



# National Capital Plan – Amendment 93 – City and Gateway Urban Design Provisions Technical Changes<sup>1</sup>

## *Australian Capital Territory (Planning and Land Management) Act 1988*

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I, NOLA MARINO, Assistant Minister for Regional Development and Territories, approve this amendment of the National Capital Plan under section 19(1)(a) of the *Australian Capital Territory (Planning and Land Management) Act 1988*.

Dated 10 September 2019

NOLA MARINO  
Assistant Minister for Regional Development and Territories

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**1 Name of instrument**

This instrument is the *National Capital Plan – Amendment 93 – City and Gateway Urban Design Provisions Technical Changes*.

**2 Commencement**

This instrument commences on the date of its registration.

**3 Amendment of National Capital Plan**

Schedule 1 amends the National Capital Plan.

## Schedule 1 Amendment

(section 3)

The National Capital Plan is amended by the following:

### *Section 4.28 City and Gateway Corridor*

1. Following the section titled ‘Land use’, insert the following section:

#### **Transitional arrangements for development applications**

Development applications submitted to the Territory planning authority prior to 4 April 2019 are not subject to the provisions of section 4.28 of the National Capital Plan. Development applications lodged prior to this date are subject to the provisions of the National Capital Plan and the Territory Plan as in force at the time of the application being made.

2. Delete the first two paragraphs under the section titled ‘Building separation’ and replace with:

Minimum separation distances for buildings on blocks with a frontage to Northbourne Avenue or Federal Highway greater than 35m wide are:

Building height	Between windows in habitable rooms/unscreened balconies	Between windows in habitable and non-habitable rooms	Between non-habitable rooms
Up to 4 storeys	12m	9m	6m
5 to 8 storeys	18m	12m	9m
9 storeys and above	24m	18m	12m

Where blocks have a front boundary to Northbourne Avenue or the Federal Highway and are less than 35 metres wide, building separation distances may be reduced provided all of the following are achieved:

- reasonable levels of visual and acoustic privacy
- suitable areas for soft landscaping and deep root planting.

3. Delete the fifth paragraph under the section titled ‘Building design and architecture; Private open space’ and replace with:

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Balconies must be designed to allow views and passive surveillance of the street while maintaining visual privacy and allowing for a range of uses on the balcony. Balconies must be designed in accordance with the following:

- Balustrades to balconies up to 12 metres above datum ground level must be solid.
- Full width and full height glass balustrades are not permitted below 20 metres above datum ground level.
- Between 12-20 metres above datum ground level, balustrades must be solid for a minimum of 50 per cent of the balustrade height, commencing at the level of the balcony. Glass elements may be used above the solid component of the balustrade.

4. Delete the section titled 'Length of buildings' and replace with:

Long buildings that limit permeability, block views, and disrupt a pedestrian-scaled neighbourhood system should be avoided.

Buildings are limited to a maximum length of 55 metres. For the purpose of this clause, 'building' refers to an element or elements of a building above datum ground level. The application of the maximum length does not apply to basements.

Longer buildings may be permitted at lower building levels where strong design justifications is provided, such as provision of continuous, active street frontages. Where this is the case, pedestrian mid-block links between 5 and 10 metres wide must be provided at least once every 55 metres through the built form. Longer buildings may also be permitted at the intersection of Northbourne Avenue with Macarthur/Wakefield Avenues, where the buildings run perpendicular to the Northbourne Avenue.

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**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislation kept under the *Legislative Instruments Act 2003*. See <http://www.legislation.gov.au>.