



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

# Consultation Report

---

## Works Approval No WA102962

(Block 23 Section 6 Barton)

New office building development

*June 2023*

# Contents

<b>INTRODUCTION</b>	<b>3</b>
<b>PUBLIC CONSULTATION REQUIREMENTS</b>	<b>4</b>
<b>1.1 National Capital Plan</b>	<b>4</b>
<b>1.2 Commitment to Community Engagement</b>	<b>4</b>
<b>SUMMARY OF PUBLIC CONSULTATION</b>	<b>5</b>
<b>2.1 The public consultation process</b>	<b>5</b>
<b>2.2 Submissions Received, Comments and Response</b>	<b>5</b>
<b>CONCLUSION</b>	<b>6</b>
<b>ATTACHMENT A - The Canberra Times Public Notice</b>	<b>Error! Bookmark not defined.</b>
<b>ATTACHMENT B - Summary of submissions and NCA Response</b>	<b>8</b>

# Introduction

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

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

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

On 9 September 2022 the NCA received a Works Approval application from Purdon Planning for New office building development located at Block 23 Section 6 Barton.

# Public Consultation requirements

## 1.1 National Capital Plan

Under the Plan, requirements for public consultation apply to:

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

None of these requirements are applicable to the Works Approval application.

Public consultation was undertaken on the application due to likely community interest and the location.

## 1.2 Commitment to Community Engagement

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

The 'Commitment to Community Engagement' describes the minimum requirements for consultation, and the process by which WA applications that are released for public consultation will be assessed.

Part 2.7 *Works Applications* and Attachment C *Protocol for Development Applications for Works Which Require Consultation* of the NCA's 'Commitment to Community Engagement' describes the consultation process for WA applications. The NCA will make an assessment of whether a proposal is consistent with the National Capital Plan and if it requires public consultation. An assessment is made in relation to adverse impacts on:

- public space and community amenity
- environment, heritage or landscape values
- amenity of the locality in terms of materials, finishes, scale, massing, design and quality
- consistency with an existing Heritage Management Plan.

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

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

- previous consultation has been undertaken on the proposal
- minor amendments to previously approved works are required
- the NCA determines no stakeholders will be affected
- proposals are given exemption, as outlined in Part 2.3 of the 'Commitment to Community Engagement'

Public consultation was undertaken on the application as the proposal may have adverse impacts on public space, community amenity, environment, heritage and landscape values.

# Summary of Public Consultation

## 2.1 The public consultation process

Public consultation was undertaken by the NCA between 8 October 2022 to 28 October 2022 in the following manner:

- On Saturday 8 October 2022, publishing a public notice in *The Canberra Times* detailing the proposed works and inviting submissions to be made to the NCA in relation to the proposal ([Attachment A](#))
- Between 8 and 28 October 2022, publishing details of the proposal on the NCA's website
- Between 8 and 28 October 2022, placing three A1 size signs on site
- The NCA writing to adjoining lessees, neighbours and interested stakeholders advising of the consultation process and inviting comments

## 2.2 Submissions Received, Comments and Response

The NCA received a total of 11 submissions on the proposal. 11 submissions raised issues or objections in relation to elements of the proposal or the proposal as a whole.

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

Key issues raised in the submissions were:

- Overshadowing
- Setbacks
- Walkability around the area
- The risks during construction particularly during the excavation period
- Temporary traffic management and construction management
- Building height and loss of views
- Lack of space for in ground planting of mature trees
- Overlooking
- Glass façade and the change in the streetscape
- Parking
- Waste collection noise
- Noise from the outdoor spaces

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

# Conclusion

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

The NCA has considered issues raised by submitters as part of the assessment process.

The NCA is satisfied that major concerns of the community have been addressed. The proposal is not inconsistent with the provisions of the National Capital Plan and is supported by the NCA.

# Attachment A

## The Canberra Times Public Notice and site sign



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

---

**WORKS APPROVAL**  
Open for Public Consultation

**Block 23 Section 6 Barton - New office building development**

The National Capital Authority (NCA) has received a works approval application for a new office building development – 10 Brisbane Avenue Barton.



The plans and supporting documentation for the application can be viewed at the NCA's website.

The NCA welcomes feedback on this application by **5.00pm Friday 28 October 2022**.

Submissions can be made via email to [WAconsultation@nca.gov.au](mailto:WAconsultation@nca.gov.au) or in writing to GPO Box 373, Canberra ACT 2601.

Please contact the NCA for further information on: (02) 6271 2888.

---

[f nca.gov](https://www.nca.gov) [i nca.gov.au](https://www.nca.gov.au) [@nca\\_media](https://www.nca.gov.au)  
[www.nca.gov.au](https://www.nca.gov.au)

*Building the National Capital in the hearts of all Australians*

---

**HAVE YOUR SAY**



**BLOCK 23 SECTION 6 BARTON**  
**NEW OFFICE BUILDING DEVELOPMENT**

The National Capital Authority (NCA) has received a works approval application for a new office building development – 10 Brisbane Avenue Barton.



The plans and supporting information can be viewed at the NCA's website.  
The NCA welcomes feedback on this application by **5.00pm Friday 28 October 2022**.  
Submissions can be made via email to [WAconsultation@nca.gov.au](mailto:WAconsultation@nca.gov.au) or in writing to GPO Box 373 Canberra ACT 2601.

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

# Attachment B

## Summary of concerns and NCA Response

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

Matters unrelated to the assessment of the proposal against the National Capital Plan are not included in the table below.

Issue	NCA response
<b>Overshadowing</b>	
<p>Concerns have been raised that the proposed new office building will overshadow the surrounding buildings, in particular the Landmark Apartments to the north.</p> <p><i>“Many of the apartments in 47 Blackall Street look upon the building site as their only access to light and fresh air. The proposed building will completely overshadow these apartments, many of which are exclusively South facing.”</i></p> <p><i>“The proposed development will most likely result in substantial overshadowing of the adjoining buildings.”</i></p>	<p>Due to the orientation of the new building, it is not likely that 10 Brisbane Avenue will significantly overshadow the surrounding buildings. The Landmark Apartments are located to the north of the site; therefore, it is unlikely the Landmark Apartments will be overshadowed 10 Brisbane Avenue.</p>
<b>Setbacks</b>	
<p>Concerns were raised that the proposed building setbacks do not comply.</p> <p><i>“.....but also to place it very close to the boundary. In fact, the placement appears to infringe NCA guidelines for placement of a building of that size.”</i></p>	<p>All minimum setbacks are compliant with the National Capital Plan.</p>



## Pedestrian pathway safety

Some submitters raised concerns over pedestrian safety in the area due to the increased building height and overshadowing the walkways.

*“The development will bring the building facade significantly closer to the boundary with 47 Blackall Street, creating an inappropriately narrow, and dark alley way which will discourage the walkability of this region.”*

The proposed setbacks and building heights are compliant with the National Capital Plan. There are only two walkways next to the building, one located within the Landmark site and the other to west of the site, and due to the orientation of the building it is not likely to cast any significant overshadow on the walkway, therefore, there is not likely to be any changes to pedestrian safety.

## The risks during construction particularly during the excavation period

Concerns have been raised over the potential risks that could occur during the excavation period.

*“If the proponent plans to cut back close to the northern boundary, I would be very concerned about the stability of the Landmark building above.”*

*“During the building process the noise and loss of privacy would be even greater. This development will seriously disrupt my ability to work in my office.”*

A detailed construction management plan will be prepared and supported by the relevant authorities prior to commencement of the works.

## Temporary traffic management and construction management

A submitter raised concerns for temporary works during construction.

*“A traffic management and enforcement plan for the construction phase is needed to avoid congestion and to ensure the safety of all road users including pedestrians, cyclists and scooter users.”*

*“The collective impact of a number of developments in the Barton area being in progress at more or less the same time during the next 1-3 years will need to be carefully assessed and managed. These will have a combined negative impact on pedestrian safety, road traffic, and road surfaces which are already degenerating due to high rainfall and recent construction activity.”*

A detailed temporary traffic management plan, supported by Roads ACT, will be submitted to the NCA for approval prior to commencement of the works.

## Building height and loss of views

A number of submitters raised concerns about the proposed height of the building and the loss of views from the Landmark apartments.

*“Overall height of the proposed development extends in excess of 4m beyond RL591.”*

*“Instead of a view of sky, trees and distant buildings, a towering wall of reflective glass would face us. Our views would be totally blocked.”*

The proposed building height is consistent with the requirements outlined in the Barton Precinct Code. The maximum height of the habitable space is RL 591. There are some minor building elements such as life overruns and roof top plant, permitted under the National Capital Plan, that extend the building height to RL 595. The extra height is not likely to have an adverse impact on the area or the view from the street or Parliament House.

Views within the ACT are not regulated unless it is considered to be a significant or heritage view.

## Lack of space for in ground planting of mature trees

A submitter raised concerns over the lack of space for in-ground planting and mature trees.

*“The proposed ‘sunken courtyard’ areas do not provide for sufficient space and depth for in-ground planting of mature trees.”*

The site includes a five deep-root planting garden beds. Three along the back of the site and two at the front of the site. The chosen species of trees are likely to thrive in these garden beds. This is consistent with the requirements outlined in the National Capital Plan.

The NCA recognised that the original number of large screening trees was not likely to provide a sufficient amount of privacy for the adjoining block and has requested that the applicant increases the number of trees from 10 to 35 on the northern boundary of the site. The NCA considers that the new number of trees and the chosen species will provide a sufficient amount of privacy between the two blocks.

## Overlooking

There were some concerns raised of the potential for overlooking, particularly towards residential building to the north.

*“Behind the reflective glass, office workers would be able to look into our rooms from many angles – removing all privacy.”*

*“The proposed building is located only 9 m from the northern boundary and has glass windows facing the private rooms at Landmark. This removes all privacy from these apartments.”*

The minimum distance of the rear setback is 10m and the residential building to the rear of the site is setback an additional 5m from the boundary, making the minimum distance between the two buildings 15m. Levels below level 3 of the proposed building are considered to be below grade due to the slope of the site.

In addition to the distance between the buildings, the works also include a landscape buffer. The proposed buffer landscaping to the rear of the site will comprise dense and multi-layered vegetation including large canopy trees, medium to large shrubs and groundcovers. The intent of the buffer planting is to screen the proposed development adequately to surrounding blocks, including the Landmark apartments, and provide enhanced aesthetic quality to the rear courtyard and podium above the auditorium. The primary species used for screening is *Betula pendula* (Silver Birch) that grows to a height of 12-15m and width of 6-8m. Changes to the advertised proposal include additional landscape plantings, including increasing the number of trees from 10 to 35 on the northern boundary of the site.

The NCA is satisfied that the distance and use of landscaping enables overlooking to be kept to a minimum between the sites.

## Glass façade and change in streetscape

A submitter has raised concerns about the large amount of glass used in the façade of the building.

*“The proposed building, a glass carbuncle, would rise well above all others along Brisbane Avenue and greatly deter from its current appearance.”*

The proposed building complements the architectural language of the surrounding buildings through the use of lightweight glass, off white concrete panels and dark metal finishes. This creates a dark-light interplay that is a distinctive element of the Brisbane Avenue precinct. High quality, durable materials such as both anodised and powder coated aluminum and stainless steel will be used as building finishes.

The proposed façade design is not inconsistent with the National Capital Plan.

## Parking

There have been some concerns about the number of car parks proposed and the potential loss of street parking in the surrounding area.

*“It is noted within the traffic report the total provision of 237 parking spaces is around **80 per cent** of the requirement for the office component in the designated zone.”*

The proposed office building includes basement car parking with 234 car spaces and 19 motorbike spaces. The minimum requirement for car parking is 140 car spaces, therefore, the office building has an extra 94 car spaces. Due to this supply, it is unlikely that there will be an impact on the number of street parking available in the area.

## Waste collection noise

A submitter raised concerns over the potential for noisy waste collection.

*“The report indicates that waste is to be collected twice weekly. It is envisaged that this collection would most likely occur out of business hours, therefore generating additional obtrusive noise for adjoining properties, thus impacting their peaceful enjoyment.”*

A Waste Management Report was submitted as part of this application and Transport Canberra and City Services is required to provide their support prior to commencement of the works.

## Noise from the outdoor spaces

Concerns have been raised over the noise that might be generated from the outdoor space are rear of building.

*“The proposed building places an outdoor eating and relaxation facility immediately between 47 Blackall St and the proposed new building, which will create noise and disturbance to the adjacent apartments. Such noise will be reflected off the new building, affecting all levels of 47 Blackall Street.”*

The open space area has been designed in a way that noise arising from the space should be kept to a minimum. The area is multi-leveled and includes tall trees and other vegetation that will assist in dampening noise from the outdoor space. The building is being used as an office space only, therefore noise is unlikely to be generated outside of office hours.

## List of submitters

1. Joshua Gani
2. David Dixon
3. Dr Rupert Summerson
4. Glen Davies
5. J.A.Nockels
6. Michael Rosetta
7. Kingston and Barton Residents' Group
8. Gary Petherbridge
9. Catherine Gordon
10. Dr Julian Ash
11. Dr Hongyan Xie