



Australian Government
National Capital Authority

Reference: C18/287

Ms Shennia Spillane
Committee Secretary
Joint Standing Committee on the National Capital and External Territories
PO Box 6021
Parliament House
Canberra ACT 2600

Dear Ms Spillane

**Joint Standing Committee on the National Capital and External Territories
(JSCNCET) – 6 December 2018 Hearings**

I refer to your letter of 11 December 2018 regarding questions in writing following the meeting of the JSCNCET held on 6 December 2018, and also to correspondence from your team asking for responses to questions taken at the hearing and for any corrections to the hearing's Proof Committee Hansard.

Accordingly, I attach the following:

- The NCA's responses to the questions in writing (Attachment A)
- The NCA's responses to questions taken at the hearing (Attachment B)

Please let me know if you need anything else in relation to the hearing – the contact officer is Mr Richard Bridge [REDACTED].

Yours sincerely

for
[REDACTED]
Sally Barnes
Chief Executive
18 January 2019

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Joint Standing Committee on the National Capital and External Territories
Committee Hearing – 6 December 2018

Responses to questions in writing – National Capital Authority

The National Capital Authority's (NCA) responses are set out below under each question, in italics

Diplomatic Enclave (undeveloped sites)

Yarralumla

1. **Russia:** A letter received from Russia in December 2017 stated work would restart mid-2018. You have stated a response was due from Russia, 31 July 2018 regarding an update of construction timeline.
 - a) Has Russia provided the NCA with a further update on this timeline, and can the NCA please outline the timeline to the Committee?
 - b) If this hasn't happened, what are the next steps for NCA to get compliance?

Response:

Representatives of the Russian Government have advised the NCA that they intend to commence construction in the first half of 2019.

If construction does not commence, the NCA will work with DFAT to reinforce to the Russian Government the need to commence construction.

2. **Bangladesh:** The Bangladesh Government provided you with a letter on 4 July 2018 outlining the intention to construct by 2019. This block was previously deemed too small by the Bangladesh Government.
 - a) As they have now stated they will commence construction, can you confirm their intended design concept?
 - b) Is the NCA able to provide this construction timeline?
 - c) When is construction to commence, and what is the expected date of completion?

Response:

A works approval application has not yet been received for the design of their Chancery. Once the design plans have been submitted and approved, construction must commence as soon as practical with construction to be completed within 3 years of the commencement date.

A meeting was held with the High Commission on 15 January 2019 to discuss options for the Bangladesh Government to purchase land for their Residence. A works approval application is expected in the first half of 2019.

3. **Iran:** A letter to Iran regarding the construction timeline was sent on 28 June 2018, with a response expected by 31 July 2018.
 - a) Has Iran provided the NCA with a further update on this timeline, and can the NCA please outline the timeline to the Committee?
 - b) If this hasn't happened, what are the next steps for NCA to get compliance?

Response:

NCA received a phone call on 7 January 2019 from the Ambassador's assistant advising that the financial sanctions that had prevented the Iranian Government from funding the construction has been lifted so they are now in a position to submit design plans and begin construction in 2019. The NCA will propose construction to commence as soon as possible after the design plans have been approved.

A Third Party Note confirming their intention is to be sent to DFAT Protocol office and the NCA shortly.

Deakin

4. **Kuwait:** Previous advice received stated construction was to conclude by November 2016, but construction is yet to commence.
 - a) Does the NCA have any information as to why this is the case?

Response:

The NCA is awaiting advice from the Kuwait Government regarding delays. A follow up letter was sent on 20 September 2018 with a response due by 31 October 2018. A response has not yet been received.

5. **Czech Republic:** A letter received by the Czech Embassy on 4 July 2018 requested an extension to commence construction on 8 November 2018.
 - a) Can the NCA confirm whether this extension was granted and whether construction has since commenced?
 - b) If construction has not commenced, is there a proposed construction timeline available?

Response:

The NCA granted Works Approval on 11 August 2017 for the construction of the Embassy. An extension for construction to commence was granted until 8 November 2018.

NCA received a letter from the Embassy of the Czech Republic on 12 November 2018 advising that, a new tender process for a contractor; to construct the Embassy was currently being prepared by the Ministry of Foreign Affairs of the Czech Republic.

6. **Brunei:** An extension was granted to Brunei for construction to commence by 1 July 2018 and construction has not commenced.
 - a) Is the NCA aware of any reason construction has not commenced, and is there a construction timeline that has been made available?

Response:

The NCA received a letter on 11 December 2018 advising that the Government of Brunei still intends to build their Head of Mission Residence and are awaiting approval from their headquarters.

7. Can the NCA provide a construction timeline for **Qatar** and **Serbia**?

Response:

Qatar signed their Crown Lease on 4 May 2018; they have 18 months to begin construction from this date.

Serbia signed their Crown Lease on 28 February 2018 they have 18 months to begin construction from this date. Draft plans were submitted to the NCA on 15 November 2018.

8. **Lebanon** had reserved Block 26 Section 67 with the formal lease to be signed on 30 November 2018.
a) Can the NCA confirm whether this has occurred?

Response:

NCA received a letter on 28 November 2018 advising that the Lebanese Government is not able to accept the Crown Lease on this Block at this time.

O'Malley

9. **Laos:** The NCA wrote to the Laos Government in December 2017 for commencement of construction by 1 July 2018, and no construction has commenced.
a) Is the NCA able to advise why construction has not commenced, or whether an extension has been sought?

Response:

NCA received an email from the Lao Government on 18 December 2018 requesting an extension of time to build. A letter was sent on 20 December 2018 approving the request with the date of construction to commence of 30 January 2019 and construction finalised by 29 February 2020.

10. **UAE:** An extension letter was sent in February 2018 with construction to commence by June 2018. A meeting was held in April 2018 to discuss the prelim design and Works Approval Process.
a) Can the NCA provide an update for the Works Approval process and what the current construction timeline is?

Response:

A Works Approval application for the UAE Ambassador's residence and staff quarters was submitted on 28 September 2018 and is currently being assessed. NCA has requested further information in regards to the submitted plans.

11. **Kuwait:** A letter was sent by the NCA to the Kuwait Government on 28 June 2018 with a response due by 31 July 2018.
- Has the NCA received a response from Kuwait or has a timeline for construction been established?
 - If this hasn't happened, what are the next steps for NCA to get compliance?

Response:

NCA sent a follow up letter to the Embassy of Kuwait on 17 October 2018 requesting a formal timeframe for commencement of construction. Response was due by 31 October 2018. No response has been received.

12. **Nepal:** Can the NCA provide a construction timeline for Nepal?

Response:

Nepal signed their Crown Lease on 02 March 2018 they have 18 months to begin construction from this date.

Further Diplomatic Enclave related questions

13. You have stated Vietnam and Zambia have advised they no longer wish to proceed with the leasing of the land. Did they provide a reason as to why?

Response:

Vietnam had concerns over the naturally occurring mineralisation and cost associated.

Zambia advised they are unable to proceed due to circumstances beyond their control.

14. Is the NCA or DFAT responsible for the overseeing of compliance and use of the Diplomatic Enclave?

Response:

NCA is responsible for the administration of diplomatic leasing arrangements on National Land in the ACT but not on Territory Land. This includes the issuing of Crown Leases to foreign governments and works approval for development. The NCA liaises closely with DFAT on matters related to the management of the diplomatic estate.

15. The NCA has stated 3 further blocks in Yarralumla are being managed for identified environmental values.
- Can the NCA provide details as to what sites these are and what environmental values?

Response:

Blocks 15 and 16 Section 86 Yarralumla has potential habitat for threatened species and ecological communities listed under Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Block 20 Section 66 Yarralumla is a Lowland Native Grassland Area for conservation.

16. You have stated the NCA is currently hosting discussions with the ACT Government regarding the shortage of diplomatic land as the land suitable for diplomatic purposes is effectively exhausted.

- a) What has the NCA proposed to the ACT Government regarding use of land for diplomatic purposes?
- b) What has the ACT Government proposed to the NCA regarding use of land for diplomatic purposes?

Response:

The NCA, Department of Finance and the ACT Government have been in discussions regarding a range of land management issues. The discussions have been inconclusive to date.

17. Can the NCA provide a detailed report on all diplomatic sites? Including undeveloped sites, newly signed leases, those under construction, those completed, and any other sites identified for future development?

Response:

There are currently 108 foreign missions represented in Canberra with only 63 missions holding a Crown Lease. Belarus and Tunisia closed their missions late 2018.

West Basin reclamation

18. The NCA has stated it was completing a valuation for West Basin. Has this valuation been finalised?

Response:

Yes

19. You have stated the NCA has discussed with the ACT Government the transfer of land based on the reclaimed land in West Basin.

- a) Can you confirm what this discussion involved and what the outcome of those discussions were?

Response:

The ACT Government has requested that part of the lake bed be transferred to them so as to enable their proposed city to the lake project. This matter was considered as

part of the broader discussions with the Department of Finance. The discussions have not yet resulted in an agreement.

20. Has the NCA agreed to the ACT Government's most recent proposal to reclaim land and does this involve a land swap?

Response:

No

21. Has the NCA considered a land swap with the ACT Government?

Response:

Yes

22. As the Minister for Territories has the final approval for de-gazettal of NCA land, has the Minister been approached or in discussions with the NCA regarding such a proposal?

Response:

No

23. According to the Commonwealth Property Management Framework, the decision to dispose of property must be considered for up to five years prior to the end of lease.

a) Can the NCA confirm whether these preliminary discussions have commenced, and which blocks are under consideration?

Response:

Details regarding the application of the Commonwealth Property Management Framework are a matter for the Department of Finance. The NCA advises, however, that no leased land is being considered.

24. The Framework also states a land transfer would be required to be value for money for the Commonwealth.

a) Would a transfer of land as proposed by the ACT Government be considered value for money, in agreement with the CPMF?

Response:

Details regarding the application of the Commonwealth Property Management Framework are a matter for the Department of Finance.

25. Given discussion in the media about the future of the West Basin area, does the NCA expect further works applications from the ACT Government proposing new developments in the precinct?

Response:

The NCA is not expecting a works approval application from the ACT Government in the near future.

26. Under the West Basin Precinct Code, what types of approvals are or are not permitted in the West Basin area?

Response:

Land uses permitted under the National Capital Plan include.

- *Aquatic Recreation Facility*
- *Bank and Cooperative Society*
- *Café, Bar, Restaurant*
- *Car Park*
- *Club*
- *Commercial Accommodation (Hotel, Motel or Serviced Apartment only)*
- *Cultural Facility*
- *Diplomatic Mission*
- *Indoor Recreation Facility*
- *Office*
- *Park*
- *Personal Service Establishment*
- *Place of Assembly*
- *Public Utility*
- *Residential*
- *Retail*
- *Road*
- *Social/Community Facility*
- *Tourist Facility (not including a service station)*
- *National Capital Use*
- *Waterfront Promenade*

27. Can the NCA outline the process by which either the ACT Government or Commonwealth Parliament could seek to amend any restrictions on the type and magnitude of permitted developments in West Basin if either so desired?

Response:

Amendments to the National Capital Plan may be requested by either the ACT or Commonwealth Government. Should the NCA support the requested amendment, a draft amendment, outlining the proposed change is prepared and released for public consultation. Any explanatory material deemed necessary to improve understanding of the purpose and impact of the proposed draft amendment is released in parallel with the draft amendment itself.

At the conclusion of the consultation period and following consideration of community comment the NCA may:

- *Withdraw the amendment*
- *change the draft amendment (in light of community comment) and seek Ministerial approval for the adjusted draft amendment*
- *re-release the altered draft amendment for further community input and seek Ministerial support for an changed draft amendment*

General Questions for NCA

28. The NCA has stated its Key Performance Indicators for the processing of Works Approval Applications is within 15 business days.
- (a) Can the NCA confirm what percentages of applications are processed in this timeframe?

Response:

In the 2017-18 financial year, 76.8% of applications were assessed within 15 business days.

29. It was suggested prior to the sale of Campbell Blocks 4&5 that a complete heritage assessment be done to ensure all issues of the site were known in advance of purchase. This was not done and the site went to tender. To address the loss of heritage value, the developer is now required to transfer natural heritage by creating credits.
- (a) Is it possible to modify to best practice to ensure a heritage assessment is done prior to the sale or transfer of property?

Response:

Information regarding the disposal of Blocks 4 and 5, Section 38 Campbell are a matter for the divesting agency, the Department of Finance.

30. The Committee was advised that the NCA is currently liaising with the ACT Government with respect to improving the overall experience of all users of bike paths around Lake Burley Griffin.
- (a) What improvements are intended to be made as a result of these discussions?

Response:

The NCA and ACT Government are reviewing opportunities to improve the safety and amenity of pedestrian and bike paths for all users. Improvements being considered by the NCA include improving lighting and resurfacing paths in targeted areas as well as identifying potential areas for the trial separation of pedestrian and cycle movements. This work is currently in the planning stage.

31. An ongoing concern for the Canberra community is the lack of lighting around the National Gallery of Australia to the Lakefront. The NCA has previously addressed this concern but action is yet to be taken. Can the NCA please provide a timeline for the installation of lighting in this area?

Response:

The NCA engaged a design consultant to investigate concept options on 14 December 2018. An onsite inspection has been undertaken and an initial design response submission is anticipated in late January 2019.

The NCA is currently planning to meet with the National Gallery of Australia and shared path user representatives in mid-February 2019 to discuss the proposed concept/design.

Final sketch plans and a heritage assessment are anticipated to be finalised by April/May 2019.

Documentation, tendering, NCA Works Approval and construction are anticipated to be completed by early 2020, subject to approvals.

National Capital Authority
January 2019

Joint Standing Committee on the National Capital and External Territories

Committee Hearing – 6 December 2018

Responses to Questions taken at the Hearing

The NCA's responses to questions taken at the JSCNCET hearing held on December 2018 are set out below.

Question A – Commonwealth Park Investment

We've done work on improving movement and around looking at where people go around the lake. Just yesterday, we announced a \$500,000 investment into Commonwealth Park to support the ACT government with events like Floriade, and to also, once again, improve visitor safety and visitor amenity.

ACTING CHAIR: On that, we saw that announcement. Could we get some details on that? Not now, but perhaps take that on notice?

Ms Barnes: Certainly.

ACTING CHAIR: If we could just get the details about what's actually required. We've read the media reports.

Ms Barnes: They're accurate.

ACTING CHAIR: Getting a bit more detail on what you're actually doing there would be terrific. It has been a conversation that has been had for some time, so just to get some clarity around that. And it's quite a significant investment as well.

Ms Barnes: Absolutely.

Response:

The NCA will invest \$500,000 over three years for infrastructure upgrades to support events and to improve visitor safety and amenity. Works will include improvements to the path network, sewerage management, park furniture, power supplies and plantings.

Question B – Event charges

ACTING CHAIR: How much are you making, or how much do you anticipate to make, from this? Have you done any modelling on that?

Ms Barnes: I can give you that—

ACTING CHAIR: Yes, can you take that on notice, and how much you've made so far. I wonder, too: given that this has been in play since 2009 and yet you haven't actually implemented it, what was the catalyst for it? Why did you make the decision to start actually implementing this?

Ms Barnes: I can go back and have a look at the records.

ACTING CHAIR: That would be good. Is it that you've got more resources now? What was the catalyst for the decision to actually start implementing it? Also: the fact that, yes, there was consultation, but, as I said, this committee wasn't informed. I'm not aware of how widely it was known amongst the Canberra community, and so I just wonder if it would've been possible to have a transitional arrangement in place—given the fact that you've had this policy since 2009, you hadn't implemented it and then you implemented it overnight.

Response:

For the period July-December 2018:

- *A total of 234 events were held on National Land, which generated \$198,076 in revenue;*
- *\$168,200 or over 85% of this revenue was derived from Commercial Events;*
- *32% of events were not charged event fees. These events included memorial-related ceremonies and events of national significance (eg Anzac Day, Australia Day, Queen's Birthday);*
- *A significant proportion of registered events (35%) were small private events. These events were charged a \$50 registration fee.*

Based on the number and type of events held in previous years, the NCA is expecting revenue from events of around \$350,000 in the 2018-19 financial year. The NCA retains this revenue and reinvests it to improve the overall visitor experience on National Land.

The NCA undertook a review of event venue fees and charges in 2017, which was the catalyst for applying the fees. The application of fees is consistent with government policy.

Question C – Deakin/Forrest Residential Precinct – Guidelines

ACTING CHAIR: It would be good to get a copy of those guidelines. If someone could help us out, just in terms of getting a comparison between what's been adopted and what was recommended—

Ms Barnes: In the original paper?

ACTING CHAIR: or discussed in the original paper—

Ms Barnes: Certainly.

ACTING CHAIR: because we did follow that closely in the committee, and then where it was actually—

Ms Barnes: And certainly you'll be able to see from a table what was in there and what followed—

ACTING CHAIR: Exactly. I made a submission to that. My concern was that there was a kind of exclusivity being applied to it, too, in the fact that there were to be no one-bedroom houses or one-bedroom townhouses. There were a whole lot of values applied, and I did provide feedback on that. So it would be good to see the final document.

Response:

The final guidelines are at Attachment B1. A comparison table is at Attachment B2.



Australian Government
National Capital Authority



LANDSCAPE AND SUSTAINABILITY GUIDELINES

Deakin/Forrest Residential Area Precinct Code

July 2018

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Introduction

The National Capital Plan (the Plan) identifies areas of land that have the special characteristics of the National Capital to be Designated Areas. The Deakin/Forrest Residential Precinct is one such Precinct within the Designated Areas. The importance of the Deakin/Forrest residential area stems from its frontage to the Main Avenue of State Circle and close proximity and relationship to Parliament House, its location within the Griffins' land axis, and as an example of twentieth century 'Garden City' planning concepts that the Griffins' adopted in their design for Canberra.

There is a National Capital interest in ensuring that development surrounding, and in close proximity to, Parliament House is of the highest design quality.

As set out in the National Capital Plan, the objectives for the Deakin/Forrest Residential Area Precinct (the Precinct) are:

1. The residential areas of Deakin and Forrest that lie between State Circle and National Circuit will maintain and enhance the character of the National Capital and will be planned and developed in accordance with its national significance.
2. The principle residential character of the area and the use of the land primarily for residential purposes are to continue.
3. Design of buildings in proximity to the Prime Minister's Lodge must reflect the dominant

urban design character of the locality.

The general development conditions include:

- » The principal residential character of the area and the use of the land for residential purposes are to continue.
- » Development throughout the area, except for sites fronting State Circle, should not be more than two storeys in height and generally no more than eight metres above the natural ground level.
- » Development throughout the area, except for sites fronting State Circle, should have a maximum plot ratio of 0.4.
- » Design of buildings in proximity to the Prime Minister's Lodge should reflect the dominant urban design character of the locality.

Context

Over the past 10-15 years, brownfield redevelopment of the area has seen changes to the form and scale of the built environment, resulting in increased hardscape and subsequently decreased soft landscaping. The National Capital Authority (NCA) is concerned that key characteristics of the Precinct are being eroded due to the cumulative effects of recent redevelopment. The NCA is committed to ensuring that the Precinct continues to exhibit the 'Garden City' and 'City Beautiful' principles on which the Precinct was originally based.

The Deakin/Forrest Residential Area Precinct Code - Landscape and Sustainability Guidelines have been developed to provide greater clarity on the general landscape and sustainability provisions of the National Capital Plan. The Guidelines are to be read in conjunction with the National Capital Plan.

Application

The Guidelines apply to the area identified in Figure 1. They are advisory only and supplementary to the Plan. Their aim is to provide advice about the intended planning and design of the precinct.

They also provide guidance about the issues the NCA is likely to take into account when considering works approval applications.

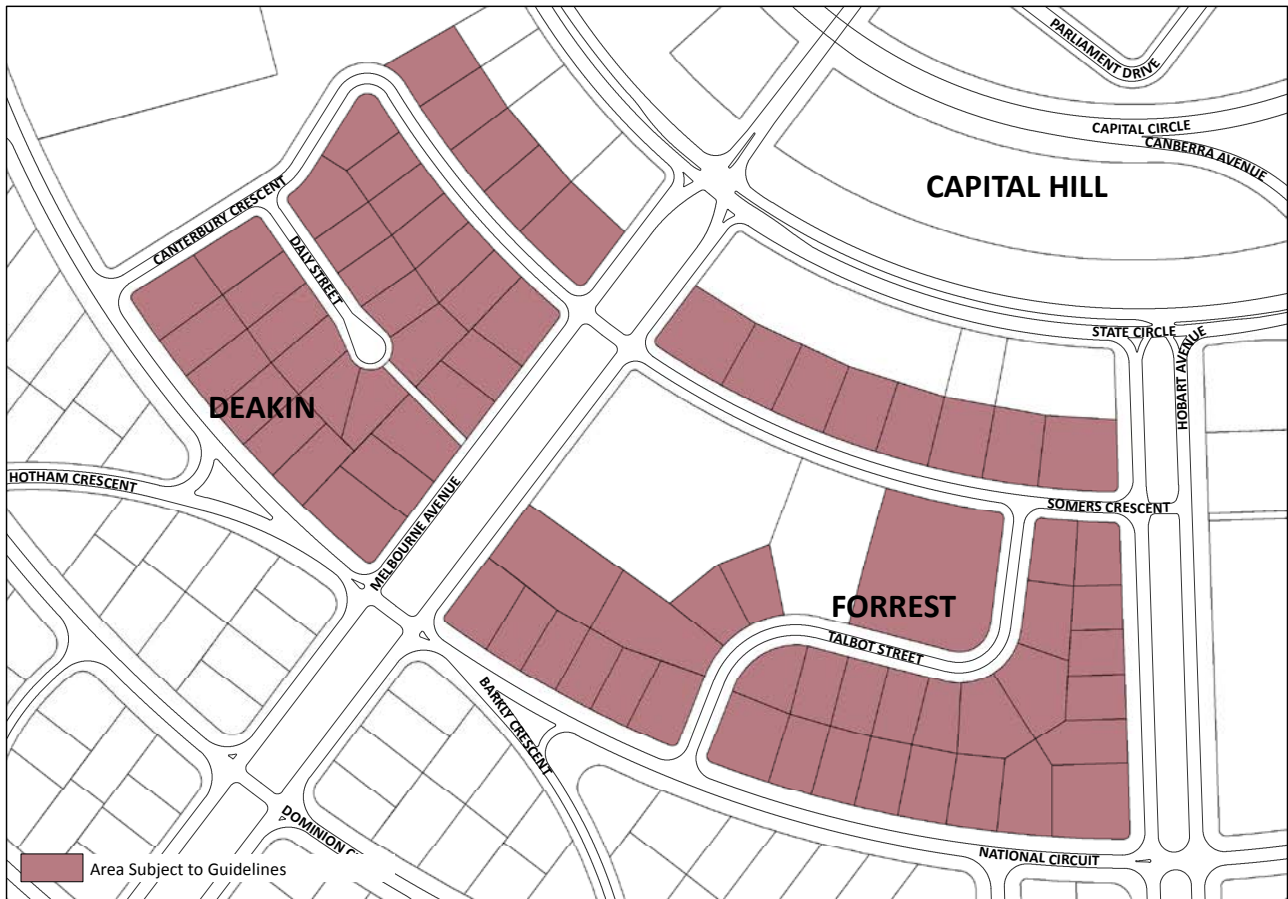


Figure 1: Area subject to Deakin/Forrest Residential Area Precinct Code - Landscape and Sustainability Guidelines

Landscape

Proposals for redevelopment of a block should be accompanied by a landscape plan prepared by a Registered Landscape Architect.

Not less than 40% of total site area should be for soft planting area. Soft planting area means an area of permeable land within a block covered by trees, grass or lawn (not including synthetic turf), garden bed, shrubs (including hedges) and the like. Soft planting area does not include any area covered by buildings (including basement), swimming pools, vehicle parking or manoeuvring areas (whether permeable or not), or any other form of impermeable surface.

Generous areas of soft planting should be provided to surround or encircle each dwelling. The NCA may consider partial encircling of a dwelling where it can be demonstrated that the total site area for soft planting on the block, as a whole, substantively exceeds 40%.

A composition of soft landscaping should be provided between the building line and the front property boundary (or boundaries in the case of corner blocks – a corner block means a block with more than one street frontage). Soft landscaping may include trees, shrubs, grass and garden beds. Hard surfacing, other than for pathways and driveways, should be avoided. The combination of new and existing trees should be capable of providing at least 15% canopy coverage of a site when trees are mature.

Trees should be selected to contribute to energy efficiency by providing substantial shade in summer, especially to west facing windows, and admitting winter sunlight to outdoor and indoor living areas, especially to the north.

Written advice from the landscape architect should be provided to ensure plant species selected are suitable to the site conditions and scale of development and are able to grow to full maturity.

The NCA may request landscape details/sections to demonstrate that the soil profile and location of planting proposed in the design is fit for purpose.

Established trees should be retained where possible. The NCA will consider tree removal only where an arborist report demonstrates that:

- » a tree is in ill health or in decline;
- » a tree poses a threat to resident or public safety;
- » a tree is pest species or unsuitable for the Canberra climate;
- » a tree is restricting the growth of other vegetation; and/or
- » site and building design can be improved by the removal of trees.

In these circumstances, the National Capital Authority's preference is for new trees to be planted elsewhere on site.

A Tree Management Plan is to accompany landscape plans, outlining tree protection measures during construction activity for existing trees proposed for retention, including protection of street trees within the verge.

Private open space

The following provisions are relevant for proposals consisting of more than one dwelling.

Each dwelling should have an area of principal primary open space located at ground floor level, with a minimum dimension of four metres and minimum area of 20m². Reasonable privacy of principal private open space of each dwelling should be demonstrated.

Private open spaces should be oriented predominantly to the north, east or west.

Private open space should provide sufficient space for deep rooted planting, particularly trees with deep root systems. A minimum of one canopy tree (capable of achieving a crown diameter of a minimum of eight metres when mature) should be provided in the private open space of each dwelling.

Vehicle access and car parking

No increase in the number or width of verge crossings is generally permitted. The exception to this is for corner blocks where individual access may be provided to each dwelling.

Driveways should integrate with front garden planting to reduce the visibility of the driveway from the street.

Driveways should be a single-vehicle width (<3.6m) between the front boundary and building line and have a uniform surface of subdued charcoal or earthen tones. Gravel, brick, clay or concrete pavers or bitumen are preferred surface finishes.

Verge crossings should have a bitumen surface. Where existing verge crossings are surfaced in a material other than bitumen, consideration should be given to replacement. Where required, the replacement of existing bitumen verge crossings with new bitumen is required.

A minimum of two off-street car parking spaces should be provided for all new dwellings.

To avoid parking dominating the streetscape, garages and carports should be located behind the main building façade. Other elements of the dwelling design should dominate the streetscape.

Hedges and fences

The planting of hedges along front boundaries and alongside boundaries forward of the building line, to separate the public and private domains, and which 'frame' views to dwellings and front gardens, are encouraged.

Replacement or new hedge species should be evergreen and of appropriate scale and shape to form a border of typically not more than 1.2 metres in height.

Retaining walls or earth mounding visible to the street should only occur where they will not have an adverse impact on the streetscape character.

Sheet metal fencing is not appropriate between buildings and side boundaries or at any location visible to the street or adjacent public domain.

Fences and gates between buildings and side boundaries should be:

- » set at least 0.6 metres behind the building line
- » a maximum of 1.8 metres in height above natural ground level
- » timber paling, timber lattice, brush, open mesh or metal railing.

Side and rear boundary fences and gates should:

- » not extend forward of the building line
- » be a maximum of 1.8 metres above ground level
- » be timber paling, timber lattice, brush or open mesh metal railing.

Proposals for fences and gates alongside and rear boundaries in excess of 1.8 metres in height will be subject to special consideration by the National Capital Authority.

Setbacks

Where structures are provided as part of private open space (such as alfresco dining areas, pergolas, swimming pools and the like), these should be set back in accordance with the setback provisions outlined in the Design and Siting General Code of the Plan. The NCA may consider alternative setbacks where it can be demonstrated that the privacy of neighbouring dwellings is maintained.

Block amalgamation

In order to maintain subdivision patterns, block amalgamation and subdivision is generally not permitted.

Sustainability

The design of buildings should demonstrate a high standard of sustainable design. Design responses could include:




- » living areas oriented to the north
- » design of eaves and awnings to provide shade for window during summer
- » selection of building materials and colours which absorb less heat in summer
- » insulation of walls, ceilings, floors and roof spaces
- » use of smart glass or other technologies on north and west elevations
- » installation of photovoltaics on buildings to generate electricity.

Proposals should demonstrate overshadowing or impacts to privacy of neighbouring properties is minimised, including to both dwellings and open space.

New development should be located and oriented to maximise visual privacy between buildings on site and for neighbouring properties.

New development should ensure that building separation does not impact on the solar access of neighbouring properties.



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Attachment B2 – Deakin/Forrest Residential Precinct – table of comparison between Issues and Policy Response Paper and Landscape and Sustainability Guidelines (January 2019)

<i>Policy theme</i>	<i>Issues and Policy Response Paper (released for public consultation April 2017)</i>	<i>Final Landscape and Sustainability Guidelines (adopted July 2018)</i>	<i>Comments</i>
Block amalgamation	Generally not permitted.	Generally not permitted. Subdivision also generally not permitted.	The intent of this provision is to maintain subdivision patterns. Limiting subdivision in addition to block amalgamation will assist in achieving this.
Building heights	Maximum two storeys, and no more than eight metres above natural ground level.	Maximum two storeys, and no more than eight metres above natural ground level.	No change. Building height requirements are consistent with the National Capital Plan.
Plot ratio	Maximum 0.4	Maximum 0.4	No change. Plot ratio requirements are consistent with the National Capital Plan.
Land use	Residential	Residential	No change. Land use requirements are consistent with the National Capital Plan.
Architecture	Buildings to be of highest quality due to proximity to Parliament House and The Lodge; requirements for articulation and visual interest	Buildings to be of highest quality due to proximity to Parliament House and The Lodge; requirements for articulation and visual interest	No change.
	Floor to ceiling heights a minimum 2.7m to promote natural light and cross-ventilation	Floor to ceiling heights a minimum 2.7m to promote natural light and cross-ventilation	
	Habitable rooms to have windows in external walls with a total minimum glass area not less than 15% of the floor area of the room. No part of a habitable room to more than eight metres from a window.	Habitable rooms to have windows in external walls with a total minimum glass area not less than 15% of the floor area of the room. No part of a habitable room to more than eight metres from a window.	
	One and two bedroom dwellings generally	Requirements for high standards of	

Policy theme	Issues and Policy Response Paper (released for public consultation April 2017)	Final Landscape and Sustainability Guidelines (adopted July 2018)	Comments
	not permitted. Three bedroom dwelling minimum size of 120m ² plus additional 12m ² for further bedrooms	sustainable design (eg. orientation of dwellings, materials, insulation, technology, etc)	bedrooms was removed. The combination of other conditions will assist in achieving the desired outcomes for the precinct.
		Consideration to be given to overshadowing and privacy of adjoining neighbours; location and orientation of dwellings to optimise visual privacy and not impact on solar access.	This provision was introduced in response to public comment that overshadowing and privacy should explicitly be identified as conditions requiring consideration during the redevelopment of blocks.
Setbacks	<p><i>Side</i> – 2.4m for single storey buildings. 2.4m for ground floor components of buildings of more than one storey. 3.6m for second storey components.</p> <p><i>Front</i> – 6m for single storey buildings. 7.5m for buildings of more than one storey. For corner blocks: on major frontage, 6m for single storey and 7.5m for buildings of more than one storey.</p> <p><i>Rear</i> – 4m for single storey buildings. 7.5m for buildings of more than one storey.</p>	Structures to be set back as per the setback provisions of the Design and Siting General Code of the National Capital Plan. Alternative setbacks may be considered where privacy of neighbouring dwellings is maintained.	Setbacks for new dwellings are specified in the National Capital Plan and have not been replicated in the Landscape and Sustainability Guidelines. The guidelines clarify that structures (such as pergolas, swimming pools, etc) are subject to the same setback provisions.
		Proposals for redevelopment must be accompanied by landscape plans prepared by a Registered Landscape Architect.	These provisions were introduced to ensure that a suitably qualified person prepares landscape plans, and includes species that have the capacity to reach full maturity having regard to local conditions and site planning.
		Written advice from the landscape architect is required to ensure that plant species selected are suitable for site conditions and scale of development and are able to grow to full maturity.	
	Composition of soft landscaping between	Composition of soft landscaping between	No change.

Policy theme	Issues and Policy Response Paper (released for public consultation April 2017)	Final Landscape and Sustainability Guidelines (adopted July 2018)	Comments
	building line and front property boundary; hard surfacing other than for driveways and paths to be avoided	building line and front property boundary; hard surfacing other than for driveways and paths to be avoided	
	Large trees to be retained; tree removal considered where an arborist report demonstrates ill health or threat to safety	Large trees to be retained; tree removal considered where an arborist report demonstrates ill health or threat to safety, or where site or building design can be improved by removal of trees. In these circumstances, new trees to be planted elsewhere on site.	This provision was refined to provide more flexibility in regard to the removal of trees. This was in response to public comment that the initial provision was too restrictive.
	New trees, capable of reaching heights twice that of proposed buildings, to be provided; new and existing trees to provide 15% canopy coverage within 10 years of development	The combination of new and existing trees should be capable of providing at least 15% canopy coverage of a site when trees are mature	This provision was refined to have regard for trees that may assist in providing the required canopy coverage, but are slower growing.
	Trees to contribute to energy efficiency	Trees to contribute to energy efficiency	No change.
	Not less than 40% site area to be 'planting area' (soft landscaping)	Not less than 40% site area to be 'planting area' (soft landscaping)	No change.
		Generous soft landscaping to encircle/surround each dwelling. Partial encirclement may be considered where soft planting of a block substantively exceeds 40%.	This provision was introduced to ensure that all new dwellings, particularly where multiple are proposed on one block, are consistent with the general character of the area whereby dwellings are surrounded by soft landscaping.
		A tree management plan must accompany landscape plans, outlining tree protection measures during construction.	This condition was introduced to assist in protecting existing trees throughout the development phase.
Private open space	Minimum one canopy tree to be provided in the private open space of each dwelling.	Private open space to provide sufficient space for deep rooted planting. Minimum	The refinement of this condition strengthens the soft landscaping

Policy theme	Issues and Policy Response Paper (released for public consultation April 2017)	Final Landscape and Sustainability Guidelines (adopted July 2018)	Comments
	(This condition was identified under the 'Landscape' heading in the Issues and Policy Response Paper.	one canopy tree (capable of achieving a crown diameter of minimum eight metres when mature) to be provided in the private open space of each dwelling.	requirements for individual dwellings.
		Each dwelling should have an area of principal private open space at ground floor level, with a minimum dimension of four metres and minimum area of 20m ² . Privacy of such spaces to be demonstrated.	The introduction of these conditions ensure that where multiple dwellings are proposed on a block, each dwelling has usable open space and improved amenity.
		Private open spaces to be oriented predominantly north, east or west.	
Vehicle access	No increase in number or width of verge crossings.	No increase in number or width of verge crossings.	No change.
	Driveways should integrate with front garden planting to reduce the visibility of the driveway from the street.	Driveways should integrate with front garden planting to reduce the visibility of the driveway from the street.	
	Driveways to be single-vehicle width (<3.6m) between the front boundary and building line. Uniform surface with preferred surface materials and colours specified.	Driveways to be single-vehicle width (<3.6m) between the front boundary and building line. Uniform surface with preferred surface materials and colours specified.	
	Verge crossings should generally have a bitumen surface. Exceptions given.	Verge crossings should generally have a bitumen surface. Exceptions given.	
		A minimum of two off-street car parking spaces should be provided for all new dwellings.	The inclusion of these conditions will ensure that sufficient on-site parking is provided, and that car parking does not become a dominant feature of the precinct.
		To avoid parking dominating the street, garages and car ports should be located behind the building façade.	

Policy theme	Issues and Policy Response Paper (released for public consultation April 2017)	Final Landscape and Sustainability Guidelines (adopted July 2018)	Comments
Hedges and fences	Planting of hedges along front boundaries and side boundaries forward of the building line encouraged.	Planting of hedges along front boundaries and side boundaries forward of the building line encouraged.	No change.
	Replacement and new hedges should be evergreen and typically not more than 1200mm in height.	Replacement and new hedges should be evergreen and typically not more than 1200mm in height.	
	Retaining walls or earth mounding only permitted where not adversely impacting streetscape character.	Retaining walls or earth mounding only permitted where not adversely impacting streetscape character.	
	Fences and courtyards generally not permitted forward of building line.	Fences and courtyards generally not permitted forward of building line.	
	Sheet metal fencing generally not permitted between buildings and side boundaries or at any location visible to street or public domain.	Sheet metal fencing generally not permitted between buildings and side boundaries or at any location visible to street or public domain.	
	Fences and gates between buildings and side boundaries should be at least 0.6m behind building line, a maximum 1.8m in height, and be timber paling/lattice/brush/open mesh/metal railing.	Fences and gates between buildings and side boundaries should be at least 0.6m behind building line, a maximum 1.8m in height, and be timber paling/lattice/brush/open mesh/metal railing.	
	Side and rear fences and gates should not extend forward of building line, be 1.8m in height, and be timber paling/lattice/brush/open mesh/metal railing.	Side and rear fences and gates should not extend forward of building line, be 1.8m in height, and be timber paling/lattice/brush/open mesh/metal railing.	
Sustainability		Buildings to demonstrate a high standard of sustainable design. Design responses could include living area oriented to the north, design of eaves to provide shade	The inclusion of these conditions is intended to achieve a higher standard of sustainable development within the precinct by ensuring proponents

<i>Policy theme</i>	<i>Issues and Policy Response Paper (released for public consultation April 2017)</i>	<i>Final Landscape and Sustainability Guidelines (adopted July 2018)</i>	<i>Comments</i>
		during, building materials which absorb less heat in summer, installation of photovoltaic cells, etc.	consider materials, siting and orientation, and technology in design.
		Building design and siting to not impact solar access and privacy to neighbouring properties (both buildings and private open space).	