



Subject

National Capital Plan Draft Amendment 91 – City and Gateway Urban Design Provisions

Public information session

Details

Date: 6 February 2019

Time: 5.30pm

Location: National Capital Exhibition, Regatta Point, Barrine Drive, Commonwealth Park

Meetings attendees

Sally Barnes (Chief Executive, National Capital Authority)

Andrew Smith (Chief Planner, National Capital Authority)

Rebecca Sorensen (Director Strategic Planning, National Capital Authority)

Joseph Sutton (Planning Officer, National Capital Authority)

Approximately 80 members of the public attended.

Discussion

Sally Barnes commenced the session by welcoming attendees and acknowledging the traditional owners of the land on which the meeting was held, discussing the origins of the Griffins' plan for Canberra, the Commonwealth interest in the gateway corridor and the National Capital Authority's ambitions for Canberra to become a world class city, and the significance of the corridor as a key gateway to the National Capital.

AS provided a brief presentation outlining:

- the history of the City and Gateway Urban Design Framework (the Framework) including key propositions of the Framework, the consultation process undertaken, and key messages heard
- the current status of the city and gateway work
- the purpose of DA91 and its focus on ensuring that future development achieves architectural and landscape design quality
- the next steps on the draft amendment process.

Below is a summary of questions asked, and comments made, by members of the public, together with the response provided by the NCA. The questions and comments have been grouped by theme, rather than the order in which they were put forward at the public information session.

Design review

The following questions and comments related to the proposal that all new development along the corridor be subject to design review:



1. In addition to the NCA Chief Planner and ACT Government Architect, who are the other members of the Design Review Panel (DRP)?

Members will be selected through an expression of interest process. Potential members will be required to submit an application outlining credentials and experience in design, planning, and related disciplines.

2. Will the DRP have legislative backing?

The requirement for proposals to undergo design review will be mandated by the National Capital Plan (the Plan)

3. Is there capacity for politicians to overturn decisions of the DRP?

The hierarchy of plans in the ACT is such that the requirement for proposals to be reviewed by a DRP cannot be overturned or set aside by a politician. The provisions of the National Capital Plan are 'law' and cannot be set aside by any politician or DRP.

Sustainability

The following questions and comments related to landscape, including solar access and natural ventilation:

1. It was questioned whether there is capacity for the draft amendment to include further environmental controls, including in relation to things like insulation.

The NCA can include further environmental controls in the National Capital Plan through the draft amendment process, but some aspects concerning building sustainability are covered in the National Construction Code (NCC). The NCA will not replicate provisions of the NCC in planning provisions.

2. Comment was made that the existing requirement (in the Territory Plan) that residential apartments receive a total of three hours direct sunlight per day is not sufficient.
3. The Pavilion Hotel redevelopment and proposed SOHO development do not meet the requirements for solar access, with only a limited number of apartments achieving the required solar access.

Draft Amendment 91 proposes that a percentage of apartments achieve a particular level of solar access. If the draft amendment is approved, this will become a rule that must be adhered to by the ACT Government's planning authority. The NCA has the capacity to mandate these measures through the National Capital Plan.

4. The city is on the road to environmental disaster. Can the NCA mandate that buildings are incredibly interesting and sustainable, and designed by the best architects?

The NCA has the capacity to mandate environmental controls; those in the draft amendment could be strengthened.

There are other jurisdictions, which mandate that buildings be designed by a Registered Architect, or where design competitions are required and that the architect see the project through to completion. The NCA has not elected to instate these types of requirements for



the gateway corridor, however has proposed that all development is subject to review by a DRP. The DRP will consist of independent experts in the built environment and related fields.

Landscape and open space

The following questions and comments related to landscape:

1. The landscape spaces at the intersection of Northbourne Avenue with Macarthur/Wakefield Avenues are small. It was suggested that these could be larger to make them more usable, or perhaps larger spaces could be located on diagonal corners of the intersection.

Multiple versions of the landscape structure at the Macarthur intersection were considered by the project team. The proposed spaces were identified having regard to building height and solar access, and the relationship between buildings and the avenue and landscape spaces. The NCA would be happy to accept alternative proposals for the intersection.

2. Comment was made that the Lyneham playing fields are heavily used. It is public land and open space that should not be alienated by private developers.
3. It is nonsense that Northbourne Avenue will provide a grand boulevard entrance to Canberra. People know that they have arrived in Canberra by the sight of Black Mountain Tower. There needs to be some mandate for open space to be provided along the corridor.

Building heights and setbacks

The following questions and comments related to building height:

1. Comment was made that an 18 metre building height could result in a six storey building, and that a 12 metre building could result in a four storey building. It was questioned whether the NCA could guarantee that buildings of only five and three storeys respectively under the proposed height limits could be achieved?

Buildings of 18 metres and six storeys, or 12 metres and four storeys, will be difficult to achieve if meeting other proposed requirements of the draft amendment, such as minimum floor-to-ceiling heights). The NCA could consider limiting the number of storeys in a building (in addition to maximum building heights) and encouraged people to put forward this suggestion in written submissions.

2. It was questioned whether 18 metre tall buildings will be constructed on the Lyneham sports centre playing fields. The NCA has repeated that a key objective of the City and Gateway Urban Design Framework is to achieve symmetry in the scale of built form along the corridor. This will only be achieved around the Downer area if the Lyneham playing fields are built on. The NCA is facilitating this this to occur.

The provisions of the draft amendment are intended to be in place for 20-30 years. Over this time, it is expected that population will increase substantially and there will be a proportional increase in demand for new recreation facilities. There is the possibility that a portion of the Lyneham sports centre site will be used for new sports facility buildings, and the provisions of the draft amendment would facilitate this.

3. Clarification was sought as to whether further uplift or increases in building height were proposed.



The uplift proposed for the blocks flanking Northbourne Avenue and the Federal Highway is what is set out in Draft Amendment 91. The draft amendment proposes a modest increase in building height along most of Northbourne Avenue (from 25 metres to 27.5 metres if the building design includes two storey residential units).

4. Where building height is proposed to be 18 metres, where is this measured from (ie what is the setback of these buildings, for example at the Lyneham sports centre)?

Setbacks along the Federal Highway vary depending on location. At the Lyneham sports centre, the draft amendment proposes that buildings are set back 45 metres from the centreline of the road. Landscape along the corridor is also critically important, and in the case of the section of highway near the sports centre, buildings will be set below the tree canopy.

5. 'The Pines' development on Northbourne Avenue is currently three storeys in height. What could this be like if the site was redeveloped, in terms of building height and setbacks?

The same provisions apply to this site as elsewhere along the majority of Northbourne Avenue. Buildings may be up to 27.5 metres (or 25 metres under current provisions) with a 10 metre setback from the property boundary.

Scale of buildings

The following questions and comments related to the scale of development:

1. Development along Northbourne Avenue has historically had lots of room around buildings. Does the draft amendment include plot ratios or identify the percentage of a site that can be developed?

The draft amendment proposes minimum setbacks, and separation between buildings to allow reasonable development capacity of all sites and to encourage landscaping between and around buildings. The provisions create an environment whereby new types of architectural response may be required to achieve all development controls. There is no mandate in regard to the way in which buildings are oriented.

2. Comment was made that permitting larger buildings is questionable, as it appears to neglect the fact that there are lower density buildings behind.

Traffic and movement

The following questions and comments related to traffic and movement along the corridor:

1. Currently, between Dickson and Braddon, cars cannot enter sites off Northbourne Avenue but instead must use back streets. This puts pressure on streets behind Northbourne Avenue and within the suburb, and limits capacity for further development. For example, access to the proposed SOHO development will be from Dooring Street, rather than any access from Northbourne Avenue.

The NCA would support 'left-in left-out' access/egress for this site.



2. Has any traffic modelling been completed in regard to proposed urban intensification. Northbourne Avenue, and local and group centres (for example, Dickson) are already congested.

Traffic modelling has been done for large developments site, which shows that there is capacity in the network to accommodate additional traffic.

Process

The following questions and comments related to the process for both the draft amendment and for development applications:

1. What occurs following public consultation on the draft amendment?

The NCA Board may elect not to proceed with the draft amendment, may request further work and consultation, or may choose to forward the draft amendment to the Minister for consideration.

2. How is good design enforced? Development applications are currently consulted on, even if not all rules are met. The ACT Government should not consult on non-complying development, and these applications should be rejected.

If a development application does not meet the rules of the National Capital Plan, the ACT Government cannot legally approve the proposal. The hierarchy of plans in the ACT is such that the National Capital Plan prevails, and the ACT Government must ensure that proposals meet the requirements of this plan.

3. Comment was made that buildings are currently being constructed on Northbourne Avenue, and more are proposed. Concern was expressed that the length of time taken to complete the draft amendment process and the rules to come into force will mean that everything on Northbourne Avenue will be built but not compliant with the design quality provisions of the draft amendment.

There are still large development sites with the capacity for development in the future. It is always the case that development applications will be in train while changes to planning rules are being proposed.

4. The Northbourne Avenue and Federal Highway corridor is a main entrance to Australia's National Capital. Has the NCA attempted to engage other jurisdictions or the broader Australian community about the proposed changes?

The draft amendment process is a public one, with notices in the newspaper, social media activity, and notification to national organisations such as the Australian Institutes of Architects and Landscape Architects.

Other matters

1. Is there an example of a street in the world that Northbourne Avenue is intended to look like?

There is no like example – Northbourne Avenue and the Federal Highway is the gateway to Australia's National Capital and is unique. Captain Cook Crescent provides an example of the



intended spatial characteristics and qualities of the road, however contains different species to those expected for the gateway corridor.

2. Questions arose concerning the relationship between planning schemes in the ACT, appeal rights, and legislative process.

The National Capital Plan is the overarching plan for the ACT. The National Capital Plan sets the broad rules (effectively the minimum standards) for development across much of the city, and the ACT Government's Territory Plan sets the detailed planning policy. The Territory Plan must be not inconsistent with the National Capital Plan.

Current arrangements concerning appeal rights and the process through the ACT Civil and Administrative Tribunal (ACAT) remain unchanged.

3. The draft amendment states that one objective is to create an identifiable approach to the city, which clearly signifies the symbolic and functional role of Canberra as the National Capital. Comment was made that 'canyons' of apartments will not achieve this objective. The route should be more ceremonial rather than just another urban area.
4. West Basin appears in the final City and Gateway Urban Design Framework, but was not included in the draft document. Concern was expressed that Draft Amendment 91 will effectively approve West Basin development.

There is nothing in Draft Amendment 91 that relates to the West Basin Precinct.

5. Concern was expressed about the predominantly residential nature of developments and that this does not meet the objectives for a mixed use corridor adjacent to the light rail route. How does the NCA and Draft Amendment 91 promote mixed use and commercial development?

The National Capital Plan sets broad land use for the corridor, while the ACT Government manages detailed land use. This matter can be raised through submissions to Draft Amendment 91.

6. Comment was made that it is difficult to comment on the draft amendment when areas further than just Northbourne Avenue will be impacted. It is important to understand the broader context to fully appreciate the environment being created.
7. Does the NCA give consideration to residents, and the impact that the proposed changes will have on overshadowing of existing properties, solar access, and traffic on local streets?

The NCA has considered the potential impacts of new development on existing conditions. The draft amendment contains provisions relating to transition of built form to help ameliorate the impacts of new development on existing.

8. The NCA was contacted in regard to a list of changes between the final City and Gateway Urban Design Framework and the draft consulted on. There are significant changes in just the first ten pages of the document (for example, the entire suburb of Watson is now included, and there is no mention of an Infrastructure Plan being included).

The NCA will prepare a table of changes, which will be published on the agency's website.



Sally Barnes concluded the evening by thanking those in attendance, and reiterated that the NCA would publish notes from the public information session on the agency's website.

Follow up action

Action

Publish public information session presentation on NCA website

Publish notes from public information session on NCA website

Publish on the NCA website a table of changes made to final Framework following public consultation on the draft
