstrated in the 'Commitment to Community Engagement (August 2011)'
- (d) the NCA determines it unnecessary and no stakeholders will be affected.

The Plan has specific requirements in relation to consultation for telecommunications facilities, in relation to any new towers, masts or monopoles.

The application for the Stage 3 residential development of Block 13 Section 9 Barton was subject to full public consultation because its level of perceived risk was greater than 'low'.

3 Summary of public consultation

3.1 The public consultation process

The consultation took the form of:

- On Saturday 8 November 2014, publishing a public notice in *The Canberra Times* detailing the proposed works and inviting submissions to be made to the NCA in relation to the proposal (Attachment B).
- Between 8 and 21 November 2014, publishing details of the proposal, including the applicant's plans and supporting documentation on the NCA's website.
- Between 8 and 21 November 2014, two signs were on site both fronting Macquarie Street.
- The NCA writing to surrounding lessees inviting comments.

3.2 Submissions received, comments and response

The NCA received no submissions during the consultation period.

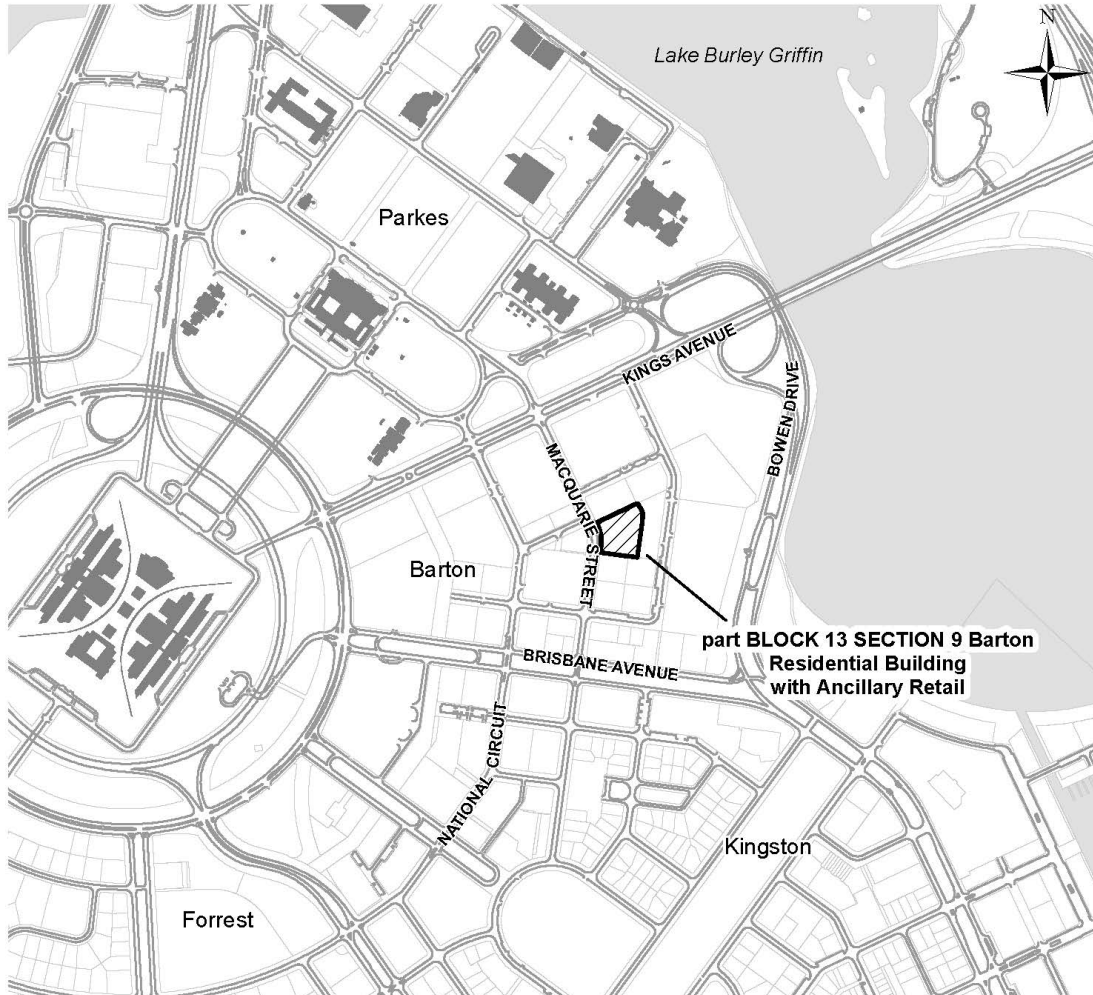
4 Comment and response

The NCA received no submissions during the consultation period.

5 Conclusion

The NCA's consultation process was carried out in accordance with the Plan and the NCA's 'Commitment to Community Engagement (August 2011)'. No submissions were received.

2.3 Attachment A – Location plan



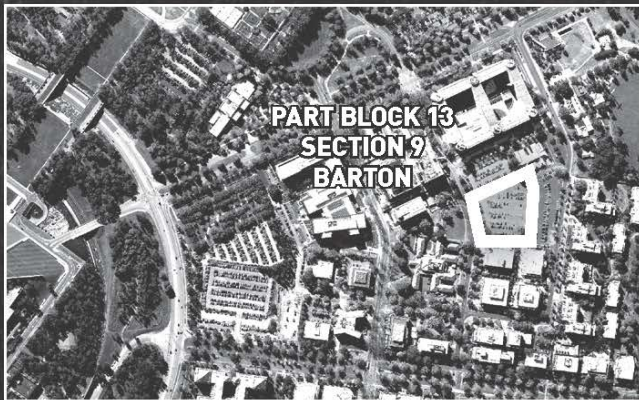
Attachment B - Canberra Times – public notice



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WORKS APPROVAL

Block 13 (Part) Section 9 Barton
44 – 46 Macquarie Street
Residential building with ancillary retail



The National Capital Authority (NCA) has received a works approval application from Colin Stewart Architects for construction of a residential building with ancillary retail on part Block 13 Section 9 Barton (44 – 46 Macquarie Street).

For comments and more information, visit the NCA's website or contact Natalie Broughton on (02) 6271 2888. Write to us at GPO Box 373 Canberra ACT 2601.

Comments close on COB Friday 28 November 2014.

ALL SUBMISSIONS, INCLUDING NAMES AND ADDRESSES WILL BE MADE PUBLICLY AVAILABLE AT THE NCA OFFICE AND ON THE WEBSITE, SUBJECT TO APPROVAL IN WRITING BY THE SUBMITTER, IN ACCORDANCE WITH THE NCA'S COMMITMENT TO COMMUNITY ENGAGEMENT.

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