# Planning and Development (Draft Variation No 99) Consultation Notice 2009\*

Changes to zoning at Lawson south and the introduction of a structure plan and concept plan (precinct code) for Lawson south

#### Notifiable instrument NI2009-516

made under the

Planning and Development Act 2007 section 63 (Public consultation—notification) and section 64 (public consultation—notice of interim effect etc)

Draft variation number 299 to the Territory Plan (see *Annexure A*) proposes to introduce a range of zones which will enable higher density development at Lawson south in the district of Belconnen. A structure plan and concept plan (precinct code) will be introduced to guide future development.

Documents relating to this draft variation may be obtained from:

- www.actpla.act.gov.au
- ACTPLA's Customer Service Centre, Ground Floor South Building, 16 Challis Street, Dickson, between 8:30am to 4:30pm weekdays

Written comments from the public are invited on the draft variation by **COB Monday 30 November 2009**.

Comments may be submitted in one of the following ways:

- hand delivered to the Customer Service Centre at 16 Challis Street Dickson
- posted to Manager Development Policy Section, GPO Box 1908, Canberra ACT 2601
- emailed to terrplan@act.gov.au

Copies of the written comments will be made available for public inspection at the Customer Service Centre Dickson for a period of 15 working days.

The draft variation has interim effect under section 65 of the *Planning and Development Act* 2007 for a period of up to one year from Friday 16 October 2009. During this period the Territory, the Executive, a Minister or a territory authority must not do or approve the doing of anything that would be inconsistent with the Territory Plan if it were varied in accordance with this draft variation.

Kelvin Walsh Delegate of the ACT Planning and Land Authority

14 October 2009



Planning & Development Act 2007

# Draft Variation to the Territory Plan No. 299

Changes to zoning at Lawson South and the introduction of a Structure Plan and Concept Plan

October 2009



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#### 1. INTRODUCTION

#### 1.1 Summary of the Proposal

This draft variation proposes to change the residential RZ1 suburban zone in Lawson south to a range of urban zones to enable higher density urban development, whilst protecting significant natural features and open spaces and retaining the services TSZ2 zone as the site of the electrical substation.

The draft variation also proposes to introduce a structure plan and concept plan to provide greater guidance for urban development at Lawson south through the introduction of more specific urban zones - including low, medium and higher density residential, urban open space, community facilities, commercial mixed use and transport. The concept plan would constitute a precinct code under the Territory Plan.

The draft variation responds to the strategic direction provided by The Canberra Spatial Plan (2004) for higher densities within a 7.5 kilometre radius of the Canberra City centre. Specifically, Lawson south is identified as a future greenfield residential area.

#### 1.2 Outline of the process

The Commonwealth's *Australian Capital Territory (Planning and Land Management) Act 1988* allows for the Legislative Assembly to make laws to establish a Territory Planning Authority and for that Authority to prepare and administer a Territory Plan. The *Planning and Development Act 2007* (the P&D Act) establishes the ACT Planning and Land Authority (ACTPLA) as the Authority which prepares and administers the Territory Plan, including continually reviewing and proposing amendments as necessary.

The Territory Plan is comprised of the written statement and a map. The written statement contains a number of parts, namely Governance; Strategic Directions; Zones; Precinct Codes; General Codes; Overlays; Definitions; Structure Plans, Concept Plans and Development Codes for Future Urban Areas.

The Territory Plan Map graphically represents the applicable land use zones (under the categories of Residential, Commercial, Industrial, Community Facility, Urban Parks and Recreation, Transport and Services and Non Urban), precincts and overlays. The zone, precinct and overlay requirements are detailed in the volumes of the Territory Plan.

Draft variations to the Territory Plan are prepared in accordance with the P&D Act. Following the release of the draft variation under section 63 of the P&D Act, submissions from the public are invited. At the conclusion of the consultation period the ACTPLA submits a report on consultation and a recommended final variation to the Minister for Planning for approval. The Minister has the discretion to determine if referral to the Legislative Assembly Standing Committee on

Planning, Public Works and Territory and Municipal Services is warranted prior to approval, depending on the nature and significance of the proposal.

If the draft variation is referred to the Committee by the Minister or otherwise, the Minister must consider the findings of the Committee before deciding whether to approve the draft variation. If the Minister approves the variation, the variation and associated documents will be tabled in the Legislative Assembly. Unless disallowed by the Legislative Assembly within five sitting days, the variation commences on a day nominated by the Minister.

#### 1.3 This document

This document contains the background information in relation to the proposed variation. It comprises the following parts:

- Part 1 This Introduction;
- Part 2 An **Explanatory Statement**, which gives reasons for the proposed variation and describes its effect; and
- Part 3 The **Draft Variation**, which details the precise changes to the Territory Plan that are proposed.

Copies of all written comments received from the public will be made available for public inspection at the ACTPLA's Customer Service Centre, Dickson, during normal office hours for a period of not less than 15 working days after the closing date listed above.

#### 1.4 Public Consultation

Comments from the public are invited on the draft variation. Subject to consideration of responses received, the Authority proposes to submit this draft variation to the Minister for Planning in accordance with the P&D Act.

The documents relating to this draft plan variation may be obtained from:

- the Authority's website at www.actpla.act.gov.au/topics/your\_say; or
- the Authority's Customer Service Centre, Ground Floor, South Building, Dame Pattie Menzies House, 16 Challis Street, Dickson (opposite the Motor Registry), 8:30am to 4:30pm weekdays.

Note that access to the Internet is available free of charge at all ACT Public Libraries during library opening hours.

Written comments from the public are invited on the draft plan variation by **Monday 30 November 2009**. Comments should include reference to this draft variation, a return postal address, and be addressed to:

The Manager, Development Policy Section ACT Planning and Land Authority

Comments may be submitted in one of the following ways:

 Hand deliver to: The Authority's Customer Service Centre, 16 Challis Street, Dickson

Post to: GPO Box 1908, Canberra ACT 2601

Email: terrplan@act.gov.au

Copies of all written comments received from the public will be made available for public inspection at the Authority's Customer Service Centre, Dickson, during normal office hours for a period of not less than 15 working days after the closing date listed above.

#### 2. EXPLANATORY STATEMENT

#### 2.1 Background

The ACT Government announced in 2007 that it would proceed with a planning study to identify opportunities for future urban development in the southern part of Lawson. ACTPLA engaged a consultant team to prepare the study in August 2008 and released a draft report for public comment in April 2009. The Lawson South Planning Study Final Report (September 2009) is available from the ACTPLA website

actpla.act.gov.au/topics/significant\_projects/planning\_studies/lawson\_planning\_study

The overall objectives of the study were to:

- analyse the site from social, environmental, economic and governance perspectives within its local and regional context, and identify and address opportunities and constraints for development;
- produce an agreed set of planning goals, objectives, principles and policies that will shape future development;
- undertake public consultation in relation to the planning studies; and
- to inform the preparation of a precinct code (concept plan) to be incorporated into the Territory Plan to guide the development of Lawson south via a draft variation.

Consultation was undertaken as part of the planning process to consider and address issues raised by the community and government agency stakeholders. Consultation sessions were attended by local residents and representations were made by a wide range of community groups and individuals.

The vision for Lawson south is a liveable, sustainable 'urban village' that minimises the impact on the surrounding environment and maximises the positive aspects of the suburb. A number of sustainability initiatives and higher density development are proposed in this location close to public transport, Lake Ginninderra, Belconnen Town Centre, University of Canberra, and other significant services and facilities. Planning for Lawson south envisages a well connected, integrated and compact neighbourhood, where residential densities

are higher than surrounding established suburbs, thus providing more sustainable development and residential choice. The proposed development meets the broad objectives of the Spatial Plan for higher density residential development within a 7.5 kilometre radius of Canberra City centre.

#### 2.2 Site Description

The southern part of Lawson, the subject of this variation, is located in the district of Belconnen in the ACT (refer to **Figure 1.1**). The site is Territory land and is currently vacant except for some electrical infrastructure. The northern part of Lawson is Commonwealth-owned land and the site of the former Belconnen Naval Transmission Station. The future of the Commonwealth land is currently not known, and therefore is not included in the area subject to this draft variation.

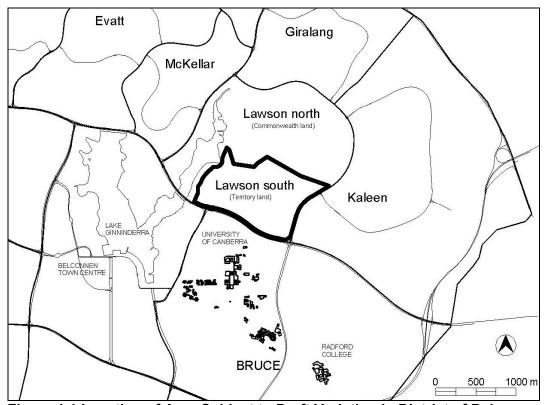


Figure 1.1 Location of Area Subject to Draft Variation in District of Belconnen

#### 2.2.1 Current Territory Plan Provisions

The area subject to the draft variation and the current Territory Plan for this area is indicated in **Figure 1.2**. The main current Territory Plan zoning of the area is residential RZ1 suburban. The objectives of this zone are to create a wide range of housing choices within a low density residential environment. The site of the electrical substation is also part of the area and is currently zoned TSZ2 services.

The changes proposed in this draft variation will permit medium and higher density development and greater building heights than under the current zoning in parts of Lawson south. The changes will also create a community facilities site and mixed use site.

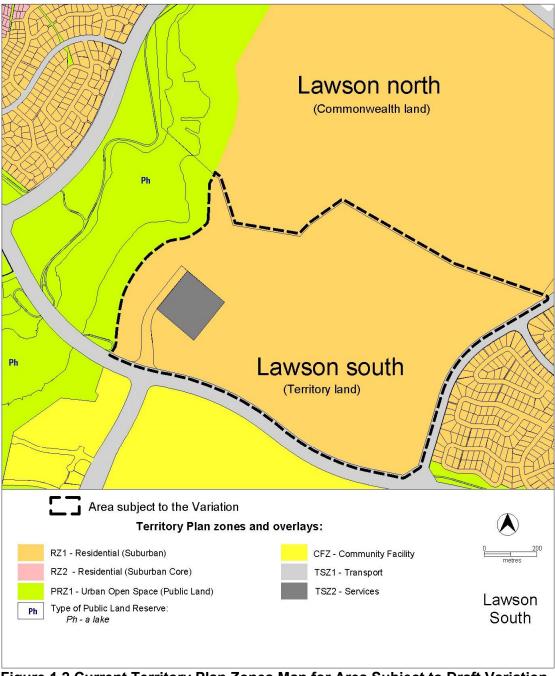


Figure 1.2 Current Territory Plan Zones Map for Area Subject to Draft Variation

#### 2.3 Proposed Changes

#### 2.3.1 Proposed Changes to the Territory Plan Map

Lawson south could currently be developed exclusively for low density residential development under the residential RZ1 suburban zoning of the Territory Plan. However, it was thought prudent to undertake a planning study for Lawson south to determine the best land use for the area, taking into account issues of economic, environmental and social sustainability. On the basis of the recommendations of the study, changes proposed to zoning in Lawson south will include a future urban area overlay and new provisions that will meet the objectives of the study.

The proposed changes to the Territory Plan map are indicated in **Figure 3.1** at Part 3 of this document and are detailed as follows:

- insert a future urban area overlay for the whole area subject to the draft variation
- retain residential RZ1 suburban zone for low density residential development, generally located around Reservoir Hill in the eastern part of Lawson south, for Lawson Section 13 part Block 2. This zoning limits residential development to a maximum of two storeys, which will ensure the top of Reservoir Hill will be retained as the skyline when viewed from the lake foreshore and surrounding areas.
- remove residential RZ1 suburban zone from Lawson Section 13, part Block 2
- insert the following zones:

#### Residential

- residential RZ4 medium density residential, located at various points along both sides of the main collector road through Lawson south connecting Aikman Drive to Maribyrnong Avenue to provide connection with public transport and community and commercial facilities, and an urban edge to major roads, and for greater dwelling choice.
- residential RZ5 high density residential, located along the eastern foreshore
  of Lake Ginninderra in areas of higher amenity, close to Lake Ginninderra
  and other open space, and major roads and public transport.

#### Urban open space

 urban open space PRZI, located at the significant open spaces in Lawson south that are to be retained and form part of the open space network.

#### Hills, ridges and buffer

 hills, ridges and buffer NUZ3, located in Lawson south along the boundary shared with the Commonwealth land in Lawson north. A 30 metre wide buffer zone in Lawson south will maintain the integrity of habitat for endangered species on the Commonwealth land and will assist with bushfire protection. If the Commonwealth land is not developed, the NUZ3 buffer will extend for the entire length of the boundary. If the Commonwealth land is developed, the eastern portion will be zoned residential RZ4 high density.

#### Commercial mixed use

commercial CZ5 mixed use, located on the eastern foreshore of Lake
 Ginninderra south of College Creek at the point where the creek meets the lake to provide opportunities convenient access to shops in Lawson south.

#### **Community facility**

 community facility CFZ, located along the southern side of the main collector road and near mixed use development in Lawson south to provide opportunities for a strong local identify and focus on community activity.

#### **Transport and services**

- transport TSZ1, located along route of the two collector roads in Lawson south to provide the main transport routes through the suburb.
- services TSZ2, the site of the electrical zone substation in Lawson south.

Provision is made for the possible future relocation of the overhead 132kV transmission lines from the current alignment. This land would then be available for residential uses and the necessary easement applied to the new location.

The draft variation map indicates the proposed zone boundaries as accurately as possible, but may be subject to adjustments.

#### 2.3.2 Other proposed Changes to the Territory Plan

It is also proposed to vary the Territory Plan in the following manner:

1. At Part 14 Structure Plans - after Section 14.0 'Molonglo and North Weston'

Insert a new section:

**'Section 14.11 - Lawson South Structure Plan'** as shown at **Appendix 1** of this variation.

2. At Part 15 Concept Plans - Precinct Codes for Section 93 of the Planning and Development Act 2007 - after section 15.12 'Wright'

Insert a new section:

**'Section 15.13 - Lawson South Concept Plan'** as shown at **Appendix 2** of this variation.

#### 2.4 Reasons for the Proposed Draft Variation

This draft variation proposes to change the residential RZ1 suburban zone in Lawson south to a range of urban zones to enable higher density urban development, whilst protecting significant natural features and open spaces.

The purpose of the draft variation is to provide greater guidance for urban development at Lawson south through the introduction of more specific urban zones - including higher density residential zones, urban open space zone, community facilities zone, commercial mixed use zone, and transport and services zone - a structure plan and a concept plan (precinct code).

This will provide for a diversity of housing types and densities close to a commercial centre (Belconnen town centre) and adjacent to major transport routes. This will increase housing choice, provide opportunities for affordable housing and encourage some intensification of development, whilst maintaining residential amenity in accordance with the strategic directions contained in the Territory Plan.

#### 2.5 Planning Context

#### 2.5.1 National Capital Plan

The Australian Capital Territory (Planning and Land Management) Act 1988 established the National Capital Authority (NCA) with two of its functions being to prepare and administer a National Capital Plan (NCP) and to keep the NCP under constant review and to propose amendments to it when necessary.

The NCP, which was published in the Commonwealth Gazette on 21 January 1990 is required to ensure that Canberra and the Territory are planned and developed in accordance with their national significance. The Planning and Land Management Act 1988 also required that the Territory Plan is not inconsistent with the NCP.

Under the National Capital Plan the subject site falls within the Urban Area classification and is located in Belconnen. Under Section 4.4 Policies for Urban Areas in the National Capital Plan sub-section (b) states that:

"The planning of urban areas should seek to introduce measures through which urban consolidation may occur."

It is considered that the changes proposed in the draft variation by encouraging intensification of development in the residential RZ2 low density, residential RZ4 medium density and residential RZ5 high density zones, will support this policy and is therefore consistent with the provisions of the National Capital Plan.

#### 2.5.2 Territory Plan

The proposal is consistent with the Territory Plan's statement of strategic directions in terms of environmental, economic and social sustainability and spatial planning and urban design principles, particularly the following:

"Planning policies will seek to ensure the efficient use of all resources and to reduce consumption of non-renewable resources. Waste minimisation, reuse and recycling will be encouraged, whilst energy-rating and conservation measures will be applied wherever appropriate, particularly in transport, subdivision planning, and building design and construction.

"Urban expansion will be contained in order to minimise impacts on valuable natural and rural areas."

"A variety of open space types will be provided in each district or local area to meet the diverse recreational needs of residents and visitors, and to contribute to community health.

"New suburban areas will be planned with a legible and permeable hierarchy of roads; conveniently located commercial and community facilities; a network of open spaces; an off-road system for pedestrians and cyclists; and provision for accessible public transport.

"A wide range of housing types will be permitted in identified residential areas close to commercial centres and some major transport routes to increase choice; maximise opportunities for affordable housing; and secure some intensification of development consistent with maintaining residential amenity. Outside of these areas, planning policies will protect the typically low density, garden city character of Canberra's suburban areas.

"Higher density development will be encouraged within and near major centres, and in other suitable locations that are well served by public transport.

"Development will be planned to encourage use of public transport, walking and cycling, including commuter cycling. ...."

#### 2.5.3 Planning Strategy for the ACT

#### **Spatial Plan**

The Canberra Spatial Plan (2004) is the Territory's key strategic planning document for directing and managing urban growth and change over the next 30 years and beyond. The Spatial Plan outlines the strategic direction for growth to achieve social, environmental and economic sustainability for Canberra.

The proposed development in Lawson south meets the broad objectives of the Spatial Plan for a compact city and higher density residential development in a residential intensification line within a 7.5 kilometre radius of Canberra City centre. The Spatial Plan also identifies the protection of biodiversity as an important element of sustainability. The proposed development in Lawson south will ensure protection and enhancement of the significant ecological resources and areas of high conservation value. Development in Lawson south will also

improve water quality of Lake Ginninderra and College Creek through water sensitive urban design measures to reduce the impact of stormwater runoff.

#### **Sustainable Transport Plan**

The proposed development meets the broad objectives of the Sustainable Transport Plan in terms of providing higher density residential development and greater housing choice, and encouraging the use of more sustainable modes of transport (such as walking, cycling and public transport). This is appropriate on the basis of the site's location in close proximity to the Belconnen Town Centre, major transport corridors and other significant services and facilities.

#### 2.6 Interim Effect

As stated in the consultation notice (notified in the Legislation Register and the Canberra Times), the variation has interim effect from Friday 16 October 2009 to Friday 15 October 2010 or until the end of the "defined period", whichever is shorter. Under section 65(3) of the P&D Act "defined period" for a draft variation means the period:

- (a) starting on the day (the **notification day**) when the consultation notice for the draft variation is notified under the *Legislation Act* (see section 63); and
- (b) ending on the day the earliest of the following happens:
  - (i) the day the public availability notice under section 70 for the draft variation is notified in accordance with the *Legislation Act*;
  - (ii) the day the draft variation, or the corresponding variation, is withdrawn under section 68(1)(b) or section 76(3)(b)(v);
  - (iii) the period of 1 year after the notification day ends.

The Territory, the Executive, a Minister or a Territory authority must not, during the defined period or a period stated in the consultation notice, whichever is shorter, do or approve the doing of anything that would be inconsistent with the Territory Plan if it were varied in accordance with the draft variation or anything that is inconsistent with the Territory Plan.

This generally means that if a requirement of the current Territory Plan is more onerous than the respective requirement in the draft variation, the current Territory Plan will effectively be the applicable provision. However, if the relevant requirement as proposed in the draft variation is more onerous than the respective provision in the current Territory Plan, the requirement of the draft variation will be the applicable requirement during the time that the draft variation has interim effect.

#### 2.7 Consultation with Government Agencies

#### 2.7.1 National Capital Authority

In preparing this draft variation, ACTPLA is required under section 61(b)(ii) of the P&D Act to consult with the NCA in relation to the proposed draft variation.

The NCA provided the following comments on 24 August 2009:

"The variation is not inconsistent with the National Capital Plan, and the NCA has no objection to DV299 proceeding. The NCA supports the intent of the variation in facilitating urban consolidation and increasing residential densities, and supporting mixed use development in a key location."

#### Response:

Noted.

#### 2.7.2 Conservator of Flora and Fauna

In preparing this draft variation, ACTPLA is required under section 61(b)(iii) of the P&D Act to consult with the Conservator of Flora and Fauna in relation to the proposed draft variation.

The Conservator made the following comments on 3 September 2009:

"The proposed development of south Lawson is adjacent to the Commonwealth owned former Belconnen Naval Transmission Station (BNTS) that contains Natural Temperate Grassland (NTG), an endangered ecological community, and one not well represented in the ACT. The grasslands are rated as Category 1 Conservation Class (the highest level possible) in the ACT Lowland Native Grassland Conservation Strategy 2005. To be rated Category 1, Core Conservation, it is necessary to meet the following criteria:

- high botanical significance rating (BSR of 1 or 2), but may contain or adjoin areas of lower rating; or
- key threatened species habitat; or
- large sites (more than 100 ha) with a BSR of 3.

Nineteen sites in the ACT meet the criteria and these sites represent the core group of areas needed to ensure conservation of the best quality natural temperate grassland and the major habitats for grassland threatened species. The former BNTS site forms the core conservation area for Striped Legless Lizard, Golden Sun Moth and Perunga Grasshopper and must be protected from impacts of development.

The draft Variation allow for the provision of a grassed buffer zone along the boundary with the BNTS for the majority of the interface and states that the buffer will be extended to the entire northern boundary of Lawson south if the Commonwealth land is not developed. However, the Draft Territory Plan Map indicates that RZ4 – Residential (Medium Density) development is proposed within Lawson south along the north eastern boundary adjacent to the BNTS preempting that residential development will occur within the eastern portion of the BNTS. The Striped Legless Lizard (Delma impar), a nationally threatened species, has been found in the NTG in this eastern portion of BNTS and any development on this portion of the BNTS would require referral to the Commonwealth under the EPBC Act. To ensure protection of the grasslands it is recommended that the concept plans and land use zoning on the draft variation be changed and that the residential development on the north east boundary be replaced with a grassland buffer zone (minimum 30 metres wide) with a Hills Ridges and Buffer land use. It is also recommended that all references to potential future connections to possible future development in the BNTS site be deleted. The rules and criteria provided in the Concept Plan, that will form the Precinct Code for future development, needs to reflect the requirement for a minimum of 30 metre wide grassland buffer for the entire boundary with the Commonwealth land and this must be a mandatory requirement."

#### Response:

Agree in part. A 30 metre wide buffer zone along the northern boundary within Lawson south will maintain the integrity the natural temperate grasslands and habitat for endangered species on the Commonwealth land, and assist with bushfire protection in Lawson south.

The 30m grassland buffer could incorporate one verge of an edge road. The verge would be 2.5m wide and would be grassland (i.e. no pavement). There would be no road pavement within the 30m buffer.

There is some flexibility built into the planning of Lawson south to accommodate any possible future development of part of the BNTS site. If the Commonwealth land is not developed, the buffer will extend for the entire length of the boundary and revert to Hills, Ridges and Buffer land use. If part of the Commonwealth land is able to be developed, it is expected that the eastern portion will be zoned residential. The most appropriate way for the eastern section of the buffer to be indicated on the proposed Territory Map is as residential zoning. There is enough of a safeguard of providing for continuation of the buffer along the boundary to ensure if no development occurs, the buffer will extend along the entire length of the boundary.

#### 2.7.3 Environment Protection Authority

In preparing this draft variation, ACTPLA is required under section 61(b)(iv) of the P&D Act to consult with the Environment Protection Authority in relation to the proposed draft variation.

The Environment Protection Authority provided the following comments on 4 September 2009:

"The EPA finds no new areas of concern raised in this draft variation. Our previous comments on the Lawson South Planning Study are to stand, including the following requirement regarding contaminated sites:

The Contamination Environmental Management Plan (CEMP) referred to in section 2.2.6 of the Planning Study must be prepared by a suitably qualified environmental consultant and endorsed by the EPU prior to redevelopment of the site. The CEMP must include details of the proposed validation methodologies for the areas of potential concern based on past studies."

#### Response:

Noted.

#### 2.7.4 Heritage Council

In preparing this draft variation, ACTPLA is required under section 61(b)(v) of the P&D Act to consult with the Heritage Council in relation to the proposed draft variation.

The Heritage Council provided the following comments on 17 September 2009:

"The Heritage Council endorses the recommendations of the Conservation Management Plan to disturb and Aboriginal Place or Object and agrees that no further work is required before commencement of works at the site."

#### Response:

Noted

#### 2.7.5 Land Development Agency

In preparing this draft variation, ACTPLA is required under section 61(b)(v) of the P&D Act to consult with the Land Development Agency in relation to the proposed draft variation.

The Land Development Agency provided the following comments on 8 September 2009:

"The LDA supports the draft variation, noting that a number of detailed matters are still to be resolved by ACTPLA, as per our email response of 4 September 2009."

#### Response:

Noted. The comments emailed by the LDA on 4 September 2009 related to the contents of the structure plan and concept plan, and were considered by ACTPLA in preparing this version of the draft variation. Other comments provided related to process and land release and will require further discussion between the relevant government agencies.

#### 3. DRAFT VARIATION

#### 3.1 Variation to the Territory Plan Map

The Territory Plan map is varied as indicated in **Figure 3.1**. This map indicates the proposed land use zone boundaries as accurately as possible, but may be subject to adjustment following detailed surveys.

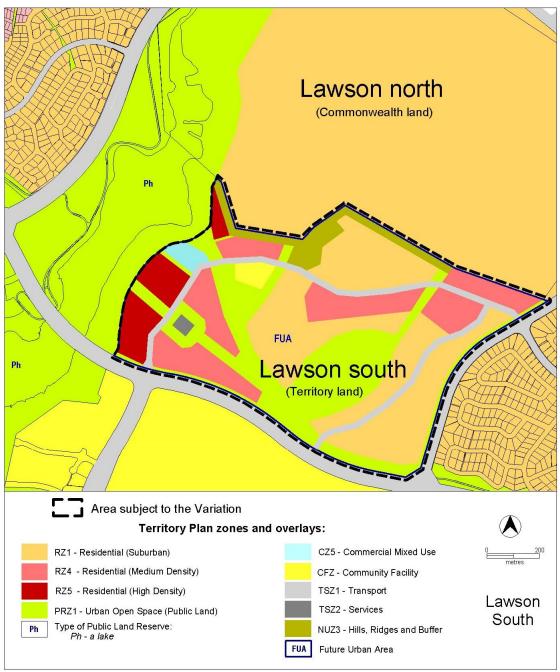


Figure 3.1 Proposed Changes to Territory Plan Map for Area Subject to Variation

#### 3.2 Variation to the Territory Plan Written Statement

The Territory Plan is varied:

1. At Part 14 Structure Plans - after Section 14.0 'Molonglo and North Weston'

Inserting a new section

**'Section 14.11 - Lawson South Structure Plan'** as shown at **Appendix 1** of this variation.

2. At Part 15 Concept Plans - Precinct Codes for Section 93 of the Planning and Development Act 2007 - after section 15.12 'Wright'

Insert a new section

**'Section 15.13 - Lawson South Concept Plan'** as shown at **Appendix 2** of this variation.

#### Interpretation service

ENGLISH If you need interpreting help, telephone:

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SPANISH Si necesita la asistencia de un intérprete, llame al: TURKISH Tercümana ihtiyacınız varsa lütfen telefon ediniz:

VIETNAMESE Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

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# **Lawson South Structure Plan**

# October 2009

**Public consultation version** 

#### 1. INTRODUCTION

This structure plan sets out the principles and policies that apply to the Lawson south future urban area in accordance with section 91 of the *Planning and Development Act 2007*.

A concept plan for Lawson South, which is deemed to be a precinct code under the *Planning and Development Act 2007*, was prepared for the area subject to this structure plan.

#### 2. APPLICATION

This structure plan applies to the future urban area in **Figure 1**. Land that ceases to be part of the future urban area through the application of s96 of the *Planning and Development Act 2007* ceases to be affected by this structure plan.

#### 3. PROHIBITED DEVELOPMENT

For the purposes of s136(2) of the *Planning and Development Act 2007*, development by an entity is not prohibited, provided that the land on which the development is proposed was transferred to the entity by a Territory authority for the purpose of land development.

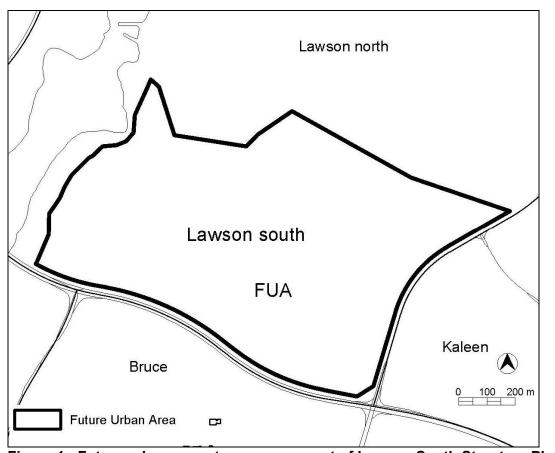


Figure 1: Future urban area at commencement of Lawson South Structure Plan

# 4. PRINCIPLES FOR THE DEVELOPMENT OF LAWSON SOUTH FUTURE URBAN AREA

 The development will accord with the principles contained in the Statement of Strategic Directions.

# 5. POLICIES FOR THE DEVELOPMENT OF LAWSON SOUTH FUTURE URBAN AREA

#### 5.1 General

2. Urban development will be generally in accordance with the zones applying to the future urban area shown on the Territory Plan map.

#### Notes:

- 1. The future urban area will diminish as development proceeds. Land that ceases to be part of the future urban area through the application of s96 of the *Planning and Development Act 1997* ceases to be affected by this structure plan.
- 2. The nature and extent of zones under the Territory Plan are confirmed after land ceases to be part of the future urban area.
- 3. The local neighbourhood is to be generally based on a walkable radius of around 400 metres from an activity node such as a park, bus stop, mixed use development or community facility.

#### 5.2 Concept plan

4. A concept plan, which is deemed to be a precinct code under the *Planning and Development Act 2007*, may be prepared.

#### 5.3 Environment protection

- 5. Important hills and ridgelines, including Reservoir Hill, are to be generally excluded from development.
- 6. Leading practice bushfire risk management is to be implemented in all stages of planning.
- 7. Areas of high conservation value will be protected from development, and the impact of adjacent urban development minimised, through suitable mechanisms including the provision of appropriate buffers.
- 8. Buffers for bushfire protection and to protect ecological values are to be provided in Lawson south along the northern boundary.
- 9. In subdivision design, larger lots will generally be situated on steeper land.

#### 5.4 Residential

10. Zones will be allocated in a variation to the Territory Plan under s96 of the *Planning and Development Act 2007*.

- 11. Noise abatement measures will be incorporated into the design of residential buildings along arterial roads adjacent to the site.
- 12. Appropriate landscape buffers will be provided to screen urban development from arterial roads.

#### 5.5 Commercial and retail centres

13. A small local centre is to be located adjacent to Lake Ginninderra foreshore as a focus for commercial, retail and residential uses including a convenience store, cafes, restaurants and a range of other low key commercial and business services at ground floor level.

#### 5.6 Open space and recreation

- 14. The provision for open space for active recreation will generally accord with the relevant Territory guidelines.
- 15. Local parks will be located close to all residents and generally on flatter land, accessible to movement systems and edged by a local street. Parks will incorporate remnant tree stands were possible. Car parking will be provided on edge streets.
- Major passive open space areas are to be provided in conjunction with waterways and prominent hills, including Lake Ginninderra, College Creek and Reservoir Hill.

#### 5.7 Community facilities

17. Community facilities are to be co-located in a community focal point along the main collector road with opportunities to accommodate a preschool, childcare facilities, medical centre, multi-purpose community hall, landscaping, playground facilities and community gardens.

#### 5.8 Stormwater management

18. A stormwater management strategy will control stormwater run-off from urban development and to improve the water quality, including a water quality control pond on College Creek at the confluence with Lake Ginninderra.

#### 5.9 Transport and traffic management

- 19. An interconnected street system is to be provided that facilitates a choice of routes and legible way-finding, and is appropriately landscaped consistent with its function and character.
- 20. A main collector road is to be provided from Aikman Drive to Maribyrnong Avenue, with a second collector road from Allawoona Street to the main collector road. The collector roads will be bus capable.
- 21. Shared cycle/pedestrian paths will provide access to key features in Lawson south and connect to existing paths in surrounding areas.

#### 5.10 Infrastructure

- 22. Provision will be made for the construction of infrastructure including roads, sewerage, water, electricity, gas and telecommunications.
- 23. Provision will be made for the possible future relocation of the overhead 132kV transmission lines from the current alignment. This land would then be available for residential uses and the necessary easements will be applied to the new alignment.
- 24. Reconfigure the substation block and provide an open space landscaped buffer around the site.



# **Lawson South Concept Plan**

# October 2009

# **Public consultation version**

Amendment history: This version of the Lawson South Concept Plan commenced on (insert date)			
following a variation to the <i>Territory Plan</i> number 299.  Public consultation version			

 $\label{eq:Page} \textbf{Page ii} \\ \textbf{Authorised by the ACT Parliamentary Counsel-} \\ \textbf{also accessible at www.legislation.act.gov.au} \\$ 

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#### Introduction

Due to its location and accessibility to Canberra City centre and Belconnen town centre, Lawson south will serve as a higher density residential area with associated community facilities and the possibility of small scale retail/commercial uses in defined locations.

#### **Application**

This plan applies to land at **Lawson south** in the district of Belconnen, as shown on **Figure 1**. The plan does not apply to Lawson north, which is Commonwealth-owned land and the site of the former Belconnen Naval Transmission Station.

**Parts A and B** of this plan apply only to the future urban area (FUA) within Lawson south. The FUA will diminish in size as estate development plans are approved, and final zones established under part 5.5 of the *Planning and Development Act 2007*.

Part C of this plan applies to the whole of Lawson south, as defined by Figure 1.

This plan contains **rules**, which provide the quantitative or definitive controls for development, and **criteria**, which provide qualitative controls for development. In some instances rules are mandatory. Mandatory rules are marked by the words "This is a mandatory requirement. There is no applicable criterion" in the adjacent criteria column. Non-compliance with a mandatory rule will result in the refusal of a development application. In other instances the words "There is no applicable rule". In this case the proposal is assessed against the relevant criterion. Where both rule and criterion apply, compliance with the rule is deemed to satisfy the particular requirement. A departure from strict compliance with the rule can be allowed provided that the relevant criterion is met.

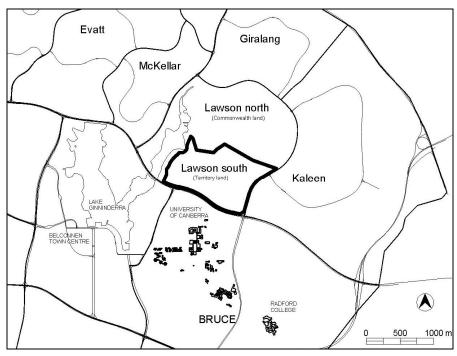


Figure 1: Location of Lawson south in district of Belconnen

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#### **Purpose**

The purpose of this plan is to:

- a. guide the design and assessment of estate development plans (subdivision proposals) in Lawson south
- b. inform the allocation of final zones at the time when a parcel of land ceases to be part of the future urban area following subdivision
- guide the development of individual blocks in concert with other relevant codes under the *Territory Plan*
- d. guide the development and management of the public domain.

#### **Desired planning outcomes**

The purpose of the development controls (i.e. rules and criteria) is to:

- a. provide diverse housing zones, types and densities to meet the changing needs of the community
- allow for zoning to accommodate higher residential densities and building heights generally close to public transport routes, retail/commercial centres and areas of high amenity
- c. provide for community facilities and small scale retail/commercial uses
- d. provide safe, compact, walkable residential precincts with convenient vehicular, pedestrian, cycle and public transport access to recreational, retail/commercial and community facilities
- e. adhere generally to the principles of a child-friendly city promoted by UNICEF
- f. encourage walking, cycling and the use of public transport
- g. incorporate principles of contemporary best practice for energy efficiency, water conservation, solar access and ecological sustainability
- h. retain significant elements of the site as part of the urban open space network that connects to adjacent suburbs with public access and high levels of amenity and safety
- i. minimise the impact of arterial traffic noise on residential development
- j. provide for effective buffers between residential development and high value grassland
- k. provide for effective buffers between residential development and electrical infrastructure
- I. ensure protection of areas or items of heritage significance
- m. provide a legible road network that integrates safe and adequate pedestrian and cycle access to the precinct and connectivity to adjacent areas including the suburb of Kaleen, Lake Ginninderra, and the University of Canberra
- n. employ stormwater management measures
- o. encourage efficient use of water through water sensitive urban design
- encourage the efficient use of energy through block ratings and the integration of public transport

#### **Code hierarchy**

This concept plan is deemed to be a **precinct code** under the *Planning and Development Act 2007*.

More than one type of code may apply to a particular development proposal. Occasionally inconsistencies between the provisions arise, particularly where a precinct code seeks to apply special provisions in response to particular local circumstances or planning issues. Where this occurs, a **precinct code** prevails over a **development code** and a **general code**, but only to the extent of the inconsistency.

## Part A – Land use

Note: Precincts referred to in this part are shown on Figure 2.

Rules	Criteria
1. Land use plan	
R1 The land use plan submitted with an estate development plan (EDP) is in accordance with the <i>Territory Plan</i> map under the future urban	C1 The land use plan submitted with an EDP is generally in accordance with <b>Figure 2</b> including:
area overlay.	a) high density residential RZ5 and mixed use CZ5 development in precinct A
	b) medium density residential RZ4 development in precinct B and adjacent to the main collector road in precinct C
	c) low density residential RZ1 development in precinct C, particularly on the higher slopes of Reservoir Hill
	d) the stands of trees on the southern slopes of Reservoir Hill included in urban open space (PRZ1)
	e) the historic windbreak, including those trees identified as medium, high or exceptional value, included in urban open space (PRZ1)
	f) the travelling stock route and adjoining land containing trees identified as medium, high or exceptional value, included in urban open space (PRZ1)
	g) if the overhead transmission lines are relocated, the existing alignment will be available for development consistent with the adjacent land uses.
R2	C2
Mixed use site development is located in accordance with <b>Figure 2</b> .	<ul><li>Mixed use commercial development CZ5 zone:</li><li>a) is located along the main collector road and near the community facility site</li></ul>
	b) overlooks Lake Ginninderra with northerly aspect and views.
R3	C3
A block with a minimum area of 1 hectare is provided for a community facility in the community facility zone (CFZ).	This is a mandatory requirement. There is no applicable criterion.
R4	C4
Land above the RL620 contour is to be designated as urban open space (PRZ1).	This is a mandatory requirement. There is no applicable criterion.

#### Part B - Subdivision

**Note:** This part should be read in conjunction with:

Residential Subdivision Development Code

Guidelines for the Preparation of Estate Development Plans

Water Ways: Water Sensitive Urban Design General Code.

#### Rules

Note: Precincts referred to in this part are development precincts shown on Figure 3.

R5

2.

The estate provides a range of housing types, densities and block sizes with a maximum total dwelling yield of 1,850 in accordance with **Figure 3**, including:

Dwelling yield

- a) in precinct A, dwelling yield is between 350 and 550
- b) in precinct B, dwelling yield is between 400 and 600
- c) in precinct C, a maximum of 50% of blocks to be less than 500m<sup>2</sup>, of which a maximum of 15% of blocks are to be less than 250m<sup>2</sup>.

CF

Criteria

A range of housing types, densities and block sizes are provided that accommodate varying lifestyle and housing needs and choice.

Greater dwelling yields than specified in R5 may be considered where it can be demonstrated that:

- a) there is sufficient capacity in the infrastructure, including services and the local and arterial road network
- b) in precinct C, a maximum of 50% of blocks to be less than 500m², of which a maximum of 15% of blocks are to be less than 250m².

#### 3. View corridors

R6

There is no applicable rule.

C6

Block layout in precinct A ensures a minimum of four 'view corridors' from both sides of Lake Ginninderra to Reservoir Hill, and maximises northern orientation and solar access.

#### 4. Open space

Note: Precincts referred to in this part are landscape precincts shown on Figure 5.

R7

Open space is provided in accordance with Figure 2 and Figure 4.

C7

Open space is provided with the following characteristics:

- neighbourhood parks with a minimum dimension of 50 metres within 400 metres of 90% of dwellings
- d) linear parks in street verges
- e) located on generally level land, excluding the slopes of Reservoir Hill
- f) an appropriate interface with adjacent land uses that enhances amenity and surveillance of spaces
- g) accessible
- h) in accordance with the principles for

#### Public consultation version

	landscape precincts (refer to C12-21).
R8	C8
There is no applicable rule.	Edge roads with address frontage, street trees and indented on-street car parking are provided adjacent to areas of open space to maximise passive surveillance of open space including:
	a) main water quality control pond at the confluence of College Creek and Lake Ginninderra
	b) along College Creek and chain-of-ponds
	c) 30 metre wide grasslands buffer in Lawson south along the northern boundary
	d) Reservoir Hill
	e) along Baldwin Drive and Ginninderra Drive.
R9	C9
Lake Ginninderra eastern foreshore ( <b>Figure 5</b> - precinct 1) has the following characteristics:	Lake Ginninderra eastern foreshore ( <b>Figure 5</b> - precinct 1) has the following characteristics:
<ul> <li>d) minimum 80 metre wide corridor between the lake foreshore edge and leased block boundaries</li> <li>e) minimum 30 metre wide landscape buffer from the lake foreshore edge.</li> </ul>	a) a setback from the lake foreshore edge that ensures leased block boundaries are not within the open space PRZ1 zone, and are above the 100 year flood level of College Creek and Lake Ginninderra
nom the lake loreshore edge.	b) a landscape buffer that ensures retention of existing forward plantings
	c) continuous pedestrian/cycleway
	d) seating to take advantage of water views and shade from plantings
	e) access to the water for canoes and kayaks
	f) existing plantings retained where possible
	g) water quality control pond at the confluence of College Creek and Lake Ginninderra, with a boardwalk over the pond, and recreational area and mixed use development on the south side to maximise northern orientation and water views
	h) predominantly native plantings with exotic tree cover restricted to more developed spaces near the mixed use development and water quality control pond.
R10	C10
There is no applicable rule.	Lake Ginninderra western foreshore ( <b>Figure 5</b> - precinct 1) has the following characteristics:
	a) minimum 30 metre wide landscape buffer from the lake foreshore with native planting

	b) continuous pedestrian/cycleway
	c) incidental seating at rest points
	d) provision for pedestrian, cycle and vehicular access to the lake.
R11	C11
There is no applicable rule.	College Creek corridor ( <b>Figure 5</b> - precinct 2) has the following characteristics:
	a) spaces for active and passive recreation, informal seating areas and opportunities for community gardens
	b) primarily native landscaping, with deciduous planting at nodes such as play spaces
	c) measures to enhance stormwater flows and improve water quality and landscape amenity, including a chain-of-ponds.
R12	C12
There is no applicable rule.	The historic windbreak ( <b>Figure 5</b> - precinct 3) is retained with an ongoing management strategy for replacement plantings to ensure public safety, with species selection in accordance with requirements of TaMS.
R13	C13
There is no applicable rule.	Reservoir Hill ( <b>Figure 5</b> - precinct 4) has the following characteristics:
	a) retains views out of Lawson south
	b) predominantly open character with plantings of local eucalypt species
	c) footpaths connect to University of Canberra and College Creek corridor, and via the historic windbreak to the eastern part of the Commonwealth land.
R14	C14
The boundary of Lawson south with the Commonwealth land ( <b>Figure 5</b> - precinct 5) has the following characteristics:	The boundary of Lawson south with the Commonwealth land ( <b>Figure 5</b> - precinct 5) has the following characteristics:
a) 30 metre wide grasslands buffer within     Lawson south along the boundary with the     Commonwealth land	a) no tree planting in the 30m wide grasslands buffer, but include native grass species in the buffer using seed collected from the
b) the buffer is to extend along the entire length of the boundary if the Commonwealth land is	natural temperate grasslands on the Commonwealth land
not developed; or extend along the western part of the boundary, and not the eastern part of the boundary, if the Commonwealth land is	b) edge road in Lawson south located outside the buffer, excluding one 2.5 metre wide grassland verge, with footpaths located on

developed.	the residential side of the edge road
	c) a boundary fence is to be provided to the satisfaction of the Territory that will restrict public access to Commonwealth land.
R15	C15
There is no applicable rule.	Ginninderra Drive edge treatment ( <b>Figure 5</b> - precinct 6) has the following characteristics:
	a) minimum 10 metre and maximum 20 metre     wide landscape buffer
	b) additional native planting consistent with existing forward planting species, particularly where housing faces Ginninderra Drive, to include canopy trees and with a shrub layer varying in height up to 5 metres
	c) plantings at Aikman Drive intersection to include large deciduous trees, such as Plantanus species backed by native tree plantings, to highlight the entry to Lawson south
	d) plantings at collector road in Lawson south opposite Allawoona Street to continue the theme from University of Canberra
	e) transmission line easement if required.
R16	C16
There is no applicable rule.	Baldwin Drive edge treatment ( <b>Figure 5</b> - precinct 7) has the following characteristics:
	a) minimum 8 metre and maximum 12 metre     wide landscape buffer
	b) edge planting to be mainly native trees with minimal understorey planting of native shrubs to provide screening to adjacent residents along Baldwin Drive, with an emphasis on Ginninderra Drive intersection
	c) continue the existing theme of rows of local eucalypt species in dryland grass
	d) planting of native shrubs to be broken up to avoid a continuous strip.
R17	C17
There is no applicable rule.	The travelling stock route (Figure 5 -
	precinct 8) is retained with an ongoing management strategy for existing plantings and supplementary planting where required.
R18	management strategy for existing plantings

R19 Landscape master plan includes provision for the planting of Wallaby Grass and other native herbaceous species recorded on Commonwealth land in Lawson north in public open space and road reservations.	substation ( <b>Figure 5</b> - precinct 9) with landscaping and/or built form is in accordance with a design concept prepared by a suitably qualified person and endorsed by ACTPLA.  C19  This is a mandatory requirement. There is no applicable criterion.
5. Shared paths	C20
There is no applicable rule.	A shared paths network is provided generally in accordance with <b>Figure 6</b> that:
	provides for continuous links around Lake     Ginninderra foreshore, along both sides of     College Creek, and to and around     Reservoir Hill
	b) links to:
	<ul> <li>i. the future pedestrian/cycle bridge over Ginninderra Drive from the University of Canberra</li> </ul>
	ii. potential future development on Commonwealth land in Lawson north
	<ul><li>iii. a future pedestrian/cycle bridge across the northern part of Lake Ginninderra (adjacent to the Lawson south boundary)</li></ul>
	iv. existing shared paths in Kaleen
	v. incorporates bicycle racks throughout the suburb adjacent to shared paths at key nodes, particularly at the community facilities site, key open spaces and the mixed use zone in precinct A.
6. Road network	
R21	C21
Road network consistent with <b>Figure 2</b> and <b>Figure 7</b> provides:	This is a mandatory requirement. There is no applicable criterion.
measures to prevent pedestrian access     across Baldwin Drive to Kaleen, except at     the proposed traffic lights	
b) vehicle access points to Lawson south only at the upgraded signalised intersections with:	
i. Baldwin Drive	

ii. Ginninderra Drive (opposite Aikman Drive)	
iii. Ginninderra Drive (opposite Allawoona Street).	
R22	C22
No direct vehicular access to residential blocks fronting the proposed collector road between Ginninderra Drive and College Creek.	This is a mandatory requirement. There is no applicable criterion.
R23	C23
There is no applicable rule.	A bus stop is centrally located close to mixed use CZ5 commercial development.
7. Stormwater	
R24	C24
Stormwater quality control ponds are provided as indicated on <b>Figure 2</b> for the purpose of stormwater management.	Water quality control ponds are located to create high quality urban amenity, habitat and biodiversity of the waterway, and to not endanger public safety.
R25	C25
A main stormwater quality control pond is provided at the confluence of College Creek and Lake Ginninderra for the purpose of stormwater management, as shown indicatively in <b>Figure 2</b> .	A water quality control pond is provided to form a key visual/recreational feature for Lawson south, landscaped as public parkland, with waterside promenades, boardwalk, adjacent mixed use development, picnic areas, playgrounds and cycle path connections.
R26	C26
A range of small neighbourhood water quality control ponds are provided along the College Creek corridor and in the north-eastern corner of Lawson south as shown indicatively on <b>Figure 2</b> for the purpose of stormwater management.	This is a mandatory requirement. There is no applicable criterion.
R27	C27
There is no applicable rule.	Stormwater harvesting of flows along College Creek and use of existing reservoir water tanks for collection of stormwater for supplementary use on-site, provided a detailed assessment confirms the suitability of their re-use.
R28	C28
There is no applicable rule.	Collector roads utilise runoff to naturally irrigate median and verge plantings to promote attractive and sustainable landscape.
8. Electrical infrastructure	
R29	C29
No residential block is within 50 metres of the electrical zone substation boundary fence or wall.	This is a mandatory requirement. There is no applicable criterion.

R30	C30
Easement widths for 132 kilovolt (kV) transmission lines associated with the electrical substation are to comply with ActewAGL requirements.	This is a mandatory requirement. There is no applicable criterion.

#### 9. Cat containment

**Note:** 24 hour cat containment measures will apply to all of Lawson south, since it borders the high value conservation area in the Commonwealth land, in accordance with requirements of TaMS.

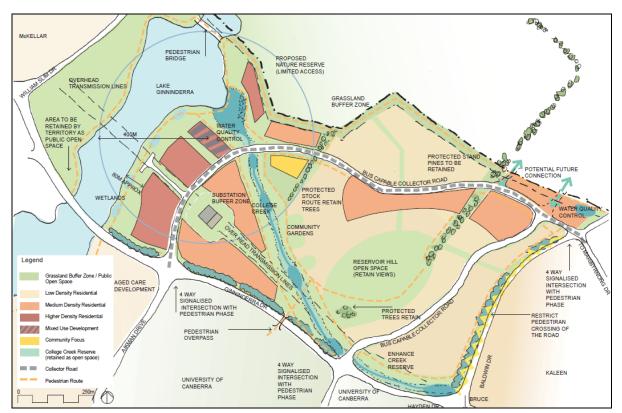


Figure 2: Concept plan



Figure 3: Development precincts

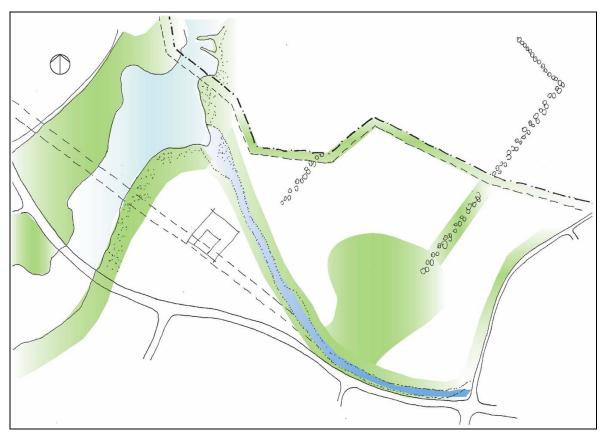


Figure 4: Open space network

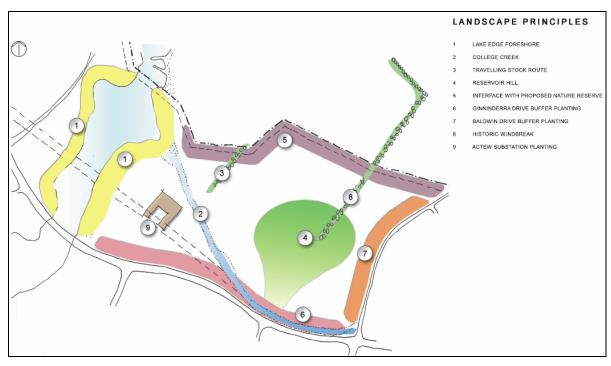


Figure 5: Landscape precincts

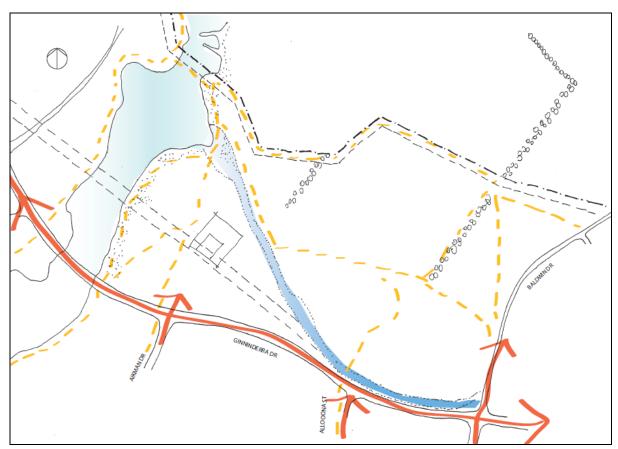


Figure 6: Movement network – pathways

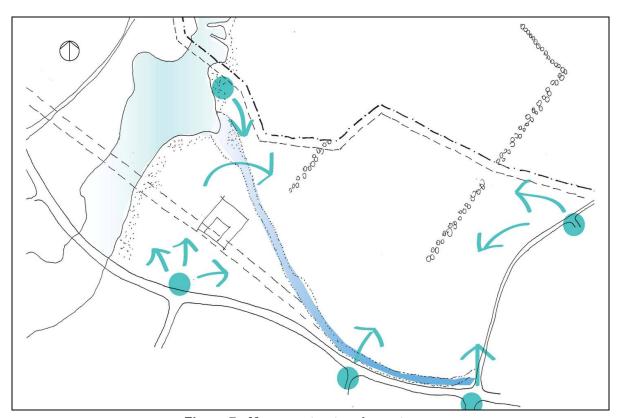


Figure 7: Movement network – gateways

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Part C – Buildings and structures			
Rules	Criteria		
10. Mixed use site			
R31	C31		
Buildings in the commercial mixed use zone (CZ5) in precinct A have the following characteristics:	This is a mandatory requirement. There is no applicable criterion.		
a) minimum building height of three (3) storeys			
b) total maximum gross floor area for commercial uses, over the whole mixed use zone, is 1,500m <sup>2</sup>			
c) maximum gross floor area for a supermarket is 700m², which is part of the 1,500m² maximum gross floor area			
<ul> <li>minimum floor to ceiling height at the ground floor is 3 metres to allow for future commercial use.</li> </ul>			
11. Building heights			
R32 C32			
Building heights do not exceed RL620	This is a mandatory requirement. There is no applicable criterion.		
12. Noise mitigation			
<b>Note:</b> Building structures will meet requirements of the Building Code of Australia, particularly buildings adjacent to Baldwin Drive and Ginninderra Drive.			
13. Affordable housing			
Note: Affordable housing is provided in accordance with ACT Government policy.			