



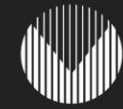
Vernon
Constitution Place



PLANNING REPORT | Revision 2 | Block 40 Section 19 City (1A Constitution Avenue)

Works Approval Application for construction of a multistorey commercial (office) building and associated works.





Acknowledgement of Country

We acknowledge the Ngunnawal people, the Traditional Custodians of the land upon which this proposed building is located, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

Certification

This Planning Report has been prepared to address the planning report requirements detailed in the Major Works Approval Application Checklist published by the National Capital Authority.

This Planning Report is prepared in good faith to accurately describe the proposed development, its context and environmental effects and can be relied on by the NCA in its assessment of the Works Approval application.



Andrew Connor RPIA
Planning and Environment Manager
Capital Property Group

Date: 19/07/2024

Documents Control

Rev	Description	Date	Author	Checked	Approved
1	Draft	26/06/2024	AC	ML	AC
2	Final for WA submission	19/07/2024	AC	ML	AC

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EXECUTIVE SUMMARY

This Planning Report accompanies the submission of a Works Approval application (**WA**) for the construction of a multistorey commercial (office) and café use building and associated works at Block 19 Section 40, City, commonly known as 1A Constitution Avenue, City (**the site**). The site has an area of 2,744m² with extensive and prominent frontages to Vernon Circle and Constitution Avenue. The site is also bound by important frontages and interfaces with Knowles Place and Theatre Lane. The site is surrounded by a mixture of land uses, building forms, scales and designs that are reflective of the incremental development and redevelopment of the city centre.

The proposed building has been designed by BATES SMART, the award-winning architects for Constitution Place (1 Constitution Avenue and 220 London Circuit, City), with quality public realm landscape architecture by Red Box Design Group. The architectural vision for the proposal is to extend the high-quality building form, materials and active ground floor public realm of the Constitution Place precinct to City Hill. The architectural design features an elegant boomerang form that addresses both Vernon Circle and Constitution Avenue. The façade expression unites it with other civic buildings in the precinct while incorporating sustainable design and building materials. A refined high-quality palette of building materials and finishes are proposed. This includes the eco-friendly architecture for a mass timber verandah which enhances the overall visual charm and adopts sustainable building practices.

The site is identified for mixed use developments in Part 4.6 City Hill Precinct Code of the National Capital Plan (**NCP**) and the proposed development is consistent with the land uses envisaged for the site. The proposed development reinforces the objectives of the City Hill Precinct Code by seeking to maintain and promote the city centre as the main commercial centre of Canberra and the region with the City Hill Precinct as the pre-eminent heart of the city. The proposed development will deliver a vibrant, interesting, and lively centre with high levels of human activity. The proposed development also celebrates the prominent and significant location of the site at the apex of the National Triangle with the development commanding the highest standards of urban design, sustainability, exemplary architecture and social inclusion.

Prior to submission of the WA the proponent, Capital Property Group (CPG), engaged extensively with the NCA in pre-lodgement meetings on the architectural vision and design of the building. In addition, CPG has engaged extensively with relevant ACT Government agencies including (but not limited to) ACT Major Projects regarding integration with the redevelopment of the Canberra Theatre Centre, Canberra Light Rail regarding raising London Circuit construction activities and more broadly Stage 2A. In addition, CPG has met and engaged with surrounding lessees and tenants on both the proposed building design and construction management plan and program. Regular meetings have been established and are ongoing with the operators of the Canberra Theatre Centre and A by Adina Hotel situated at 1 Constitution Avenue. These regular meetings will progress for the duration of the construction phases of the project.

The Planning Report has considered the subject site characteristics, nature of surrounding land uses and demonstrates that the proposed development will not have any adverse environmental or amenity impacts on neighbouring properties, the locality or streetscape. It further provides an assessment of the proposal against the relevant matters for consideration including the *Australian Capital Territory Planning and Land Management Act 1988 (PALM Act)*, *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*, NCP, NCA policies and Territory guidelines. This report concludes that the proposal is permissible within the site’s Mixed Use land use, the site is suitable for the proposed development and warrants approval under Section 12 Works in Designated Areas to be subject to Plan and approval by the Authority of the PALM Act.

The Planning Report is to be read in conjunction with the supporting documents and drawings which accompany the WA submission.



Figure 1: Constitution Avenue streetscape perspective. (Source: BATES SMART Design Report)

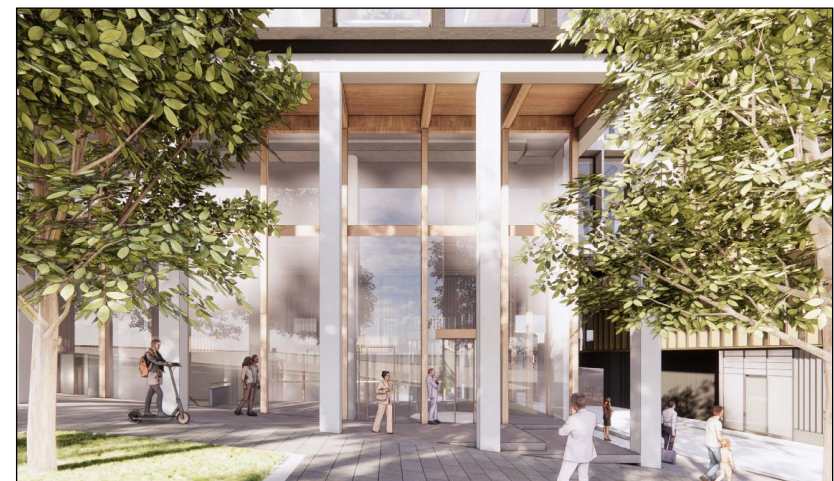


Figure 2: Lobby perspective. (Source: BATES SMART Design Report)

1 INTRODUCTION

This Planning Report accompanies a WA application for the construction of a multistorey commercial (office) building and associated works at Block 40 Section 19, City, commonly known as 1A Constitution Avenue, City (**the site**).

The Planning Report has considered the subject site characteristics, nature of surrounding land uses and demonstrates that the proposed development will not have any adverse environmental or amenity impacts on neighbouring properties, the locality or streetscape. It further provides an assessment of the proposal against the relevant matters for consideration including the *Australian Capital Territory Planning and Land Management Act 1988 (PALM Act)*, *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*, National Capital Plan (**NCP**), National Capital Authority (**NCA**) policies and other Territory guidelines.

The preparation of this report and WA application is pursuant to the requirements of the National Capital Authority as described under the Major Works Approval submission requirements. This report concludes that the proposed works are permissible within the site's Mixed Use land use, the site is suitable for the proposed early works, therefore the proposal warrants approval under Section 12 *Works in Designated Areas to be subject to Plan and approval by the Authority* of the PALM Act.

1.1 Purpose and structure of report

The purpose and structure of this report are detailed as follows:

- Section 2 – Site analysis identifies the site in terms of context, setting and locality, and also describes the characteristics of the site;
- Section 3 – Details the proposed works and describes the background of the project/proposal;
- Section 4 – Regulation Matters are addressed in this section;
- Section 5 – National Capital Plan outlines the relevant provisions of the NCP and assesses the proposed works;
- Section 6 – Other Matters assesses the proposed works having regard to NCA guidelines/policies and other relevant matters; and
- Section 7 – Conclusion concludes the report.

1.2 The Works Approval submission

The WA comprises the following documentation, reports and drawings:

- **Letter of Authorisation** completed by Capital Property Group;
- **Locality Plan** prepared by Capital Property Group;
- **Architectural Design Report** prepared by BATES SMART Architects;
- **Architectural Drawing Set** prepared by BATES SMART Architects;
- **Landscape Architectural Drawing Set** prepared by Redbox Landscape Architects;
- **Civil Engineering Drawing Set** prepared by Sellick Consultants;
- **Wind Study** prepared by Windtech Consultants;
- **Transport Assessment** prepared by SCT Consultants;
- **Access Report** prepared by Eric Martin & Associates;
- **Planning Report** prepared by Capital Property Group (this report);
- **Pre-application Stakeholder Consultation and Engagement Report** prepared by Capital Property Group;

For a comprehensive list of drawings and documentation, refer to **Appendix A: Schedule of WA Drawings and Documentation**.

2 SITE DESCRIPTION, CONTEXT AND LOCALITY

This section of the report describes the physical location and characteristics of the subject site, the nature of adjoining developments/land uses and character of the locality.

2.1 The site location

The site comprising of Block 40 Section 19 City (1A Constitution Avenue) is located in Canberra’s City Centre. The site has an area of 2,744m² with extensive and prominent frontages to Vernon Circle and Constitution Avenue. The site is also bound by important frontages and interfaces with Knowles Place and Theatre Lane.



Figure 3: Locality Plan for Block 40 Section 19 City. (Source: Locality Plan by Capital Property Group)

2.2 Site description and land use

Block 40 Section 19 City / 1A Constitution Avenue City is situated in Designated Areas which are under the planning jurisdiction of the NCA and NCP. Block 40 Section 19 City has an irregular shape with a north frontage to Theatre Lane identified in part of Block 20 Section 19 (188 London Circuit) which contains part of the Canberra Theatre Centre, east frontage to Knowles Place identified in Block 37 Section 19 City (1 Constitution Avenue), south frontage to Constitution Avenue and west frontage to Vernon Circle. The site has an area of 2,744m² and falls from the west frontage to Vernon Circle to Knowles Place by approximately 6 metres (see aerial image and Deposited Plan of site below). This site is a vacant brownfield development site with no above ground buildings or structures. Situated below ground are inground services for water, electricity, gas and fibre communications. Situated along the site’s north boundary with Theatre Lane is a plant room which is cut into the site. Photographs of the site are detailed below.

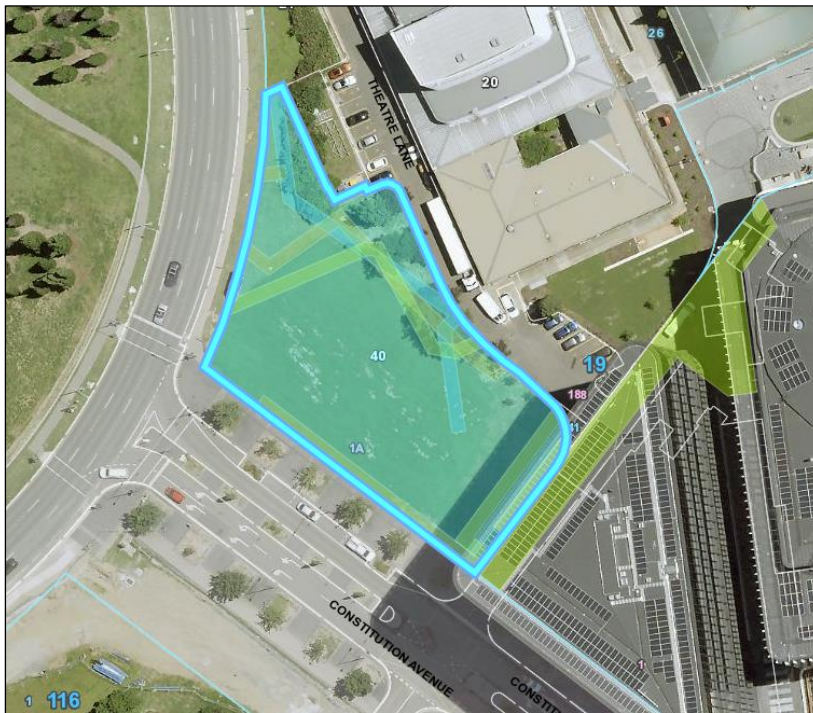


Figure 4: Aerial image of Block 40 Section 19, City. (Source: ACTMapi)

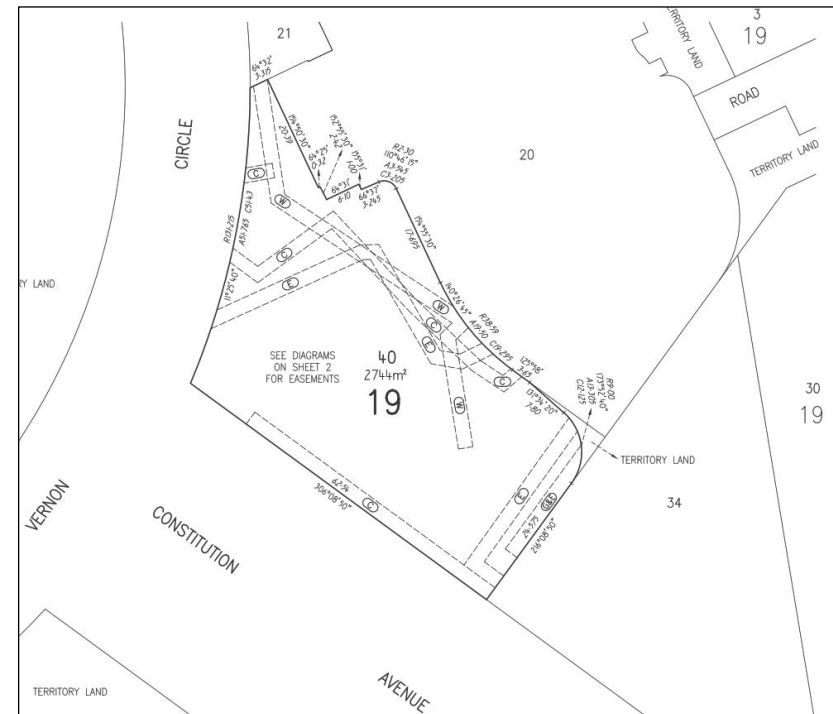


Figure 5: Plan of Block 40 Section 19 City. (Source: Deposited Plan 15970/3)



Photograph 1: Block 40 as viewed from Knowles Place looking west towards City Hill.



Photograph 2: Block 40 as viewed looking east towards Knowles Place and 1 Constitution Avenue.



Photograph 3: Block 40 as viewed from the southeast corner of Knowles Place and Constitution Avenue looking northwest.



Photograph 4: Block 40 north frontage to Theatre Lane looking west.



Photograph 5: Knowles Place as viewed further north looking back to Block 40.



Photograph 6: Knowles Place frontage and 1 Constitution Avenue as viewed from Block 40 boundary.



Photograph 7: Block 40 as viewed from Constitution Avenue looking back to the site.



Photograph 8: Constitution Avenue public realm and street looking back towards Block 40.



Photograph 9: Block 40 frontage to Vernon Circle looking north to Canberra Theatre.



Photograph 10: Vernon Circle as viewed looking south towards Constitution Avenue intersection.

2.3 Site context and locality

The site is situated in the east part of Canberra’s City Centre. The site is surrounded by a variety of land uses and building forms, including the Canberra Theatre Centre, the ACT Legislative Assembly Building, Civic Library, multistorey commercial office buildings, surface public car parking and City Hill Park. The site context, locality and surrounding land uses are illustrated in the figure below prepared by BATES SMART.

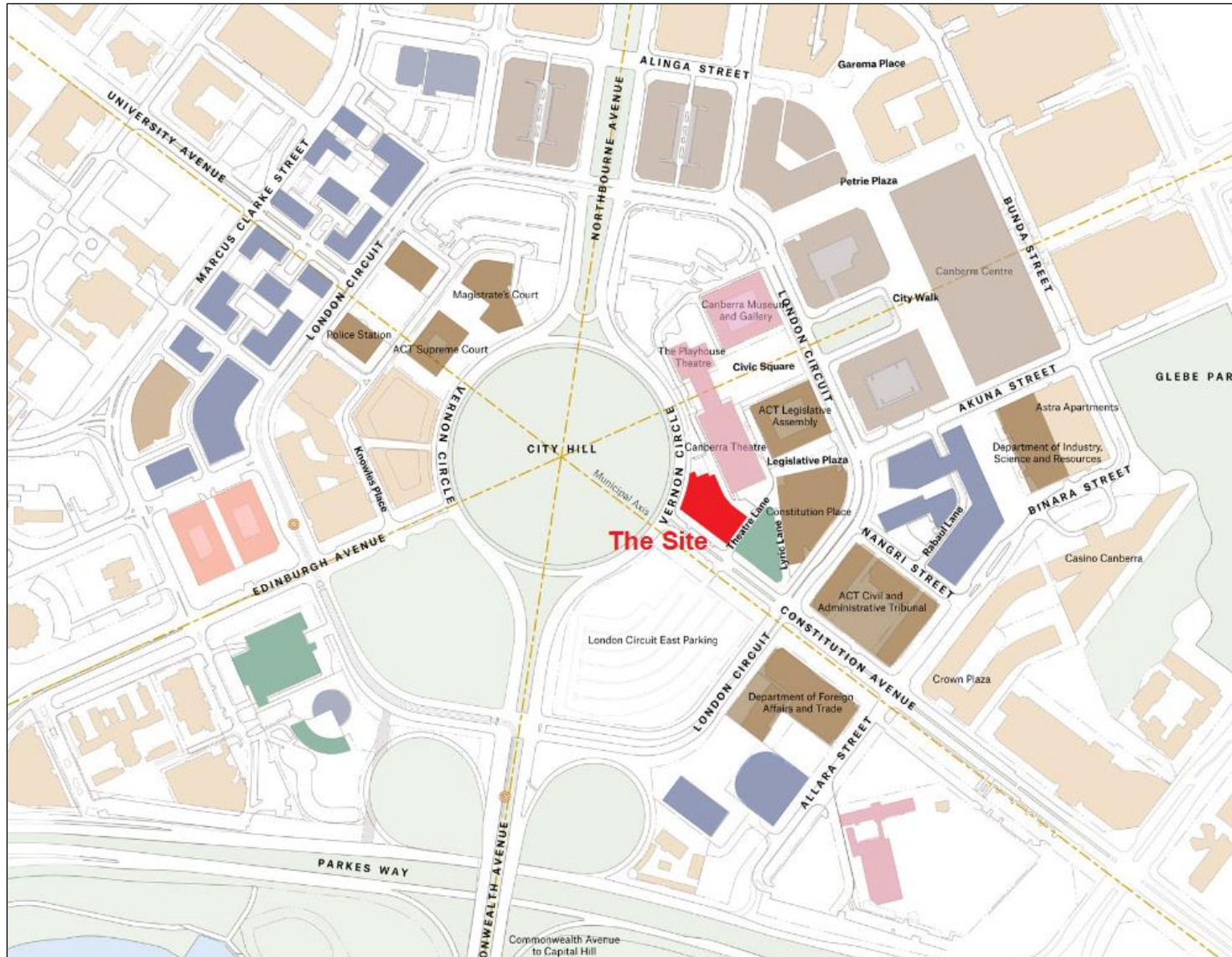


Figure 6: Land use plan of City Hill and Canberra City Centre. (Source: BATES SMART Design Report)

North

Block 40 Section 19, City, is bound on the north side by Theatre Lane which has one-way vehicular access, public car parking, reserved private car parking and is the primary service lane for the Canberra Theatre Centre. Situated on the north side of Theatre Lane is the Canberra Theatre Centre and Canberra Street Theatre.



Photograph 11: Theatre Lane with Canberra Theatre building (right) and the site (left).



Photograph 12: Car parking, waste collection area and Canberra Theatre external plant room.



Photograph 13: Intersection of Theatre Lane and Knowles Place looking north.



Photograph 14: Canberra Theatre Centre as viewed further east from Vernon Circle.

East

The site is bound on the east side by Knowles Place which forms part of Blocks 30, 31, 32, 33 34, 35, 36 Section 19 City and is commonly known as 1 Constitution Avenue and 220 London Circuit, City. The adjoining Blocks are occupied by two multistorey buildings containing a variety of uses, including commercial office space (includes ACT Government offices), A by Adina Hotel, ground floor retail, gym and multiple restaurants/bars. Knowles Place adjoining the site is illustrated in previous photographs and the buildings are illustrated below.



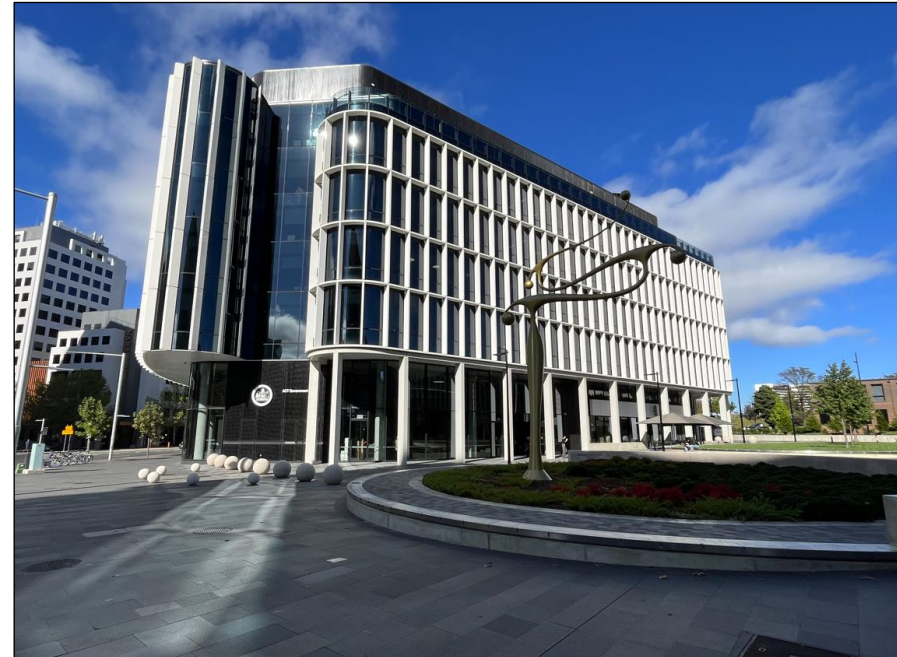
Photograph 15: 1 Constitution Avenue multistorey building with Block 40 Section 19 to the left as viewed from the south side of Constitution Avenue looking north.



Photograph 16: 1 Constitution Avenue and 220 London Circuit as viewed from the intersection of London Circuit and Constitution Avenue.



Photograph 17: 1 Constitution Avenue / 220 London Circuit as viewed from Knowles Place



Photograph 18: 220 London Circuit as viewed from the pedestrian public plaza.

South

The site has a south and extensive prominent frontage to Constitution Avenue. Situated on the south side of Constitution Avenue is Block 1 Section 116 City, which is occupied by a surface public car park and construction site compounds for Canberra Light Rail Stage 2A / Raising London Circuit and the site compound for this development. Block 1 has a north frontage to Constitution Avenue, east and south frontages to London Circuit and a west / north frontage to Commonwealth Avenue / Vernon Circle (see figure below).



Figure 7: Aerial image of Block 1 Section 116, City. (Source: ACTMapi)



Photograph 19: Block 1 as viewed from Constitution Avenue looking south.



Photograph 20: Block 1 as viewed from the south looking north and proposed location of offsite compound for construction of 1A Constitution Avenue.



Photograph 21: Block 1 as viewed from the north looking south and proposed location of offsite compound for construction of 1A Constitution Avenue.



Photograph 22: Block 1 frontage to Vernon Circle with existing hoardings and temporary traffic management systems installed by Canberra Light Rail for raising London Circuit project.



Photograph 23: Block 1 frontage to Vernon Circle and Constitution Avenue pedestrian connections removed to City Hill.

West

Block 40 Section 19, City, has a west frontage to Vernon Circle. Situated on the west side of Vernon Circle is City Hill Park (Block 1 Section 34 City). See figures below.

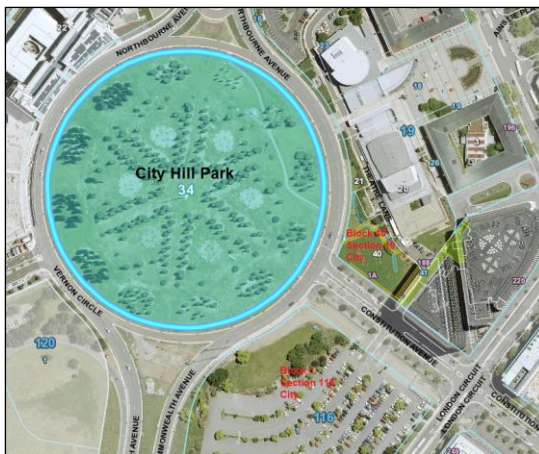


Figure 8: Aerial imagery of 44 Inglis Street and subject site. (Source: ACTMapi)



Figure 9: Aerial imagery of City Hill Park and subject site. (Source: CRA Website)

2.4 Road network, On-street Public Car Parking and Public Transport

The roads adjoining and in the vicinity of the site are described below:

- *Theatre Lane* (north frontage/boundary) is an east-west local laneway used for city traffic, public and private parking as well as a service laneway for the Canberra Theatre Centre and surrounding developments.
- *Knowles Place* (east frontage) is a laneway which provides vehicular access to paid public car parking within the basement of 1 Constitution Avenue and 220 London Circuit. As well as access to the ACT Legislative Assembly drop off area.
- *Constitution Avenue* (south frontage) is an east-west street with significant public realm areas and kerb side public car parking.
- *Vernon Circle* and *Commonwealth Avenue* (west and north-west frontage) is a north-south road which to the east connects broader parts of Canberra with the city and south to the National Triangle including Parliament House.

Located within 100-200 metres of the site are numerous bus stops which run bus routes across the city and broader parts of Canberra. The site will also be proximate to (within several hundred metres) from a future Canberra Light Rail stage 2A city stop refer to figures below.

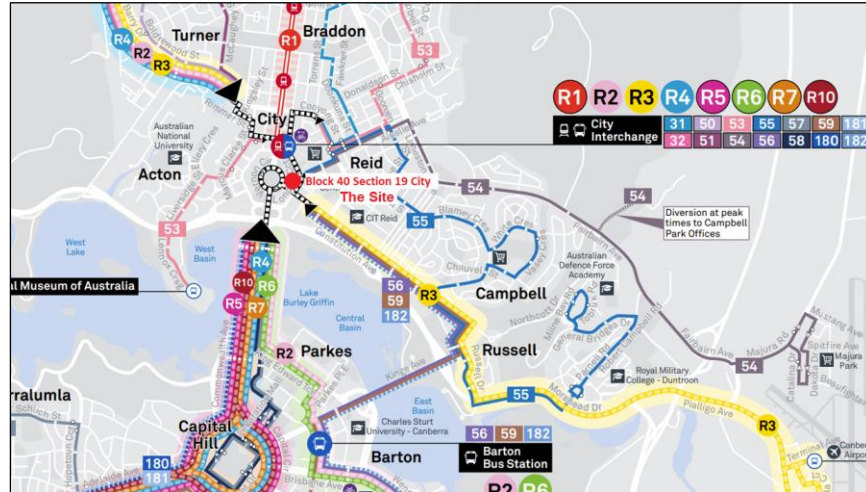


Figure 10: Canberra City Bus routes and numbers. (Source: TCCS)

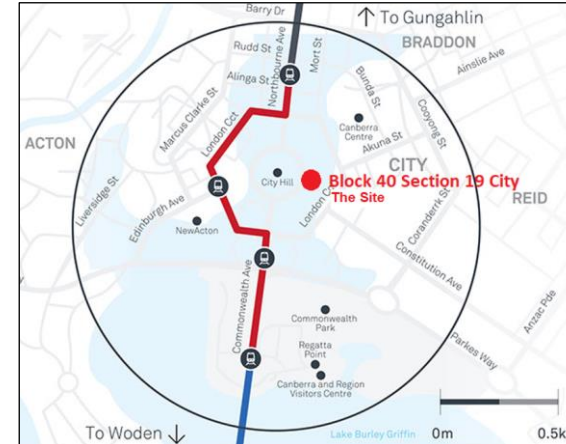


Figure 11: Canberra Light Rail stage 2A route. (Source: Canberra Light rail)

3 THE PROPOSAL

3.1 Background

This section of the report provides an overview of the Capital Property Group (CPG) and its subconsultant engagements with Commonwealth and ACT authorities/agencies related to the design and delivery of the proposed development. It also provides an overview of engagements with surrounding property owners (lessees) and tenants/occupants.

National Capital Authority

Pre-lodgement Meetings

CPG representatives have held several meetings with senior executives from the NCA, including the Chief Planner and the Director of Statutory Planning. These meetings have covered the proposed architectural design and siting of the development, strategy and timing for WA submissions, offsite utilities and services works, as well as CPG's ongoing engagement with the Canberra Theatre Centre, other ACT Government agencies and surrounding property owners.

Works Approvals Applications

To date CPG has obtained two Works Approvals related to the development of the site. These are:

- Works Approval application number WA103505 approved on 16 January 2023 for the temporary installation of a freestanding sign.
- Works Approval application number WA001019 approved on 2 July 2024 for early works including tree/vegetation removal, site establishment, basement excavation and structure, utilities relocation, public realm temporary works and temporary traffic management plans.

ACT Government Agency Engagements

The following key ACT Government agencies have been engaged with prior to submission of this WA application:

- *Canberra Light Rail (Major Projects)* – CPG representatives met with Senior Executives of Canberra Light Rail on the site regarding the proposed development and interface with Stage 2A Light Rail. CPG representatives will continue to meet with Senior Executives of Canberra Light Rail to ensure all inputs form part of the Works Approval application to the NCA and will continue to liaise with Canberra Light Rail on site for the duration of construction workste.
- *Transport Canberra and City Services* - CPG and Construction Control (CC) representatives met with TCCS representatives regarding TTMPs during construction, vehicular access to the site and the future development. CPG will continue to meet with TCCS representatives as required for the future of the proposed devleopment.
- *Canberra Theatre Centre, care of ACT Major Projects (CTC/MP)* – CPG representatives have met with CTC/MP representatives on approximately 6 occasions since acquiring the site in early 2023. At these meetings CPG and BATES SMART have provided briefings/updates on the proposed development design and interface with the envisaged redevelopment of the Canberra Theatre Centre. On Thursday 14 March 2024, CPG and CCrepresentatives met with CTC/MP representatives to provide a comprehensive presentation on the WA application for early works, including an interactive presentation on the site establishment works and offsite compound. During this meeting CTC/MP representatives were supportive of the construction program and methodology. No concerns were raised at or following the meeting.
- *City Renewal Authority* – CPG representatives have met with CRA representatives on the site of the future development. These meetings will continue for the duration of the planning, design and construction phases of the development.

Surrounding Lessee and Tenant/Occupant Engagements

The following key ACT Government agencies have been engaged with prior to submission of this WA application:

- *Canberra Theatre Centre* – Meetings with the CEO and senior facilities managers from the Canberra Theatre have been held to brief them on the proposed development and construction activities. CPG and CC represensatives will contiune to engage with Canberra Theatre representatives for the duration of the construction works.
- *ACT Legislative Assembly* - Meetings with ACT Legislative Assembly representatives have been held to brief them on the proposed development and construction activities. CPG and CC represensatives will contiune to engage with ACT Legislative Assembly representatives for the duration of the construction works.
- *1 Constitution Avenue, City* – CPG is the lessee of the adjoining site so engagement is not necessary on this adjoining site.

- *A by Adina Hotel (1 Constitution Avenue, City)* – Meetings with the Hotel operator have been held to brief them on the proposed development and construction activities. CPG and CC representatives will continue to engage with the Hotel operator for the duration of the construction works.
- *220 London Circuit, City* - CPG representatives have met with the Lessee of 220 London Circuit regarding the proposed development and no issues were raised regarding the proposal.
- *3-5 Constitution Avenue, City* - CPG representatives have met with the Lessee of 3-5 Constitution Avenue regarding the proposed development and no issues were raised regarding the proposal.
- *2 Constitution Avenue, City* – CPG representatives have met with the Lessee of 2 Constitution Avenue regarding the proposed development and no issues were raised regarding the proposal.

3.2 General description of proposal

Construction of a multistorey commercial (office) building with ground level cafe and associated works at Block 19 Section 40, City (1A Constitution Avenue). A more detailed description of the proposed works is provided in the following subsection.

3.3 Detailed description of the proposal

This subsection of the Planning Report describes key parts and drivers of the proposed development. This section should be read in conjunction with the design report, architectural and landscape drawings, civil engineering drawings and supporting specialist reports.

Designing with Country

BATES SMART has completed a preliminary Designing with Country analysis which included engagement with the Traditional Owners Aboriginal Corporation (**TOAC**). The Designing with Country philosophy is briefly summarised as follows (for further details refer to the Design Report:

- Inspiration has been drawn from the site's unique topography, geology, and plant life.
- The site is near an elevated vantage point with easy access to the Molonglo River.
- The proposed building will maintain clear sight lines to nearby natural landmarks and ensure waterfront connectivity.
- Historically, the area featured open grassy woodlands with distinctive native species such as Dulwa (She Oak), Bargan (Yellow Box) and Nummerak (Silver Wattle). These plants hold traditional significance in Indigenous knowledge systems and have adapted to withstand fire events.
- Prominent landmarks like Mount Ainslie and Black Mountain are visible from the site.
- These landmarks add significant geological history and beauty to the area.
- Engagement with the Indigenous people and traditional knowledge holders will be undertaken during detailed design of building interiors.

The Master Plan – One Precinct

The proposed development completes the Constitution Place precinct by extending the arcade and street wall from 1 Constitution Avenue onto Vernon Circle. The undercroft arcade continues from the Constitution Place Building A (1 Constitution Avenue) to the proposed verandah and further on to Vernon Circle. Primary pedestrian access is from Constitution Avenue as well as Knowles Place which is retained and reinforced as a shared pedestrian way, enhancing pedestrian connectivity from the new development to the retail laneway precinct within Constitution Place and further to the ACT Legislative Assembly and Civic Square Precinct. This expansion integrates the public domain precinct with the retail and amenity offerings of both 220 London Circuit and 1 Constitution Avenue. Lobby and vehicular entries off Knowles Place provide clear sightlines into the Theatre’s Courtyard and Legislative Plaza next to the ACT Legislative Assembly.



Figure 11: Lobby perspective. (Source: BATES SMART Design Report)

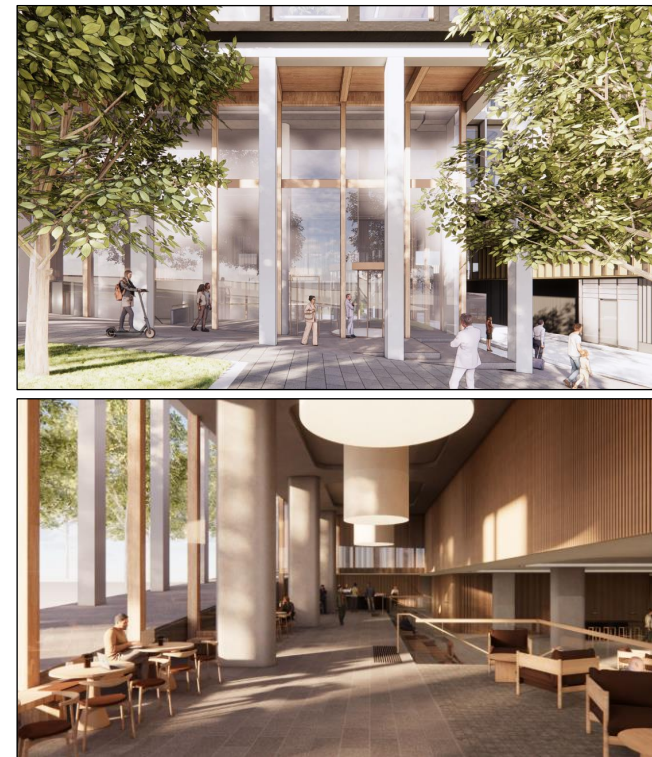


Figure 12: Lobby external and internal perspectives. (Source: BATES SMART Design Rp)

Design Concept

The architectural design concept acknowledges that the site boundaries are irregular with complex geometries and asymmetrical edges. It also acknowledges the steep level changes across the site from west to east. Despite these site challenges the architectural design concept seeks to rationalise the geometry of the building by implementing a series of simple design moves which will help negotiate the asymmetrical boundaries while creating an elegant and efficient building. The key design concepts are summarised below.

1. Align rectangular floorplate to site boundary.
2. Efficient low carbon structural grid.
3. Efficient side core.
4. Timber verandah follows site curvature.
5. Vertical fins.
6. Civic colonnade.

Materials and Finishes

A refined high-quality palette of building materials and finishes are proposed. This will include eco-friendly architecture for a mass timber verandah to enhance the overall visual charm and adopts sustainable building practices. The Design Report prepared by BATES SMART provides an indepth design description for the proposed building materials and finishes (refer to section 5.0 of the Report). This information also sections through the building facades and elevations which detail the quality of materials and finishes in each of the building’s elevations and interfaces with the public realm.

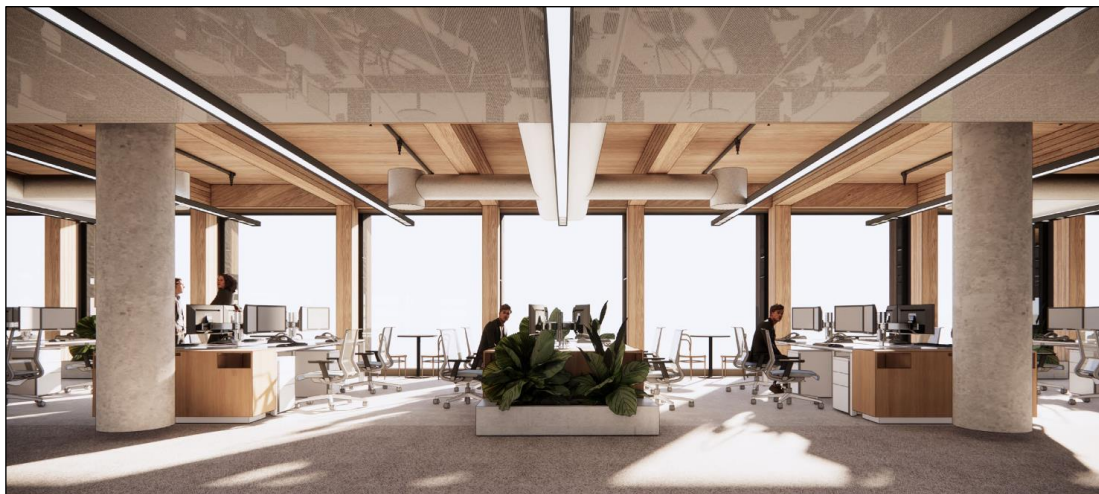


Figure 13: Upper level internal perspectives. (Source: BATES SMART Design Report)

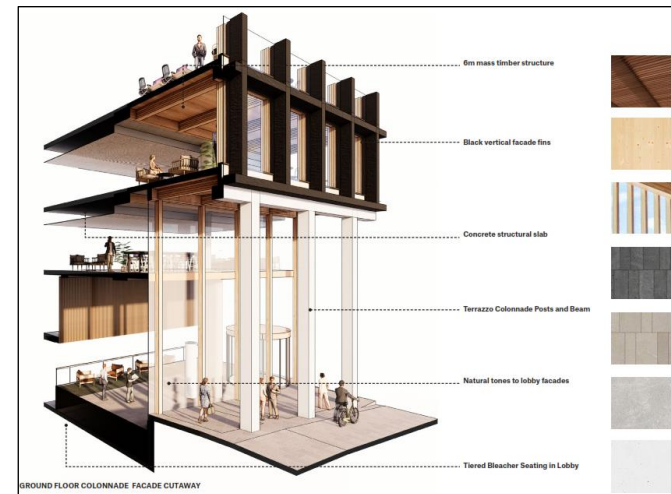


Figure 14: Ground Floor Colonnade Façade Cutaway.

Sustainability Strategy

The proposed building will incorporate the following building and environmental sustainability measures and principles:

7. 5 Star Green Star (equivalent 2023 to 6 Star Green Star rating).
8. 4.5 Star NABERS Rating.
9. Targeting a WELLS rating for workplaces.
10. Fully electric building plus net zero carbon in operation.
11. Extensive end of trip facilities and integrated bicycle parking .
12. Integrated vertical & horizontal façade for efficient solar shading.
13. Hybrid timber verandah structure.
14. 20% reduction in concrete use due to structural engineering design.
15. Solar photovoltaic panels on rooftops.
16. Electric vehicle car chargers in basement.
17. Rainwater harvesting for non-potable water use.
18. Large vision panels for access to natural light to commercial floor plates.

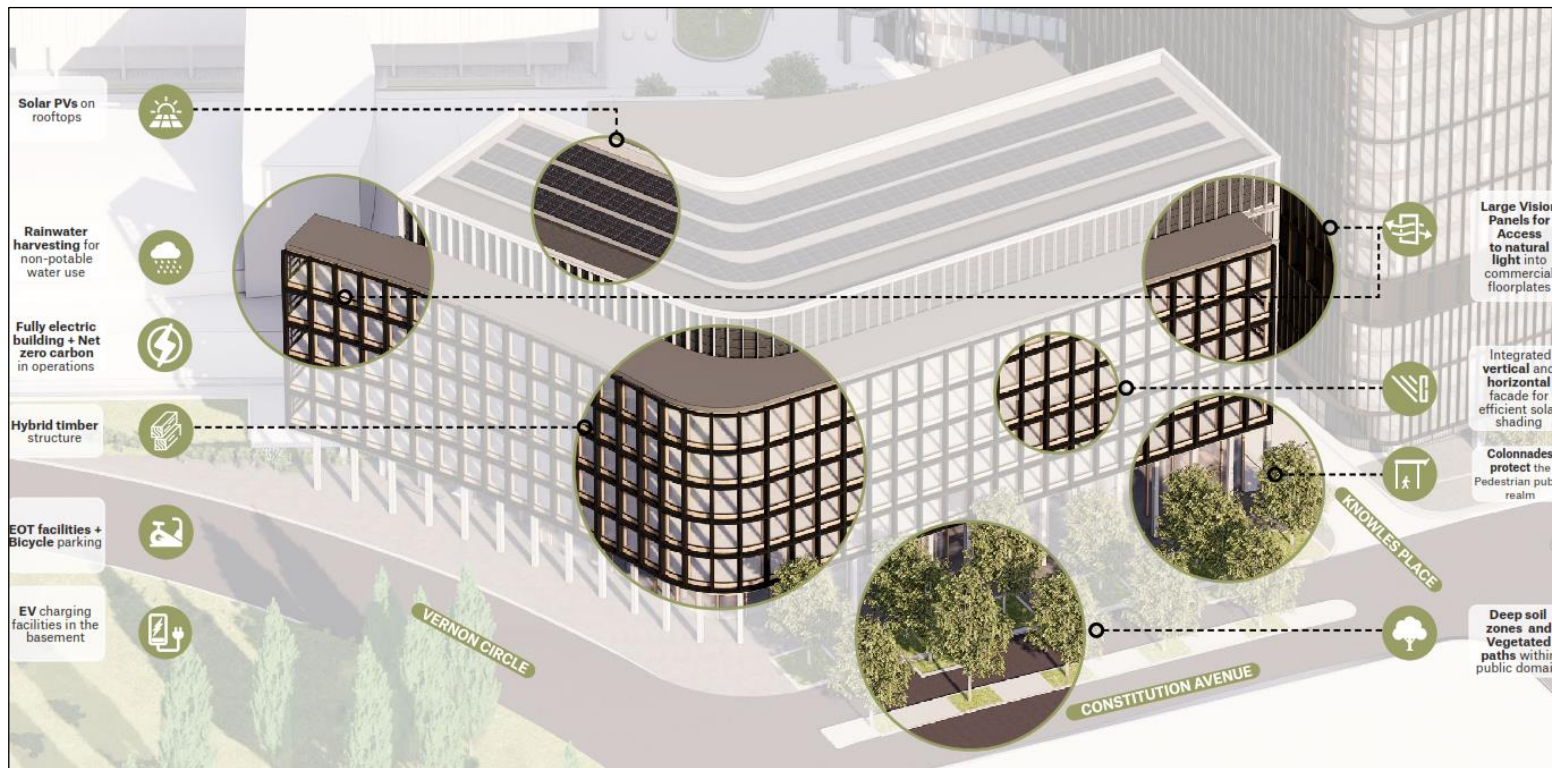


Figure 15: Lobby external and internal perspectives. (Source: BATES SMART Design)

Landscaping

The WA application is accompanied by a detailed set of landscape drawings prepared by RedBox Design Group. The proposed landscape design for the public realm areas will extend the high-quality materials and finishes of Constitution Avenue onto Vernon Circle. This includes the blue stone paving and other materials and finishes. In addition, a row of street trees and groundcover shrubs are proposed along Vernon Circle. The proposed landscaping upgrades and works will be completed both within the ground floor building's setbacks of the Block and public verges to Constitution Avenue and Vernon Circle resulting in a complete public realm interface.

Building Height and Shadows

The proposed building has a maximum height of 25 metres measured from the adjacent kerb level at Vernon Circle. The plant room on the rooftop above the 25 metres is setback and screened from public view. The proposed rooftop plant level has been extensively designed to incorporate seamlessly and cohesively into the overall architectural design of the proposed building.

Shadow diagrams have been prepared and are submitted with the WA application. The shadow diagrams demonstrate that the proposed building height and bulk does not adversely impact solar access to neighbouring buildings or uses. Furthermore, no adverse shadows are cast of areas of the surrounding public domain nor City Hill Park. Refer to architectural drawings for winter and summer shadow diagrams.

Building Setbacks

The proposed building setbacks have been carefully designed having regard to both neighbouring buildings and new developments within the City Hill Precinct. To Constitution Avenue the ground floor, level 01 and level 02 are setback 4.57 metres from the boundary, while the level above is built to the boundary framing the Avenue, providing weather protection and setbacks consistent with the neighbouring building to the east in Constitution Place (1 Constitution Avenue). To Vernon Circle, level 01 and level 02 are setback 4.57 to 6.57 metres from the site boundary, while the level above is built to the boundary framing the Avenue and providing weather protection. The verge to Vernon Circle has a further depth of 4-5 metres ensuring the ground floor public realm areas are at least 9.5 metres ranging up to 13 metres in width for pedestrian activity and connections. To Knowles Place the ground floor and level 01 are setback from the boundary by 3 metres with the levels above partially constructed to the boundary, while at the site's frontage to Theatre Lane the proposed building is predominately constructed to the site's boundary with the laneway.

Building Signage

Two indicative areas of building signage are proposed in the architectural elevations. One zone for signage is proposed fronting Vernon Circle while a second is proposed fronting Constitution Avenue.

End of Trip Facilities, Car Parking and Traffic

The proposed building contains extensive end of trip facilities including 113 bicycle parking spaces. The building also contains 2 basement levels with a total of 89 car parking spaces and electric vehicle charging bays are proposed in the basement. The proposed basement design is efficient, safe and accessible from Knowles Place. A detailed Transport Assessment has been prepared by SCT Consulting and is provided with the WA application which outlines that the proposed quantum of car parking is acceptable in the Canberra city location and will not result in adverse traffic impacts on the surrounding road network.

Waste Storage and Collection

A waste storage enclosure has been designed discreetly into the proposed development. A private contractor will collect waste from the building as required. Waste collections will be facilitated via Knowles Place, consistent with existing waste collection arrangements at the adjoining development at Constitution Place. Waste collection plans and details are provided with the WA application package.

Universal Accessibility

The proposed development has been designed to facilitate universal design across the building. An access report outlines compliance with the relevant legislation and Australian Standards. Refer to WA application package for full details.

Wind Impacts

The proposed building has been tested to consider and address potential for wind impacts. A Wind Assessment report outlines that the proposed building is acceptable having regard to potential wind impacts. Refer to WA application package for full details.

Crime Prevention Through Environmental Design

The proposed development has considered and addresses the requirements of the ACT Crime Prevention and Urban Design Resource Manual. The proposed development will generate pedestrian activity as do the existing adjacent developments within the ground floor and surrounding public realm areas. Upper levels of the building will provide for casual surveillance and external lighting is integrated into the development.

4 REGULATORY MATTERS

4.1 Environmental Protection and Biodiversity Conservation Act 1999

The proposed development does not trigger a referral under the provision of the EPBC Act. A desktop review of the Block 40 Section 19 City utilising the Department of Climate Change, Energy, the Environment and Water (DCCEEW) online tool, and conducting a historical aerial imagery review, indicates that the site is not mapped for heritage significance nor is proximate to Commonwealth heritage items. In addition, the site has been highly disturbed and modified over recent and historical years which means the site does not contain Matters of National Environmental Significance (MNES) listed flora of fauna. Accordingly, the proposed development does not trigger further assessment under the provisions of the EPBC Act.

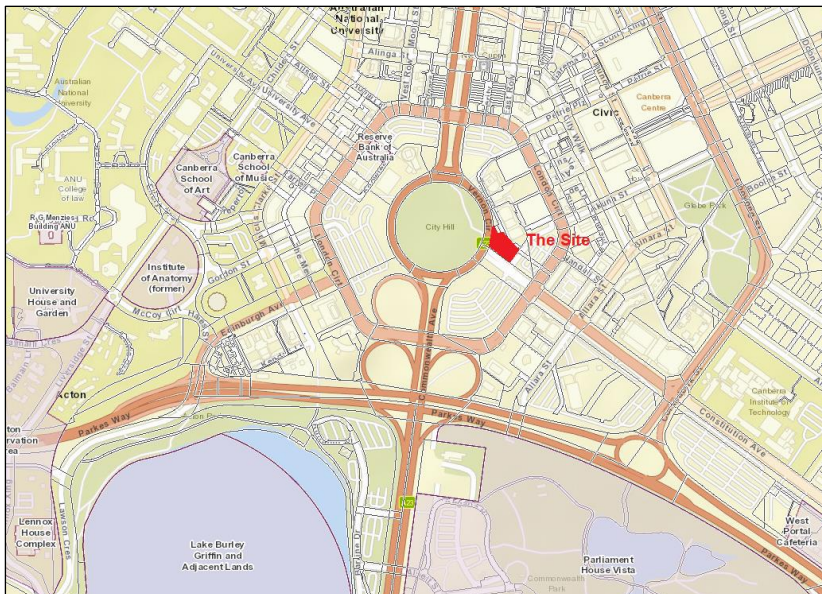


Figure 16: The Site indicated in red and the MNES. (Source: DCCEEW online mapping tool)



Figure 17: Historical aerial image of Block 40 Section 19 City dated April 2019. (Source: Google Earth)

4.2 ACT Planning and Land Management Act 1988

The PALM Act contains the establishment, function, and powers of the National Capital Authority (the Authority). Importantly, Part III – The National Capital Plan of the PALM Act not only gives effect to the provisions of the National Capital Plan (**NCP**) but also under Section 12 *Works in Designated Areas to be subject to Plan and approval of by the Authority* details the requirements for lessees within Designated Areas to obtain approval from the Authority.

12 Works in Designated Areas to be subject to Plan and approval by the Authority

(1) *No works shall be performed in a Designated Area unless:*

- (a) the proposal to perform the works has been submitted to the Authority together with such plans and specifications as are required by the Authority;*
- (b) the Authority has approved the works in writing; and*
- (c) the works are in accordance with the Plan.*

(2) *Subsection (1) does not affect section 5 of the Parliament Act 1974.*

Furthermore, section 4 *Definitions for whole Act* provides the definition of works which applies to the proposal and is stated below.

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.*

The proposed construction of a multistorey commercial building and associated works constitutes **works** as defined under the PALM Act. Accordingly, WA consent is required from the Delegate of the NCA.

4.3 Copyright Act 1968

On 21 December 2000, amendments to the Copyright Act 1968 came into effect. These amendments introduced an obligation on proponents for works to consider moral rights. However, as Block 40 Section 19 City is a vacant brownfield site, no moral rights exist over the site.

4.4 Crown Lease

The table below outlines the key provisions of the Crown Lease which are applicable to the assessment of the WA application.

Table 1: Block 40 Section 19 City Crown Lease Key Provisions

Lessee
Capital Property Corporation Pty Ltd
Land
Block 40 Section 19 Division of City containing an area of 2744m2 or thereabouts as delineated on Deposited Plan Number 15970
Lease Term and Commencement
99 years commenced on 15 th of November 2023
Purpose
(d) To use the land for one or more of the following purposes: <ul style="list-style-type: none"> i. Administrative use; ii. Car park; iii. Café, bar, restaurant; iv. Casino; v. Cultural facility; vi. Hotel; vii. Health centre; viii. Indoor recreation facility; ix. Motel; x. Office; xi. Personal research establishment; xii. Social/community facility; and xiii. Tourist facility.

The proposed development is consistent with the relevant provisions of the Crown Lease.

5 NATIONAL CAPITAL PLAN

As indicated in section 2 of this Planning Report, the site is situated within a Designated Area. Within Designated Areas the NCA has responsibility for determining detailed planning policy, and for issuing Works Approval. When determining planning policy and administering Works Approval functions the NCA must have regard to the ACT PALM Act and all relevant provisions of the NCP.

The NCP sets out the general planning principles and policies of land use for all of Canberra and provides detailed planning controls for areas of national significance such as Designated Areas and National Land. The following parts of the NCP are applicable to the site and the proposed development:

- 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 – The site is situated in *URBAN AREAS*
- Part Four – Designated Areas and Special Requirements
- Part Four (A) – Principles and Policies for Designated Areas and Special Requirements for National Land Outside Designated Area, specifically
 - **4.1 The Central National Area**
 - **4.6 City Hill Precinct Code**
 - **4.19 Signs General Code**
- Appendix A – Land Use Definitions
- Appendix B – General Definitions

The key Parts (those bolded above) of the NCP are detailed and assessed with regard to the proposal in the following subsection of this report.

5.1 Part Two – Statement of Planning Principles

This subsection details the Part Two – Statement of Planning Principles and provides commentary with regard to the proposal in the table on the following page.

Table 2: Part Two – Statement of Planning Principles and the proposal.

PART TWO – STATEMENT OF PLANNING PRINCIPLES	THE PROPOSAL
2.1 General Matters	
<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>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, Canberra city and the adjacent landscaped setting of City Hill Park. The proposal will ensure Canberra retains the distinct urban character of a city within bush surrounds.</p>
2.2 Productivity	
<p>2.2.1 Objective one – Infrastructure and employment</p> <p>Ensure that infrastructure supports the development of Canberra’s National Capital functions.</p> <p>2.2.2 Principles for Objective one – Infrastructure and employment</p> <p>Infrastructure must support the effective functioning of Canberra with proper consideration of the environmental and visual impact and be integrated with land use decisions.</p> <p>Infrastructure must be planned and provided in an integrated and timely manner to facilitate the development of Canberra and the Territory and ensure safety and security of supply and operation.</p>	<p>The proposed development has been carefully designed to incorporate infrastructure to support the development and ongoing development of Canberra’s City Centre.</p>
<p>2.2.3 Objective two – Infrastructure and employment</p> <p>Ensure that the location of employment supports the local economy and Canberra’s National Capital role.</p> <p>2.2.4 Principles for Objective two – Infrastructure and employment</p>	<p>The proposed development has been carefully designed to incorporate infrastructure to support the development and ongoing development of Canberra’s City Centre.</p>

PART TWO – STATEMENT OF PLANNING PRINCIPLES	THE PROPOSAL
<p>The location of employment in Canberra and the Territory should enhance rather than detract from the city’s role as the National Capital.</p> <p>Major employment generating land uses will be located within Defined Activity Centres. Major employment location proposals must be determined with regard to their transportation and environmental impacts.</p>	
2.3 Sustainability	
<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 employment both during construction and post completion of works. The proposal addresses the objectives and principles as outlined below:</p> <ul style="list-style-type: none"> • The site is situated in Central Canberra in Canberra’s City Centre an appropriate location of employment generating development. • The site is identified for urban infill where residents of the nearby suburbs and broader parts of the ACT can access the building as a place of employment. • The appropriate future use of the site as a commercial development contains urban expansion and minimises the impacts on valuable natural resources. • The proposal will maintain and protect the open space network, visual backdrop and landscape setting of the National Capital.
<p>2.3.2 Principles for Objective one – Environmental sustainability and open space</p> <p>Urban expansion should be contained so as to minimise impacts on valuable natural and rural areas.</p> <p>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>	
<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>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>	
2.4 Liveability	
<p>2.4.3 Objective one – urban design and heritage</p>	<p>The proposed development will enhance the character of Canberra by providing a</p>

PART TWO – STATEMENT OF PLANNING PRINCIPLES	THE PROPOSAL
<p>Enhance the character of Canberra and the Territory as the National Capital by identifying, protecting, conserving and presenting natural, Indigenous and historic heritage places</p>	<p>cohesive response to the site and locality. The proposal will not impact on environmentally significant places, Indigenous and historic places.</p>
<p>2.4.2 Principles for Objective one – Urban design and heritage</p> <p>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.</p> <p>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.</p> <p>Development should be consistent with the requirements of any relevant Heritage (or Conservation) Management Plan for that particular place.</p>	<p>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. Accordingly, no further action is required having regard to the provisions of the EPBC Act.</p>
<p>2.5 Accessibility</p>	
<p>2.5.1 Objective – Transport and movement</p> <p>Support a connected and equitable multi-modal transport system.</p> <p>2.5.2 Principles for transport and movement</p> <p>Accessible movement systems for a diversity of pedestrian, cycle, public transport and private transport modes will be provided, with good connections between different modes of transport.</p> <p>An accessible movement system will be achieved by:</p> <ul style="list-style-type: none"> maintaining the national and arterial road systems. supporting efficient and sustainable pedestrian, bicycle and public transport systems that reduce car dependency. maintaining movement around the city for a diversity of pedestrian, cycle, public transport 	<p>This proposal seeks to use a suitable site for a permissible use which will provide employment both during construction and post completion of works. The proposal addresses the objectives and principles as outlined below:</p> <ul style="list-style-type: none"> The site is situated in Central Canberra in Canberra’s City Centre an appropriate location of employment generating development. The proposed development incorporates end of trip facilities and appropriate pedestrian, cycle and public transport connections. The proposal maintains the existing road networks, incorporates basement level car parking and generates reasonable levels of traffic.

PART TWO – STATEMENT OF PLANNING PRINCIPLES	THE PROPOSAL
and private transport modes. <ul style="list-style-type: none"> • providing streets that foster a connected and pedestrian-friendly environment. • reducing the barriers created by major roads to make it easier for people to access the public spaces of the city, particularly in the Central National Area. 	

5.2 Part Four (A) – 4.1 Central National Area, 4.6 City Hill Precinct Code and 4.20 Signage General Code

This subsection details the Part Four (A) 4.1 Central National Area, 4.6 City Hill Precinct Code, and 4.19 Signage General Code and provides commentary with regard to the proposal in the tables on the following pages.

Table 3: Part 4.1 Central National Area and the proposal.

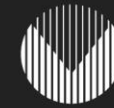
PART 4.1 CENTRAL NATIONAL AREA	THE PROPOSAL
1. Protect the Griffins’ vision by: <ol style="list-style-type: none"> a. fostering recognition of the 1918 Griffin Plan as a work of national and international cultural significance, and conserve those elements that contribute to this significance in a sustainable 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. 	The proposed development protects the Griffins’ vision as outlined below: <ul style="list-style-type: none"> • The proposal facilitates the sustainable development of the site and Canberra’s City Centre which will maintains and promote the City Centre as the main commercial centre in the Nation’s Capital. • The proposed development has been designed to give expression to the visual geometry of City Hill, Vernon Circle and Constitution Avenue all envisaged under the 1918 Griffin Plan. • The proposed future development will incorporate high quality amenity for future users and the general public. • The proposed future development will exhibit the highest standards of urban design, sustainability and architecture which is befitting of the sites importance and reflects the Nation’s Capital.

PART 4.1 CENTRAL NATIONAL AREA	THE PROPOSAL
<p>2. Building on the Griffins’ vision by:</p> <ul style="list-style-type: none"> 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 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 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 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 g. maintaining the geometry and where practicable the fine-grain pattern of the streets and blocks of the 1918 Griffin Plan 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 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 j. maintaining a mix of tree species which enriches the landscape by providing beauty, shade, shelter and wildlife habitats and enhances the built environment. 	<p>The proposed development builds on Griffins’ vision by:</p> <ul style="list-style-type: none"> • The proposal development maintains the 1918 Griffin Plan by developing a brownfield infill site in accordance with the vision for urban form, landscaping, and public realm interfaces. • Promote the City Centre as the main commercial centre in the Nation’s Capital. • The proposed development has been designed to give expression to the visual geometry of City Hill, Vernon Circle and Constitution Avenue all envisaged under the 1918 Griffin Plan. • The proposed building expresses integrity in Griffins visual structure by strengthening the geometry and form of the main avenues and vistas into and around the site. • The proposed future development will exhibit the highest standards of urban design, sustainability and architecture which is befitting of the sites importance and reflects the Nation’s Capital. • The proposed development within the City Hill Precinct complements the existing and future structure of the city.

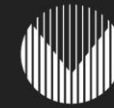
PART 4.1 CENTRAL NATIONAL AREA	THE PROPOSAL
<p>3. Revitalise the vision with growth in the Central National Area by:</p> <ol style="list-style-type: none"> a. reinstating the Griffins’ intended unity between the Central National Area, its setting and the everyday life of the city b. delivering the richness 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 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 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. 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 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. 	<p>The proposed development builds on Griffins’ vision by:</p> <ul style="list-style-type: none"> • The proposal development maintains the 1918 Griffin Plan by developing a brownfield infill site in accordance with the vision for urban form, landscaping and public realm interfaces. • Promote the City Centre as the main commercial centre in the Nation’s Capital. • The proposed development has been designed to give expression to the visual geometry of City Hill, Vernon Circle and Constitution Avenue all envisaged under the 1918 Griffin Plan. • The proposed building expresses integrity in Griffins visual structure by strengthening the geometry and form of the main avenues and vistas into and around the site. • The proposed future development will exhibit the highest standards of urban design, sustainability and architecture which is befitting of the sites importance and reflects the Nation’s Capital. <p>The proposed development within the City Hill Precinct complements the existing and future structure of the city.</p>
<p>4. Link the city to the Central National Area by:</p> <ol style="list-style-type: none"> a. reducing the physical barriers between the Central National Area, City Centre and surrounding neighbourhood precincts b. fostering exchange between local and national activities c. harnessing the cultural and economic links between the City Centre and surrounding neighbourhood precincts d. facilitating the development of physical connections and urban form to enable greater interaction and exchange between the Australian National University, the Central National Area and City Centre. 	<p>The proposed development builds on Griffins’ vision by:</p> <ul style="list-style-type: none"> • The proposal development maintains the 1918 Griffin Plan by developing a brownfield infill site in accordance with the vision for urban form, landscaping and public realm interfaces. • Promote the City Centre as the main commercial centre in the Nation’s Capital. • The proposed development has been designed to give expression to the visual geometry of City Hill, Vernon Circle and Constitution Avenue all envisaged under the 1918 Griffin Plan.

PART 4.1 CENTRAL NATIONAL AREA	THE PROPOSAL
5. Extend the City to the Lake.	While not directly applicable to extending the city to the Lake. The proposed development further extends the Canberra city centre south towards Lake Burley Griffin and the Central National Area.
6. Reinforce the Main Avenues by: <ol style="list-style-type: none"> a. realising the identified Main Avenues of Constitution, Northbourne, Commonwealth, Kings, University, Sydney, Brisbane, and part of Canberra Avenue as multi-use boulevards providing corridors of higher-density mixed-use development, public transport, broad tree-lined footpaths with potential for outdoor dining and street parking b. preventing the Central National Area from being overwhelmed by through traffic c. providing flexible, efficient and sustainable public transport and pedestrian and bicycle systems that reduce car dependency d. developing a sufficient density and mix of land uses to support public transport e. improving the urban design and streetscape qualities of the Main Avenues as approaches to the Central National Area f. maintaining the ease and comfort of movement around the city to cater for a diversity of pedestrian, cycle, vehicular and public transport modes g. providing streets with a quality architecture and landscape character that fosters a compact, connective and pedestrian-friendly environment for central city living h. reducing the barriers of major roads to make it easier for people to access the public spaces of the city, particularly in the Central National Area. 	The proposed development will reinforce and maintain avenues by: <ul style="list-style-type: none"> • Realising the civic intention of Constitution Avenue and Vernon Circle to be multi-use boulevards, providing corridors of higher-density developments in proximity to public transport and within Canberra’s City Centre. Public realm areas are tree lined footpaths with pedestrian connections across the city. • The proposed development provides active travel options for accessing the site and a modest amount of car parking to reduce car dependence and minimise traffic in Canberra’s City Centre. • The proposed development incorporates end of trip facilities and extensive bike parking areas which support public transport and active travel to the site. • The proposed building incorporates high quality architectural and landscape design which will improve the urban design and streetscape qualities of main avenues and approach routes to the Central National Area. • The proposed future development will exhibit the highest standards of urban design, sustainability and architecture which is befitting of the sites importance and reflects the Nation’s Capital. • The proposed development within the City Hill Precinct complements the existing and future structure of the city.
7. Link national attractions.	While not directly applicable to linking national attractions. The proposed development further extends the Canberra city centre south towards the central national area and subsequently extends the city to Lake Burley Griffin and national attractions.

PART 4.1 CENTRAL NATIONAL AREA	THE PROPOSAL
4.1.2 Detailed Conditions of planning, design and development	
<p>1. In the Parliamentary Zone (the area bounded by the southern edge of the Lake, Kings Avenue, State Circle and Commonwealth Avenue):</p> <p>a. Land uses will comprise:</p> <ul style="list-style-type: none"> • Parliamentary Uses and National Capital Uses, including national legislative, judicial and executive functions, and Commonwealth cultural institutions • such other uses, including a limited range of commercial uses and tourism facilities that complement and enhance the function and character of the area. <p>b. Development must be guided by the principles, policies and Indicative Development Plan for the Parliamentary Zone set out in the Parliamentary Zone Precinct Code.</p>	<p>While the site and proposed development are not located in the Parliamentary Zone. The proposed development of the site for a commercial office building is consistent with the range of land uses and developments envisaged in Canberra’s city centre.</p>
<p>2. Other parts of the Designated Areas will be used in accordance with relevant Precinct Codes.</p>	<p>The proposed development is consistent with the relevant Precinct Codes on the NCP. These matters are discussed in the tables below.</p>
<p>3. Land uses will relate primarily to national functions. This should not, however, preclude the establishment of appropriate ACT Government functions, suitably located.</p>	<p>The proposed land uses are permissible on the site and will not preclude the establishment of appropriate ACT Government functions nor suitable locations.</p>
<p>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.</p>	<p>The proposed multistorey commercial building is located in the City and appropriate in the context of the Central National Area.</p>
<p>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.</p>	<p>The proposed development does not impact on the future development of the City centre and Central National Area for the land uses specified.</p>
<p>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.</p>	<p>The proposed development provides active travel options for accessing the site and a modest amount of car parking to reduce car dependence and minimise traffic in Canberra’s City Centre.</p> <p>The proposed development incorporates end of trip facilities and extensive bike parking areas which support public transport and active travel to the site.</p>



PART 4.1 CENTRAL NATIONAL AREA	THE PROPOSAL
<p>7. The transport system within Designated Area will be planning 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.</p>	<p>The proposed development provides active travel options for accessing the site and a modest amount of car parking to reduce car dependence and minimise traffic in Canberra’s City Centre.</p> <p>The proposed development incorporates end of trip facilities and extensive bike parking areas which support public transport and active travel to the site.</p>
<p>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.</p>	<p>The proposed building incorporates high quality architectural and landscape design which will improve the urban design and streetscape qualities of main avenues and approach routes to the Central National Area.</p>
<p>9. New development should seek to respect the design and character of adjacent buildings in terms of scale, colour, materials, massing and frontage alignment.</p>	<p>The proposed building has been designed to provide a consistent but distinct individual design which respects the design and character of adjacent buildings and other civic buildings in Canberra city centre. This is in terms of scale, colour, materials, massing and frontage alignment.</p>
<p>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.</p>	<p>The proposed development has been designed to maintain solar access, amenity, pedestrian and vehicular access. The proposed building height is consistent with the heights of surrounding buildings and the City Hill Precinct Code requirements.</p>
<p>11. Buildings in the area must show an appropriate quality of architectural design consistent with their location in this area of special national importance.</p>	<p>The proposed building incorporates high quality architectural and landscape design which will improve the urban design and streetscape qualities of main avenues and approach routes to the Central National Area.</p>
<p>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.</p>	<p>The proposed development provides vehicular access from Knowles Place which is consistent with neighbouring developments and the desire to keep Vernon Circle and Constitution Avenue pedestrian activity frontages and areas.</p>



PART 4.1 CENTRAL NATIONAL AREA	THE PROPOSAL
<p>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. Setbacks for buildings adjacent to Kings and Commonwealth Avenues should generally be 15 metres. Setbacks for buildings adjacent to eastern side of Kings and western side of Commonwealth Avenues north of Lake Burley Griffin should be 10 metres.</p>	<p>The proposed development reinforces the avenues connecting the nodal points of the National Triangle by:</p> <ul style="list-style-type: none"> • The proposed building is setback an appropriate distance from Vernon Circle and Constitution Avenue, and the proposed building form will reinforce avenues and delineate the geometric form of Griffins’ plan. • Both avenue frontages incorporate landscape plantings and external lighting into the development. • The proposed building incorporates high quality architectural and landscape design which will improve the urban design and streetscape qualities of main avenues and approach routes to the Central National Area. • The proposed future development will exhibit the highest standards of urban design, sustainability and architecture which is befitting of the sites importance and reflects the Nation’s Capital. • The proposed development within the City Hill Precinct complements the existing and future structure of the city.
<p>14. 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> <ol style="list-style-type: none"> a. the formal and consistent landscaping of Main Avenues and mall spaces b. 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>The proposed development incorporates landscaping which will enhance the visual setting of Designated Areas by providing formal and consistent landscaping along Vernon Circle and Constitution Avenue. In addition, the proposed public realm upgrades to Vernon Circle incorporate quality landscape materials and finishes which continue the high quality public realm of Constitution Avenue onto Vernon Circle and towards City Hill.</p>
<p>15. Residential blocks must not be subdivided for separate occupation. 16. Any proposal to subdivide land within the Central National Area will require the approval of the National Capital Authority.</p>	<p>The proposal does not seek approval to subdivide the site.</p>

Table 3: Part 4.6 City Hill Precinct Code and the proposal.

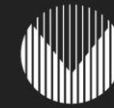
PART 4.6 CITY HILL PRECINCT CODE	THE PROPOSAL
<p>4.6.3 Objectives for City Hill Precinct</p> <ol style="list-style-type: none"> 1. Maintain and promote the City Centre as the main commercial centre of Canberra and the region – with the City Hill Precinct as the preeminent heart of the City. 2. The design of buildings and the amenity and environmental quality of the main public spaces should result in an accessible, attractive, high quality and distinctive centre, consistent with the City’s role as the major metropolitan centre and its location at one point of the National Triangle, the major organising element of the Central National Area. 3. That the City Hill Precinct provides a vibrant, interesting and lively centre with high levels of human activity. 4. Development must command the highest standards of urban design, sustainability, exemplar architecture and social inclusion, reflecting the character of the National Capital. 5. The City Hill Precinct must complement and actively relate to, and integrate with, the existing and future structure of the rest of the city. 6. Encourage a mix of land uses, including residential uses, which contribute to a diverse and active character. 7. Major buildings of municipal or cultural significance should be located adjacent to City Hill Park, with their main address to Vernon Circle. 	<p>The proposal addresses the objectives for the City Hill Precinct as outlined below:</p> <ul style="list-style-type: none"> • The proposed multistorey commercial (office) and café use building will further promote the City Hill Precinct at the commercial heart of Canberra city and the Nation’s Capital. The proposed building will draw the commercial activity towards City Hill, activating Vernon Circle and the western end of Constitution Avenue. • The proposed future development will incorporate high quality amenity for future users and the public. • The proposed building and public realm works exhibit the highest standards of urban design, sustainability, architecture and landscape architecture which is befitting of the sites importance and reflects the Nation’s Capital. • The proposed development within the City Hill Precinct complements the existing and future structure of the city and important streetscape of Vernon Circle and Constitution Avenue. • The proposed building focuses pedestrian activity to Constitution Avenue, Vernon Circle and activates Knowles Place linking with the Canberra Theatre Centre, Legislative Assembly and Civic Square. • The proposed building has been designed to address both Constitution Avenue and Vernon Circle.
<p>4.6.4 Land Use for City Hill Precinct</p> <p>Land uses for the City Hill precinct should be in accordance with Figure 39.</p> <p>Land use area A permitted uses include:</p> <ul style="list-style-type: none"> • Café, Bar, Restaurant • Car Park • Office • Retail • Road for Knowles Pace 	<p>The proposed building incorporate permitted land uses including office, café and car parking associated with those uses.</p>

PART 4.6 CITY HILL PRECINCT CODE	THE PROPOSAL
4.6.5 Detailed Conditions of planning, design and development	
<p>General</p> <p>New or altered building must ensure that:</p> <ul style="list-style-type: none"> • Sunlight access to open space within the City Hill Precinct and major pedestrian area is maintained. • The vista to City Hill Park is framed and enhanced by new development. • Predominantly active frontages are provided at ground floor level for building elements fronting London Circuit and Main Avenues that radiate from City Hill. <p>Subdivision patterns should be designed to minimise amalgamation of land and achieve a mix of development scales including fine urban grain.</p> <p>New buildings are encouraged to be delivered through design competitions in order to encourage innovation and design excellence.</p> <p>The symbolic importance of the City Hill Precinct should be reinforced in the design treatment of the streetscape and public places.</p> <p>Public art and art spaces in new development should be encouraged.</p> <p>Landscape and streetscape treatments are to be of a high quality emphasising the geometry and formality of the Main Avenues.</p> <p>New development should exemplify sustainability principles and demonstrate excellence in urban design, landscape and architecture.</p>	<p>The proposed building addresses the general requirements by:</p> <ul style="list-style-type: none"> • Maintaining sunlight to open spaces within the City Hill Precinct including City Hill Park, Constitution Avenue and London Circuit pedestrian areas and verges. • The proposed development maintains vistas to City Hill Park by incorporating appropriate setbacks, building form and heights. • The proposed building incorporates active frontages along Vernon Circle, Constitution Avenue and Knowles Place. • The site is considered compact in the context of much larger sites within the city. The building will deliver a mix of building scales including fine urban grain. • The symbolic importance of the City Hill Precinct is reinforced in the architectural design and material/finishes proposed for the building. At ground level the high quality Constitution Avenue public realm areas are extended to Vernon Circle. • The geometry of the building design reinforces the frontages of Vernon Circle, City Hill Park and Constitution Avenue which is consistent with Griffins’ Plan. • The proposed building exemplifies sustainability principles through use of sustainable building materials and finishes. Refer to proposal section of the report for full details. • The proposed building and public realm works exhibit the highest standards of urban design, sustainability, architecture and landscape architecture which is befitting of the sites importance and reflects the Nation’s Capital.

PART 4.6 CITY HILL PRECINCT CODE	THE PROPOSAL
<p>City Hill Park as a central open space</p> <p>City Hill Park should be retained and enhanced as an enclosed central park serving a functional role within an urban built form.</p> <p>The topography of City Hill Park may need to be modified to create an urban park, accommodate pedestrian desire lines and integrate with Vernon Circle.</p> <p>City Hill Park is the primary public space for the Precinct. Any building located on City Hill Park must be ancillary to this purpose and designed, sited and of a scale that complements the landscape character.</p> <p>New Public spaces created within the Precinct must complement and not diminish the permanence of City Hill Park.</p>	<p>The proposed development retains and will activate City Hill as a central open space. The proposed building form responds to the geometry of the avenues, surrounding developments and furthers the desire for City Hill Park to be a enclosed central park serving a functional role within the urban built form.</p> <p>The proposes building design, siting and landscaped public realm areas will compliment and enliven the landscape character of the City Hill Park.</p> <p>The ground level public realm areas both within the site and on the adjacent verges exhibits landscape design excellence both through design and materials. These improvements fronting City Hill Park will complement the park and seek to enliven its use with a permanent office worker population.</p>
<p>Open Space - Building Height</p> <p>Building heights of up to 25 metres (generally six to eight storeys) above adjacent kerb levels of London Circuit, Vernon Circle and Northbourne, Edinburgh, Constitution and Commonwealth Avenues are permissible in all areas of City Hill Precinct.</p> <p>Landmark buildings up to RL617 (generally 14 to 18 storeys) will be restricted to the locations identified in Figure 42, generally being the corners of the main avenues intersecting with London Circuit.</p> <p>Buildings more than 25 metres in height are to be the subject of wind testing, including down draught conditions and turbulence, to ensure development does not have adverse impacts on building entrances and the public domain.</p> <p>Buildings fronting Vernon Circle should have a minimum height of 16 metres (equivalent to four storeys) to create a sense of enclosure around City Hill Park.</p> <p>Minor building elements that extend building height above 25 metres will be considered where this enhances the architectural quality of the building and fosters energy efficiency, indoor amenity and appropriate urban scale.</p>	<p>The proposed building has a height of 25 metres to Vernon Circle with minor elements of the roof structure extending above the 25 metre control by 350mm. The roof top plant level is setback from the outer edge of building, architecturally designed and screened to be incorporated into the overall building form and viewed as secondary structure. As outlined in the proposal section of this Planning Report the proposed building incorporates a range of high quality architectural elements which will deliver energy efficiency, sustainability, indoor amenity and provide an appropriate urban scale.</p>

PART 4.6 CITY HILL PRECINCT CODE	THE PROPOSAL										
<p>Minimum floor to ceiling heights within buildings are as follows:</p> <table border="1" data-bbox="219 344 1153 868"> <thead> <tr> <th>Location</th> <th>Min. floor height</th> </tr> </thead> <tbody> <tr> <td>Ground Floor facing Constitution Avenue and roads where 'Indicative Active Frontages' are located</td> <td>6.5 metres floor to ceiling (mezzanine level permitted over 30% of ground floor)</td> </tr> <tr> <td>Ground Floor (Residential)</td> <td>3.3 metres floor-to-ceiling</td> </tr> <tr> <td>Ground Floor (other uses, including commercial/office use)</td> <td>3.6 metres floor-to-ceiling</td> </tr> <tr> <td>Residential (general)</td> <td>2.7 metres floor-to-ceiling minimum for all habitable rooms, 2.4 metres is the preferred minimum for all non-habitable rooms however 2.25 metres is permitted. For two-storey units, 2.4 metres minimum for second storey if 50 percent or more of the apartment has 2.7 metre minimum ceiling heights.</td> </tr> </tbody> </table>	Location	Min. floor height	Ground Floor facing Constitution Avenue and roads where 'Indicative Active Frontages' are located	6.5 metres floor to ceiling (mezzanine level permitted over 30% of ground floor)	Ground Floor (Residential)	3.3 metres floor-to-ceiling	Ground Floor (other uses, including commercial/office use)	3.6 metres floor-to-ceiling	Residential (general)	2.7 metres floor-to-ceiling minimum for all habitable rooms, 2.4 metres is the preferred minimum for all non-habitable rooms however 2.25 metres is permitted. For two-storey units, 2.4 metres minimum for second storey if 50 percent or more of the apartment has 2.7 metre minimum ceiling heights.	<p>The proposed building floor to ceiling heights are detailed below:</p> <ul style="list-style-type: none"> • Constitution Avenue floor to ceiling height range from 6.1 metres ranging up to 7.3 metres for the entry and lobby. • Vernon Circle floor to ceiling heights are 3.7 metre for the commercial/office use. • Knowles Place floor to ceiling heights are 6.5 metres for the entry lobby and to 3.7 metres over the basement car park access point. <p>In addition, to the floor to ceiling heights the proposed buildings interfaces with Vernon Circle, Constitution Avenue and Knowles Place are wrapped with double and triple height pedestrian colonnades.</p>
Location	Min. floor height										
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<p>Active frontages</p> <p>Street level frontages should, where possible, be active. Primary retail activities should be off London Circuit with secondary food and beverage activities occurring along north-south laneways so as to optimise sunlight access during peak periods.</p> <p>Buildings on the avenues must have predominantly active frontages at ground floor.</p>	<p>The proposed development incorporates active frontages at all street frontages. This includes Vernon Circle, Constitution Avenue and Vernon Circle.</p>										
<p>Avenue connections and vistas</p> <p>New road connections to Vernon Circle from Constitution and Edinburgh Avenues should facilitate access for local traffic and pedestrians.</p> <p>View corridors must be retained from radiating avenues to City Hill Park. No buildings should bridge these avenues.</p> <p>A limited palette of high-quality pedestrian pavement materials, street furniture and lighting will be used. Pavement and landscape design should have an elegant, simple and bold design emphasising the geometry and formality of the main avenues.</p>	<p>The symbolic importance of the City Hill Precinct is reinforced in the architectural design and material/finishes proposed for the building. At ground level the landscape architectural treatment consist of high quality public realm areas of Constitution Avenue which are extended to Vernon Circle.</p> <p>The geometry of the building design reinforces the frontages of Vernon Circle and Constitution Avenue which retains and focuses view corridors in and along the Avenues which is consistent with Griffins' Plan.</p> <p>The proposed building exemplifies sustainability principles through use of sustainable building materials and finishes. Refer to proposal section of the report for full details.</p>										

PART 4.6 CITY HILL PRECINCT CODE	THE PROPOSAL
<p>Heritage</p> <p>The heritage values of the Sydney and Melbourne Buildings are to be considered and addressed by new buildings adjacent to these sites.</p>	<p>The site is not adjacent to the Sydney and Melbourne Buildings.</p>
<p>Traffic</p> <p>Major modifications to the existing traffic management arrangements are dependent upon the continuing implementation of peripheral parkways and city bypass routes including Gungahlin Drive, Majura Parkway, Clunies Ross Street, Fairbairn Avenue, Marcus Clarke Street and Cooyong/Ballumbir Streets and the removal of the Parkes Way cloverleaves.</p> <p>Traffic engineering devices (e.g. slip lanes) should be designed to promote pedestrian amenity, safety and access and bicycle movements</p>	<p>The WA application is accompanied by a Transport Assessment which outlines the quantum of carparking, bicycle parking and end of trip facilities. The report also provides a detailed traffic analysis which confirms the proposed quantum of car parking provided in the development and traffic generated is acceptable in the location and for the broader parts of the city.</p>
<p>Parking</p> <p>Replacement of existing surface car parks and public car parking should be provided for as identified in the ACT Government Parking Strategy. Development of existing surface car parks will need to demonstrate that an adequate public car parking provision (on street or in appropriately designed structures) will meet the needs of City Hill Precinct.</p> <p>Car parking for new development is to be accommodated in basements or in above ground structures that do not dominate the public domain.</p>	<p>The WA application is accompanied by a Transport Assessment which outlines the quantum of carparking, bicycle parking and end of trip facilities. All car parking and end of trip facilities are provided below grade on basement levels.</p> <p>The Transport Assessment also provides a detailed traffic analysis which confirms the proposed quantum of car parking provided in the development and traffic generated is acceptable in the location and for the broader parts of the city.</p> <p>The site is not an existing surface car park.</p>
<p>Public Transport</p> <p>London Circuit should operate as the main public transport circuit for Canberra City.</p> <p>Redevelopment of the City Hill Precinct should take place in the context of an integrated public transport plan. Mechanisms should be introduced to give priority to public transport.</p>	<p>The Transport Assessment details the sites proximity to and interface with public transport. The Transport Assessment confirm that the proposed development supports the broad public uptake of public transport in the city centre.</p>
<p>Laneways</p> <p>Existing laneways should be retained and new laneways created to provide permeability and create service access. Opportunities should be identified to create laneways with active frontages, particularly in relation to heritage and public buildings and at intersections.</p>	<p>The proposed development retains the role of Knowles Place as both a vehicular access and shared pedestrian laneway. The proposed building design and lobby fronting Knowles Place provides for a high quality laneway which connects pedestrians to important adjoining developments and surrounding civic buildings and squares.</p>



PART 4.6 CITY HILL PRECINCT CODE	THE PROPOSAL
<p>Pedestrian and bicycle links</p> <p>New development, including public spaces, will facilitate pedestrian connectivity and bicycle movements within the City Hill Precinct and between the City Hill Precinct and Canberra Central.</p>	<p>The Transport Assessment details pedestrian and bicycle links in and around the site and the quantum of bike parking incorporated into the development.</p>
<p>Location Specific</p>	
<p>Vernon Circle</p> <p>Vernon Circle should serve as a ceremonial road leading to Parliament House and for public events for the city of Canberra. Any major redevelopment of the City Hill precinct should consider alternative options for traffic to allow easy pedestrian access to City Hill via Vernon Circle.</p> <p>Over time, the existing major cultural and municipal buildings adjacent to City Hill Park (and extensions to them) could be reconfigured to address Vernon Circle.</p>	<p>The proposed building design and siting addresses Vernon Circle and reinforces it as a ceremonial road leading to Parliament House and for public events for the city of Canberra.</p>
<p>London Circuit</p> <p>London Circuit should serve as a gateway, providing a transition between the boulevard character of the avenues and the urban scale of the inner City Hill Precinct. The transition should be achieved through the use of urban design and traffic engineering treatments that serve to physically and psychologically divert traffic from the avenues onto London Circuit, thereby limiting access to the inner City Hill Precinct to predominantly local traffic. London Circuit should operate as the main public transport circuit for Canberra Central.</p> <p>Buildings must be set back from London Circuit a sufficient distance to establish a tree-lined boulevard character (two rows of trees and wide pavements).</p> <p>New buildings fronting London Circuit must have active frontages.</p>	<p>The site does not have frontages to London Circuit, however the proposed development provided ground level pedestrian connections to London Circuit to the east under the double and triple height weather protecting colonnades.</p>

Table 4: Part 4.20 Signs General Code and the proposal.

PART 4.20 SIGNS GENERAL CODE	THE PROPOSAL
<p>4.20.3 General conditions</p> <ol style="list-style-type: none"> 1. The type, position, size, appearance, illumination, animation, content or other characteristics of any proposed sign must ensure a quality and character of appearance both by day and night which, in the opinion of the National Capital Authority, befits the National Capital. 2. The National Capital Authority will refuse to approve any sign where it is of the opinion that the type, position, size, appearance, illumination, animation, content or other characteristics of the sign may adversely affect: <ol style="list-style-type: none"> i. the amenity of the locality or neighbourhood with particular regard to nearby residential development ii. the architectural character or appearance of a building iii. traffic safety iv. a 'place' within the meaning of and subject to the provisions of the relevant Commonwealth heritage legislation. . 3. Any application for the use, construction or erection on or above the roof or top of any building of any device, advertisement, sky sign, sign, signal or structure of the nature of a sign or signal, excepting flags and flag poles, will not be approved where the proposal would alter any silhouette of the building by extension beyond or above the walls, parapet or roof of the building, lift tower or plant room. 	<p>The proposed building signage addresses the general conditions as outlined below:</p> <ol style="list-style-type: none"> 1. The proposed signage location is appropriate for the building and locality, providing one sign per frontage to Vernon Circle and Constitution Avenue. The signage quality will be a quality reflective of the building and the National Capital. 2. The proposed signage is not proximate or adjacent to surrounding residential developments, will not impact traffic and affect the architectural character of a building. 3. The proposed signage is not situated above the roof top of the building.
<p>Signs on commercial and industrial buildings and on institutional and other buildings not located within residential areas</p> <ol style="list-style-type: none"> 1. Signs above first storey level, signs facing residential development nearby or on the opposite side of the street within residential neighbourhoods which may be visible from residential buildings nearby, must not be animated or flashing or be illuminated by exposed lamps or neon tubes as distinct from backlighting or floodlighting. 2. Signs above above first storey level will be restricted in content to the name of the building and the name, insignia and type of activity of the principal occupant. Such signs must not project from the building and must constitute only separate characters and/or symbols individually affixed to or represented on the building façade. Generally there will not be more than one sign on each face of the building above first storey level. 	<p>The proposed signage is not proximate, nearby or opposite residential developments. The signage will be high quality and reflective of overall architectural quality of the building. No flashing signs will be installed.</p>

5.3 NCA Guidelines and Policies

A review of the NCA Guidelines and Policies indicates that the *Constitution Avenue Public Realm Handbook* and *Outdoor Lighting Policy* are relevant to the proposed development. The proposed public realm works and improvements to Vernon Circle have been designed in accordance with the requirements of the *Constitution Avenue Public Realm Handbook* which includes materials, finishes and public realm areas. In addition, the external lighting associated with the development will be designed in accordance with both the NCA *Outdoor Lighting Policy* and relevant Australian Standards.

5.4 City Renewal Authority Guidelines

A review of the City Renewal Authority (CRA) Guidelines indicates that the *Design Guideline* and *Sustainability Strategy* are relevant to the proposed development. The proposed development has been designed having regard to and responding to the CRA *Design Guidelines* and *Sustainability Strategy*. These matters were considered and addressed as part of the site sale requirements.

5.5 Territory Guidelines

A review of the Territory Guidelines indicates that the *City Centre Urban Design Guide* and *City Plan* are relevant to the proposed development. The proposed public realm works and improvements to Vernon Circle have been designed in accordance with the requirements of the *Constitution Avenue Public Realm Handbook* which includes materials, finishes and public realm areas. In addition, the external lighting associated with the development will be designed in accordance with both the NCA *Outdoor Lighting Policy* and relevant Australian Standards.

6 CONCLUSION

In conclusion, this Planning Report supports the WA application for constructing a multistorey commercial office and café use building and associated works at Block 19 Section 40, City, known as 1A Constitution Avenue. Architecturally designed by BATES SMART, with landscape architecture by Red Box Design Group, the proposed development features an elegant boomerang form that complements the surrounding area while incorporating sustainable building practices and quality materials and finishes.

The site is designated for mixed-use developments in the NCP and aligns with the City Hill Precinct Code, reinforcing Canberra's city centre as a vibrant commercial hub. The proposed development will enhance the public realm, contributing to a lively and engaging city environment.

Capital Property Group has engaged extensively with the NCA and relevant ACT Government agencies, including ACT Major Projects and Canberra Light Rail, to ensure integration with nearby developments and infrastructure projects. Additionally, CPG has maintained regular communication with surrounding lessees and tenants, including the Canberra Theatre Centre and A by Adina Hotel, to address design and construction management concerns.

The Planning Report assesses the proposed development's compliance with relevant legislation and guidelines, including the ACT PALM Act, NCP and the EPBC Act. It concludes that the proposal is permissible within the site's mixed-use designation and suitable for the development, warranting approval under Section 12 Works in Designated Areas of the PALM Act.

This report should be reviewed alongside the accompanying supporting documents and drawings submitted with the WA application.