

Australian Capital Territory

# Planning and Development (Plan Variation No. 299) Notice 2010

## Notifiable Instrument NI2010-575

made under the

**Planning and Development Act 2007, section 76(3) Minister's powers in relation to draft plan variations**

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**1 Name of instrument**

This instrument is the *Planning and Development Act 2007 (Plan Variation No. 299) Notice 2010*.

**2 Plan Variation No. 299**

On 12 October 2010, the Minister for Planning approved a draft of the attached plan variation under s 76 (3).

Kelvin Walsh  
Delegate of the Planning and Land Authority

14 October 2010



Planning & Development Act 2007

# Variation to the Territory Plan No. 299

Lawson South - Introduction of a  
Structure Plan, a Concept Plan  
and Zone Changes

October 2010



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# 1. EXPLANATORY STATEMENT

## 1.1 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 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
- 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 developments are proposed in this location close to public transport, Lake Ginninderra, Belconnen Town Centre, the 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 variation to the Territory Plan meets the broad objectives of the Spatial Plan for higher density residential development within a 7.5 kilometre radius of Canberra City centre.

## **1.2 Summary of the Proposal**

This variation changes 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 transport and services zone as the site of the electrical substation.

The variation also introduces 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 constitutes a precinct code under the Territory Plan.

The 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.

## **1.3 The National Capital Plan**

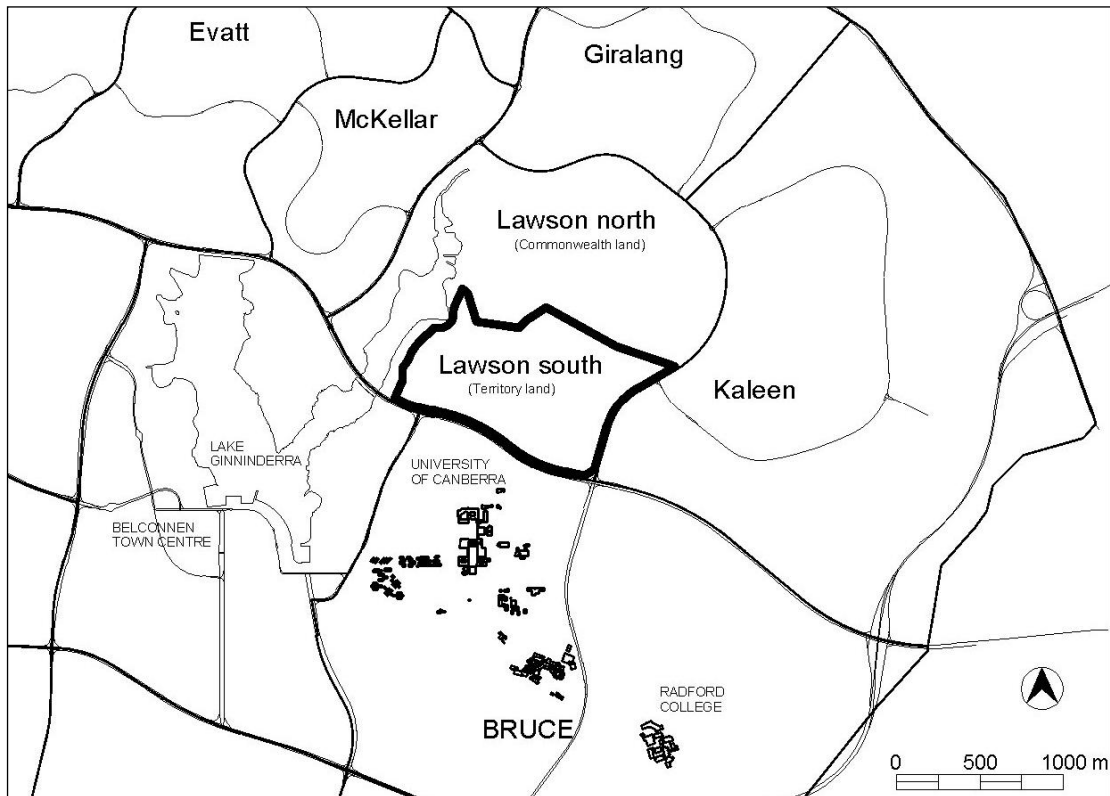
The Australian Capital Territory (Planning and Land Management) Act 1988 established the National Capital Authority with two of its functions being to prepare and administer a National Capital Plan (NCP) and to keep the NCP under constant review and to propose amendments to it when necessary.

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.

In relation to Lawson south the site is identified as 'urban' in the NCP. Additionally, the National Capital Authority has advised that it supports the variation in facilitating urban consolidation and increasing residential densities and supporting mixed use development in a key location. The National Capital Authority also advised that a development control plan is under preparation for Lawson north and that there should be integration and if necessary connectivity between planning for Lawson north and south.

## 1.4 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 under review, and therefore is not included in the area subject to this variation.

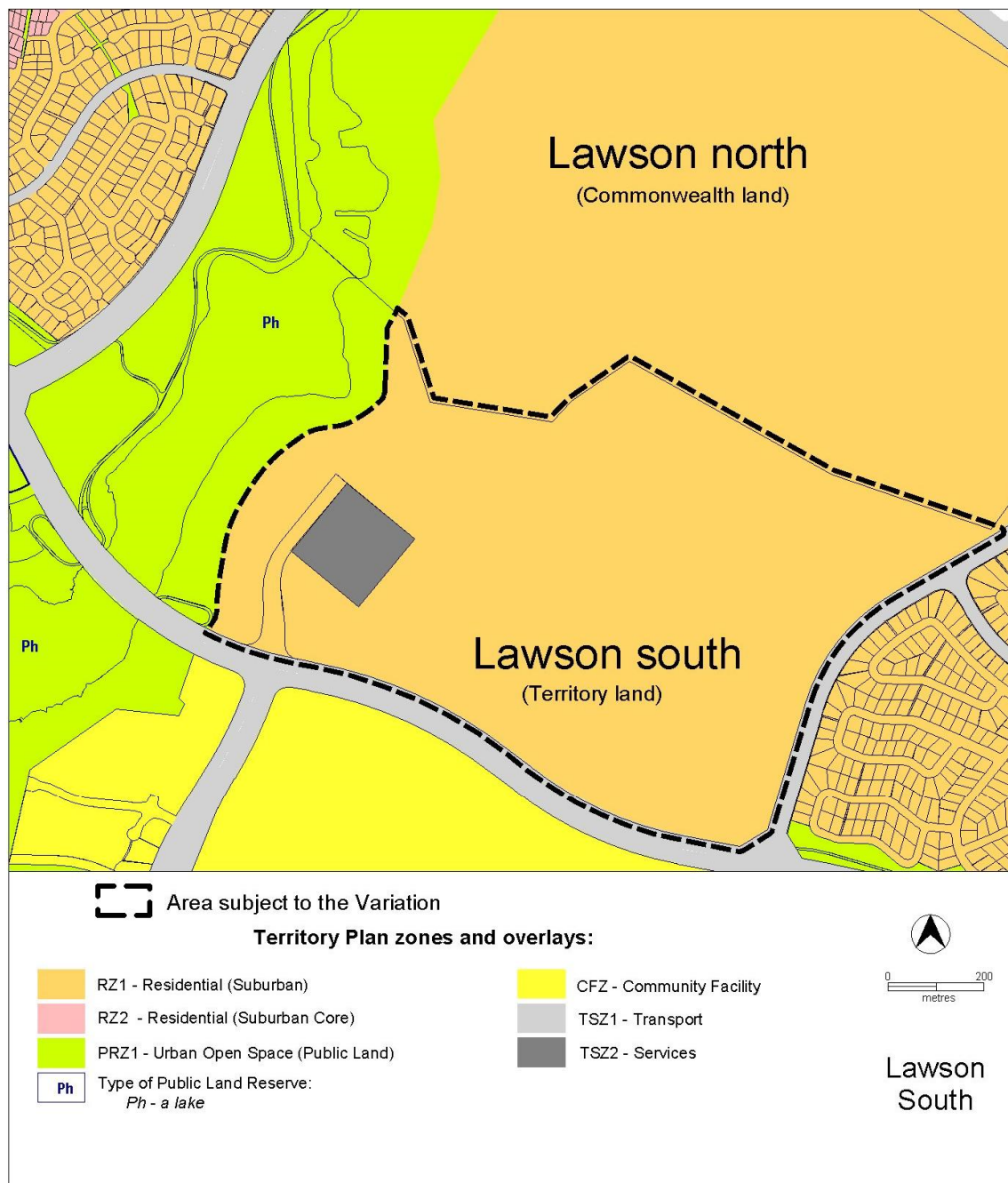


**Figure 1.1 Location of Area Subject to the Variation in District of Belconnen**

## 1.5 Current Territory Plan Provisions

The area subject to the 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 transport and services TSZ2 services.

The changes in this 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 the Variation**

## 1.6 Changes to the Territory Plan

The changes to the Territory Plan Map and Written Statement are detailed in section 2 of this document.

## 1.7 Consultation on the Exhibited Draft Variation

Draft variation number 299 was released for public comment on 16 October 2009 and a consultation notice under section 63 of the *Planning and Development Act 2007* was placed in the ACT Legislation Register on 15 October 2009 and a notice published in the Canberra Times on 17 October 2009.

Written comments were invited by 30 November 2009. A total of 14 submissions were received from the public as a result of the consultation process.

The main issues and concerns raised by submitters related to:

- Support for controls on commercial floor space
- Potential traffic impacts on adjacent arterial roads and intersections
- environmental impacts primarily relating to potential impacts on the grassland habitat and values
- urban form / high density residential development / subdivision design
- pedestrian / cycling routes, linkages and facilities
- interface with University of Canberra
- relationship with Lawson north
- width of Lake Ginninderra foreshore
- location, revegetation (treatment), function and maintenance of open spaces
- potential impacts on views.

These issues were addressed in the report on consultation that was prepared by ACTPLA under s 69 (2) of the *Planning and Development Act 2007*.

## 1.8 Revisions to the Exhibited Draft Variation

After analysis of the public submissions during the draft variation consultation period and comments received from referral agencies a review of the draft variation was undertaken. As a result, changes were made to the draft variation including:

### 1. Changes to structure plan:

- The policies have been renumbered.
- Clause 8 (previously clause 9) of the structure plan has been moved from the environment protection heading to the residential heading as it relates to development.
- Clauses 12, 18 and 22 (previously clauses 13, 17 and 23) of the structure plan have been slightly amended without changing the policy intent of the clauses in response to the editorial review.



- Clause 15 (previously clause 16) of the structure plan has been amended to require appropriate landscaping to clarify the intent.
- Clause 16 (previously clause 17) of the structure plan has been amended to allow the use of the community facilities land to be determined in the future in consultation with the University of Canberra and the local community in response to the University of Canberra submission.
- Clause 17 of the structure plan has been inserted to explore options for a community garden, rather than requiring one as included in the previous version of DV299. This is considered to be a matter for further consideration as part of the detailed design for the estate.
- Clause 20 of the structure plan has been amended to remove the reference for collector roads to be bus capable because it is a requirement of the residential subdivision development code.
- Clause 21 of the structure plan has been inserted to require edge roads to be predominantly located adjacent to areas of open space to ensure passive surveillance. This clause was previously included in the concept plan.
- Previous clause 23 of the structure plan requiring the reconfiguration of the substation block and associated buffer has been removed.

## 2. Changes to the concept plan:

- Desired Planning Outcomes:
  - Desired planning outcome 9e) relating to a child friendly city has been strengthened.
- Part A Land use:
  - The Note: immediately under the Part A heading has been removed. It is no longer relevant.

### Land use

- C1 sub provisions have been amended and renumbered and include all zoning related matters.
- C1 f) includes three original provisions for open space locations as well as two new items C1 f) iv) and v) relating to open space at Reservoir Hill and College Creek and the electrical sub-station respectively.
- C1 g) is a new provision addressing the grassland buffer that has been introduced into the concept plan to clarify its provision.
- C1 Note a) was previously a criterion (C1 g)) relating to the future location of the 132kV powerlines.
- C1 Notes b) to d) are new notes to clarify requirements. Note d) clarifies the situation relating to the electrical substation block.
- C2 is a new criterion which makes provision for an alternative location for mixed use from that identified in Figure 2 in certain

circumstances. This is in response to a review of the provisions and comments from the Land Development Agency as a referral agency (land custodian).

- C3 is a new criterion to clarify and include general provisions for community facilities at an alternative location from that identified in Figure 2 in certain circumstances. This is in response to a review of the provisions and comments from the Land Development Agency as a referral agency (land custodian).
- R4 relating to development within the 1 in 100 year flood line was previously a criterion (previous C9 a)). It is now a mandatory rule in order to strengthen the requirement.
- Part B Subdivision:
  - The note under the Part B heading has been refined for clarity.

#### Dwelling yield

- R6 and C6 (previously R5 and C5) have been refined to reduce repetition between the rule and criterion.
- R6 c) (previously R5 c)) has been amended to ensure the dwelling yield in precinct C of Figure 3 equals the difference between the total dwelling yield and precincts A and B.

#### Block size

- R7 is a new mandatory rule in relation to block sizes less than 500m<sup>2</sup> which was previously included in the rule relating to dwelling yield (previously R5 c)). The maximum number of blocks less than 250m<sup>2</sup> have been increased from 15 % to 20% to provide for greater housing choice and affordability.
- R8 relating to minimum area of community facilities uses was previously R3 and included in Part A. It was moved because it deals with block sizes rather than land use.

#### Width of Lake Ginninderra's foreshore

- R9 is a new mandatory rule has been inserted clarifying the width of the parks and recreation PRZ1 urban open space zone around Lake Ginninderra as per the Territory Plan Map or 80m whichever is the greater. This is in response to a review of the provisions and the public submissions.

#### View and public access corridors

- R10 was previously a criterion (C6) for four view corridors and has now been expanded to include public access in addition to views along these corridors.
- C10 is a new criterion allowing fewer view and public access corridors under certain circumstances. This was in response to the review of the rules and criteria.

## Open space

- A new note (previous R19) has been added under the open space heading which clarifies that landscaping for public open space and road reserves is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services.
- Previous provisions (Previous R7 and C7) relating to open space characteristics have been removed as these provisions are dealt with in the residential subdivision development code.
- The previous provision (previous C8) relating to edge roads has been removed as this matter is dealt with in the residential subdivision development code. The requirement relating to the grassland buffer is now included in R15.
- Previous provisions (previous R9 and C9) relating to Lake Ginninderra eastern foreshore has been incorporated into C11. It now clarifies that any development of this area is required to be consistent with the Territory Plan. The previous rule requirements relating to the width of the foreshore are dealt with through other strengthened provisions in the concept plan (see R9).
- C11 (previously C9 a)) relating to Lake Ginninderra eastern foreshore open space has been amended with the requirements for development in the 1 in 100 year flood line now included in a separate mandatory rule in Part A (R4). It has also been simplified for clarity. A number of previous criteria have been moved into a note which clarifies that landscaping for public open space is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services.
- Previous provision (previous C10) relating to Lake Ginninderra western foreshore has been removed because it is outside the area of the structure pan and concept plan.
- C12 (previous C11) relating to the College Creek corridor and associated open space has been amended such that a number of previous criteria have been moved into a note which clarifies that landscaping for public open space is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services. The note also includes a new item relating to revegetation of the creek in response to comments received.
- C13 (previously C12) relating to the historic wind break has been reworded for clarity.
- C14 (previously C13) relating to Reservoir Hill has been reworded for clarity.
- R15 (previously R14) relating to a 30m wide grassland buffer between Lawson south and Lawson north has been strengthened and is now a mandatory rule. A number of elements of R15 were previously included in a criterion (previously C14).

- R16 and C16 are new provisions requiring the grassland buffer to extend for the entire length of the boundary with Lawson north. However, C16 makes provision for the grassland buffer length to be altered consistent with any development control plan for the Commonwealth land at Lawson north. This is partly in response to comments received from the ACT Conservator of Flora and Fauna and a review of the provisions generally.
- C17 is a new criterion making provision for a water quality control pond within the grassland buffer if necessary. This is in response to comments from the ACT Conservator of Flora and Fauna.
- C18 (previously C15 a)) relating to the Ginninderra Drive edge treatment has been amended to remove the maximum 20m width for the landscape buffer. However, the minimum width remains. A number of previous criteria have been moved into a note which clarifies that landscaping for public open space is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services. This will permit an integrated approach at the detailed design stage.
- C18 b) is a new item relating to noise mitigation measures.
- C19 (previously C16 a)) relating to Baldwin Drive edge treatment has been amended to remove the maximum 12m wide landscaped strip. However, the minimum width remains. A number of previous criteria have been moved into a note which clarifies that landscaping for public open space is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services. This will permit an integrated approach at the detailed design stage.
- C19 b) is a new item relating to noise mitigation measures.
- C20 (previously C17) relating to the travelling stock route has been amended for clarity.
- C21 (previously C18) relating to screening of electrical substation has been amended to replace ACTPLA endorsement with that of ActewAGL.
- Previous mandatory rule R19 relating to a landscape master plan has become a note under the open space heading. It clarifies that landscaping for public open space and road reserves is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services.

### Shared paths

- C22 (previously C20) b) ii) relating to the shared path network has been amended to acknowledge the preparation of the development control plan for Lawson north by the National Capital Authority.
- C22 has also been amended to remove the provision for bike racks at key nodes on the shared path network as this matter is dealt

with through development applications consistent with other Territory Plan and Territory and Municipal Services requirements.

### Road network

- R23 (previously R21) formally included provision for pedestrian access across Baldwin Drive at Kaleen. This has been removed for clarity because this is a matter for the detailed design stage. Additionally an integrated path network is already dealt within in C22 b) iv).
- C25 is a new criterion to minimise cut and fill through subdivision design that responds to slope as a result of the review of the rules and criteria.
- R26 and C26 are a new rule and criterion relating to road connections between Lawson south and north and the preparation of a development control plan by the National Capital Authority is acknowledged.
- C27 (previously C23) relating to bus stops on collector roads has been amended for clarity.

### Stormwater

- R28 and C28 have been strengthened provisions arising from a review of the stormwater provisions which make provision for a stormwater quality control pond in accordance with figure 2, or an alternative location in certain circumstances. It also makes provision for alternative stormwater control measures (other than a pond) where it can be demonstrated that these measures can meet the requirements of the Waterways: Water Sensitive Urban Design General Code.
- C28 includes a note (previously C25) clarifying that landscaping for public open space is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services.
- Former provision (previously C27) relating to stormwater harvesting has been removed as this option is provided for through other Territory Plan requirements.
- C29 is a new criterion arising from a review of the stormwater provisions which makes provision for stormwater quality control measures in the north eastern corner of Lawson south.
- Previous mandatory rule (R26) relating to small neighbourhood ponds has been removed as it is now dealt with through C28 and C29.

### Electrical infrastructure

- R30 relating to a 50m buffer between residential block boundaries and the electrical substation was formerly a mandatory rule (previously R29). It has been reworded for clarity.

- C30 is a new criterion making provision to alter the width of the buffer between residential block boundaries and the electrical substation with the endorsement of ActewAGL.

#### Offsite works

- R32 is a new rule requiring that no utilities or infrastructure for the development of Lawson south traverse the high value conservation grassland in Lawson north. This is in response to comments from the Conservator of Flora and Fauna.
- C32 is a new criterion which permits infrastructure and services to traverse Lawson north only where specifically approved by the Conservator of Flora and Fauna.
- C33 is a new criterion which limits blocks being created where the subsequent dwelling could exceed the height limit established for dwellings in other rules of the code. This criterion reflects the mandatory provisions of R37 to ensure that heights of buildings are taken into account at the subdivision stage in the design of residential blocks.

#### Cat containment

- Cat containment note: minor rewording for clarity.

#### Figures

- Figure 2 has been amended to identify that the grassland buffer applies to the entire length of the boundary with Lawson north.
- The previous figure relating to the open space network has been removed.
- Figure 5 shared path network has been extended along Ginninderra Drive and includes the movement networks that were previously on a separate figure.
- The previous figure relating to the movement networks has been removed.
- Part C Buildings and Structures

#### Mixed use site

- R34 is a new mandatory rule arising from a review of the mixed use site provisions, but it reflects a previous mandatory rule requiring minimum building heights in commercial mixed use areas of precinct A.
- R35 is a new provision arising from the review of the mixed use site provisions in which the maximum gross floor area for a supermarket is no longer mandated.
- C35 is a new criterion arising from a review of the provisions to allow potential to increase the size of commercial uses and is in response to the ACT government's recently announced policies to encourage greater supermarket competition.

- C36 is a new criterion arising from the review of the mixed use site provisions in which provisions relating to floor to ceiling heights for ground floor levels were previously part of a mandatory rule.
- R37 is a mandatory rule that has been expanded (previously R32) to allow the maximum height limit for any buildings between east of the historic windbreak and south east of Reservoir Hill to increase to RL625 from RL620. This gives the option for two (2) storey development. With an RL620, buildings would have been required to be single storey and set back a considerable distance from Reservoir Hill than was anticipated in the planning study, due to the topography on the eastern side of Reservoir Hill. No change to the maximum building height limit of RL620 on the western side of Reservoir Hill has been made. Nor has there been any change to the requirement that land above RL620 is to be included in an urban open space zone. It should be noted that the top of Reservoir Hill is RL638.
- Previous notes 12 and 13 relating to noise mitigation and housing affordability have been removed because these matters are dealt with in other relevant development codes contained within the Territory Plan.

### 3. Changes to the proposed zoning on the Territory Plan map

- Figure 2.1 of DV299 has been amended in relation to the grassland buffer, within Lawson south adjacent to Lawson north to be non urban NUZ3 hills, ridges and buffer zone along the entire boundary with Lawson north in response to comments received by the ACT Conservator of Flora and Fauna.

The following revisions were made to the draft variation following the release of the Standing Committee on Planning, Public Works and Territory and Municipal Services Report No. 6.

#### 1. Changes to the Structure Plan

- Amending Clause 17 to require opportunities for community gardens is part of the design.

#### 2. Changes to the Concept Plan

- Amending Rule R35 and Criteria C35 to introduce a maximum size on a future supermarket within the commercial CZ5 mixed use zone in Lawson South.

## 1.9 Interim Effect

Section 72 applies in relation to the draft plan variation.

The variation has interim effect from **14 May 2010** to **13 May 2011** or until the end of the “defined period”, whichever is shorter. Under the *Planning and Development Act 2007*, section 72(3) “defined period” for a draft plan variation means the period -

- (a) starting on the day (the **notification day**) when the draft plan variation given to the Minister is notified under the Legislation Act (see s70); and
- (b) ending on the earliest of the following days:
  - (i) the day the corresponding plan variation, or part of it, commences;
  - (ii) the day the corresponding plan variation is rejected by the Legislative Assembly;
  - (iii) the day the corresponding plan variation is withdrawn in accordance with a requirement under section 76(3) (b) (v) or section 84 (3) (b);
  - (iv) the period of 1 year after notification day ends.

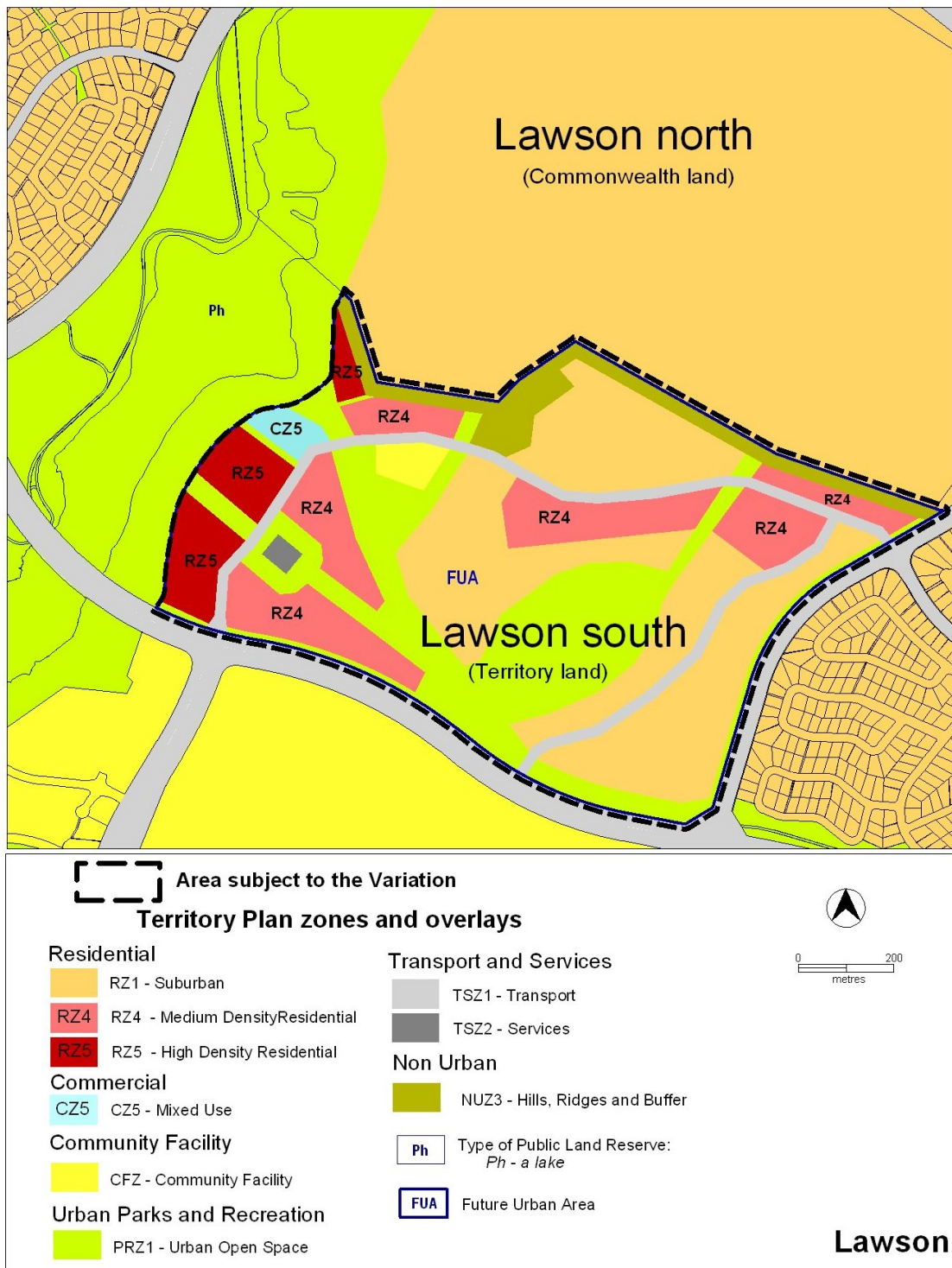
The Territory, the Executive, a Minister or a territory authority must not, during the defined period, do or approve the doing of anything that would be inconsistent with the territory plan if it were varied in accordance with the draft plan variation.



## 2. VARIATION

### 2.1 Variation to the Territory Plan Map

The Territory Plan map is varied as indicated in Figure 2.1. This map indicates the land use zone boundaries as accurately as possible, but may be subject to adjustment following detailed design.



**Figure 2.1 Territory Plan Map for Area Subject to Variation**

## 2.2 Variation to the Territory Plan Written Statement

The Territory Plan is varied:

<b>1. At Structure Plans, after 'Molonglo and North Weston'</b>
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*Insert a new section*

**Lawson South Structure Plan** as shown at Appendix A of this variation.

<b>2. At Concept Plans, Precinct Codes for Section 93 of the Planning and Development Act 2007, after 'Coombs and Wright'</b>
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*Insert a new section*

**Lawson South Concept Plan** as shown at Appendix B of this variation.

## Interpretation service

ENGLISH	If you need interpreting help, telephone:
ARABIC	إذا احتجت لمساعدة في الترجمة الشفوية، إتصل برقم الهاتف:
CHINESE	如果你需要传译员的帮助，请打电话:
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajjnuna t'interpretu, óempel:
PERSIAN	اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
PORTUGUESE	Se você precisar da ajuda de um intérprete, telefone:
SERBIAN	Ako vam je potrebna pomoć prevodioca telefoniрајте:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacımız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

### TRANSLATING AND INTERPRETING SERVICE

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# **Lawson South Structure Plan**

## 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*.

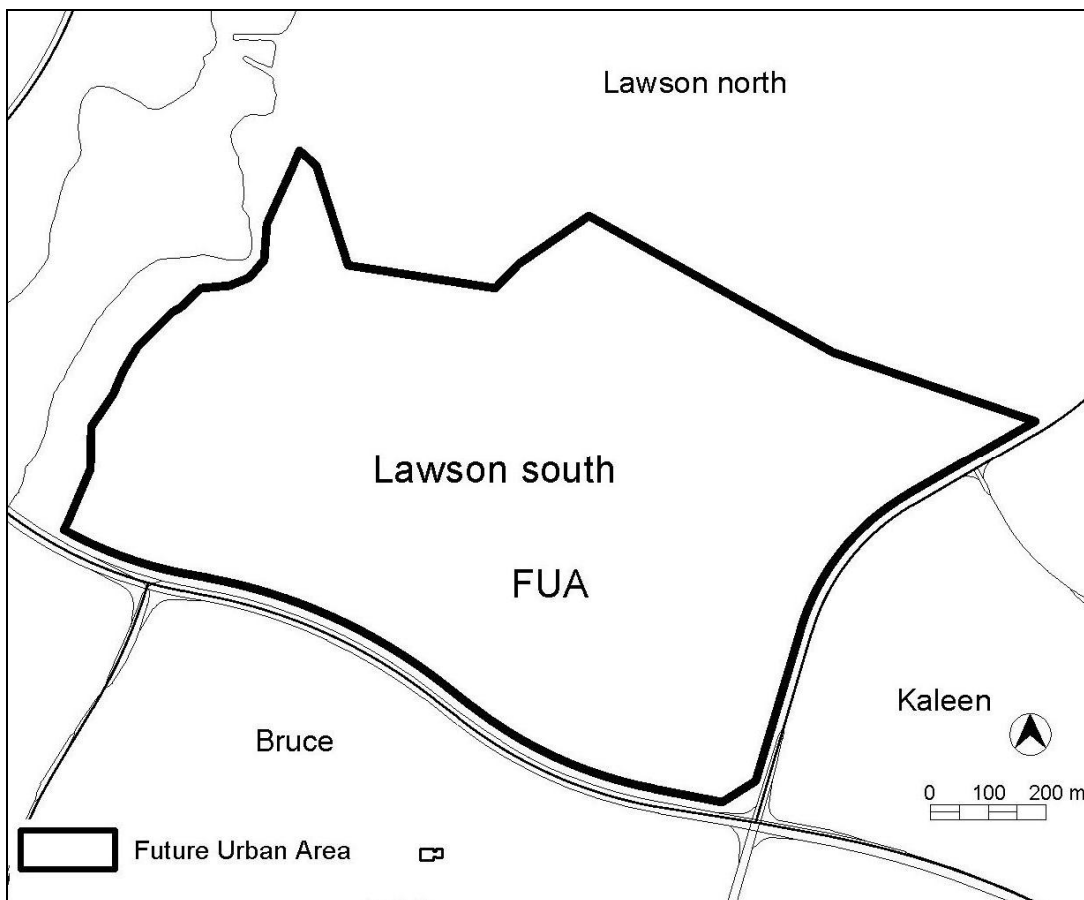
A concept plan for Lawson south, which is deemed to be a precinct code under the *Planning and Development Act 2007*, was prepared for the area subject to this structure plan.

## 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**

1. 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 2007* 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.
2. 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**

3. 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**

4. Important hills and ridgelines, including Reservoir Hill, are to be generally excluded from development.
5. Leading practice bushfire risk management is to be implemented in all stages of planning.
6. 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.
7. Buffers for bushfire protection and to protect ecological values are to be provided in Lawson south along the northern boundary.

##### **5.4 Residential**

8. In subdivision design, larger blocks will generally be situated on steeper land.
9. Zones will be allocated in a variation to the Territory Plan under s96 of the *Planning and Development Act 2007*.

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

### **5.5 Commercial and retail centres**

12. A mixed use local centre is to be provided as a focus for commercial and retail uses to service the local community. Uses may include a convenience store, cafes, restaurants and a range of other low key commercial and business services at ground floor level, with residential development on the upper floors.

### **5.6 Open space and recreation**

13. The provision for open space for active recreation will generally accord with the relevant Territory guidelines.
14. 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 where possible.
15. Major passive open space areas are to be provided in conjunction with waterways and prominent hills, including Lake Ginninderra, College Creek and Reservoir Hill. These areas are to be appropriately landscaped.

### **5.7 Community facilities**

16. Community facilities are to be co-located in a community focal point along the main collector road with opportunities to accommodate uses such as childcare facilities, medical centre, and multi-purpose community hall. The actual use of the land will be determined in the future, in consultation with the University of Canberra and local community.
17. The design of open space and community facilities will retain opportunities for community gardens.

### **5.8 Stormwater management**

18. Stormwater management measures will control stormwater run-off from urban development and to improve the water quality of 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 (south), with a second collector road from Allawoona Street to the main collector road.
21. Edge roads are to be predominately located adjacent to areas of open space to ensure passive surveillance.
22. Shared cycle/pedestrian paths will provide access to key features in Lawson south and connect to existing paths in surrounding areas including the University of Canberra and lake foreshore.

#### **5.10 Infrastructure**

23. Provision will be made for the construction of infrastructure including roads, sewerage, water, electricity, gas and telecommunications.
24. 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 development and the necessary easements will be applied to the new alignment.





# **Lawson South Concept Plan**

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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.

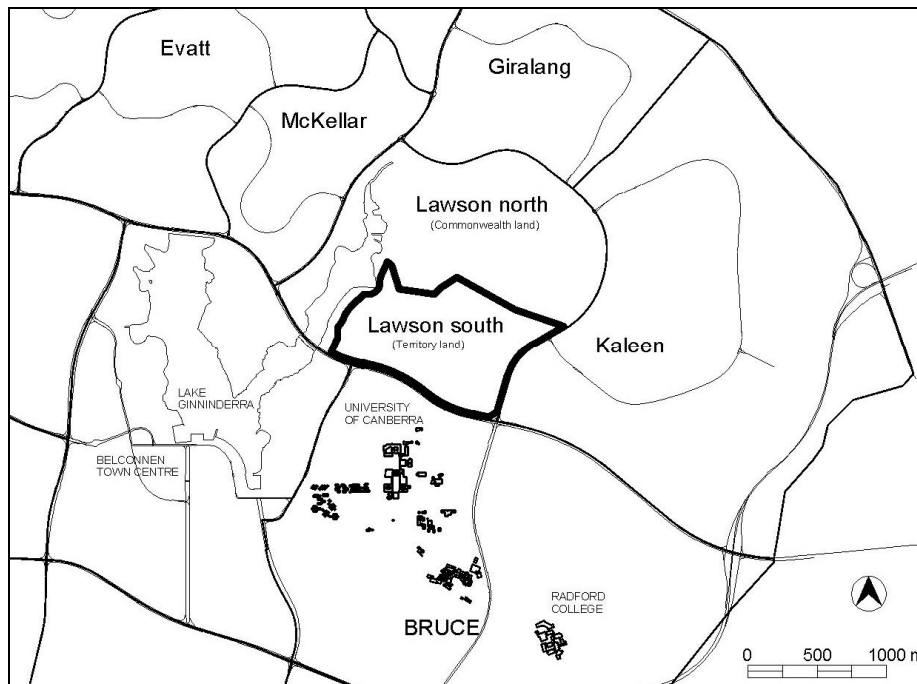
## Application

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” is contained in the rule column. 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.



**Figure 1: Location of Lawson south in district of Belconnen**

## 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
- c. 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
- b. 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 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
- l. 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
- p. 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

Rules	Criteria
<p>1. <b>Land use plan</b></p>	
<p><b>R1</b> 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 area overlay.</p>	<p><b>C1</b> The land use plan submitted with an EDP is generally in accordance with Figure 2 for all of the following zones:</p> <ul style="list-style-type: none"> <li>a) high density, being RZ5 high density residential zone</li> <li>b) mixed use, being commercial CZ5 mixed use zone, located adjacent to the collector road</li> <li>c) medium density, being RZ4 medium density residential zone, located adjacent to the collector roads</li> <li>d) community facility, being community facility zone, located adjacent to the collector road.</li> <li>e) low density, being residential RZ1 suburban zone</li> <li>f) open space, being parks and recreation PRZ1 urban open space zone, including all of the following: <ul style="list-style-type: none"> <li>i) the stands of trees on the southern slopes of Reservoir Hill indicated in Figure 2</li> <li>ii) the historic windbreak indicated in Figure 2 as 'protected stand pines to be retained'</li> <li>iii) travelling stock route and adjoining trees indicated in Figure 2</li> <li>iv) the upper slopes of Reservoir Hill and areas along College Creek indicated in Figures 2</li> <li>v) around the electrical zone substation indicated in Figure 2.</li> </ul> </li> <li>g) the grassland buffer zone, being non urban NUZ3 hills ridges and buffer zone adjacent to the northern boundary of Lawson south.</li> </ul> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>a) If the 132kV overhead transmission lines</li> </ul>

Rules	Criteria
	<p>are relocated, the current easement will be available for development consistent with the zoning of the adjacent land, if required.</p> <p>b) The parks and recreation PRZ1 urban open space zone around Lake Ginninderra is not subject to Future Urban Areas overlay provisions of the Territory Plan.</p> <p>c) The width of the parks and recreation PRZ1 urban open space zone around Lake Ginninderra is that indicated in the Territory Plan map or a minimum of 80m which ever is greater (refer to R9).</p> <p>d) Block 1 Section 5 Lawson is leased land that accommodates the Belconnen Zone Substation. As the block is subject to Future Urban Area provisions, if the block boundaries are renegotiated with the agreement of the lessee, any land outside the revised boundary would be available for uses consistent with the adjacent zoning. This can be implemented via a technical amendment to the Territory Plan prior to the removal of the Future Urban Area or as a Territory Plan variation after the Future Urban Area is removed.</p>
<p>There is no applicable rule.</p>	<p>C2</p> <p>Mixed use, being commercial CZ5 mixed use zone may be considered in an alternative location to that indicated in Figure 2 between the collector road and lake foreshore where it can be demonstrated that:</p> <p>a) the location and setting provides for high amenity and walkability</p> <p>b) provides opportunities for overlooking and interaction with the adjacent lake foreshore</p> <p>c) is located adjacent to the collector road</p> <p>d) there is no detrimental effect on adjacent and future residential areas.</p>
<p>There is no applicable rule.</p>	<p>C3</p> <p>The community facilities zone may be considered in an alternative location to that indicated in Figure 2 where it can be demonstrated that the location is:</p> <p>a) in close proximity to the commercial CZ5 mixed use site</p> <p>b) adjacent to the collector road</p> <p>c) there is no detrimental effect on adjacent</p>

Rules	Criteria
	and future residential areas.
<p>R4 Leased land for the purposes of residential and commercial uses is to be located above the 1-in-100 year flood level of College Creek and Lake Ginninderra.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R5 Land above the RL620 contour is to be designated as parks and recreation PRZ1 urban open space zone.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>



## Part B – Subdivision

**Note:** This part should be read in conjunction with other relevant codes.

Rules	Criteria
<b>2. Dwelling yield</b>	
<b>Note:</b> Precincts referred to in this part are development precincts shown on <b>Figure 3</b> .	
<p>R6 The estate provides a range of housing types, densities and block sizes with a maximum total dwelling yield of 1850 in accordance with Figure 3, and all of the following:</p> <ul style="list-style-type: none"> <li>a) in Precinct A, dwelling yield is between 350 and 550</li> <li>b) in Precinct B, dwelling yield is between 400 and 600</li> <li>c) in precinct C, the maximum dwelling yield is the maximum total dwelling yield of the estate less the dwelling yield proposed in Precincts A and B.</li> </ul>	<p>C6 A greater dwelling yield than that specified may be considered where all of the following can be demonstrated:</p> <ul style="list-style-type: none"> <li>a) that there is sufficient capacity in the infrastructure, services and the local and arterial road networks</li> <li>b) that a range of dwelling types and densities are provided to accommodate varying lifestyle, housing needs and choice to cater for changing demographics and improving housing affordability.</li> </ul>
<b>3. Block size</b>	
<p>R7 In relation to residential RZ1 suburban zone all of the following block sizes are achieved:</p> <ul style="list-style-type: none"> <li>a) a maximum of 50% of blocks are to be less than 500m<sup>2</sup></li> <li>b) of the blocks in a) above a maximum of 20% are less than 250m<sup>2</sup>.</li> </ul>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R8 A minimum of one (1) hectare is provided with a community facility zone for community use.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>4. Width of Lake Ginninderra's foreshore</b>	
<p>R9 The width of the parks and recreation PRZ1 urban open space zone around Lake Ginninderra is that indicated in the Territory Plan map or a minimum of 80m which ever is greater.  Note: the parks and recreation PRZ1 urban open space zone around Lake Ginninderra is not subject to Future Urban Area provisions of the Territory Plan.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>5. View and public access corridors</b>	
<p>R10 The subdivision layout of Figure 3 - Precinct A</p>	<p>C10 The number of view and public access</p>

Rules	Criteria
<p>ensures a minimum of four view and public access corridors between developments to provide physical connection to Lake Ginninderra and to maintain views between Lake Ginninderra and Reservoir Hill in which the view and public access corridors are to comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) be unleased Territory Land</li> <li>b) provide pedestrian access and/or</li> <li>c) provide vehicular access to adjacent development and to the foreshore of Lake Ginninderra.</li> </ul>	<p>corridors may be reviewed to a minimum of three (3) corridors where all of the following can be demonstrated:</p> <ul style="list-style-type: none"> <li>d) pedestrian and vehicular access is optimised between development indicated in Figure 3 – Precinct A towards the lake’s foreshore</li> <li>e) opportunities for views between Lake Ginninderra and Reservoir Hill are incorporated into the subdivision layout</li> <li>f) the subdivision of the land along the collector road within Figure 3 – Precinct A avoids a continuous built form</li> <li>g) the subdivision layout optimises northern orientation and solar access for development within Figure 3 – Precinct A</li> <li>h) the land is unleased Territory land</li> <li>i) the subdivision seeks to ensure public safety and amenity through the relevant provisions of the Crime Prevention Through Environmental Design General Code.</li> </ul>
<p><b>6. Open space</b></p>	
<p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>a) Precincts referred to in this part are landscape precincts shown on Figure 4</li> <li>b) Landscaping for public open space and road reservations is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services and will include: <ul style="list-style-type: none"> <li>i) predominately native species to promote environmental continuity with Lawson north</li> <li>ii) planting is to include Wallaby Grass and other native herbaceous species recorded on the Commonwealth land together with local tree species.</li> </ul> </li> </ul>	
<p>There is no applicable rule.</p>	<p>C11</p> <p>Lake Ginninderra eastern foreshore (Figure 4 - Precinct 1) is consistent with the parks and recreation PRZ1 urban open space zone and is to be developed with all of the following characteristics:</p> <ul style="list-style-type: none"> <li>a) a continuous pedestrian / cycle path</li> <li>b) access to the water for canoes and kayaks</li> <li>c) water quality control pond, as required.</li> </ul> <p>Note: Landscaping for public open space is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services and will include:</p>

Rules	Criteria
	<ul style="list-style-type: none"> <li>a) a landscaped open space setting predominately comprising native trees through retention of existing trees (where possible) and new planting</li> <li>b) a landscaped open space setting include multiple rows of trees</li> <li>d) rest areas with seating to take advantage of water views and shade from plantings.</li> </ul>
<p>There is no applicable rule.</p>	<p>C12</p> <p>The College Creek corridor (Figure 4 - Precinct 2) contains measures to manage and improve stormwater quality.</p> <p>Note: Landscaping for public open space is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services and will include all of the following:</p> <ul style="list-style-type: none"> <li>a) spaces for active and passive recreation, informal seating areas and opportunities for community gardens</li> <li>b) a predominately native landscaping, with deciduous planting at nodes such as play spaces</li> <li>c) revegetation of the creek with appropriate riparian species to improve habitat values.</li> </ul>
<p>There is no applicable rule.</p>	<p>C13</p> <p>A management and replanting strategy is prepared and implemented for the historic windbreak (Figure 4 - Precinct 3) to ensure its public safety and longevity, to the satisfaction of Territory and Municipal Services.</p>
<p>There is no applicable rule.</p>	<p>C14</p> <p>Reservoir Hill (Figure 4 - Precinct 4) has all of the following characteristics:</p> <ul style="list-style-type: none"> <li>a) retains views from Lawson south including towards University Hill which is located within the University of Canberra campus</li> <li>b) footpaths connect to University of Canberra and College Creek corridor, and via the historic windbreak to the eastern part of the Commonwealth land.</li> </ul> <p>Note: Landscaping for public open space is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services and will consist of a</p>

Rules	Criteria
	predominantly open character with plantings of local eucalypt species.
<p>R15</p> <p>A 30m wide grasslands buffer is to be provided along the northern boundary with Lawson north (the Commonwealth land) as shown in Figure 2 and Figure 4 – Precinct 5 and comprises all of the following:</p> <ul style="list-style-type: none"> <li>a) the edge road’s pavement is to be located outside the buffer</li> <li>b) footpaths are to be located outside the buffer</li> <li>c) a fence between Lawson south and the Lawson north (Commonwealth land) is to be provided to the satisfaction of Territory and Municipal Services that will restrict public access to the high value grasslands on Lawson north.</li> </ul> <p><b>Note:</b> Landscaping for public open space and road reservations is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services and will include all of the following:</p> <ul style="list-style-type: none"> <li>a) no new trees are to be planting within the buffer</li> <li>b) the buffer is to be planted with native grass species using seed collected from the natural temperate grasslands on the Commonwealth land or from the local area.</li> </ul>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R16</p> <p>The grasslands buffer identified in Figure 2 and Figure 4 – Precinct 5 is to extend along the entire length of the boundary with the Lawson north (Commonwealth land).</p>	<p>C16</p> <p>The length of the grassland buffer to protect the adjacent high value grasslands referred to in R15 may be reduced to be consistent with the outcomes of any Development Control Plan over the Commonwealth land, approved by the National Capital Authority.</p>
<p>There is no applicable rule.</p>	<p>C17</p> <p>A water quality control measure to service the north eastern stormwater catchment may be located within the grassland buffer to the satisfaction of Territory and Municipal Services.</p>
<p>There is no applicable rule.</p>	<p>C18</p> <p>Ginninderra Drive edge treatment (Figure 4 - Precinct 6) has all of the following characteristics:</p>

Rules	Criteria
	<p>a) minimum 10metre wide landscape buffer</p> <p>b) necessary noise mitigation measures are to be incorporated into the landscape buffer where possible</p> <p>c) transmission line easement if required.</p> <p><b>Note:</b> Landscaping for public open space and road reservations is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services. It will include all of the following:</p> <p>a) additional native planting consistent with existing forward planting species, particularly where housing faces Ginninderra Drive, to provide a landscape of varying heights</p> <p>b) 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</p> <p>c) plantings at collector road in Lawson south opposite Allawoona Street to continue the theme from University of Canberra.</p>
<p>There is no applicable rule.</p>	<p>C19</p> <p>Baldwin Drive edge treatment (Figure 4 - Precinct 7) has all of the following characteristics:</p> <p>a) minimum 8m wide landscape buffer</p> <p>b) necessary noise mitigation measures are to be incorporated into the landscape buffer where possible.</p> <p><b>Note:</b> Landscaping for public open space and road reservations is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services and will include all of the following:</p> <p>a) edge planting to be mainly native trees and shrubs to provide screening to adjacent residents along Baldwin Drive, with an emphasis on Ginninderra Drive intersection</p> <p>b) continue the existing theme of rows of local eucalypt species in dryland grass.</p> <p>c) planting of native shrubs to be broken up to avoid a continuous strip.</p>

Rules	Criteria
There is no applicable rule.	C20 The travelling stock route (Figure 4 - Precinct 8) is maintained with an ongoing management strategy for existing plantings and supplementary planting where required to the satisfaction of Territory and Municipal Services.
There is no applicable rule.	C21 Screening of the existing electrical zone substation (Figure 4 - Precinct 9) through landscaping and/or built form is required to the satisfaction of ActewAGL.
<b>7. Shared paths</b>	
There is no applicable rule.	C22 A shared paths network is provided generally in accordance with Figure 5 that provides for all of the following: a) continuous links around Lake Ginninderra foreshore, along both sides of College Creek and connection over, to and around Reservoir Hill b) links to: i) the future pedestrian/cycle bridge over Ginninderra Drive to the University of Canberra ii) any future development in Lawson north consistent with any Development Control Plan for the Commonwealth land approved by the National Capital Authority iii) any future pedestrian/cycle bridge across the northern part of Lake Ginninderra (adjacent to the Lawson south boundary) iv) existing shared paths in Kaleen.
<b>8. Road network</b>	
R23 The collector road connections into Lawson south with the adjacent arterial road network are to be consistent with Figure 2 through upgraded intersections with all of the following: a) Baldwin Drive and Maribyrnong Avenue b) Ginninderra Drive and Aikman Drive c) Ginninderra Drive and Allawoona Street.	This is a mandatory requirement. There is no applicable criterion.

Rules	Criteria
<p>R24 No direct vehicular access including driveways is permitted to residential blocks fronting the collector road between Ginninderra Drive and College Creek.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C25 The subdivision and road layout responds to the topography, particularly around the slopes of Reservoir Hill, and does not lead to excessive cut and fill.</p>
<p>R26 No direct road connection is to be provided between Lawson south and Lawson north, being Commonwealth land.</p>	<p>C26 A road connection between Lawson south and Lawson north may be considered where it is consistent with the outcomes of any Development Control Plan for Commonwealth land, approved by the National Capital Authority.</p>
<p>There is no applicable rule.</p>	<p>C27 Provision is made for a future bus stop along the collector road close to the commercial CZ5 mixed use zone.</p>
<p><b>9. Stormwater</b></p>	
<p>R28 A stormwater quality control pond is provided at the confluence of College Creek and Lake Ginninderra as indicated in Figure 2 for the purpose of stormwater management in accordance with the Waterways: Water Sensitive Urban Design General Code.</p>	<p>C28 The location of the water quality control pond may be reviewed and/or other stormwater control measures provided along College Creek where it can be demonstrated that it meets stormwater management requirements in the Waterways: Water Sensitive Urban Design General Code.</p> <p>Note: Landscaping for public open space is a matter for the detailed design stage and is required to be to the satisfaction of Territory and Municipal Services and may include:</p> <ul style="list-style-type: none"> <li>a) pondside promenades</li> <li>b) boardwalk</li> <li>c) adjacent development</li> <li>d) picnic areas</li> <li>e) playgrounds</li> <li>f) pathways.</li> </ul>

Rules	Criteria
There is no applicable rule.	C29 Stormwater quality control measures are provided in the north-eastern corner of Lawson south, as required, for the purpose of stormwater management in accordance with the Waterways: Water Sensitive Urban Design General Code.
<b>10. Electrical infrastructure</b>	
R30 No residential block is permitted within 50 metres of the electrical zone substation.	C30 This width may be reviewed provided that it can be demonstrated that public health requirements are met and the alternative width is endorsed by ActewAGL.
R31 Easement width for 132kilovolt (kV) transmission lines associated with the electrical zone substation is to be endorsed by ActewAGL.	This is a mandatory requirement. There is no applicable criterion.
<b>11. Off- site works through Lawson north</b>	
R32 No infrastructure or utilities are to transverse the high value conservation grasslands in Lawson north to service Lawson south.	C32 Infrastructure or utilities may traverse the grasslands in Lawson north only if endorsed by the Conservator of Flora and Fauna.
<b>12. Dwelling height</b>	
There is no applicable rule.	C33 All residential blocks are capable of being developed for a dwelling (or dwellings), in accordance with the relevant codes of the Territory Plan, so that no part of the dwelling extends beyond RL620 except in the area between east of the historic windbreak and south east of Reservoir Hill where no part of the dwelling may extend beyond RL625.
<b>13. Cat containment</b>	
<b>Note:</b> It is recommended that a 24 hour cat containment applies to Lawson South, as the estate is located adjacent to an area of high conservation value. Cat containment areas are declared under the <i>Domestic Animals Act 2000</i> , which is administered by Territory and Municipal Services.	



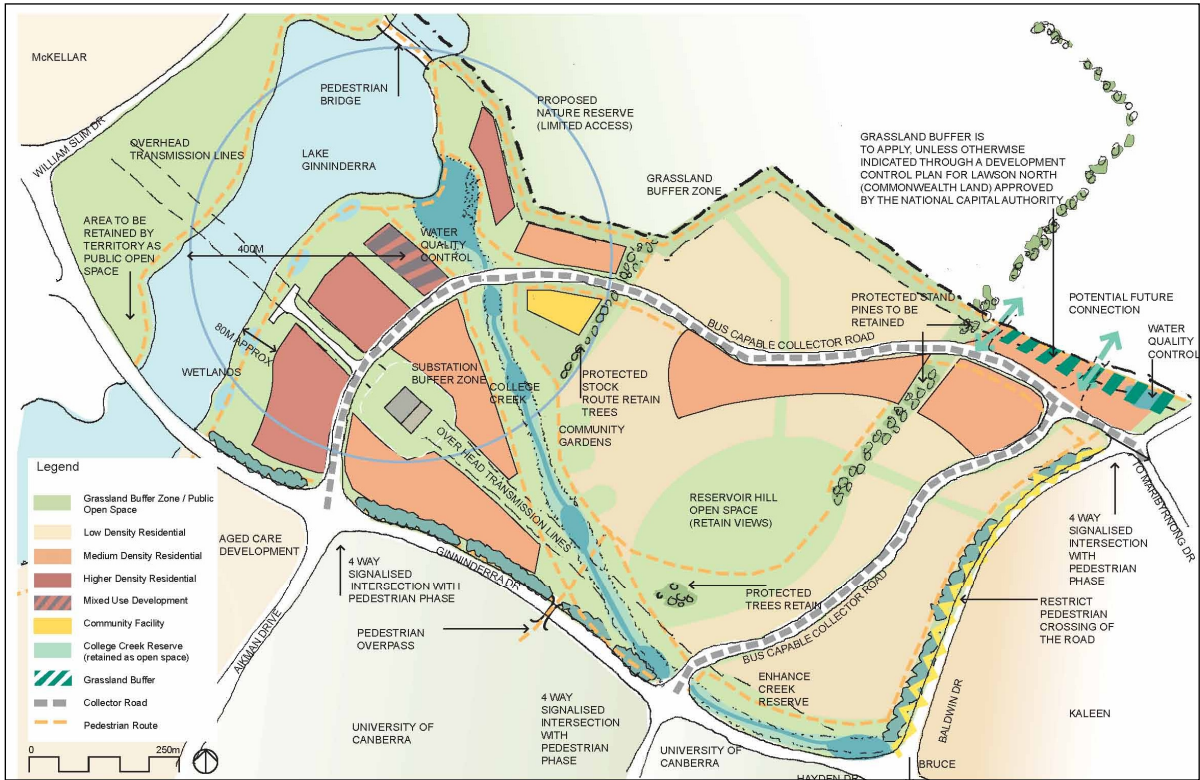


Figure 2: Concept plan



Figure 3: Development precincts

Concept plan (precinct code)—Lawson South



**Figure 4: Landscape precincts**



**Figure 5: Movement network (red lines and arrows) and shared paths (dashed orange lines)**

## Part C – Buildings and structures ongoing provisions

Rules	Criteria
<b>14. Mixed use site</b>	
<p>R34 Buildings in the commercial CZ5 mixed use zone be a minimum building height of three (3) storeys.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R35 The total maximum gross floor area for SHOP, Restaurant and NON RETAIL COMMERCIAL uses within the commercial CZ5 mixed use zone is 1500m<sup>2</sup>, of which a maximum of 700m<sup>2</sup> can be used for supermarket.</p>	<p>C35 This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C36 The floor to ceiling height for the ground floor level is designed to be adaptable for commercial use.</p>
<b>15. Building height</b>	
<p>R37 No part of any building is to extend beyond RL620 except in the area between east of the historic windbreak and south east of Reservoir Hill where no part of the building may extend beyond RL625.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>