

# Planning Report

Works Approval  
Blocks 864 and  
1151

Weston Creek

Prepared for:



August 2021



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#### Version Control

11.07.2021: Works Approval Submission

19.08.2021: Revised For Works Approval Submission

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# 1

## Introduction

### 1.1 Purpose and Structure of Report

This report has been prepared to support a Works Approval application for the construction of an institutional use (nursing home and aged persons home) along with associated works on Blocks 1151 and 864 in the District of Weston Creek.

The report has been structured to meet the requirements of the National Capital Authority (**NCA**) as detailed in the Works Approval Application form and the requirements as detailed in the National Capital Plan (**NCP**).

Consultation and discussions have been undertaken with the NCA over a number of years regarding the future development of the site and a number of meetings have been held with the NCA to inform and direct the design development process for this institutional use (nursing home and aged persons home) development.

A separate document list has been prepared to accompany this Works Approval application. The list provides drawing and revision numbers for the documentation, so that it can easily be tracked.

### 1.2 Overview of Proposal

This Works Approval application seeks approval for construction of an institutional use (Nursing and aged care home) development on Block 1151 and 864 in the District of Weston Creek, the site is Designated Land and is subject to the detailed provisions of the NCP.

The proposed works include:

- 55 independent living town houses (2 and 3 bedrooms) with parking;
- 261 independent living unit apartments across four buildings with basement level car parking
- 11 high care rooms;
- Care Hub and associated clubhouse with facilities for the community
- Associated landscaping and engineering works including driveways and parking

The proposal is to be assessed in the context of the supporting documents submitted.

### 1.3 ‘Yarralumla Community Vision by Proponent LDK Seniors Living and Healthcare

LDK is an experienced seniors living developer who constructs, owns and operates senior living developments across Australia. Presently LDK is completing the comprehensive, adaptive reuse development of the former Tuggeranong Office Park at Section 14 Greenway. LDK has undertaken this *institutional use* (nursing home and aged persons home) development in consultation with the NCA.

LDK has a vision for the ‘Yarralumla community’ to be a genuine *continuum of care* community. This means that every senior who moves into this community will do so with the comfort of knowing that they will never have to move again. All levels of care will be provided to residents in their homes including full palliative care. LDK Healthcare is a fully approved home, community and residential care provider under the Aged Care Act 1997 and also a fully approved aged care provider by the Commonwealth Department of Veterans’ Affairs.

Canberra is experiencing a significant shortage of quality seniors and aged care housing, and the number of Canberra residents aged 80 years or over are expected to double over the next 12 years. Therefore, it is imperative to deliver a development of this quality and nature. LDK Seniors Living and Healthcare has a strong desire to continue producing quality new seniors developments within the ACT, for the benefit of the local community and its residents. The proposed ‘Yarralumla community’ represents that desire. The proposed ‘Yarralumla Community’ will offer a seniors hub for residents and other seniors in the immediate and surrounding suburbs of Canberra. An example of the LDK model is evident at Greenway in Tuggeranong, where a number of seniors groups have now based their clubs in the LDK community. These include a subbranch of the RSL, a probus group and CoDA has also established an office.

The LDK ‘Yarralumla Community’ development has an estimated value of \$143 million and completed community will have sales in excess of \$300 million, which represents a significant investment in seniors living and the broader ACT economy. Subject to obtaining all necessary approvals, LDK Seniors Living and Healthcare plans to commence construction in early 2021, which will stimulate much needed investment in the ACT construction industry and local economy. Furthermore, once completed the LDK Yarralumla Community development will generate approximately 120 jobs in aged care, nursing, hospitality and associated services. Accordingly, the LDK ‘Yarralumla Community’ development will deliver a range of ongoing economic and social benefits to the ACT community and its residents.

# 2

## The Site

### 2.1 Site Context

The subject site is located in the District of Western Creek to the west of the parliamentary triangle and approximately 6.5 kilometres from Canberra’s Civic Centre. The regional location context is shown in **Error! Reference source not found.**. Rural Block 1151 is 11,705 square metres in size and Block 864 is 43,159 square metres in size and is located on Cotter Road, a main arterial road.

The site is designated land, and is surrounded to the west, north and east by rural blocks in the custodianship of the ACT Government, utilised primarily for equestrian and agistment purposes. To the east is a large block which contains one of the ACT Government Horse Paddocks, further to the north east is the Molonglo River Corridor.

To the west are other rural land holdings which include horse related activities and Equestrian Park facilities. To the south of the site is the Cotter Road corridor and then residential blocks within the suburb of Curtin.

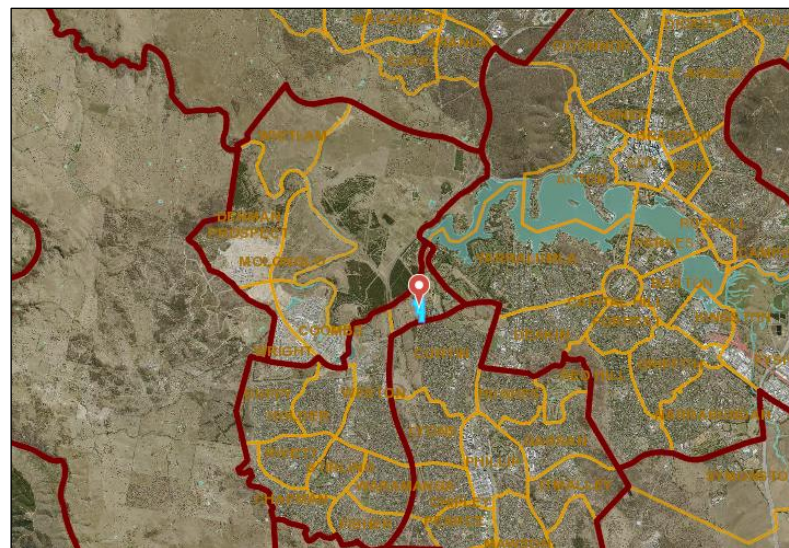


Figure 1: Site Context (ACTmapi)



Figure 2: Site location and surrounding locality. (ACTmapi)



The site surrounds are characterised by individual buildings in the landscape with remnant farmland/historical buildings such as Yarralumla Woolshed and Government House. The site looks to the North over open landscape towards the National Arboretum, a site perspective is shown in the figure below.

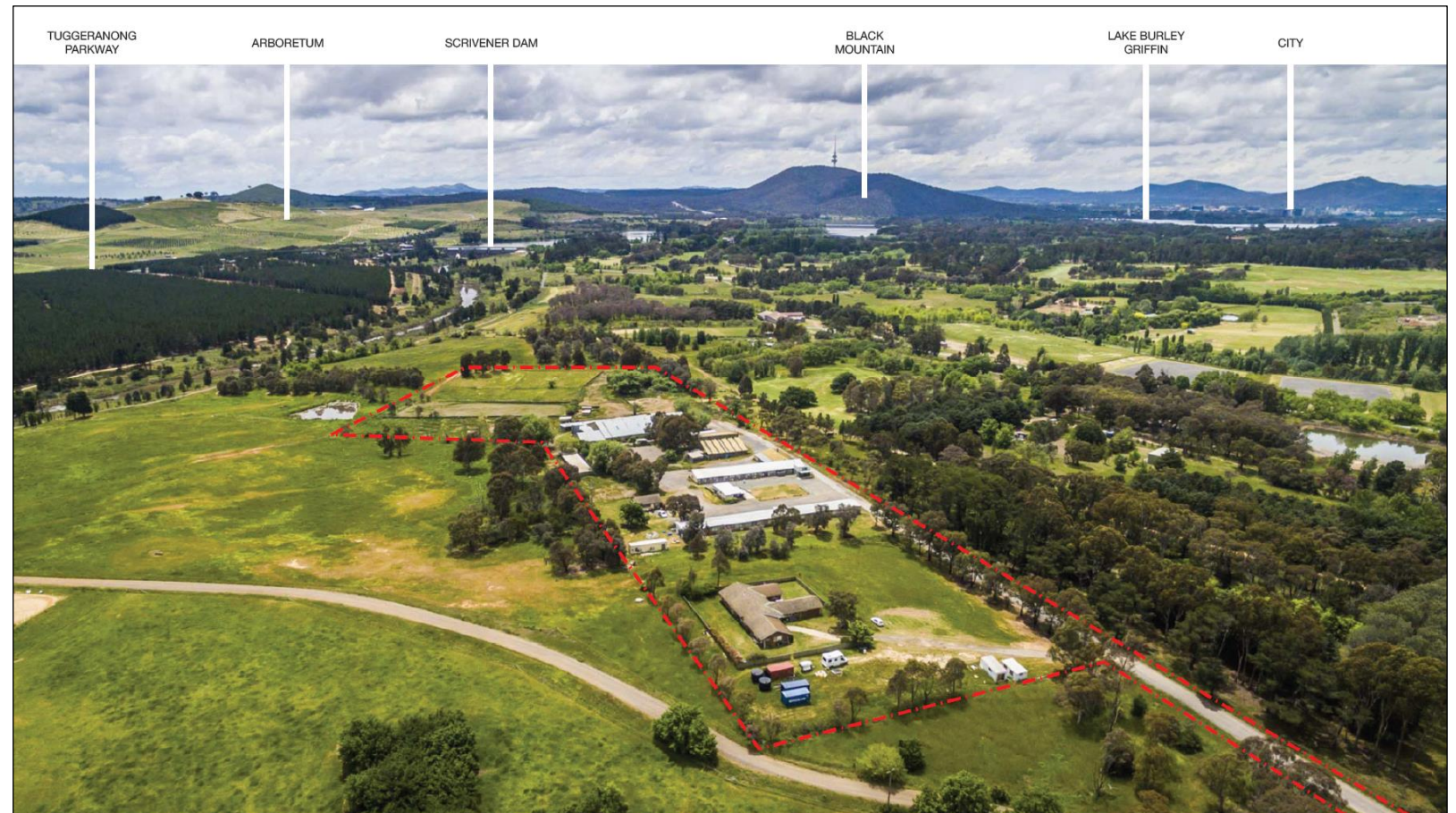


Figure 3: Site aerial Imagery as viewed looking north. (Rothelowman)



## 2.2 Site History

The site includes a disused swimming pool and a small motel, which has recently been closed, and a residence for the manager. A historical aerial photo from 1955 shows the site as undeveloped. Detailed investigations into the historical uses of the site have been undertaken as part of the land contamination studies.

## 2.3 Site Description

The site is gently undulating, sloping towards the north west at the rear of the property. There are two easements located on Block 1151, an electricity easement and a sewer easement. The site contains landscaped plantings of a variety of trees predominantly Eucalyptus spp. and Willow. The site contains one dwelling which is tenanted, a former budget motel, a number of sheds, and a large building containing a disused swimming pool a dirt yard and agistment paddocks.

## 2.4 Vehicular Access and Parking

The site is well served by major and supporting road infrastructure. The site fronts onto Cotter Road which has a dual lane carriageways running in an east west direction. Cotter Road provides the following connects to areas within Central Canberra and beyond:

### Cotter Road to the east

- Connection with McCulloch Street which provides access to Curtin to the south and Woden Town Centre further to the southwest.
- Connection with Lady Denman Drive which provides connections to the northeast towards Canberra's City Centre, ANU and northwest to Parkways providing access North Canberra areas such as Belconnen and Gungahlin
- Connections to the east with Adelaide Avenue connecting to Parliament House, Central Canberra areas such as Barton, Deakin, Forest and further east and north to Commonwealth Avenue which connects to Canberra's City Centre.

### Cotter Road to the west

- Connection with Tuggeranong Parkway which provides north or south connections to key districts in Canberra such as Tuggeranong to the south, Central Canberra, North Canberra, Belconnen and Gungahlin to the north.
- Further to the west Cotter Road connects to Weston Creek District and group centre, Molonglo Valley various suburbs such as Coombs, Wright and Denman Prospect.

## 2.5 Land Contamination and Remediation Action Plan

A Remediation Action Plan (**RAP**) was completed by Lanterra Consulting dated 18 December 2020. The RAP provides a detailed review and analysis of the previous reports and site specific investigations. The RAP has identified areas of land contamination and presents a detailed remediation action plan to decontaminate the site. The RAP objectives are stated below:

- Summarise the site characteristics;
  - Define the extent of remediation required;
  - Assess appropriate remediation options and select a preferred option;
  - Document the remediation methodology, including the associated safety and environmental management controls;
  - Establish the requirements for the derivation and/or selection of validation criteria relevant to the future land-use and detail the validation program (including reporting);
-

- Identify the regulatory requirements relevant to the proposed remedial works; and
- Outline any potential ongoing monitoring or management requirements to ensure the continued protection of human health and the environment.

The conclusion of the RAP states:

*“It is considered that the objectives of the onsite remediation will be achieved subject to the successful implementation of the actions contained in this RAP, which will enable the site to be made suitable for the proposed residential aged care use. Additional documents/plans may be required by an Auditor or the ACT EPA to be prepared prior to remediation commencing, in order to inform the remediation strategy and validation of remediation objectives.”*

The RPA conclusion generally supports future uses of the site for purposes proposed and the RPA has been drafted in consultation with the ACT Environment Protection Authority. Furthermore, the RAP has been reviewed and approved by an independent approved environmental auditor in accordance with EPA guidelines.

## 2.6 Utility Services

Detailed engineering and services investigations have identified a range of services within the site including access to telecommunications, electricity, water, sewerage and stormwater. These services need to be augmented to support the proposed use of the site and such works can be completed subject to obtaining all necessary approvals.

## 2.7 Land Status/Tenure

Blocks 1151 and 864 Weston Creek is situated in Designated Areas . The National Capital Plan identifies lands that have ‘special characteristics of the National Capital’ as ‘designated areas’. Within Designated Areas the National Capital Authority has sole responsibility for determining Detailed Conditions of Planning, Design and Development, and for Works Approval. Accordingly, planning approval for the proposal rests with the National Capital Authority.

## 2.8 Bushfire

The ACT Strategic Bushfire Management Plan identifies the entire site as a Bushfire Prone Areas. Areas surrounding the site are subject to existing Bushfire Operational Plans and Bushfire Abatement Zones. The Bushfire Assessment and Recommendation and peer review, have considered the proposed development with regards to the relevant codes, strategies and management plans:

- ACT Planning and Land Authority (ACTPLA) Planning for Bushfire Risk Mitigation General Code (2008);
- ACT Strategic Bushfire Management Plan 2014;
- Australian Standard 3959-2009 Construction of buildings in bushfire-prone areas;
- NSW Planning for Bushfire Protection 2006;
- Special Fire Protection Development or referred to in NSW as a Special Fire Protection Purpose; and
- National Construction Code (20016) – Australian Building Codes Board, Canberra .

The adjacent land is currently managed under an existing bushfire management plan. The applicant is currently seeking to expand the existing management regime of the precinct to ensure protection measures are aligned for all surrounding sites.

# 3

## Background

### 3.1 Project Background

The current lessee of the site has investigated development options and previously prepared a masterplan and was investigating options for aged care/retirement living and child care on the site. The NCA reviewed the master plan and land uses and indicated that child care would not be appropriate, however, supported the concept of aged on the site. The COX master plan included a series of buildings ranging in heights from two to five storeys (see figure below). The COX Master Plan was presented to NCA board and subsequently endorsed. In addition, in 2015 a letter was provided from the NCA to lessee outline that the proposed use was consistent with the National Capital Plan and consistent with the provisions of the crown lease (NCA letter attached in **Appendix 1**).



Figure 4: COX Master Plan (November 2014) for Block 1151 and 864 Weston Creek.

Discussions with the NCA in relation to the Master planning determined that child care use would not be permissible on the site, although institutional use was permissible in the Crown Lease and zone. A letter from the NCA (dated 28 January 2015) in support of “Institutional use” and providing the NCA’s support for a 99 year lease for blocks 864 and 1151 is included with this submission.

The proponent, LDK Senior’s Living is under negotiations with the lessee for purchase of the Blocks pending approval for the proposal from the NCA.

### 3.2 Overview of National Capital Plan Approval Requirements

The general works approval process is shown below. The proponent has advanced with Stages 1 and 2 of this process. Canberra Town Planning have prepared this report as part of Stage 3 of this process which is a formal submission of a Works Approval.



Figure 5: General Works Approval Application Process

This process and the associated tasks are set out below:

#### **Start Dialogue:**

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

#### **Design Development**

- Proponent prepares sketch designs and submit to NCA for comment before proceeding with design development.
- Continue collaborative design development with NCA (may include numerous submissions, discussions and meetings)
- More detailed design drawings submitted to facilitate a more detailed assessment and 'support in principle' before construction documentation is prepared.
- Works Approval Documents are prepared ready for formal submission

#### **Works Approval Submission and Notification (This step)**

- Formal submission of Works Approval which is the subject of this application (Formal application lodged with working drawings and supporting documents)
- Application Fees invoiced and paid by the proponent while assessment continues

### Proposal Assessment and Approval Granted

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

### 3.3 Crown Lease

The table below provides the relevant property information and it is noted that the Blocks purpose clause contain the community facility.

Table 1 – Summary of Crown Lease Provisions

Lease Item	Clause
Site Identifier	District of Weston Creek Block 864 and 1151
Site Address	Cotter Road
Owner Lease	Dassar Pty Limited
Site Area	5 hectares 4860 sq metres
Lease Commenced	12 November 2010
Lease duration/termination	50 years
Deposited Plan	2685 5845
Easements	No easements identified in the lease
Concessional	No, market value lease
Previous Crown Lease variations	None
Use/ Purpose Clause	3 (a) To use the premises only for the following purposes: (i) commercial accommodation; (ii) community facility; (iii) indoor swimming pool for swimming tuition, and swimming therapy for persons requiring rehabilitation; (iv) restaurant; (v) riding school and/or livery stable; (vi) scientific research establishment PROVIDED ALWAYS THAT this use MAY NOT be undertaken for the use or testing of one or more of the following:

Lease Item	Clause
	<p>toxic chemicals, radioactive materials or explosive materials; human, animal or plant diseases; live animals; genetic engineering; and/or industrial processes which may interfere with the amenity of the surrounding area because of noise, vibration, odours or emissions;</p> <p>or for an agricultural research facility involving one or more of the following: the use of agricultural chemicals or the keeping of stock at greater intensity than normal agricultural practice; experimentation with plant or animal diseases, or genetically-altered organisms; the introduction of plant or animal species that are not already established in the ACT or are not already used in normal agricultural practices in the ACT; the use of radioactive materials; and</p> <p>AND FURTHER PROVIDED THAT an assessment of health impact shall be submitted to and approved by the Territory (ACT Health) prior to the commencement of any research that has a potential to impact on public health;</p> <p>(vii) tourist facility (not including a service station);</p> <p>AND ANCILLARY thereto residential;</p>
Costs for Access	<p>(b) That the Lessee shall pay to the Territory any and all reasonable costs associated with any upgrade to Cotter Road to enable adequate access to the land upon its redevelopment for use as commercial accommodation, community facility, scientific research establishment or tourist facility (not including a service station). Such upgrade/s shall be carried out in accordance with a traffic study prepared by a suitably qualified person at the cost of the Lessee. All reasonable costs and expenses incurred by the Territory in carrying out the work on behalf of the Lessee shall be paid by the Lessee to the Territory on demand and from the date of such demand until paid shall for all purposes of this lease be a debt due and payable to the Territory by the Lessee;</p>
Trees	<p>(c) That the Lessee shall not cut down fell ringbark or otherwise injure or destroy (or suffer or permit the same) any live tree or tree-like plant on the land without the previous approval in writing of the Territory;</p>
Service Areas	<p>(d) That the Lessee shall screen and keep screened all service areas to the satisfaction of the Authority and shall ensure that all plant and machinery contained within the premises is suitably screened from public view;</p>
Interests	No interests
Land Use Policy	'Designated' Under National Capital Plan
General Policy Plan	Lake Burley Griffin and Foreshores



# 4

## The Proposal

### 4.1 General Description

The project involves the construction of an Institutional Use (nursing home and aged persons home) comprising of the proposed works include:

- Demolition of existing buildings and structures within the site;
- Earthworks and land decontamination works;
- Construction of roads, installation of utilities connections and other services;
- Tree removal and tree protection and preservation works;
- 55 independent living town houses (2 and 3 bedrooms) with parking;
- 261 independent living unit apartments across four buildings with basement level car parking
- 11 high care rooms;
- Care Hub and associated clubhouse with facilities for the community; and
- Associated landscaping and engineering works including driveways and parking.

A more detailed description of the proposal is provided in the following subsections and can be viewed on the accompanying works approval plans and supporting reports.

### 4.2 Demolition

Demolition works on site would be undertaken as shown on the Demolition Plan, and would include demolition of existing buildings and structures on the site including an existing brick house, motel buildings, swimming pool building and sheds. Removal of trees and shrubs.

### 4.3 Driveways and Parking

The proposal includes development of circulation and access driveways around the site, vehicle movements around the site. The access roads have been designed to accommodate adequate vehicular capacity and on street and below grade parking is provided where appropriate. Accordingly, the proposed access roads, driveways and parking are adequate to accommodate the proposed development on the site.

#### **4.4 Site Establishment Works and Earthworks**

Site establishment and earthworks will be undertaken in accordance with the Civil Drawings prepared by Sellick Engineers included in this submission and would include:

- Temporary Construction Fencing to the site;
- Temporary site office/ amenities buildings;
- Storage container;
- Diesel generator;
- Bulk Earthworks involving cut and fill as detailed on bulk earthworks plan;
- Erosion and sediment control devices and temporary retention basin as detailed in relevant drawings;
- Construction of a retaining wall to the western side of the site; and
- Tree removal as shown on plans.

#### **4.5 Services**

Servicing would be undertaken in accordance with relevant engineering and services plans. For full details regarding services refer to the full package of drawings and documentation by Selleck Engineers submitted with this Works Approval application.

#### **4.6 Civil Works**

All civil works will be undertaken in accordance with the detailed design drawings and documentation by Selleck Engineers.

#### **4.7 Waste Management**

All onsite waste management will be undertaken in accordance with the Waste Management Drawings prepared by Selleck Engineers. These drawings indicate all location of waste enclosures and path of travel for individual development types. For full details refer to the Waste Management Drawings prepared by Selleck Engineers and submitted with this Works Approval application.

#### **4.8 Trees**

A arboricultural report of all existing trees within the site has been undertaken by Canopy Tree Experts. This assessment is accompanied by a detailed survey which identifies a number of trees within the site for retention or removal. As the site is identified as Designed Areas and subject to the planning jurisdiction of the National Capital Plan and NCA, the site does not contain any ACT registered trees.

The preliminary arboricultural report has identified a number of trees which should be considered for retention given the tree species, health and quality of the structure. The proposed development has been designed having regard to this advice and the only exception quality tree on the site will be retained and protected as part of the proposed development. In addition, a number of good quality trees will be retained and protected as part of the development. Accordingly, the proposed development is considered to address the existing quality of trees within the development site.

## **4.9 Landscaping**

Landscaping will be provided throughout the site as per the detailed landscape drawings and schedules by the landscape architects. The landscape drawing lists includes a detailed site analysis including constraint and opportunity analysis.

The species selection for plantings in the landscaping would incorporate species suitable for this high bushfire risk area. The landscaping includes mulched garden beds with shrub and feature planting, native tree plantings and dryland grassing.

Establishment of the Inner Asset Protection zone would occur as part of the establishment of the landscaping for the site and would involve some clearing and thinning of vegetation, particularly on the northern side of the facility. In accordance with the Bushfire Risk Assessment requirements.

For full details regarding landscaping please refer to the landscape architecture package of drawings, which are submitted with this Works Approval application.

## **4.10 External Lighting**

The external lighting to the proposed development has been designed by WSP. The detailed lighting drawings include lighting types, locations and technical drawings to facilitate installation. The lighting has been designed in accordance with Australian Standards.

Lighting design has been undertaken in general accordance with the NCA's Outdoor Lighting Policy.

## **4.11 Signs**

Signs have not been included within this application, as the details of these are currently unknown. A separate works approval will be provided for signage associated with the development at a later stage.

## **4.12 Employment**

The facility will employ over 120 full time staff at completion including nurses, carers, chefs, hospitality workers, resident concierge, facilities maintenance staff and village employees.

# 5

## Design Statement

### 5.1 Background

The proposed development has been through a number design iterations a summary of the proposed design is provided below for context and consideration.

#### **Revised Yarralumla Views (Yarralumla Community) Concept Design Report by Rothelowman**

The project architect Rothelowman architects, has extensive and additional analysis and review of the proposed development against the original Master Plan. The revised Concept Design Report includes a number of new sections which has informed the design of the development. The proponents (LDK Seniors Living) and the project team believe the proposal will deliver a superior architectural, urban design, landscape and land use planning outcome for the site and locality.

#### **Improved land use planning outcome**

The proposed development of Blocks 864 and 1151 Weston Creek for the purposes of an *institutional use* (nursing home and aged persons home) with a range of ancillary facilities, will deliver an array of benefits to the ACT. As outlined earlier in this letter, the demographic trends for the ACT are expected to see a rise in the demand for quality seniors living developments. The LDK vision for the ‘Yarralumla community’ is to be a genuine continuum of care community, meaning every senior who moves into this community will do so with the comfort of knowing that they will never have to move again. This desire to provide a continuum of care community is also evident in the proposed development as it now includes low and medium density development, which increases diversity of seniors living housing typologies to include townhouses for independent living.

#### **Superior architectural, urban design and landscape outcome**

The proposed development will significantly reduce the number of multi storey buildings across the site when compared to the endorsed Master Plan. Specifically, multi-storey buildings are to be situated in northern and central portions of the site. The central and southern part of the site is proposed to contain one storey townhouses/villas for independent seniors living dwellings. The proposal will significantly reduces the scale of the development when compared to the endorsed Master Plan and also reduces the scale of development when viewed from Cotter Road. Moreover, the proposal provides for a mixture of seniors living densities, which now includes low and medium density housing to provide greater living options for future seniors residents.

The co-location of the multistorey buildings in the southern and central part of the site allows for future residents of the aged care apartments and high care facilities, to be clustered around resident amenities (such as movie theatres, hair dressers, cafes, gyms and community spaces). This will promote accessibility and facilitate much needed social interactions for this less mobile cohort of aged care residents. In addition, a high quality central landscaped pedestrian plaza will feature at the heart of the buildings, facilitating easy access between buildings and deliver considerable outdoor resident amenity.

The proposed development also provides for greater setbacks from the sites boundaries when compared to the endorsed Master Plan. The increased setbacks address the bushfire safety considerations, and the revised site planning allows for the retention of existing high-quality tree which would require removal under the endorsed Master Plan. In addition, a high quality linear park is proposed along the entire eastern side of the site, and will provide significant amenity for residents and extensive deep root landscaping. A more efficient and legible internal road network will provide vehicular access around the site and facilitate easy access between the medium and low-density aged care dwellings within the complex.

## 5.2 Design Statement

Rothelowman has developed the design based on consideration of the Burley Griffin Plan, National Capital Plan and other planning and design matters relevant to this site. This has included an extensive and detailed site analysis.

Design Statement Principle	Design Statement Deliverable
HOW CAN THE BURLEY GRIFFIN VISION BE FURTHERED?	<ul style="list-style-type: none"> <li>• The nature of the Burley Griffin Plan was an exploration of the relationship between built and natural form, and how this creates a city function.</li> <li>• Landscapes were to flank or act as backdrop to important buildings or precincts.</li> <li>• All views and vistas across the city are framed by natural vegetation and features.</li> </ul>
WHAT ARE THE UNIQUE ELEMENTS OF THIS PLACE?	<ul style="list-style-type: none"> <li>• The subject site is located within an area dominated by landscape, and open space.</li> <li>• Buildings within this area are characterised as robust, of significant scale and form.</li> <li>• They are characterised by previous rural uses, or civic in nature</li> </ul>
THE LAKE AND THE CITY	<ul style="list-style-type: none"> <li>• The relationship of built form to the lake is formal and expressive.</li> <li>• Consideration of views to and from buildings dominate, with broader spatial arrangements at the city scale considered in each masterplan.</li> <li>• The macro principles drive the micro design outcomes.</li> </ul>
ARE EXISTING APPROACHES TO MASTERPLANNING HOUSING THE RIGHT WAY FORWARD FOR THIS SITE?	<ul style="list-style-type: none"> <li>• Contemporary residential development by its nature is urban, controlled by the street alignments and subdivision. It is one dominated by the vision of individuality.</li> <li>• Each building sits in its own smaller landscaped setting, with the public domain a secondary landscape space, linear in nature, provides a web of links.</li> </ul>
WHAT CAN WE LEARN FROM AGRICULTURE ABOUT CONSIDERING LANDSCAPE?	<ul style="list-style-type: none"> <li>• Lessons can be learned from the approach of agriculture to working with land form.</li> <li>• The regularity and formality of the orchard builds upon the natural form, with this formalism occasionally interrupted by the natural terrain or features.</li> <li>• This approach visually harmonises both and creates a macro visual scale that harmonises both.</li> </ul>
PERHAPS WE CAN RECONSIDER AND BE INSPIRED BY THE LANDSCAPE TO CHANGE DEVELOPMENT?	<ul style="list-style-type: none"> <li>• The Canberra context is one of amplified landscape, where human intervention has created a hybrid man-made and natural idyll.</li> <li>• Recent large scale works such as the Arboretum can provide a reference point on how to work at this larger scale.</li> <li>• Doing so can perhaps further uphold and strengthen the Burley Griffin design principles for Canberra.</li> </ul>

### 5.3 Design Response Report

This Works Approval application is accompanied by a comprehensive architectural design report underpinning the proposed development of the site. The architectural design report has been prepared by Rothelowman Architects and includes the following key sections:

1. **Architectural Statement** – The architectural statement outlines a holistic vision for the site and proposed development. The vision is underpinned by best practice urban, architectural and landscape design principles. The proposed development will respect and celebrate the character of the site by working with the existing land form and vegetation, and respecting the surrounding context and environment.
2. **Urban Context** – provides a high level analysis of the site context and location (existing). Provides an overview of the precinct planning framework applied to the development of the site. High level commentary of the planning framework.
3. **Site analysis** – The site analysis has had extensive regard to the surrounding land uses, environmental setting, infrastructure and connections with the locality. A detailed topographical analysis has been undertaken to consider the significant views and vistas both from and to the site. The detailed site analysis has enabled the design team to identify a range of site opportunities and constraints to address as part of this holistic design.
4. **Design response** – The design response outlines a clear design vision and number of master plan principles to embody the proposed development.
5. **Place-making and architecture** – This section of the design report acknowledges the importance of delivering a human-centric development that will enable future occupants to live and age gracefully. To deliver this outcome the design team has incorporated a variety of high quality open spaces, pedestrian connections, common areas and holistic approach to living options all focused on quality built form and design outcomes.
6. **Care Hub** – Outlines the master plan for the care hub and design philosophy, perspective views to illustrate the quality of the architectural and landscape design.
7. **Central Precinct Apartments** – Outlines the master plan for the care hub and design philosophy, perspective views to illustrate the quality of the architectural and landscape design.
8. **Villa Townhouse** – This section of the statement illustrates the materials palette for each of the
9. **Material Palette** – provides detail on the materials and finishes for each of the development typologies and precincts within the site. Indicating how the proposal has been designed to provide a cohesive fit within the Canberra context and response to the site and locality.
10. **Site Remediation Strategy** – provides high level commentary on the site remediation requirements and strategy.
11. **Amendments to endorsed Master Plan** – Provides a comparison of the proposed development having regard to the endorsed master plan future development of the site.



# 6

## Planning context and framework

This section sets out the planning context of the development proposal included in this submission against the relevant legislation and planning instruments such as the National Capital Plan.

### 6.1 Environment Protection and Biodiversity Conservation Act 1999

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

The objectives of the EPBC Act are to:

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

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

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

- world heritage properties
- national heritage places
- wetlands of international importance (often called 'Ramsar' wetlands after the international treaty under which such wetlands are listed)
- nationally threatened species and ecological communities
- migratory species
- Commonwealth marine areas

- the Great Barrier Reef Marine Park
- nuclear actions (including uranium mining)
- a water resource, in relation to coal seam gas development and large coal mining development.

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

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

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

The site contains landscaped plantings of a variety of trees predominantly Eucalyptus spp. and Willow. The site contains one dwelling which is tenanted, a former budget motel, a number of sheds, and a large building containing a disused swimming pool a dirt yard and agistment paddocks and stables.

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

## **6.2 Australian Capital Territory Planning and Land Management Act 1988 (the Act)**

This Commonwealth legislation provides for the planning of the ACT and the management of land in the Territory. Part II of the *Australian Capital Territory (Planning and Land Management) Act 1988* (the Act) establishes the National Capital Authority, and provides the functions of the authority, with one of their functions to prepare and administer a National Capital Plan (NCP) and to keep it under constant review and propose amendments when necessary.

In prescribing matters to be covered in the National Capital Plan, the Act requires the Plan to set out:

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

The Act also provides that the Plan may specify:

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

A definition of works is provided in this Act;

*works includes:*

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

- (d) excavations;  
but excludes anything done inside buildings or structures.

It also sets out the requirements for works in designated areas to be subject to planning and approval by the Authority. The proposed activities would be defined as “works” under the Act and therefore require a works approval.

### **6.3 National Capital Plan**

The National Capital Plan (NCP) is the strategic Plan for Canberra and the Territory...*“is the strategy and blueprint giving effect to the Commonwealth’s interests and intentions for planning, designing and developing Canberra and the Territory”*. The NCP maintains a broad oversight of planning in the Territory and importantly an interest in the planning, design and development of those areas having the special characteristics of the National Capital.

At its broadest level the Plan prescribes broad land use controls across the whole of the Territory and includes more detailed planning provisions for areas to which the Commonwealth have a specific interest and intentions. The object of the National Capital Plan is *“to ensure that Canberra and the Territory are planned and developed in accordance with their national significance.”*

The National Capital Plan (NCP) sets out the general planning principles and policies of land use for all of Canberra and provides detailed planning controls for Designated Areas. The site is subject to the following key Parts of the NCP.

- Part One – The National Significance of Canberra and Territory
- Part Two – Statement of Planning Principles
- Part Three – Land Use Plans and General Land Use Controls
- Part Four (A) – Precinct Codes:
  - 4.12 Lake Burley Griffin and Foreshores Precinct Code (refer to table below)
- Appendix A – Land Use Definitions
- Appendix B – General Definitions

The proposal is analysed against the relevant provisions of the NCP in the tables below and subsequent subsections of this report.

National Capital Plan	Planning Comment
<b>PART TWO – STATEMENT OF PLANNING PRINCIPLES</b>	
<b>2.1 General Matters</b>	
<p>Objective</p> <p>Retain the distinct urban form for which Canberra is well known, of a city within bush surrounds.</p> <p>Principles</p> <p>a. The hills ridges and other major open space which form the separation between towns will be kept largely free of urban development. The planning and development of urban areas will encourage measures through which urban intensification may occur and will be sympathetic to the landscape setting of the National Capital</p>	<p>The proposed development has been carefully designed to provide a cohesive response to the site and landscaped setting. The proposal will ensure Canberra retains the distinct urban character of a city within bush surrounds.</p>
<b>2.3 Sustainability</b>	
<p>2.3.1 Objective one – Environmental sustainability and open space</p> <p>Ensure the development of a city that both respects environmental values and reflects national concerns with the sustainability of Australia’s urban areas.</p>	<p>This proposal seeks to use a suitable site for a permissible use which will provide for the needs of people as they age within the ACT. The proposal addresses the objectives and principles as outlined below:</p>
<p>2.3.2 Principles for Objective one – Environmental sustainability and open space</p> <p>a. Urban expansion should be contained so as to minimise impacts on valuable natural and rural areas.</p> <p>b. A substantial portion of new development must be located within existing urban areas such as town centres and along public transport routes or other strategic sites that allow for efficient use of infrastructure.</p>	<ul style="list-style-type: none"> <li>• The site is situated in Central Canberra and is in close proximity to the Canberra’s City Centre, Woden Weston Creek</li> <li>• The site is well positioned for accessibility, connectivity and allows for urban infill where residents of the nearby suburbs and broader parts of the ACT can age in place.</li> <li>• The appropriate future use of the site will contain urban expansion and minimises the impacts on valuable natural resources.</li> <li>• The proposal will maintain and protect the open space network, visual backdrop and landscape setting of the National Capital.</li> </ul>
<p>2.2.3 Objective two – environmental sustainability and open space</p> <p>Protect the nationally significant open-space network, visual backdrop and landscape setting of the National Capital.</p>	
<p>2.2.4 Principles for Objective two – Environmental sustainability and open space</p> <p>a. the hills, ridges and other major open space will be kept largely free of urban development and will act as a natural backdrop to the National Capital.</p>	
<b>2.4 Liveability</b>	
<p>2.4.3 Objective two – urban design and heritage</p>	<p>The proposed development will enhance the Character of Canberra by providing a cohesive response to the site and locality. The proposal will not impact on environmentally significant places, Indigenous and historic places.</p>

**National Capital Plan**

**Planning Comment**

Enhance the character of Canberra and the Territory as the National Capital by identifying, protecting, conserving and presenting natural, Indigenous and historic heritage places

2.4.4 Principles for Objective two – Urban design and heritage

- a. The National Capital Authority will consider heritage places in Designated Areas as Commonwealth Areas for the purposes of protecting the environment in the manner currently afforded under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) and any subsequent legislation.
- b. Within Designated Areas, the National Capital Authority may require Heritage (or Conservation) Management Plans to accompany development applications for heritage places which should be prepared to meet requirements equivalent to those in the EPBC Act. The National Capital Authority may require Heritage Impact Statements to accompany development applications for a heritage place.
- c. Development should be consistent with the requirements of any relevant Heritage (or Conservation) Management Plan for that particular place.
- d. The management of heritage places should ensure that their use and presentation is consistent with their heritage values. Heritage places will be presented and interpreted to increase public awareness, understanding and enjoyment of the natural and cultural heritage of the National Capital and its conservation, subject to any reasonable requirements for privacy or confidentiality.
- e. The National Capital Authority will adopt the Australian Natural Heritage Charter and the Burra Charter as key guiding documents respectively for natural and cultural heritage places within Designated Areas.

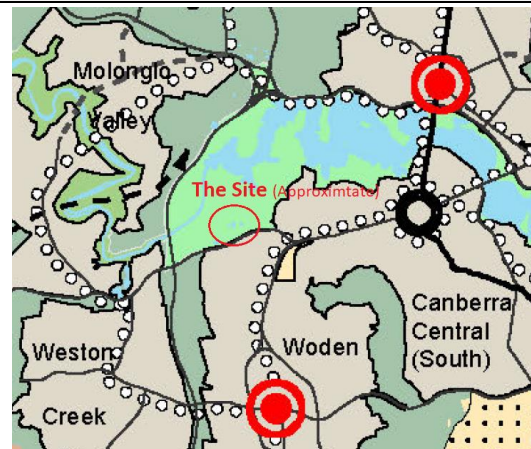
The subject site is not identified as containing environmental, heritage or indigenous values under the provisions of the EPBC Act. Environmental Assessments have been completed and advise the site is highly disturbed and modified over many years according to no further action is required having regard to the provisions of the EPBC Act. In addition, the site does not contain heritage listed places or items and no further investigations are required.

**National Capital Plan**

**Planning Comment**

**PART THREE – LAND USE AND GENERAL LAND USE CONTROLS PRINCIPLES**

**3.1 General Policy Plans**



The site is located in the Lake Burley Griffin area as mapped in figure 2 of the NCP.

**PART FOUR (A) - PRINCIPLES AND POLICIES FOR DESIGNATED AREAS AND SPECIAL REQUIREMENTS FOR NATIONAL LAND OUTSIDE DESIGNATED AREAS**

**4.1.1 General Policies for the Central National Area**

1. Protect the Griffins' vision by:
  - a. fostering recognition of the 1918 Griffin Plan as a work of national and international cultural significance, and conserve those elements that contribute to this significance in a sustainable manner whilst allowing for the evolution of the city in contemporary terms.
  - b. recognising that Canberra is a young city and ensure that future development continues to give expression to the visual geometry, built form, landscape and cultural vitality of the 1918 Griffin Plan
  - c. recognising that some elements (for example, the Australian War Memorial and Parliament House) are successful reinterpretations of the 1918 Griffin Plan which are consistent with and strengthen the framework and spirit of the Plan.
2. Building on the Griffins' vision by:
  - a. maintaining the 1918 Griffin Plan as the primary organising framework of the city's urban form, landscape and symbolism
  - b. fostering Canberra's unique sense of place that has evolved from the Griffins' planning principles
  - c. maintaining the Garden City and City Beautiful values which underpin Canberra's quality of life

The proposed development protects the relevant Griffins' visions as outlined below:

- The proposed development has been designed to provide an appropriate response to the landscape setting by setting aside significant parts of the site for open space area and landscaping.
- The site does not impact on nor is the site in proximity to areas of culturally significant areas of the Central National Area.

The proposed development will build upon the relevant Griffins vision as outlined below:

- The proposal provides high quality landscape setting and environment through the use of connected open spaces and quality public realm areas.
- The proposal will maintain the metropolitan structure of Canberra by providing development in a landscape setting and reducing the need for urban expansion.



National Capital Plan	Planning Comment
<ul style="list-style-type: none"> <li>d. continuing to give expression to the principles of the 1918 Griffin Plan – its visual geometry, built form, landscape spaces and cultural vitality – in order to maintain its integrity as a work of cultural significance which is internationally recognised</li> <li>e. continuing to reinforce and, where possible, express the integrity of the Griffins’ visual structure by strengthening the geometry and form of Main Avenues, vistas and public spaces</li> <li>f. refocusing the symbolic framework of the 1918 Griffin Plan by consolidating development of national symbols and spaces for commemoration and celebration on the land and water axes, and within the National Triangle</li> <li>g. maintaining the geometry and where practicable the fine-grain pattern of the streets and blocks of the 1918 Griffin Plan</li> <li>h. strengthening the landscape framework from the natural setting of the hills, water courses and parks to the character of its streets as generously-scaled corridors for formal plantings of broad-canopy trees</li> <li>i. maintaining the metropolitan structure principles of Canberra’s planning legacy of environmentally balanced urban extensions: design with nature; undeveloped hills and valleys; landscape containment and greenbelts; low traffic congestion; long-term public transport reservations; provision for walking and cycling; and protection of the Central National Area.</li> <li>j. maintaining a mix of tree species which enriches the landscape by providing beauty, shade, shelter and wildlife habitats and enhances the built environment.</li> </ul>	<ul style="list-style-type: none"> <li>• The site is accessible and will not result in unreasonable traffic generation rates.</li> </ul>
<p>3. Revitalise the vision with growth in the Central National Area by:</p> <ul style="list-style-type: none"> <li>a. reinstating the Griffins’ intended unity between the Central National Area, its setting and the everyday life of the city</li> <li>b. delivering the richness and vitality of the Griffins’ vision by ensuring that City and surrounding neighbourhood precincts are strongly connected with the Central National Area, especially with Lake Burley Griffin and its surrounding parks</li> <li>c. accommodating growth in Canberra Central to contribute to a compact, sustainable city that fosters a healthy community, and offers: increased housing, employment and recreation choices; ease of movement; integrated transport and land-use; and respect for the natural environment</li> <li>d. developing the central areas of Canberra, such as City and Constitution Avenue, to the urban scale and diversity intended to consolidate the central areas of Canberra.</li> <li>e. managing change – particularly in terms of traffic and development – to preserve the historic landscapes, Garden City and City Beautiful values, and the dignity of the Central National Area</li> </ul>	<p>The proposed development will build the goal for revitalising the vision with growth in the Central National Area as follows:</p> <ul style="list-style-type: none"> <li>• The proposal accommodates growth in Central Canberra contributing to a compact, sustainable city that will provide additional housing for the aging population in an appropriate location.</li> <li>• The proposal will not create unreasonable additional traffic impacts within the vicinity of the site or the surrounding areas.</li> <li>• The proposed development balances the needs for preserving the landscape setting and Garden City and City Beautiful values.</li> <li>• The proposal will generate positive economic growth for Canberra and deliver much needed seniors living for the ACT and surrounding regions.</li> <li>• The site is well positioned to foster connectivity and accessibility in the central areas of Canberra.</li> </ul>

National Capital Plan		Planning Comment
f.	using public investment in infrastructure to guide private investment, to enhance the vitality, accessibility and national significance of the public domain of the 1918 Griffin Plan, and to generate economic growth	
g.	fostering a greater level of activity, choice, connectivity and accessibility in the central areas of Canberra.	
4.	Link the city to the Central National Area by:	Not applicable to this site or proposal.
5.	Extend the City to the Lake by:	Not applicable to this site or proposal.
6.	Reinforce the Main Avenues by:	Not applicable to this site or proposal.
7.	Link national attractions by:	Not applicable to this site or proposal.
4.1.2 Detailed conditions of planning, design and development		
1	In the Parliamentary Zone (the area bounded by the southern edge of the Lake, Kings Avenue, State Circle and Commonwealth Avenue):	Not applicable to this site or proposal.
2	Other parts of the Designated Areas will be used in accordance with relevant Precinct Codes.	The site is subject to the Lake Burley Griffin Foreshores Precinct Code, and assessment against this code is provided below.
3	Land uses will relate primarily to national functions. This should not, however, preclude the establishment of appropriate ACT Government functions, suitably located.	The proposed land use is for a Community Facility being an 'institutional use' which is permitted within the precinct, and this use has been supported by the NCA. A letter from the NCA dated 28 January 2015 supporting the proposed use is included with this submission.
4	Consideration of commercial uses in those parts of the Designated Area that lie in the City will have regard to the planning effects on City as well as on the Central National Area.	Not applicable, the proposal is not within the City area.
5	Special consideration will be given to community, cultural, residential, tourism, entertainment and leisure uses which complement and enhance the function and character of the Designated Area.	The proposed use is permissible in the precinct and the NCA has provided support for the proposed use refer to the letter from the NCA.
6	Traffic capacity and traffic arrangements on major routes in the Designated Area will be planned to ensure safe and dignified access for all ceremonial occasions, and for residents, staff, tourists and visitors.	The subject site is located on Cotter Road, and access can safely be provided to this site from Cotter Road, which has sufficient capacity for the likely traffic generation from this proposal. A traffic assessment is provided with this submission which has been prepared by Sellick Consultants.
7	The transport system within the Designated Area will be planned and managed for volumes of traffic and parking consistent with the significance and use of the area. Transport infrastructure should foster the use of transport systems which minimise adverse effects from vehicular traffic.	Refer to response at 6 above, the proposal would not propose any changes to the transport system within the area, which is considered to be adequate in relation to this proposal.

8	The urban design of the area is to achieve an integrated design of the highest quality by managing building height and bulk, and by encouraging building forms and layouts on consistent building alignments which enhance the structure of the Griffins' plans.	The proposed design for the development has been undertaken such that the proposal would integrate within the existing landscape and topography of the site. Please refer to Section 5 which provides a design statement which responds to the Burly Griffin Plan and the design response report prepared by Rothelowman Architects.
9	New development should seek to respect the design and character of adjacent buildings in terms of scale, colour, materials, massing and frontage alignment.	Existing buildings on the site would be demolished to facilitate the proposed development. The development is sited within a predominantly rural environment, with no adjacent buildings. The Yarralumla Woolshed is the most proximate significant building to the site.
10	Individual development proposals will be assessed on their merits in respect to sunlight penetration, amenity, pedestrian and vehicle access. No buildings taller than RL617 will be permitted in the Designated Area, but the general building height will be 3-4 storeys except where the National Capital Authority determines otherwise.	Please refer to the design plans prepared by Rothelowman which provided detail in relation to the proposed design. Shadow diagrams provided in the Architectural set demonstrate the degree of sunlight penetration which will be provided to the residences.  Building heights rang from single storey townhouses up to 5 storeys for the independent living unit buildings. The buildings are set within the landscape across the site topography.
11	Buildings in the area must show an appropriate quality of architectural design consistent with their location in this area of special national importance.	The architectural design has been undertaken by Rothelowman to respond to the environment and the location of the site within the Central National Area. For further detail please refer to the Design Response report.
12	Direct access to and from major roads will be permitted where practicable and not inconsistent with traffic safety requirements. The design and maintenance of all roadways and parking areas, including their associated landscaping, signs and lighting, will be of a consistently high quality.	The site has a direct access to Cotter Road. The access was upgraded as part of TCCS works undertaken as part of Stage 2 of the Cotter Road duplication which was completed in May 2018. Driveways within the site have been designed to facilitate resident and visitor movements around the site along with other services such as waste and mail delivery.
13	Commonwealth, Kings and Constitution Avenues, the avenues connecting the nodal points of the National Triangle, are of critical significance in delineating the geometric form of the Griffins' plans. They are not only the primary movement routes, but they are powerful generators of structure and urban form. Their formal expression is paramount and is to be achieved by strong avenue planting, consistent road design, special lighting and detailing. Building heights and setbacks will be planned to ensure consistency and continuity. Except where otherwise specified in the Plan, setbacks for buildings adjacent to Kings and Commonwealth Avenues south of Lake Burley Griffin should be 10 metres. Setbacks for buildings adjacent to Kings and Commonwealth Avenues north of Lake Burley Griffin should be six metres.	Not applicable to this site or proposal.

14	<p>Landscaping is to enhance the visual setting of the Designated Area and integrate the buildings with their landscape setting. This will be carried out in accordance with a landscape masterplan to be prepared by the National Capital Authority which particularly emphasises the following landscape themes:</p> <p>the formal and consistent landscaping of Main Avenues and mall spaces</p> <p>the combination of formal and informal landscaping which occurs around the Lake’s edge and is the setting for Parliament House and its adjacent area.</p>	<p>The design team has adopted a comprehensive approach to landscaping on site. This approach is reflected in the Architectural design statement prepared by Rothelowman and landscape drawings prepared by the Landscape Architects. The proposed landscaping has been designed having regard to the sites visual setting and will enhance the visual setting of the site in a rural area and has regard to the site’s proximity to Lake Burley Griffin and Molonglo River. The landscaping has also been designed to meet the requirements for landscaping within a bush fire prone area, to minimise risk to buildings.</p>
15	<p>Residential blocks must not be subdivided for separate occupation.</p>	<p>Not applicable to this site or proposal.</p>
16	<p>Any proposal to subdivide land within the Central National Area will require the approval of the National Capital Authority.</p>	<p>Not applicable to this site or proposal.</p>

**4.12 Lake Burley Griffin and Foreshores Precinct Code**

**4.12.3 Objectives for Lake Burley Griffin and Foreshores**

1. To conserve and develop Lake Burley Griffin and Foreshores as the major landscape feature unifying the National Capital’s central precincts and the surrounding inner hills and to provide for National Capital uses and a diversity of recreational opportunities.
2. Lake Burley Griffin and Foreshores should remain predominantly as open space parklands while providing for existing and additional National Capital and community uses in a manner consistent with the areas’ national symbolism and role as the city’s key visual and landscape element.
3. Lake Burley Griffin and Foreshores are intended to provide a range of recreational, educational and symbolic experiences of the National Capital in both formal and informal parkland settings with particular landscape characters or themes. These should be maintained and further developed to create a diversity of landscape and use zones which are integrated into the landscape form of the city and reflect the urban design principles for the National Capital.
4. The water quality and hydraulic operation of the lake should be maintained in a manner designed to protect Lake Burley Griffin and Foreshore’s visual and symbolic role.

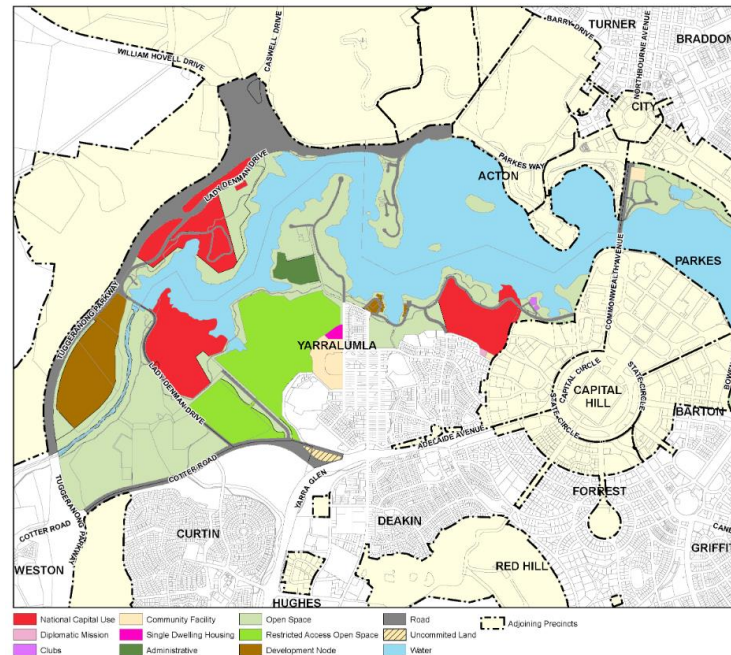
The proposed NCP Amendment, urban design guidelines and master plan addresses the objectives of the precinct code.

**4.12.4 Land use for lake Burley Griffin and Foreshores**

Land use for the Lake Burley Griffin and Foreshores Precinct should be in accordance with Figure 114 and as detailed below.

The site is identified as open space in figure 114 of the NCP and a range of land uses are listed in Lake Burley Griffin and Foreshores. This list includes Community Facility which is defined in Appendix A of the NCP as follows:

*Any of the following uses as herein defined:*



- a. Educational Establishment
- b. Scientific Research Establishment
- c. Cultural Facility
- d. Hospital, Health Centre
- e. **Institutional Use**
- f. Church Use
- g. Social/Community Facility.

An Institutional Use is defined in Appendix A NCP as detailed below:

*"institutional use" means the use of land as a benevolent home, convalescent home, hospital, nursing home, aged persons home, home for persons who are physically or mentally handicapped, or a remand, penal or reformatory establishment;*

The proposed development for the purposes of a nursing home and aged persons home as defined under institutional use and is therefore permissible use in the Lake Burley Griffin and Foreshores Precinct.

Within the land use definitions of the Precinct Code the site is also identified as "Open Space" as shown in **Error! Reference source not found.**

*Regarding development nodes within this precinct, the code states:*

*The types of use and development are to conform to the guidelines for lakeshore development set out below and will be subject to stringent conditions to ensure that development harmonises with the surrounding areas. In all cases public access to the lakeshore will be preserved.*

*Buildings and structures will be subject to design controls to ensure that they are of high quality complementary to the Lake Burley Griffin western foreshores landscape and are generally unobtrusive when viewed from the Tuggeranong Parkway.*

The proposed buildings are of a high quality and have been designed to be complementary to the Lake Burley Griffin western foreshores landscape and will generally be unobtrusive when viewed from the Tuggeranong Parkway. Throughout the development of this proposal, the NCA has been consulted to ensure the design progresses in a manner consistent with the expectations for development in this part of the designated area.

**4.12.5 Detailed conditions of planning design and development**

**Commercial concessions**

The placement, form and colour of buildings and/or structures on any land leased for these developments are to be subject to detailed site planning standards to ensure that the development is in harmony with the Lake landscape and does no harm to the environment of the Lake. Public access is to be maintained around such buildings and between the buildings and the lakeshore.

The proposal is located on leased land with no public access to the Lake. The proposed design for the buildings is of high quality and has been designed to ensure it presents well within the rural landscape.

**Sting Policies**

Buildings in the Lake flood zone will be subject to the following controls:  
 a. Residential Areas: All habitable floors are to be above the 100 year flood level.  
 b. Commercial Areas: Walkways, service areas, basements are to be above the 100 year flood level.

Not applicable as the site is not subject to flooding.

**Vehicular Access and Parking**

Within the design and siting general code (which does not apply to this site). The NCP requires that:

*Off-street parking spaces, open or enclosed, must be provided for all new buildings and enlargements or conversions of existing buildings in accordance with the following provisions where relevant or other agreed standards.*

Although the requirements of the design and siting general code are not applicable to the site, an assessment of the proposal having regard to these controls is detailed in the table below.

Type of building	Minimum Parking space requirement	Requirement
Independent living unit (residential building)	Two spaces per dwelling unit if such unit is designed for family accommodation and one space per dwelling unit plus adequate space for visitor parking if such unit is designed for single accommodation.	The townhouses are designed based on two occupants per dwelling, and one garage space is provided per dwelling, with sufficient space provided for “off street” parking for an additional vehicle. In addition, visitor parking is provided across the site.

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Institutional	To be determined for each building proposal depending on use, building floorspace, employees, visitors and location.	The subject development has been designed with appropriate car parking spaces allocated to each component of the institutional development. A overview of car parking provided for each component of the proposed development is detailed below.
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The following car parking is provided to each part of the proposed development:

- Building 1 includes a total of 111 resident car parking space and 9 staff car parking spaces
- Buildings 2 to 4 154 resident car parking spaces and 58 staff parking spaces
- Townhouse 55 resident car parking spaces
- 110 on street visitor car parking spaces
- 7 on street staff car parking spaces

The proposed onsite car parking is considered sufficient to address the demands for the development and requirements under the NCP requirements.

## 6.4 Other matters

This section provides an overview of other legislation and matters to be considered and addressed as part of any plan to redevelop the site. While many of the below listed legislation and other matters are not applicable to Designated Areas, comments are provided for completeness.

### ACT Heritage Act 2004

The *Heritage Act 2004 (ACT)* applies to any heritage objects in the ACT and any other places located on Territory land. The *Heritage Act 2004* establishes a system for the recognition, registration and conservation of natural and cultural heritage places and objects. The site does not contain listed items under the Heritage Act 2004.

### ACT Tree Protection Act 2005

Many of Canberra's trees are protected under the *Tree Protection Act 2005 (ACT)*. However, as the site is Designated Areas the provisions of the TP Act do not extend to the land. Despite not applying the land the proposal has been designed to retain existing trees where possible and a detailed landscape master plan is proposed to detail planting of shrubs, trees and vegetation across the site.

### ACT Environment Protection Act 1997

The Environment Protection Authority (**EPA**) is established under the *Environment Protection Act 1997 (EP Act)*. The EPA is the statutory authority which is responsible for the administration of the EP Act. The EPA will apply the relevant provisions of the EP Act to consider existing site and building conditions having regard to land contamination and hazardous materials. The reports relating to land contamination have been discussed with the EPA on a number of occasions and it is understood agreement has been reached regarding the site Remediation Management Plan which is submitted with the WA. The proposal is capable of addressing the EP Act.

# 7

## Other Matters

### 7.1 Traffic, Access and Parking

A traffic and parking assessment letter has been prepared by Sellick consulting to support this proposal. The site is accessed from Cotter Road. Cotter Road is an arterial road with separated dual carriageways travelling in both easterly and westerly directions. Cotter Road provides a number of connections to other arterial roads travelling in either a northerly or southerly directions. This includes Yarra Glen to the east and Tuggeranong Parkway to the west.

The proposed onsite car parking is considered sufficient to address the demands for the development and requirements under the NCP requirements.

### 7.2 Quantity Surveyor report

A Quantity Surveyor's (QS) Certificate of Costs has been prepared and is submitted with the Works Approval application. The QS identifies a total cost of works for the proposed development inclusive of GST.

### 7.3 Utility services infrastructure

New infrastructure on the site would need to be installed and communications cabling and associated infrastructure on the site upgraded to cater for the estimated number of connections. No significant impacts were flagged in relation to the capacity or requirement to augment the communications networks to support the proposal.

### 7.4 Stormwater management and WSUD

Detailed stormwater management and water sensitive urban design drawings have been prepared by Sellick. This will address stormwater and WSUD requirements for the implementation of the master plan and should be incorporated into Work Approval.

### 7.5 Contamination

Douglas Partners Pty Ltd was commissioned to undertake a Preliminary Site Investigation (PSI) (contamination) with limited sampling (PSI-L) for Block 7 Section 4 A Remediation Action Plan (RAP) was completed by Lanterra Consulting dated 18 December 2020. The RAP provides a detailed review and analysis of the previous reports and site specific investigations. The RAP has identified areas of land contamination and presents a detailed remediation action plan to decontaminate the site. The RAP objectives are stated below:

- Summarise the site characteristics;
- Define the extent of remediation required;



- Assess appropriate remediation options and select a preferred option;
- Document the remediation methodology, including the associated safety and environmental management controls;
- Establish the requirements for the derivation and/or selection of validation criteria relevant to the future land-use and detail the validation program (including reporting);
- Identify the regulatory requirements relevant to the proposed remedial works; and
- Outline any potential ongoing monitoring or management requirements to ensure the continued protection of human health and the environment.

The conclusion of the RAP states:

*“It is considered that the objectives of the onsite remediation will be achieved subject to the successful implementation of the actions contained in this RAP, which will enable the site to be made suitable for the proposed residential aged care use. Additional documents/plans may be required by an Auditor or the ACT EPA to be prepared prior to remediation commencing, in order to inform the remediation strategy and validation of remediation objectives.”*

The RPA conclusion generally supports future uses of the site for purposes proposed and the RPA has been drafted in consultation with the ACT Environment Protection Authority. The RAP has been reviewed and approved by an independent approved environmental auditor in accordance with EPA Guidelines.

# 8

## Conclusion

This report has been prepared to support a works approval application for the construction of a nursing home and aged persons home along with associated works on Blocks 1151 and 864 in the District of Weston Creek.

LDK has a vision for the 'Yarralumla community' to be a genuine *continuum of care* community. This means that every senior who moves into this community will do so with the comfort of knowing that they will never have to move again. All levels of care will be provided to residents in their homes including full palliative care. LDK Healthcare is a fully approved home, community and residential care provider under the Aged Care Act 1997 and also a fully approved aged care provider by the Commonwealth Department of Veterans' Affairs.

The proposed development has been extensively informed by detailed site analysis and ongoing design of the development. The proponents (LDK Seniors Living) and the project team believe the proposal will deliver a high quality architectural, urban design, landscape and land use planning outcome for the site and locality.

Consultation and discussions have been undertaken with the NCA over a number of years regarding the future development of the site and a number of meetings have been held with the NCA to inform and direct the design development process for this institutional use (nursing and aged care home) development.

The report and analysis against the relevant provisions of the National Capital Plan and other legislation indicates that the proposal is not inconsistent with the provisions of the NCP and the Works Approval warrants support of the National Capital Authority.

