

Amendment 60 – Constitution Avenue

Introduction

- 4.1 Constitution Avenue is central to the implementation of the Griffin Legacy. The amendment comments that ‘Constitution Avenue will become an elegant and vibrant mixed use grand boulevard linking London Circuit to Russell, increasing the vitality of the Central National Area and completing the National Triangle.’
- 4.2 The NCA commented that Constitution Avenue ‘was seen—certainly in Griffin’s terms—as a grand boulevard, a mixed-use corridor, a corridor of commerce and residential development of much higher density than the adjacent areas of Reid and what later became Campbell.’¹
- 4.3 This chapter outlines the key measures and objectives of Amendment 60, and highlights the key issues raised in the roundtable public hearing.

Key features of Amendment 60

- 4.4 On coming into effect, Amendment 60 will introduce a series of planning principles and policies which will be incorporated into the Plan. These relate to:

1 Mr Graham Scott-Bohanna, Managing Director Design, NCA, *Transcript*, p. 42.

- contributing to the national significance of Constitution Avenue, the base of the National Triangle, as a diverse and active 'high street' of the city;
- reinforcing and enhancing the geometry of Constitution Avenue as the municipal axis, the Russell apex of the National Triangle and Parkes Way with appropriate built form, landscape design and lighting;
- reinforcing the city's three-dimensional structure based on its topography and the landscape containment of the inner hills;
- developing Constitution Avenue as a prestigious setting for national capital uses, related employment and amenities;
- reducing the barrier created by Parkes Way and high speed intersections along its length by changing the character of Parkes Way to become a boulevard addressed with prestigious buildings, at grade pedestrian crossings, appropriately scaled road reserves and intersections;
- providing a range of land uses that contribute to the creation of a 24 hour community with dynamic activity patterns including retail, restaurants, residential (permanent and transient), personal services and hotels close to public transport, employment areas, cultural attractions and the parklands of Lake Burley Griffin;
- integrating public transport into the design of Constitution Avenue including provision for future light rail;
- providing a transition in building scale and use to protect the amenity of adjoining residential areas;
- ensuring conveniently located parking in a manner that does not dominate the public domain;
- creating an open and legible network of paths and streets that extends and connects Civic and the adjoining suburbs of Reid and Campbell to Constitution Avenue, Kings and Commonwealth Parks and Lake Burley Griffin;
- creating a public domain that is accessible, safe, dignified, and pedestrian-scaled, that promotes walking and use of public transport and minimises reliance on cars;
- integrating perimeter security, if required, with streetscape elements that enhance the public domain; and
- implementing best practice environmentally sustainable development.

- 4.5 A road hierarchy of the relevant areas is shown in Figure 4.1, alongside an artists impression of Constitution Avenue.

Figure 4.1 Amendment 60: Indicative Road Structure



Source National Capital Authority, Amendment 60 – Constitution Avenue, p. 9.

Figure 4.2 An artists impression of Constitution Avenue



Source National Capital Authority, Amendment 60 – Constitution Avenue, p. 17.

4.6 The NCA noted during its outline of Amendment 60 that much of the land is substantially in public ownership. This includes the Departments of Defence, and Finance and Administration at the Russell end, and from the eastern end from the Anzac Park West building through to City Hill is the territory government. In addition, there are a number of private sites which include the Canberra Institute of Technology, St John's Church, the RSL and HIA.²

4.7 In developing the amendment, the NCA undertook to retain where possible some of the arrangements begun in the 1960 but never completed properly. The NCA noted that 'in terms of development along Constitution Avenue, it will require the capacity to be doubled, so it will go from one lane in each direction to two lanes in each direction, on-street parking and a median strip that allows for traffic management in terms of right-turning traffic but also in order to make it an easier road for pedestrians to cross.'³ The NCA stated:

By locating the road to the northern side of the road reservation, we are able to have a broad pedestrian public space along the length of the avenue on the southern side, which of course gets very good solar access. Constitution Avenue does not face east west; it actually swings more to the south-east north-west, which means that in the afternoon, in particular, the northern side of the road will also be well lit with sun.⁴

4.8 In relation to building heights, the NCA stated that 'building heights along Constitution Avenue will follow a constancy curve which is designed to ensure that the buildings are below the saddle that runs between Mount Pleasant and Mount Ainslie and so that constancy of view of the landscape setting of the city will be maintained.'⁵

4.9 In relation to the capacities that are available as arising from the amendment, the NCA stated:

At the western end of Constitution Avenue, between Anzac Parade and the city, the current planning regime allows for approximately 280,000 square metres of development. Under the Griffin Legacy that increases to about 390,000. The Constitution Avenue eastern end, through to just past Blamey Crescent, is unchanged in either the old plan or the current as amended plan at 230,000 square

2 Mr Graham Scott-Bohanna, Managing Director Design, NCA, *Transcript*, p. 42.

3 Mr Graham Scott-Bohanna, Managing Director Design, NCA, *Transcript*, pp. 42-43.

4 Mr Graham Scott-Bohanna, Managing Director Design, NCA, *Transcript*, p. 43.

5 Mr Graham Scott-Bohanna, Managing Director Design, NCA, *Transcript*, p. 43.

metres. The capacity in Russell is in the order of 380,000 square metres, and that is relatively unchanged.⁶

- 4.10 The NCA noted that a critical part of infrastructure that is required as part of the amendment is Parkes Way going under Kings Avenue which is particularly important for the vista along Kings Avenue up to Parliament House.⁷

Discussion

- 4.11 The Walter Burley Griffin Society (WBGs) began its critique by noting that Amendment 60 will have perhaps the most significant visual effect of all the Griffin Legacy amendments. The NCA commented that ‘the provision of essentially a wall of buildings eight-storeys high across the base of the national triangle will make buildings the dominant element as distinct from the tree canopy that we see today in this great landscape.’⁸

- 4.12 The WBGs suggested that the other concern was more about Parkes Way which according to Griffin’s principles would be removed. The WBGs argued that under this amendment, Parkes Way would remain as a car dominated space rather than be changed into an urban boulevard.⁹ The WBGs stated:

That idea of the city, the park and the cultural institutions, which was such a beautiful idea of Griffins, has been departed from over the years. This decision makes sure that it can never be recovered. For all of the rhetoric about following Griffin’s ideas, this is where the departure from Griffin’s ideas will be totally irreversible.¹⁰

- 4.13 The Royal Australian Institute of Architects (RAIA) sought to defend that which Parkes Way has to offer by suggesting that people enjoy a visual experience from their cars as they drive along Parkes Way and this should not be dismissed. The RAIA stated:

...that is exactly what the thinking was back in the 1950s. The vast majority of people wanted to travel by car. That was an aspiration of our country, of everyone in Western societies, and the planners were responding to this. We have here a wonderful example of an

6 Mr Graham Scott-Bohanna, Managing Director Design, NCA, *Transcript*, p. 44.

7 Mr Todd Rohl, Managing Director, Planning and Urban Design, NCA, *Transcript*, p. 44.

8 Professor James Weirick, President, Walter Burley Griffin Society, *Transcript*, p. 45.

9 Professor James Weirick, President, Walter Burley Griffin Society, *Transcript*, p. 45.

10 Professor James Weirick, President, Walter Burley Griffin Society, *Transcript*, p. 45.

urban parkway. We need to think extremely carefully when we start to diminish that or take it away, from a heritage point of view. This so embodied the aspirations of people in Australia at that time, after the Second World War, that I think it has significant heritage aspects.¹¹

- 4.14 The NCA commented that it ‘would be entirely irrational to contemplate removal of Parkes Way at this point in the capital’s history.’¹² The NCA stated that ‘the way in which it relates to the development sites to the north of it will be tremendously important and, as a number of members of the committee have pointed out, the way in which access across it or under it into the parklands is achieved will also be important.’¹³
- 4.15 The WBGS acknowledged that if it were not possible to do away with Parkes Way then ‘there is no point in reconstructing Parkes Way as a car-dominated, lifeless urban arterial, it should be reconstructed as ‘Capital Terrace’, with active frontage along its length, easy street crossings, and direct links to the Central Parklands – in other words, a great urban terrace and overlook.’¹⁴
- 4.16 In relation to the security zone at the eastern end of Constitution Avenue, the WBGS criticised the decision to allow the ASIO building to be built in this location when it could possibly be built at Campbell.¹⁵ The NCA responded that it did not believe that ‘that having ASIO on Constitution Avenue will diminish in any way the role of the national capital.’¹⁶
- 4.17 In relation to building design, the WBGS commented that there should be strong architectural controls over the nature of buildings that will be constructed along Constitution Avenue. The WBGS stated that this ‘is not something that can be worked out on a case-by-case basis or in response to design competitions.’¹⁷
- 4.18 The St John’s Precinct Development Board indicated its support for Amendment 60. St Johns stated that ‘we contend that the success of what we can achieve on this site, not only for St John’s and the people who use

11 Mr Robert Thorne, ACT Chapter Planning Committee, RAIA, *Transcript*, p. 47.

12 Ms Annabelle Pegrum, Chief Executive, National Capital Authority, *Transcript*, p. 51.

13 Ms Annabelle Pegrum, Chief Executive, National Capital Authority, *Transcript*, p. 51.

14 Walter Burley Griffin Society, *Submission*, p. 19.

15 Professor James Weirick, President, Walter Burley Griffin Society, *Transcript*, p. 46.

16 Ms Annabelle Pegrum, Chief Executive, National Capital Authority, *Transcript*, p. 48.

17 Professor James Weirick, President, Walter Burley Griffin Society, *Transcript*, p. 46.

that area, but also for the Canberra community, depends very much on the Griffin plan going ahead.¹⁸

4.19 The Returned and Services League (RSL) was similarly supportive commenting that ‘under the Griffin Legacy and this Amendment 60, the building on our present site will establish the cornerstone of Constitution Avenue east, and its presence will provide a significant early element in delivering the vision for Constitution Avenue.’¹⁹

4.20 Some of the other issues raised during the roundtable hearing included:

- parking and cycling access;
- open space, land use and urban infill; and
- building height and form.

Parking and cycling access

4.21 The NCA advised that all of the amendments apply the parking standards of the ACT government, once they are defined, and they consider event parking.²⁰

4.22 In relation to cycling, the NCA advised that the overarching Amendment 56 is prescriptive about encouraging cycling, and ‘we are looking at the way in which there are links down to the parks for cyclists in this proposal, but we are mindful of the separation between recreational cycling and commuter cycling.’²¹ The NCA stated:

One of the issues for us in relation to commuter cycling is the parameters of Constitution Avenue itself. I believe that there have been discussions with Pedal Power on this because my understanding is their preference is a dedicated cycling lane for commuters, and there are difficulties in doing that given the structure of Constitution Avenue unless we remove some of the kerbside parking. That will be fleshed out further in the development of that infrastructure design.²²

18 Mr Leonard Goodman, Chairman, St John’s Precinct Development Board, *Transcript*, p. 54.

19 Mr Derek Robson, National Secretary, Returned and Services League of Australia, *Transcript*, p. 56.

20 Ms Annabelle Pegrum, Chief Executive, National Capital Authority, *Transcript*, p. 48.

21 Ms Annabelle Pegrum, Chief Executive, National Capital Authority, *Transcript*, p. 48.

22 Ms Annabelle Pegrum, Chief Executive, National Capital Authority, *Transcript*, p. 49.

Open space, land use and urban infill

- 4.23 Dr Romaldo Guirgola raised concerns about the possible loss of park land. He commented that ‘it will become quite a narrow park in terms of projecting all this building on the line of park.’²³
- 4.24 Some groups in their submissions raised concerns about loss of open space and buildings encroaching on residential areas. The WBSG cautioned that ‘the scale of development along Constitution Avenue proposed in Amendment 60 will impact on the aesthetic significance of the Lake, the Central Canberra Parklands and the vistas from Parliament House.’ The WBSG noted that ‘Amendment 60 makes no reference to heritage issues at all.’²⁴ The WBSG stated:
- The proposal to construct such an extensive tract of commercial/residential development is not supported by any details of gross floor area, or any details of future employment and resident population numbers. Nor is it supported by any planning study of the demand for this type of land use in Canberra, its relationship to other development areas in the ACT, the environmental performance of the built works, the phasing of land release, the differential outcomes expected in the ‘Commercial’ and ‘National Capital Use’ zones, and the effect of piecemeal development in such a visually-sensitive location over a long period of time.²⁵
- 4.25 In relation to mix of uses, the NCA noted that DA 60 aims to establish Constitution Avenue with higher density development, public transport priority, as well as adding diversity and activity with a mix of shops, cafes, commercial, entertainment and residential uses. However, in relation to Constitution Avenue East, the NCA commented that area ‘will have predominantly office and commercial development with limited residential development due to the southern side of the avenue and Russell being a precinct for high security buildings.’²⁶
- 4.26 The NCA noted in relation to views that ‘the DA provides for significantly greater number of Canberra residents (as well as future workers and residents) to have panoramic views of the lake, the Parliamentary Area and the mountains beyond, consistent with Griffin’s intentions.’²⁷

23 Dr Romaldo Guirgola, *Transcript*, p. 47.

24 Walter Burley Griffin Society, *Submission*, p. 17.

25 Walter Burley Griffin Society, *Submission*, p. 18.

26 National Capital Authority, Report on Consultation, Draft Amendment 60, p. 8.

27 National Capital Authority, Report on Consultation, Draft Amendment 60, p. 12.

Building height, form and location

- 4.27 In relation to building height the WBGs commented that ‘the best and safest solution for us all is not to have eight-storey buildings but to have four-storey buildings and to have them within the tree canopy and be done with it.’²⁸
- 4.28 The NCA refuted the suggestion that there will be wall of eight storey buildings along Parkes Way. The NCA stated:
- ...in fact most buildings along Parkes Way will probably be commercial buildings that will have approximately six storeys at a maximum. The height control of 25 metres that we have proposed is the result of some analysis of the heights of existing buildings and the height of built form in relation to the landscape containment of the inner hills. To give you an indication of building heights, the existing Anzac Park East and West buildings, the Porter buildings are 29.2 metres from the ground level to the top of the buildings. So the buildings proposed would be four metres below those buildings. The existing National Library is 27.2 metres in height. The John Gorton building and the Treasury building are approximately the same height at around 27 metres.²⁹
- 4.29 In addition, the NCA advised that the buildings will be substantially set back from Parkes Way. The NCA stated that ‘a 25-metre setback will enable substantial landscaping to be achieved between the buildings and the Parkes Way carriageways.’³⁰ The NCA also noted that the mature height of oak trees on Constitution Avenue will approach 25 metres. The NCA concluded that ‘over time, buildings and built form will be dominated by landscape and the broad landscape setting rather than the reverse.’³¹
- 4.30 Mr Shibu Dutta noted that from his appraisal of Griffin, Constitution Avenue is not a corridor but a terrace, with buildings on one side opening towards Parliament House. Mr Dutta warned that ‘as soon as you start putting buildings on both sides, you make it a corridor.’³²

28 Professor James Weirick, President, Walter Burley Griffin Society, *Transcript*, p. 46.

29 Mr Ian Wood-Bradley, Principal Town Planner-Urban Designer, National Capital Authority, *Transcript*, p. 51.

30 Mr Ian Wood-Bradley, Principal Town Planner-Urban Designer, National Capital Authority, *Transcript*, p. 51.

31 Mr Ian Wood-Bradley, Principal Town Planner-Urban Designer, National Capital Authority, *Transcript*, p. 51.

32 Mr Shibu Dutta, *Transcript*, p. 52.

- 4.31 Similarly, Ms Rosemarie Willett was concerned that if development comes down to Parkes Way it 'is visually unrecoverable and spatially unrecoverable.'³³ She concluded that the Parliamentary triangle was about space.

Conclusions

- 4.32 Amendment 60 notes that Constitution Avenue will become an elegant and vibrant mixed use grand boulevard linking London Circuit to Russell. The amendment was supported by key stakeholders including, for example, the RSL, the Canberra Institute of Technology and St John's Church. Each of these groups has made valid cases for supporting the amendment.
- 4.33 The committee, however, has noted some of the concerns about the amendment which also cannot be easily dismissed. In particular, the vista from Parliament House towards Constitution Avenue is perhaps one of the most significant urban vistas in the nation. The prospect remains that a wall of eight storey buildings will be formed between Constitution Avenue and Parkes Way stretching across the base of the national triangle. The committee is not convinced that this potential outcome should be the dominant element.
- 4.34 The committee is also concerned about the possible loss of open space arising from this amendment. Dr Romaldo Guirgola, for example, observed that 'it will become quite a narrow park in terms of projecting all this building on the line of the park.' The Walter Burley Griffin Society claimed that the 'the scale of the development along Constitution Avenue proposed in Amendment 60 will impact on the aesthetic significance of the Lake, the Central Canberra Parklands and the vistas from Parliament House.'
- 4.35 In view of these concerns, the committee cannot support Amendment 60 in its present state. As with the other amendments, the NCA should take into account the committee's views and undertake an effective consultation program ensuring that individuals, organisations and professional groups are adequately consulted. The committee's view is that there is not widespread grassroots support for the Griffin Legacy amendments as they currently stand.
- 4.36 The committee has, in recommendation 3, proposed that the Minister move that Amendment 60 be disallowed.
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33 Ms Rosemarie Willett, *Transcript*, p. 54.