

Statement Against Relevant Criteria

Lovett Tower

**Block 6 Section 8 Phillip, Block 1 Section 173 Phillip,
Block 1 Section 174 Phillip & Block 1 Section 175 Phillip.**

Contents

Statement Against Relevant Criteria	1
1.0 Introduction.....	3
Canberra’s First High Rise Building.....	3
Site description and existing development	3
2.0 Development proposal.....	4
Overview	4
Development Details.....	5
Basement.....	5
Car parking provision.....	5
Ground Floor/Mezzanine	6
Levels 6-8.....	6
Levels 9-12, 14-17.....	6
Level 13	6
Levels 18-22.....	6
Plant and roof area.....	7
2.0 Crown lease and proposed variation.....	8
Proposed variation to the crown lease	8
3.0 Applicable Codes and General Codes	10
3.1 Commercial Zones Development Code	10
3.2 Phillip Precinct Map and Code.....	14
3.3 Parking and Vehicular Access General Code	16
3.4 Bicycle Parking General Code	16
3.5 Access and Mobility General Code	16
3.6 Lease Variation General Code	19
3.6 Signs general Code	20

1.0 Introduction

This Statement has been prepared in response to the requirements and provisions of the *Planning and Development Act 2007* (the Act) and the Territory Plan.

The Statement supports a Design and Siting and Lease Variation Development Application (DA) for the refurbishment and adaptive re-use of an existing 24 storey commercial building known as Lovett Tower. The development application is accompanied by a Direct Sale application to purchase a small area of unleased Territory Land, containing building services, which is contiguous to the western boundary of Block 6.

Canberra's First High Rise Building

Lovett Tower is an iconic landmark building which is prominent in numerous views of Woden Valley and its town centre. Formerly known as the MLC Tower, it was constructed in 1973/4 by Civil and Civic and was Canberra's first high rise building. Lovett Tower is 24 storeys high (93m) and until 2020, was Canberra's tallest building.

The architecture and overall external appearance of Lovett Tower are to be preserved as the main priority of the proposed development.

Lovett Tower has previously been occupied by large Commonwealth Government departments such as Veteran's Affairs, Environment and Prime Minister and Cabinet. The building has endured high vacancy rates during the past five years - with government tenants attracted to new purpose built facilities at other locations.

Since the demand for large scale office tenancies in Woden Town Centre is diminishing, the current proposal seeks to attract new land uses sought by evolving market preferences, as well as those of the surrounding business and residential communities.

The ground level of the existing building has variously been used for retail outlets, a café and a financial establishment. In its past land use history, the basement has also been used for a nightclub (drink establishment).

Site description and existing development

The site includes four blocks. The tower building is located on Block 6 Section 8 Phillip. Three separate blocks enclose the columns of the *Porte Cochere* to Lovett Tower. These blocks are Block 1 Section 173, Block 1 Section 174 and Block 1 Section 175 Phillip. This arrangement of separate blocks has been in place since the construction of the tower in the early 1970s.

The main entry point to the building is located on its southern side, visually highlighted by a large *porte cochere* awning extending over an adjacent pedestrian walkway.

Lovett Tower currently has a small number of on-site parking spaces (17) at basement level. Access to the basement is via a shared driveway between the Phillip Community Health Centre and Lovett Tower. Services to the building are located within the eastern verge of this shared driveway (Territory Land) off Keltie Street.

A Telstra phone exchange, Evo Energy substation, Fire Control Room and sprinkler pump room are located in the basement of the building.

Sun shade structures to three facades of the building encroach over unleased Territory Land. The encroachments are minor (0.62m on three sides of the building) and are located well above

ground level. Licences to occupy Territory Land are in place for these encroachments and for a ramp access/building services corridor at the western end of the site, off Keltie Street.

Level 13 of the building is currently occupied entirely by mechanical plant. This level is identified externally by the provision of louvres, rather than glazing.

2.0 Development proposal

Overview

The proposed refurbishment of Lovett Tower will facilitate the adaption of the building for a mix of new uses. Retail tenancies will be retained at ground level with increased floorspace and new glazing to the northern, eastern and southern facades. Commercial office space and support services for the commercial accommodation will be provided at mezzanine level with increases to floorspace at the north eastern and south eastern corners of the building. Similar to the extended ground floor commercial spaces, the extended mezzanine floorspace will also feature new floor-to-ceiling glazing to three sides of the building.

A second building/lobby entrance will be provided at the eastern end of the ground floor, opening towards the Town Square and offering a convenient link to the bus interchange and future light rail terminus.

Commercial build-to-rent short term accommodation, comprising of 184 serviced apartments, will be located on levels 9-22 of the building. Fifty of these serviced apartments will be “premium” or luxury serviced apartments (levels 18-22). It is intended to offer terms ranging from nightly to up to 12 months, and all serviced apartments will be fully furnished.

The proposed commercial build-to-rent accommodation model is intended to fill a gap in the accommodation market - where there are currently limited options - by offering flexible ‘ready to move in’ short term accommodation.

Three levels of commercial accommodation (levels 6-8) will be designed and built as student accommodation (115 units) with ensuite bed/study rooms and communal kitchen/laundry and recreational areas. With the site for the new CIT campus within close proximity to Lovett Tower, the proposed student accommodation provides the opportunity to contribute to the range and diversity of housing available within the town centre.

All accommodation options will be managed by a dedicated business, with an on-site reception/concierge and apartment servicing team. Fees for all accommodation options will be holistic and incorporate the use of the units and all common facilities, linen services, internet/phone, utilities and the like. It is not intended to dilute the ownership of the property, offering certainty of tenure for both accommodation users and retail and commercial business lessees.

The physical relationship between Lovett Tower and areas of the public domain surrounding the site, will be improved by the provision of a lobby entrance to the east of the building, addressing the Town Square and inviting building users to and from the bus interchange, proposed light rail terminus, Westfield’s northern entry, and the proposed CIT campus, with the addition of a new awning to cover pedestrian movement around three sides of the building.

A variation to the existing crown lease is proposed to add the following uses to the purpose clause 3(a)(i) and to remove out-of-date provisions of that clause:

- Commercial accommodation use
- Residential use
- Community use
- Communications facility
- Indoor recreation facility (basement, ground or mezzanine levels only).

The submitted design and siting development application does not include any current proposal to include a residential use within Lovett Tower. Should a residential use be proposed in the future, such use would be subject to a separate development application.

Development Details

Basement

Fourteen of the seventeen existing basement car spaces will be retained for loading and building services. No public parking will be permitted within the basement. The current floor plan and configuration will generally be retained with a reduction to the number of available car spaces to ensure that each car space is compliant with the *Parking and Vehicular Access General Code* (total = 14) and to facilitate additional motorbike parking spaces (3) and bicycle storage (9).

The Telstra phone exchange and Evo Energy substation will both remain in place. The existing Fire Control Room and Sprinkler Pump Room will also be retained and upgraded.

Car parking provision

It is intended to provide additional car spaces on site to support the new mix of land uses. This will be achieved by retrofitting 5 levels of parking within the building structure to provide 82 additional car spaces. Unroofed access ramps will be constructed on the western side of the building (away from the town square) extending beyond the existing footprint of the building and connecting to a new verge crossing off Keltie Street.

The proposed vehicle ramp will bypass the mezzanine level and join levels 1-5. Glazing to levels 1-5 of the western and northern facades of the building will mostly be removed and replaced with louvres to ventilate parking areas. Some openings within the western façade of levels 1-5 will be filled in with concrete and finished to match the existing building façade. (see Architect's details to submitted elevations).

The proposed car parking arrangement will require the purchase of additional land over the existing services corridor at the western end of the site. [A direct sale application will be submitted to EPSDD in parallel with the subject development application.]

Provision for electric vehicle charging points will be provided to all parking levels. Other improvements to the building will include the relocation of the fire booster cupboard from the basement to allow fire fighters more direct access to Lovett Tower from Keltie Street, and the incorporation of new on-site waste collection facilities to comply with current requirements.

Ground Floor/Mezzanine

The existing main entrance to the building will be retained and refurbished. A reception/administration area for the proposed commercial accommodation use will be incorporated into the lobby space.

Retail and commercial floor space will generally address the northern and eastern frontages of the building and the existing glazing line will be extended outwards to the building boundary to enhance these spaces.

A fire booster cupboard, access stair to the Fire Control Room, loading dock and waste collection area will be incorporated into the south west corner of the building. The mezzanine floor (slab) overhead will be removed to the extent required for waste truck clearance.

An existing plant room at mezzanine level will be decommissioned. The existing bathroom amenities will be replaced by the addition of a disabled toilet to each commercial tenancy and to the main building lobby at ground level. A number of services to support the proposed commercial accommodation are intended to be provided at mezzanine level, including a fitness facility and a shared office business.

The western bank of lifts will be decommissioned.

Levels 6-8

Levels 6-8 will be refurbished and adapted for student accommodation to yield 115 short stay accommodation units. A small number of units per floor will be larger than others but generally the units will replicate contemporary accommodation provided for university colleges, with ensuite bedrooms/study spaces and shared kitchen, laundry and lounge/recreational areas to each level.

The existing core bathrooms, and the de-commissioned lift shafts will be used for laundry, secure storage and charging (electric scooter) facilities.

The building façade for levels 6-8 will not be altered.

Levels 9-12, 14-17

Levels 9-12, 14-17 will be refurbished and adapted for commercial accommodation (serviced apartments), predominantly provided as compact 2-bedroom apartments. Core areas will be used for store rooms, cleaners/linen rooms, informal bicycle storage and the like.

Level 13

The existing mechanical plant on Level 13 will be generally decommissioned. Facade louvres and pre-cast panels will be removed and replaced predominantly with glazing, and a reduced area of louvres for the new smaller mechanical plant facilities.

Level 13 will include six serviced apartments.

Communal facilities to support the commercial accommodation will be provided at this level, including lounge areas, business and conference facilities.

Levels 18-22

Levels 18-22 will be refurbished and adapted for larger one, two and three bedroom luxury serviced apartments. Wintergardens will be provided to each unit - created by recessed glazed spaces around the perimeter of each floor.

Similar to other levels of commercial accommodation, the central core areas will be used for store rooms, cleaners/linen rooms, informal bicycle storage and the like.

Plant and roof area

The existing centralised plant above Level 22 will generally be decommissioned. New mechanical plant and solar panels will be installed to the existing roof. Perimeter louvres will be installed to screen this plant and lift over-run.

2.0 Crown lease and proposed variation

The existing crown lease over the subject site commenced on 3rd November 2006 for a lease term of 91 years. The crown lease has not been varied. There is no provision in the crown lease in relation to a maximum gross floor area applicable to development on site.

The existing lease purpose clause 3(a) states the following:

(a) To use the premises only as follows:

(i) Block 6 Section 8 Phillip shall be used for one or more of the following purposes:-

- i) Business agency;*
- ii) Financial establishment*
- iii) Office;*
- iv) Public agency;*
- v) Shop*

PROVIDED ALWAYS THAT only the ground floor of the premises may be used for the purpose of a shop;

AND FURTHER PROVIDED THAT the basement of any building erected on the land shall only be used for one or more of the following:

A storage associated with the businesses conducted in the building;

B car parking;

C fixed mechanical plant of the building;

D restaurant;

E drink establishment;

(ii) Block 1 Section 173 Phillip, Block 1 Section 174 Phillip and Block 1 Section 175 Phillip shall be used for the purpose of columns of support for the porte cochere (awning) attached to the building constructed on Block 6 Section 8 Division of Phillip.

Proposed variation to the crown lease

The proposed development includes a proposal to vary the existing lease purpose clause 3(a)(i) to read as follows:

(a) To use the premises only as follows:

(i) Block 6 Section 8 Phillip shall be used for one or more of the following purposes:-

- i) Business agency;*
- ii) Financial establishment*
- iii) Office*
- iv) Public agency*
- v) Shop*

- vi) *Storage associated with the businesses conducted in the building.*
- vii) *Car parking;*
- viii) *Fixed mechanical plant of the building*
- ix) *Restaurant*
- x) *Drink establishment*
- xi) *Residential use*
- xii) *Commercial accommodation use*
- xiii) *Community use*
- xiv) *Communications facility*
- xv) *Indoor recreation facility (basement, ground or mezzanine levels only)*

[No variation is proposed to Clause 3(a)(ii)].

3.0 Applicable Codes and General Codes

The site is subject to the provisions of the Territory plan and is zoned **Commercial CZ1 – Core**.

The following Codes and general Codes of the Territory Plan will apply, where relevant, to the proposed development:

- Commercial Zones Development Code
- Phillip Precinct Map and Code
- Parking and Vehicular Access General Code
- Bicycle Parking General Code
- Access and Mobility General Code
- Lease Variation General Code
- Signs General Code

An assessment of the proposed development against the relevant rules and criteria of each Code is provided in the following paragraphs.

3.1 Commercial Zones Development Code

3.1 Building design & materials		Statement
There is no applicable rule.	<p>C3</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) a contribution to the amenity and character of adjacent public spaces b) interesting, functional and attractive facades that contribute positively to the <i>streetscape</i>, pedestrian and cycling experience c) minimal reflected sunlight d) articulated building forms e) a contribution to permeability by providing pedestrian access through or around buildings and connections to external path networks f) floor plans that encourage walking within the building, including the use of stairwells g) physically open or visually permeable stairwells to facilitate natural surveillance. 	<p>The ground floor of the existing building will be improved by the extension of floorspace and the addition of glazing adjacent to public walkways and areas of the public domain. The reintroduction of retail outlets and the provision of a second lobby addressing the town square will contribute towards the activation of the public domain.</p> <p>A proposed awning to three sides of the building will encourage pedestrian traffic around the building and provide all weather access between the retail core and office precincts of the town centre.</p>
3.3 Parking structures		
There is no applicable rule.	<p>C6</p> <p>Parking structures achieve all of the following:</p> <ul style="list-style-type: none"> a) integrate with the built form of adjacent existing development b) avoid blank walls and provide interesting and attractive facades when facing public areas. 	<p>Five levels of parking will be integrated within the existing built form with the exception of external ramps to the western elevation. The western façade does not address public areas and the concrete ramps will be</p>

		painted to match the existing finishes of the building.
3.4 materials and finishes		
There is no applicable rule.	<p>C7 Building materials and finishes provide for visual expression and interest. Where extensive glass or solid wall facades are incorporated in buildings:</p> <ul style="list-style-type: none"> a) transparency is maximized b) reflectivity is minimized c) shadow profiles or visible joint detailing are included d) visually interesting building elements are applied through the use of elements such as colour, articulation, materials selection, shadows or deep framing profiles. 	<p>The materials and finishes of the existing building will be preserved. Louvres will be removed from level 13 where mechanical plant is to be generally decommissioned. The louvres will be replaced predominantly with glazing and a smaller section of louvres. Similarly, external glazing will be removed from some parts of levels 1-5 to provide ventilation to the proposed parking levels. The floorspace to ground and mezzanine levels will be increased and new glazing provided to improve the visual appearance of the building at its public interface.</p>
3.6 Wind		
There is no applicable rule.	<p>C9 This criterion applies to buildings with a <i>height of building</i> greater than 19m but less than 28m. The wind patterns associated with the proposed building will not unreasonably reduce the safety and comfort of people in the public realm or other open spaces associated with the development, compared with a similar building on the site with a <i>height of building</i> of 19m. Compliance with this criterion will be demonstrated by a wind assessment report prepared by a suitably qualified person.</p>	<p>There is no proposal to increase the height of the existing building.</p>
4.2 Lighting		
<p>R16 External lighting is provided to building frontages, to all pathways, roads, laneways and car-parking areas in accordance with Australian Standard <i>AS1158.3.1 Pedestrian Lighting</i></p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>The lighting design for the proposed development meets the requirements of category PP5 and PR5 in accordance with <i>AS/NZS1158.3.1:2020 – Lighting for Roads and public Spaces</i>. The lighting design complies with the requirements of <i>AS/NZS4282:2019 Control of the Obtrusive effects of outdoor Lighting</i>. The lighting design complies with the <i>Crime Prevention Through</i></p>

		<i>Environmental Design General Code (see Dwg E002 – Electrical Services).</i>
5.1 Access		
There is no applicable rule.	<p>C19 Pedestrian and cyclist entrances, and driveways to the site achieves all of the following:</p> <ul style="list-style-type: none"> a) are clearly visible from the front boundary b) pedestrian and cycle access is provided through the site to increase permeability c) pedestrian and cycle access paths to commercial buildings feed into and provide connections to existing path networks d) priority is provided for pedestrian and cyclist access. 	<p>There is ground floor access to the commercial spaces and ground level access to lifts that provide access to all floors and to the commercial accommodation.</p> <p>Public access to the ground floor lobby is available from the existing southern main entrance to the building and a second entrance will be provided to the eastern side of the building, addressing the Town Square.</p> <p>Pedestrian movement around the building will be enhanced by the provision of a continuous awning around three sides of the building. The existing pathways link to the pedestrian and cycle networks of Woden Town Centre.</p> <p>Access to bicycle parking at basement and parking levels 1-5 will be via lifts from the building lobbies.</p>
R20 Loading docks or vehicular entries to buildings are not located on frontages to the street.	C20 Loading docks and vehicular entries do not dominate the street frontage or conflict with parking and pedestrian movements in front of the building.	<p>The proposed development includes the addition of three driveways off Keltie Street to provide access and egress to upper level parking and to a services area for waste collection/ use by commercial vehicles. Approx. 25m of pedestrian pathway to Keltie Street will be in conflict with these driveways. However the Civil Engineering design documentation will ensure that pedestrian priority and sightlines are achieved and maintained. Alternative pedestrian-only routes are available parallel to Keltie Street, on the northern side of Lovett Tower.</p> <p>The provision of three additional driveways will result in the loss of two on street public car spaces: 1 standard and 1 disabled.</p>

5.2 Traffic generation		
There is no applicable rule.	C21 The existing road network can accommodate the amount of traffic that is likely to be generated by the development.	The Traffic Impact and Parking Assessment report submitted with the Development Application shows that the proposed refurbishment of Lovett Tower will result in a significant reduction in the traffic within the transport network attributable to the subject site. The net daily reduction is approximately 2105 trips, with the reduction proportionately applied to the AM and PM peak.
5.3 Service access and delivery		
R22 Goods loading and unloading facilities comply with all of the following: a) are located within the site b) allow for service vehicles to enter and leave the site in a forward direction. Note: Loading, unloading and associated manoeuvring areas are in addition to minimum parking requirements	C22 Facilities for the loading and unloading of goods achieve all of the following: a) safe and efficient manoeuvring of service vehicles b) does not unreasonably compromise the safety of pedestrians or cyclists c) does not unreasonably compromise traffic movement or the operation of any adjoining road, cycleway or pedestrian pathway d) does not unreasonably affect on-street or off-street car parking e) adequate provision for the manoeuvring of vehicles.	Waste collection and other commercial vehicles will use a services zone at ground level via a dedicated driveway off Keltie Street. Vehicles will reverse to enter and will exit in a forward motion. The size of the site and the existing structure does not allow a forward in/forward out operation and accordingly the proposed arrangement is considered to be the safest option. General loading/unloading and service vehicle access is provided on site within the existing basement.
6.1 Potentially noisy uses		
R23 This rule applies to any of the following: a) club b) <i>drink establishment</i> c) emergency services facility d) hotel e) indoor recreation facility f) <i>industry (except light industry)</i> g) indoor entertainment facility h) outdoor recreation facility i) restaurant. Development complies with a noise management plan prepared by a suitably qualified person and endorsed by the Environment Protection Authority (EPA). The noise management plan will detail the proposed design, siting and construction methods that	This is a mandatory requirement. There is no applicable criterion.	A Noise Management Plan for the adaptive re-use and refurbishment of Lovett Tower has been submitted with the subject development application. The Plan includes recommendations for a Drink Establishment, restaurant, indoor recreation facility (gym) or any other fitout where music is to be played within the tenancy or where groups of people are likely to congregate. These recommendations include limiting indoor recreation facility to basement, ground and mezzanine only and also acoustic absorption and treatments to attenuate both airborne and impact noise

<p>will be employed to ensure compliance with the Noise Zone Standard as detailed in the <i>Environment Protection Regulation 2005</i>, based on the estimated noise levels when the facility is in use.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed noise management plan</p>		<p>generated by free weights and other training machines to protect the amenity of the commercial tenancies and commercial accommodation units above. It should also be noted that there will be five levels of parking between the commercial tenancies at Ground and Mezzanine levels, and the proposed commercial accommodation apartments.</p>
--	--	--

3.2 Phillip Precinct Map and Code

1.1 Ground floor use		Statement
<p>R1 This rule applies to sites in CZ1 with boundaries to primary active frontages shown in figure 1. Only the following uses are permitted along the primary active frontage at the ground floor level:</p> <ul style="list-style-type: none"> a) <i>business agency</i> b) <i>club</i> c) <i>COMMUNITY USE</i> d) <i>drink establishment</i> e) <i>financial establishment</i> f) <i>hotel</i> g) <i>indoor entertainment facility</i> h) <i>indoor recreation facility</i> i) <i>public agency</i> j) <i>restaurant</i> k) <i>SHOP</i> 	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Figure 1 of the Code shows that the site has two boundaries to a “primary active frontage” – to the north and east (town square). The proposed ground floor uses will comply with R1.</p>
2.4 Active frontages		
<p>R28 For buildings located along primary active frontage areas shown in figure 1, ground floor frontages and building designs comply with all of the following:</p> <ul style="list-style-type: none"> a) buildings incorporate clear display windows and shop fronts at the ground floor level b) buildings incorporate direct pedestrian access at grade with the verge level for access and egress for persons with 	<p>C28 Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) direct pedestrian access from main pedestrian areas, and b) avoid extensive lengths of blank walls unrelieved by doors, display windows or the like. 	<p>The proposal includes an extension to the ground level floorspace and increased areas of glazing to three frontages, including the primary active frontages to the town square and public walkways to the north of the building.</p>

<p>disabilities c) any small areas of walls without windows contain displays, showcases and/or public art, with a maximum of 30% blank frontage per tenancy.</p>		
<p>There is no applicable rule.</p>	<p>C31 Extensive lengths of blank facades, open structured car parks and loading docks are not located along primary active frontage areas, and do not dominate secondary active frontage areas shown in figure 1.</p>	<p>The proposed loading dock is to be located off Keltie Street which is not a primary or secondary active frontage.</p>
<p>2.6 Awnings</p>		
<p>R34 This rule applies to buildings fronting: a) Ball Street b) Bradley Street c) Brewer Street d) Callam Street e) Colbee Court f) Corinna Street g) Dundas Court h) Townshend Street i) bus interchange. j) town square k) pedestrian spine Buildings provide a continuous awning along the entire length of the building located along the front boundary with a minimum: a) height from <i>datum ground level</i> of 3.2m, and b) depth from the building facade of 3m.</p>		<p>Although not a requirement for an existing building, the proposal includes the provision of a 3.0m wide awning at a height of 3.05m above ground level, to the southern, eastern and northern facades of the building. The eastern façade will include a new secondary lobby and pedestrian entrance to the building from the town square.</p>
<p>2.7 Screening</p>		
<p>There is no applicable rule.</p>	<p>C35 Waste collection areas are screened from public view.</p>	<p>The proposed waste collection area will be located within the building and screened from public view by solid walls and a roller door.</p>

3.3 Parking and Vehicular Access General Code

A *Traffic Impact and Parking Assessment Report* of the proposed adaptive re-use and refurbishment of Lovett Tower has been prepared by Sellick Consultants and submitted with the development Application.

The report demonstrates that the proposed development provides more than the required parking and overall reduces the traffic generation of the greater transport network.

3.4 Bicycle Parking General Code

There is no requirement in the *Bicycle Parking General Code* for bicycle parking or end of trip facilities for the proposed adaptive re-use of Commercial Accommodation, or for the previous and continuing use of two levels of the building for Non Retail Commercial Use (offices).

However, the abandonment of one of the existing lift cores within the building provides the opportunity to create secure bicycle parking for 9 bicycles on 7 levels of the building (Basement, mezzanine, parking levels 1-5). The total provision and capacity is for 63 bicycle spaces.

In addition, an accessible bathroom at ground level has shower facilities and will be available for end-of-trip use for commuter cyclists.

Lift core spaces to each level of the proposed commercial accommodation will be used for storage/cleaner's cupboard etc and will also be available for informal storage of bicycles, as required.

3.5 Access and Mobility General Code

1.1 Car Parking		
R1 Designated accessible car parking spaces meet the requirements of AS2890.1 and <i>Parking and Vehicular Access General Code</i> .	C1 Car parking is provided at designated locations to meet the needs of people with disabilities.	Four designated spaces will be provided on site. Three disabled spaces are available within 15m of the site.
R2 Car parking spaces provided for people with disabilities must have vertical clearance for the entire width of the space and the adjacent shared area of not less than 2.5m described in Figure 2.7 of the AS2890.6.	C2 Adequate space is provided to allow a roof mounted wheelchair to be unloaded either front – in or reverse-in position.	All designated spaces meet the requirements of AS2890.6
R3 A continuous accessible path of travel is provided that complies with:	C3 Continuous accessible path of travel is provided for owners, occupants, employees and visitors:	There is ground floor access to the commercial spaces and ground level access to lifts that

<p>i) AS 1428.1 - Design For Access and Mobility;</p> <p>ii) AS 1428.4 – Tactile ground surface indicators for the orientation of people with vision impairment to highlight hazards or provide direction;</p> <p>iii) AS 4586 – Slip Resistant Classification of New Pedestrian Surface Materials for external paving and ground surfaces; and</p> <p>iv) designed so that the placement of facilities does not intrude into the continuous accessible path of travel.</p> <p>v) Walkways and glass adjacent to walkways to comply with AS1428.1 and AS1428.2</p>	<p>a) to all areas and all required facilities of the building;</p> <p>b) from property boundary, designated accessible parking spaces, passenger drop off points and public spaces to entrances of buildings;</p> <p>c) to connect buildings, facilities and spaces that are on the same block or part of the same complex unless topographically impossible; and</p> <p>d) to minimise distances travelled between elements of buildings and facilities.</p> <p>e) Walkways are of an appropriate scale and if clear glass is used adjacent to walkways, are identified by appropriate luminance contrast.</p>	<p>provide access to all floors and therefore all units.</p> <p>ii. There are no ramps or general use stairs & no tactile ground surface indicators.</p> <p>iii. Slip resistance is detailed in architectural documentation submitted with the DA.</p> <p>iv. There are no facilities that intrude into access ways. Waste collection is at ground level and accessible. Letterbox location is not defined.</p> <p>v. The ground floor full height glazing wall includes decals to AS1428.1</p>
<p>R4 Internal lighting along the whole of the continuous accessible path of travel designed to meet AS1680.0.</p>	<p>C4 This is a mandatory requirement. There is no applicable criterion.</p>	<p>Internal lighting complies with AS1680.0.</p>
<p>R5 External lighting along the whole of the continuous accessible path of travel meets AS1158.3.1 and the ACT Crime Prevention and Environmental Design General Code.</p>	<p>C5 This is a mandatory requirement. There is no applicable criterion.</p>	<p>The lighting design for the proposed development meets the requirements of category PP5 and PR5 in accordance with AS/NZS1158.3.1:2020 – <i>Lighting for Roads and public Spaces</i>. The lighting design complies with the requirements of AS/NZS4282:2019 <i>Control of the Obtrusive effects of outdoor Lighting</i>. The lighting design complies with the <i>Crime Prevention Through Environmental design General Code</i> (see Dwg E002 – Electrical Services).</p>
<p>R6 Where installed directional signage or other wayfinding methods, e.g. tactile indicators, to be</p>	<p>C6 This is a mandatory requirement. There is no applicable criterion.</p>	<p>Access to all units is at ground floor and then other floors via a lift. Each unit is identified. No further wayfinding is considered necessary.</p>

in accordance with AS1428.1 and AS1428.4 and must identify the continuous accessible path of travel, accessible parts of buildings and all accessible facilities. Details to meet AS1428.1 and AS1428.4		
R7 There is no applicable rule.	C7 For illuminated signs, the luminance of the symbols to be at least 30% in contrast to the background.	Any illuminated signs provided to have a luminance contrast of 30%.
R8 Doorways and doors are designed to meet AS 1428.1- Design for Access and Mobility for: f) pedestrian entrances and exits; g) public circulation areas; and any common use areas.	C8 This is a mandatory requirement. There is no applicable criterion.	The ground floor has electronic sliding doors (swipe key access) to the unit lobby. All ground floor commercial spaces have hinged doors to AS1428.1 or will provide auto sliding doors (north east unit)
R9 There is no applicable rule.	C9 Automatic doors for public entrances should be installed in high use commercial and public buildings.	The ground floor has electronic sliding doors (swipe key access) to the unit lobby. All ground floor commercial spaces have hinged doors to AS1428.1 or will provide auto sliding doors (north east unit)

Circulation:

Intent: To provide for design elements that are safe and convenient for circulation within and entry to buildings.

Each floor is at one level and a lift to AS1735.12 services all levels. On each floor corridors are a min 1540mm wide to permit turning around.

Toilets:

Intent: To provide access and use of sanitary facilities.

There is one common area accessible toilet at ground floor and each of the 3-ground floor commercial facilities has an accessible toilet. All toilets meet AS1428.1.

Facilities:

Intent: To provide access to other appropriate facilities such as street furniture and ATM.

The requirement of NCC for a class 3 building is to provide a minimum number of accessible units.

Accessible units are:

L6-8 6 units

L9-12 4 units

L13-17 nil units

L18-22 5 units

For the 299 units there are 15 accessible units which meets the number required in NCC2019 Vol 1 BCA table D3.1.

The spread of units over the floors provides an equity opportunity for potential users. Each of the accessible units are designed to AS1428.1 including doors, circulation, bathroom and also include an accessible bedroom, laundry & kitchen. The theatre on Level 13 will include hearing augmentation.

For comments in relation to waste & letterboxes - refer to R3 C3.

3.6 Lease Variation General Code

1.1 Varying leases - general		Statement
There is no applicable rule.	<p>C1</p> <p>A lease is varied only where all of the following are achieved:</p> <p>i) the varied lease is consistent with the Territory Plan including all relevant codes</p> <p>ii) the land to which the lease applies is suitable for the development or use authorised by the varied lease</p>	<p>The subject site is located within Woden Town Centre and is zoned <i>Commercial CZ1 – Core</i>. The existing 24 storey commercial office building was erected during the early 1970s and now requires refurbishment and a broader range of land uses to ensure its sustainable future. The proposed additional land uses are permitted uses within a <i>Commercial CZ1 – Core</i> zone of the Territory Plan and the proposed development is able to satisfy the relevant provisions of the Commercial Zones Development Code, the Phillip Precinct Map and Code and other applicable General Codes.</p>
3.1 Adding uses generally		
There is no applicable rule.	<p>C3</p> <p>An additional use is authorised by a lease only when all of the following are achieved if the additional use is granted and activated:</p> <p>i) sufficient car parking is provided on site or is available off site in accordance with the Parking and Vehicular Access General Code</p> <p>ii) any increase in traffic flow is within the capacity of the surrounding road network</p> <p>iii) adequate post occupancy waste management and disposal can be provided to the relevant Territory standard</p> <p>iv) no unreasonable increase in level of noise for the occupants of dwellings on the block or on adjoining land</p> <p>v) no unreasonable risk to occupants of the</p>	<p>The proposed development will provide an additional 81 car spaces on site. The submitted <i>Traffic Impact and Parking Assessment Report</i> assesses the parking demand from the proposed range of land uses as 77 car spaces. Disabled parking spaces and motorcycle parking spaces will be provided at the PVAGC rate of 3% (3 spaces for each category).</p> <p>The daily trips generated by the proposed land uses has been assessed as 252. From the proposed traffic generation of the site and the existing traffic generation from on street parking, the total daily traffic volumes are expected to be 620 trips/day or 62% of the daily limit set by the Estate Development Code.</p> <p>The submitted Noise Management Plan will ensure that there is no unreasonable increase in the level of noise for the occupants of commercial accommodation units on site or</p>

	<p>block through any contamination of the block or on adjoining land</p> <p>vi) no unreasonable level of odour for the occupants of dwellings on the block or on adjoining land</p> <p>vii) no unreasonable level of light emission for the occupants of dwellings on the block or on adjoining land.</p>	<p>for the occupants of adjoining land.</p> <p>There is unlikely to be any increased risk of contamination, unreasonable level of odours or light emission arising from the proposed additional uses.</p>
--	---	---

3.6 Signs general Code

2.12 Hamper Sign		
R51 Maximum Thickness: 300mm	C51 The Sign meets the requirements of C4	RULE COMPLIANT
R52 Maximum size: No greater than 20 percent of the area of the window of which it is located	C52 The Sign meets the requirements of C4	RULE COMPLIANT
R53 Illumination: Not illuminated.	C53 The Sign meets the requirements of C4 and the page 14 11.7 Signs General Code Effective: 31 March 2008 NI2008-27 Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au Rules Criteria illumination of the sign; a) minimises the spill effects or escape of light into the night sky; and b) eliminates shadows and promotes the safety of adjoining public areas; and c) the intensity of lighting and hours of illumination do not unreasonable impact on any residential properties.	RULE COMPLIANT
2.24 Under Awning Sign		
R106 Orientation: At right angles to the building frontage.	C106 The Sign meets the requirements of C4	RULE COMPLIANT
R107 Minimum clearance between the lowermost point of the sign and the pathway: 2.4 metres		RULE COMPLIANT
R108 Extent: Not to project beyond any awning or verandah.	C108 The Sign meets the requirements of C4	RULE COMPLIANT
R109 Location: Central to each shop or tenancy or shopping arcade entrance.	C109 The Sign meets the requirements of C4	RULE COMPLIANT
R110 Minimum distance between under awning signs: 3 metres.	C110 The Sign meets the requirements of C4	RULE COMPLIANT
R111 Maximum sign dimension: 2.5 metres long, 0.6 metres high and 0.3 metres wide.	C111 The Sign meets the requirements of C4	RULE COMPLIANT
R112 Minimum setback from side boundary: 1.5 metres	C112 The Sign meets the requirements of C4	CRITERIA COMPLIANT The signs are proposed to be on the underside of new awning encroaching the boundary

R113 Minimum setback of 1200mm from the sign to the road kerb/shoulder.		RULE COMPLIANT
R114 Illumination: Not illuminated	C114 The Sign meets the requirements of C4 and the illumination of the sign; a) minimises the spill effects or escape of light into the night sky; and b) eliminates shadows and promotes the safety of adjoining public areas; and c) the intensity of lighting and hours of illumination do not unreasonable impact on any residential properties.	RULE COMPLIANT