

## Title of Proposal - PROPOSED TOWER DEVELOPMENT BLOCK 11 SECTION 44 BELCONNEN ACT

### Section 1 - Summary of your proposed action

Provide a summary of your proposed action, including any consultations undertaken.

#### 1.1 Project Industry Type

Residential Development

#### 1.2 Provide a detailed description of the proposed action, including all proposed activities.

It is proposed to erect two residential towers, each of 27 storeys, on a common four storey podium over Block 11 Section 44 Belconnen Australian Capital Territory. The proposed development is directly west of Wings 4 and 5 of the remnant Cameron Offices (the Heritage Place). The interface distance between the nearest point of the podium and the nearest point of Cameron Offices would be 34m, including an established right of way connecting Cameron Avenue to College Street. (See Statement of Heritage Impact (March 2018) (below), at Page 10, Figure 2.

The proposed development will include retail and commercial activities along the Benjamin Avenue frontage, a child care centre, and resident and public parking within the podium. The interface area between the Heritage place and the proposed development is a gazetted walkway and will be developed and landscaped at grade to enhance its value as a landscaped space and active community area.

Commercial units; a child care on two levels, and resident, tenant, visitor and public parking, will be contained within the four storey podium. The top deck of the podium will be landscaped and two residential towers, each of 23 storeys will be erected above the podium. The proposed development is described in file 2018-05-15 S44 B 11 Belconnen Proposed Development (Attached).

#### 1.3 What is the extent and location of your proposed action? Use the polygon tool on the map below to mark the location of your proposed action.

Area	Point	Latitude	Longitude
Block 11 Section 44 Belconnen	1	-35.242113143876	149.06778253576
Block 11 Section 44 Belconnen	2	-35.242110953259	149.06778790018
Block 11 Section 44	3	-35.242110953259	149.06778521797

Area	Point	Latitude	Longitude
Belconnen Block 11 Section 44	4	-35.242110953259	149.06778521797
Belconnen Block 11 Section 44	5	-35.241302611755	149.06780667565
Belconnen Block 11 Section 44	6	-35.241263180255	149.06783617994
Belconnen Block 11 Section 44	7	-35.241260989616	149.06875885985
Belconnen Block 11 Section 44	8	-35.242110953259	149.06875081322
Belconnen Block 11 Section 44	9	-35.242113143876	149.06778253576

**1.5 Provide a brief physical description of the property on which the proposed action will take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland).**

Block 11 Section 44 Belconnen is located at the intersection of Benjamin Way and Cameron Avenue. The subject land was previously fully developed as part of the Cameron Offices carpark, and is presently used as a public car park on an interim basis pending the development of the land. The site is about 75% sealed, with strips of uncultivated vegetation defining the internal roads and the car parking areas.

File 2018-05-S44 B11 Belconnen - Proposed Development shows the general layout of the proposed development, its location and indicates the comparative scale with respect to Cameron Offices. Drawings 8-12 show shadow patterns for the proposed development at the winter solstice. There is no overshadowing of Cameron Offices by the proposed towers at 0900, 1200 and 1500 hours at the winter solstice.

**1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?**

8346 square metres

**1.7 Is the proposed action a street address or lot?**

Lot

**1.7.2 Describe the lot number and title.**Block 11 Section 44 Division of Belconnen ACT\*

**1.8 Primary Jurisdiction.**

National

**1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?**

No

**1.10 Is the proposed action subject to local government planning approval?**

No

**1.11 Provide an estimated start and estimated end date for the proposed action.**

Start date 05/2022

End date 05/2025

**1.12 Provide details of the context, planning framework and State and/or Local government requirements.**

The land is National land pursuant to the *Australian Capital Territory (Planning and Land Management) Act 1988*, s.27. It is not Designated Land (See *National Capital Plan, Planning in the ACT, Special Requirements Areas*).

**1.13 Describe any public consultation that has been, is being or will be undertaken, including with Indigenous stakeholders.**

The proposal will be publicly notified in accordance with legislative requirements and consultation undertaken with relevant stakeholders. There are no issues relating to Aboriginal Heritage with respect to the subject land.

**1.14 Describe any environmental impact assessments that have been or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project.**

The proposed development does not trigger an environmental impact assessment under Commonwealth or Territory legislation.

A Statement of Heritage Impact has been prepared with respect to possible impacts by the proposed development on the remnant Cameron Offices (attached).

**1.15 Is this action part of a staged development (or a component of a larger project)?**

No

**1.16 Is the proposed action related to other actions or proposals in the region?**

Yes

**1.16.1 Identify the nature/scope and location of the related action (Including under the relevant legislation).**

Development in the Belconnen Town Centre, other than National Land, is subject to the ACT *Territory Plan* and in particular, the *Belconnen Precinct Code*. The Code permits building heights up to 28 storeys in parts of the Town Centre (See *Belconnen Precinct Code* Figure 2 and Rule 11). High rise development has already occurred, and is further proposed, on land adjacent to Block 11 Section 44, and on land in Chandler Street and Benjamin Way.

## Section 2 - Matters of National Environmental Significance

Describe the affected area and the likely impacts of the proposal, emphasising the relevant matters protected by the EPBC Act. Refer to relevant maps as appropriate. The [interactive map tool](#) can help determine whether matters of national environmental significance or other matters protected by the EPBC Act are likely to occur in your area of interest. Consideration of likely impacts should include both direct and indirect impacts.

Your assessment of likely impacts should consider whether a bioregional plan is relevant to your proposal. The following resources can assist you in your assessment of likely impacts:

- [Profiles of relevant species/communities](#) (where available), that will assist in the identification of whether there is likely to be a significant impact on them if the proposal proceeds;
- [Significant Impact Guidelines 1.1 – Matters of National Environmental Significance](#);
- [Significant Impact Guideline 1.2 – Actions on, or impacting upon, Commonwealth land and Actions by Commonwealth Agencies](#).

**2.1 Is the proposed action likely to have ANY direct or indirect impact on the values of any World Heritage properties?**

No

**2.2 Is the proposed action likely to have ANY direct or indirect impact on the values of any National Heritage places?**

No

**2.3 Is the proposed action likely to have ANY direct or indirect impact on the ecological character of a Ramsar wetland?**

No

**2.4 Is the proposed action likely to have ANY direct or indirect impact on the members of any listed species or any threatened ecological community, or their habitat?**

No

**2.5 Is the proposed action likely to have ANY direct or indirect impact on the members of any listed migratory species, or their habitat?**

No

**2.6 Is the proposed action to be undertaken in a marine environment (outside**

**Commonwealth marine areas)?**

No

**2.7 Is the proposed action to be taken on or near Commonwealth land?**

Yes

**2.7.1 Is the proposed action likely to have ANY direct or indirect impact on the Commonwealth land?**

No

**2.7.2 Describe the nature and extent of the likely impact on the whole of the environment.**

The proposed development is consistent with Territory Plan development requirements for the Belconnen Town Centre as described in the the Belconnen Precinct Code and the Belconnen Town Centre Master Plan (September 2016).

**2.7.3 Do you consider this impact to be significant?**

No

**2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park?**

No

**2.9 Is the proposed action likely to have ANY direct or indirect impact on a water resource related to coal/gas/mining?**

No

**2.10 Is the proposed action a nuclear action?**

No

**2.11 Is the proposed action to be taken by the Commonwealth agency?**

No

**2.12 Is the proposed action to be undertaken in a Commonwealth Heritage Place Overseas?**

No

**2.13 Is the proposed action likely to have ANY direct or indirect impact on any part of the environment in the Commonwealth marine area?**

No

## **Section 3 - Description of the project area**

Provide a description of the project area and the affected area, including information about the following features (where relevant to the project area and/or affected area, and to the extent not otherwise addressed in Section 2).

### **3.1 Describe the flora and fauna relevant to the project area.**

There are no flora and fauna affected by the proposed development.

The site has been totally modified as the result of previous development actions.

### **3.2 Describe the hydrology relevant to the project area (including water flows).**

The site is within a totally built up urban area. There is no impact on the the local hydrology and all water flows are catered for by the existing infrastructure.

### **3.3 Describe the soil and vegetation characteristics relevant to the project area.**

Not applicable

### **3.4 Describe any outstanding natural features and/or any other important or unique values relevant to the project area.**

Not applicable

### **3.5 Describe the status of native vegetation relevant to the project area.**

Not applicable

### **3.6 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area.**

Not applicable

### **3.7 Describe the current condition of the environment relevant to the project area.**

Belconnen Town Centre is a totally built up urban area.



**3.8 Describe any Commonwealth Heritage Places or other places recognised as having heritage values relevant to the project area.**

The site of the proposed development is directly adjacent to, and abuts the remnant Cameron Offices which are listed on the Commonwealth Heritage List. The proposed development will interface with the western end of Wings 4 and 5 of the Cameron Offices, but will have no impact on the heritage values of the *place*. There will be no physical impact on the heritage place in terms of overlooking, overshadowing, or wind turbulence.

**3.9 Describe any Indigenous heritage values relevant to the project area.**

There are no indigenous heritage values related to the project area.

**3.10 Describe the tenure of the action area (e.g. freehold, leasehold) relevant to the project area.**

The land is held under a 99 year lease pursuant to the *City Area Leases Ordinance 1936* (Commonwealth).

**3.11 Describe any existing or any proposed uses relevant to the project area.**

Block 11 Section 44 is presently used as a public car park on an interim basis. The land is subject to development control under the National Capital Plan. Development Control Plan No. 171/08/0003 (September 2008) applies. The Development Control Plan will be amended, in particular Section 6 - Building Heights, to permit the proposed tower buildings. Development controls for the land are also included in the ACT Territory Plan under the Belconnen Precinct Code. These limit building height on NCA controlled land to RL 613.7. These controls are void pursuant to the *Australian Capital Territory (Planning and Land Management) Act 1988*, s.11.

## **Section 4 - Measures to avoid or reduce impacts**

Provide a description of measures that will be implemented to avoid, reduce, manage or offset any relevant impacts of the action. Include, if appropriate, any relevant reports or technical advice relating to the feasibility and effectiveness of the proposed measures.

Examples of relevant measures to avoid or reduce impacts may include the timing of works, avoidance of important habitat, specific design measures, or adoption of specific work practices.

### **4.1 Describe the measures you will undertake to avoid or reduce impact from your proposed action.**

With respect to the remnant Cameron Offices, the proposed development will have no impact on the heritage values of the Offices, and no physical impact on the place in terms of overshadowing, overlooking or wind turbulence, The Statement of Heritage Impact (March 2018) (attached) refers.

### **4.2 For matters protected by the EPBC Act that may be affected by the proposed action, describe the proposed environmental outcomes to be achieved.**

The proposed developmemnt will have no impact on the heritage values of Cameron Offices as recited in the Heritage Data Base. The attached Statement of Heritage Impact examines the present situation relating to the remnant Cameron Offices. The Statement examines the Offices in the context of surrounding developments either existing or proposed in the Town Centre and assesses potential impacts of proposed interfacing development.

## **Section 5 – Conclusion on the likelihood of significant impacts**

A checkbox tick identifies each of the matters of National Environmental Significance you identified in section 2 of this application as likely to be a significant impact.

Review the matters you have identified below. If a matter ticked below has been incorrectly identified you will need to return to Section 2 to edit.

### **5.1.1 World Heritage Properties**

No

### **5.1.2 National Heritage Places**

No

### **5.1.3 Wetlands of International Importance (declared Ramsar Wetlands)**

No

### **5.1.4 Listed threatened species or any threatened ecological community**

No

### **5.1.5 Listed migratory species**

No

### **5.1.6 Commonwealth marine environment**

No

### **5.1.7 Protection of the environment from actions involving Commonwealth land**

No

### **5.1.8 Great Barrier Reef Marine Park**

No

### **5.1.9 A water resource, in relation to coal/gas/mining**

No

### **5.1.10 Protection of the environment from nuclear actions**

No

**5.1.11 Protection of the environment from Commonwealth actions**

No

**5.1.12 Commonwealth Heritage places overseas**

No

**5.2 If no significant matters are identified, provide the key reasons why you think the proposed action is not likely to have a significant impact on a matter protected under the EPBC Act and therefore not a controlled action.**

No matters of National Environmental Significance were identified in Section 2 of this Referral. The heritage values of Cameron Offices relate to their rarity as a pedestrian linked flexible office complex; their architectural qualities as an example of Late 20th Century Brutalist Style; and, their technical achievements and ingenuity. None of these values are adversely impacted by the proposed development, and indeed, there is no impact on those values adverse, or otherwise.

## **Section 6 – Environmental record of the person proposing to take the action**

Provide details of any proceedings under Commonwealth, State or Territory law against the person proposing to take the action that pertain to the protection of the environment or the conservation and sustainable use of natural resources.

### **6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Please explain in further detail.**

Yes.

### **6.2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either (a) the person proposing to take the action or, (b) if a permit has been applied for in relation to the action – the person making the application.**

No action has been taken with respect to any project undertaken by the registered proprietors BJM Belconnen Pty Limited or GGP Belconnen Pty Limited (ABN 734 989 829) (as trustees)

(formerly Cameron Nominees Pty Limited as trustees).

No development application has been lodged at this point in time.

### **6.3 If it is a corporation undertaking the action will the action be taken in accordance with the corporation's environmental policy and framework?**

Yes

#### **6.3.1 If the person taking the action is a corporation, please provide details of the corporation's environmental policy and planning framework.**

MPGCC Environmental Management Plan attached.

### **6.4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?**

No

## Section 7 – Information sources

You are required to provide the references used in preparing the referral including the reliability of the source.

### 7.1 List references used in preparing the referral (please provide the reference source reliability and any uncertainties of source).

Reference Source	Reliability	Uncertainties
Australian Capital Territory (Planning and Land Management) Act 1988 (Commonwealth), section 27 National Capital Plan, Planning in the ACT, Special Requirement Areas Development Control Plan (DCP)171/08/0003 Territory Plan, Belconnen Master Plan (As amended by NI 2019-74 (12 Feb 2019)). In particular Precinct Code Figure 2 and Rule 11(f). (See also NI 2008 -27 updated 1Mar 2019)	High High Current DCP High	DCP to be amended to cover proposed tower developments

## **Section 8 – Proposed alternatives**

You are required to complete this section if you have any feasible alternatives to taking the proposed action (including not taking the action) that were considered but not proposed.

### **8.0 Provide a description of the feasible alternative?**

No feasible alternatives

### **8.1 Select the relevant alternatives related to your proposed action.**

### **8.27 Do you have another alternative?**

No

## **Section 9 – Contacts, signatures and declarations**

Where applicable, you must provide the contact details of each of the following entities: Person Proposing the Action; Proposed Designated Proponent and; Person Preparing the Referral. You will also be required to provide signed declarations from each of the identified entities.

### **9.0 Is the person proposing to take the action an Organisation or an Individual?**

Organisation

#### **9.2 Organisation**

##### **9.2.1 Job Title**

Managing Director

##### **9.2.2 First Name**

James

##### **9.2.3 Last Name**

Morris

##### **9.2.4 E-mail**

jmorris@morrispropertgroup.com.au

##### **9.2.5 Postal Address**

Ground Floor 50 Blackall Street  
BARTON ACT 2600  
Australia

##### **9.2.6 ABN/ACN**

ABN

89614877726 - MPG CONSTRUCTIONS CANBERRA PTY LIMITED

##### **9.2.7 Organisation Telephone**

0418 464 164

##### **9.2.8 Organisation E-mail**



jmorris@morrispropertygroup.com.au

**9.2.9 I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am:**

Not applicable

**Small Business Declaration**

I have read the Department of the Environment and Energy's guidance in the online form concerning the definition of a small a business entity and confirm that I qualify for a small business exemption.

Signature:..... Date: .....

**9.2.9.2 I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the EPBC Regulations**

No

**9.2.9.3 Under sub regulation 5.21A(5), you must include information about the applicant (if not you) the grounds on which the waiver is sought and the reasons why it should be made**

**Person proposing the action - Declaration**

I, James William Morris, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf of or for the benefit of any other person or entity.

Signature:.....  ..... Date: 28 August 2019

I, James William Morris, the person proposing the action, consent to the designation of The B.5/44 Settlement and The G.5/44 Settlements as the proponent of the purposes of the action describe in this EPBC Act Referral.

Signature:.....  ..... Date: 28 August 2019

**9.3 Is the Proposed Designated Proponent an Organisation or Individual?**

Organisation

**9.5 Organisation**

**9.5.1 Job Title**

Managing Director

**9.5.2 First Name**

Barry

**9.5.3 Last Name**

Morris

**9.5.4 E-mail**

bmorris@morrispropertygroup.com.au

**9.5.5 Postal Address**

Ground Floor 50 Blackall Street  
BARTON ACT 2600  
Australia

**9.5.6 ABN/ACN**

ABN

47734989829 - The B.5/44 Settlement & The G.5/44 Settlement

**9.5.7 Organisation Telephone**

(02) 6283 8777

**9.5.8 Organisation E-mail**

bmorris@morrispropertygroup.com.au

**Proposed designated proponent - Declaration**

I, Barry James Morris, the proposed designated proponent, consent to the designation of myself as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature:.......... Date: 28 August 2019.....

**9.6 Is the Referring Party an Organisation or Individual?**

Organisation

**9.8 Organisation**

**9.8.1 Job Title**

Director

**9.8.2 First Name**

Paul

**9.8.3 Last Name**

Cohen

**9.8.4 E-mail**

cambdion@netspeed.com.au

**9.8.5 Postal Address**

25 Somerset Street  
DUFFY ACT 2611  
Australia

**9.8.6 ABN/ACN**

ABN

77077782499 - CAMPBELL DION PTY LTD

**9.8.7 Organisation Telephone**

(02) 0438883719

**9.8.8 Organisation E-mail**

cambdion@netspeed.com.au

**Referring Party - Declaration**

I, \_\_\_\_\_ Paul Dion Cohen \_\_\_\_\_, I declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence.

Signature:..  ..... Date: ..12 September 2019.....

## **Appendix A - Attachments**

The following attachments have been supplied with this EPBC Act Referral:

1. 2018-05-15 S44 B11 Belconnen - Proposed Development.pdf
2. MPGCC Environmental Management Plan.pdf
3. STATEMENT OF HERITAGE IMPACT (3).pdf