



Australian Government

National Capital Authority

Report on Consultation

DEVELOPMENT CONTROL PLAN

1206

PART BLOCK 1677 TUGGERANONG
MONARO HIGHWAY

AUGUST 2012

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National Capital Authority
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1 INTRODUCTION

1.1 Purpose and background

This report summarises the issues raised during the public consultation process undertaken by the National Capital Authority (NCA) on draft Development Control Plan (DCP) No. 12/06 for part Block 1677 Tuggeranong.

On 27 January 2012, the ACT Government issued a Request for Proposals to support the development of up to 40 megawatts of large-scale solar generation capacity in the ACT. Block 1677 has been identified as a possible location for a large-scale solar generation facility.

In April 2012 the NCA received a request from Beacon Hill Consulting to prepare a DCP for part Block 1677 Tuggeranong. The purpose of this DCP is to provide guidance for the future development of the subject site within the framework of the National Capital Plan (the Plan) and the Territory Plan.

1.2 National Capital Plan requirements

The National Capital Plan (the Plan) came into effect on 21 January 1990. The subject site is adjacent to the Monaro Highway, an Approach Route as defined in the Plan. Special Requirements for Approach Routes apply *'to development on all land (not included within any Designated Area) which fronts directly onto Approach Routes AND is not more than 200 metres from their middle lines'*. Special Requirements for Approach Routes under section 2.4 of the Plan apply to the site and state:

'Development is to conform to Development Control Plans agreed by the Authority, which seek to enhance the surrounding predominantly rural character and landscape outside the urban areas. As the Approach Routes enter the built up area, the emphasis shall shift to a more formal character.'

Draft DCP 12/06 has been prepared in accordance with the Plan.

1.3 Effect of the Development Control Plan

DCP12/06 establishes planning and urban design provisions including building height, setbacks and design, landscape character, access and parking for development at part Block 1677 Tuggeranong.

Draft DCP12/06 includes the following provisions:

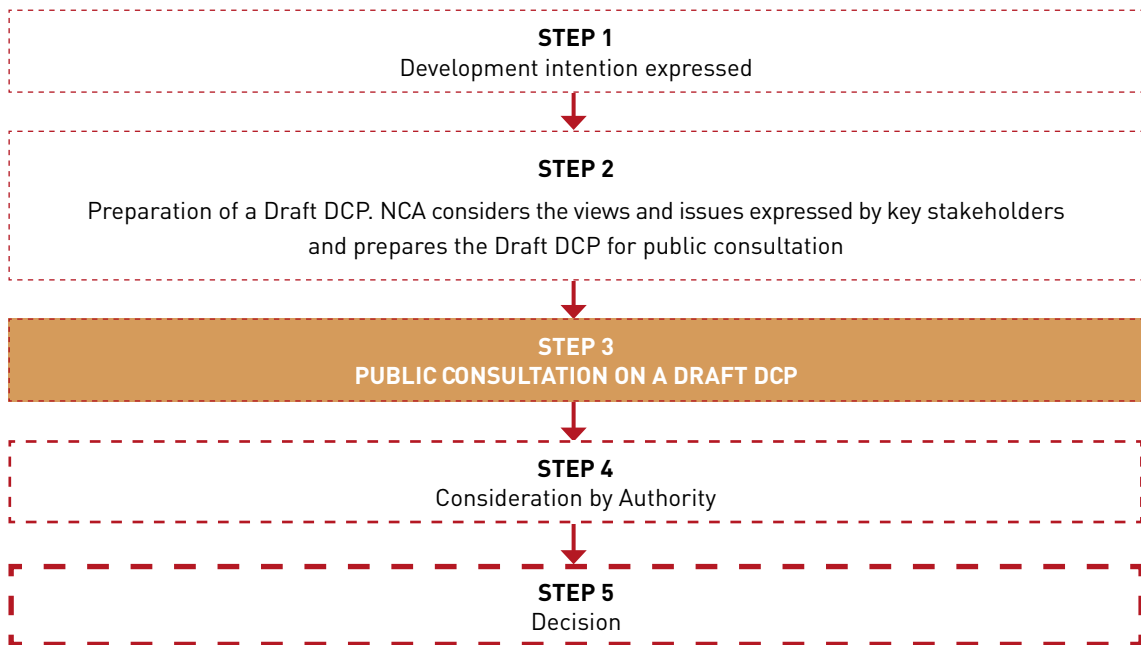
- General planning and urban design objectives for redevelopment of Part Block 1677 Tuggeranong.
- Requirements for building height and setback and architectural quality in built form.
- Requirements for access to the site and parking.
- Requirements for an enhanced landscape character along the Monaro Highway frontage.

2 PUBLIC CONSULTATION

2.1 Development Control Plan Process

The process for making a DCP is outlined in Figure 1.

FIGURE 1: OUTLINE OF THE DEVELOPMENT CONTROL PLAN PROCESS



2.2 Stakeholders

On 30 May 2012, the NCA released draft DCP12/06 for public consultation. The following stakeholders were identified as having an interest in the future development of the site:

- ACT Government Environment and Sustainable Development Directorate
- ACT Government Territory and Municipal Services Directorate
- Tuggeranong Community Council
- Adjacent residents.

ACT Government agencies, adjacent lessees and the Tuggeranong Community Council were advised by letter and electronic mail about the release of draft DCP12/06 for public comment.

2.3 Release of the draft Development Control Plan for public comment

In accordance with the NCA's Commitment to Community Engagement (August 2011) the consultation period ran for six weeks and concluded on 20 July 2012. The consultation process included:

- Friday 8 June 2012 – draft DCP published on the NCA's web site, a media release was provided to media outlets
- Saturday 9 June 2012 – notice published in The Canberra Times
- Wednesday 13 June 2012 – Written notices sent to all identified key stakeholders (including email advice and letter box drops)

- Wednesday 13 June 2012 – public information session held at the NCA Offices between 11.30am and 1.00pm
- Friday 20 July 2012 – period for written submissions concluded.

3 ISSUES

The NCA received seven written submissions in response to the draft DCP. The key issues raised are discussed below. A summary of each submission, together with a detailed response, is at **Attachment A**.

3.1 Impact on existing horse paddocks

COMMENTS RECEIVED

Submitters raised concern that the proposal and DCP did not recognise the current use of the site as the Rose Cottage horse paddocks or the value of the paddocks to the community. These submissions noted that there is existing infrastructure on site for the purposes of horse agistment and recreational riding including yards, washbays and feeding troughs. Submitters expressed concern regarding the lack of perceived value in horse paddocks and felt that they were often the first areas of Canberra to be identified for development. The lack of value placed on horse paddocks was described to have led to a slow erosion of these facilities and equestrian activity.

Submissions emphasised the importance of equestrian sports in Canberra and highlighted that this was possible because of the provision of public horse paddocks which make horse ownership possible for all ACT residents. It was suggested that without it, equestrian sport, as in most other areas, would be limited to the elite.

The role of publicly owned horse paddocks to the open space networks and in the amenity of Canberra suburban areas was highlighted in submissions. It was suggested that the open space is one of the characteristics that attracts people to Canberra and makes it different from living in other cities.

NCA RESPONSE

The development of a solar farm on the site is not inconsistent with the prescribed land use for Broadacre Areas under the Plan.

The ACT Government controls the availability and management of the horse paddocks and will determine if the site is to be made available for the development of a solar farm.

This DCP describes with the form, character and landscape treatment of any development on the site. The DCP does not limit development on the site to a solar farm and does not preclude continuation of equestrian use.

No change to the DCP is recommended.

3.2 Wildlife connectivity

COMMENTS RECEIVED

Submitters identified that the site is near an important wildlife corridor. It was noted that the ACT Government's Canberra Spatial Plan identifies the area from Red Hill/Mt Taylor through Wanniasa Hills to Tralee as a 'biodiversity corridor'. The ACT Government's Conservator of Flora and Fauna identified Wanniasa Hills (including this site), Farrer Ridge, Coolamon Ridge and Mt Urambi between the Murrumbidgee and Jerrabomberra woodland as an important regional corridor. It was suggested that incremental development of this corridor including the Mugga Lane Resource Centre expansion, the new southern cemetery and Hume industrial centre extensions may threaten biodiversity values.

NCA RESPONSE

The Plan identifies the importance of the ecological resources of the ACT and the wider region. The DCP currently requires the revegetation and protection of the Dog Trap Creek corridor for the purposes of protecting biodiversity values.

It is recommended that the DCP be amended to require that any landscape plan prepared for the site minimise impact on the Jerrabomberra to Murrumbidgee regional wildlife corridor.

3.3 Gas fired power station

COMMENTS RECEIVED

It was suggested that solar power facilities require co-location with gas fired power to be efficient. There was concern that a gas fired power facility would be located in full view of the Highway and would compromise the objectives of the DCP.

NCA RESPONSE

The DCP sets out planning and design provisions for the site. The ACT Government will be responsible for assessing future proposals for the site in accordance with the provisions of the DCP and the Territory Plan.

No change to the DCP is recommended.

3.4 Hume/Macarthur rural landscape buffer

COMMENTS RECEIVED

Comment was made in relation to the visual separation of residential and identified industrial areas. It was suggested that the development of the Hume Industrial Estate, southern Canberra cemetery and a solar farm on Block 1677 Tuggeranong could visually 'connect' suburban Macarthur with Hume.

It was suggested that the requirement for a landscape master plan that protects rural character was contradictory when the site is currently rural and this character could be protected by not allowing this kind of development. The rural landscape was said to define Canberra as a 'bush capital' and the lifestyle associated with that this being a major reason that many people choose Canberra as a place to live.

Submitters noted that nature parks in Canberra are generally on hills, and that flat bushland and rural walking areas are rare. It was suggested that the horse paddocks are frequented by walkers, especially senior citizens, as walking steep inclines with joint problems is undesirable.

NCA RESPONSE

The Broadacre Areas to the east of the city, of which this site is a small part, are of considerable economic importance to Canberra and offer capacity for the further economic development of the city in a manner complementary to its function as the National Capital.

The National Capital Plan provides for the continuation of urban development in the Territory as separate and distinct towns set in broad landscaped valleys, with the immediate hills, ridges and other major open space providing separation between towns. Wanniasa Hills is within the Hills, Ridges and Buffer Spaces land use policy area of the Plan and is subject to the NCA's detailed planning control. Under the Plan, the principle for Hills, Ridges and Buffer Spaces is for these areas to remain substantially undeveloped. Wanniasa Hills will continue to act as a visual buffer between Hume and Macarthur.

The DCP requires that land use on the site is consistent with the Plan. The ACT Government is responsible for assessing future development proposals on the site, including an assessment of whether the proposed use of the site is consistent with the DCP and the Plan.

Provision of recreation and walking infrastructure is the responsibility of the ACT Government in this area.

No change to the DCP is recommended.

3.5 Visibility of development from the Monaro Highway

COMMENTS RECEIVED

The site subject to the DCP was described by submitters as lower than the Monaro Highway. It was suggested that any type of development on the site cannot be adequately screened from Monaro Highway, thereby compromising the objectives of the DCP and the importance of the Approach Route.

It was also noted that if the solar farm were to be developed on the western side of the Dog Trap Creek it could not be screened due to the increase in elevation.

NCA RESPONSE

The DCP requires a high standard of landscape design for the Monaro Highway frontage, and for landscape screening to be planted in the 25 metre setback from the Monaro Highway. The DCP also requires that a Landscape Master Plan be prepared for the site which ensures that the visual impact of buildings, car parking and storage areas from the Monaro Highway be minimised.

Under the Plan, Special Requirements for the Approach Route apply to development on land that fronts directly onto the Approach Route and is not more than 200 metres from the middle line of the road. The area west of Dog Trap Creek resides outside of 200 metres from the Monaro Highway centreline.

No change to the DCP is recommended.

3.6 Fencing

COMMENTS RECEIVED

Concern was raised that tall security fencing would be undesirable to the Monaro Highway site boundary. It was preferred if such fencing was setback behind landscape screens.

NCA RESPONSE

The NCA agrees with this suggestion.

It is recommended that the DCP be amended to clarify and strengthen fencing requirements. Fencing to the site boundary will be restricted to 1.2 metres in height and will be required to be of a rural character. Security fencing will be required to be set back behind landscape screens. All fencing must be unobtrusive and of high quality construction.

4 INTERNAL REVIEW

4.1 Dog Trap Creek alignment

ISSUE

The alignment of Dog Trap Creek was not accurately represented in draft DCP12/06. This meant the area excluding development could not be accurately shown.

NCA ACTION

A properly surveyed alignment of the creek has been used in the final DCP drawing. The buffer zone has been formalised at 20 metres either side of the creek line.

4.2 Ambiguous Language

ISSUE

The NCA is committed to removing passive and ambiguous language from DCPs.

NCA ACTION

Four changes are recommended to remove ambiguous terms where they are of no use and to replace them with descriptive language.

5 RECOMMENDED CHANGES

In response to submissions received and as a result of internal review, the following changes are recommended to draft DCP12/06:

- Addition to objectives of landscape master plan to read as follows:

Minimise the impact on the Jerrabomberra to Murrumbidgee regional wildlife corridor extending through the site.

- Clause 7.1 be amended to read as follows:

Fencing to site boundaries is allowable, provided it:

- *is of a rural or agricultural character*
- *does not exceed 1.2 metres in height.*

- Clause 7.2 be amended to read as follows:

If security fencing is required, it must be of a consistent standard and shall not be located within the landscape zones.

- Clause 7.3 be amended to read as follows:

All fencing, whether to the site boundary or internal shall:

- *not appear solid, bulky or obtrusive*
- *be highly integrated with landscape design and allow filtered views into the site*
- *be constructed of high quality materials that minimise maintenance and maximise longevity of the fencing*
- *not be constructed of pre-coloured metal or solid materials*

- Clause 6.1 be amended to read:

Material selection for buildings and structures should be sensitive and responsive to the site and rural landscape. Highly reflective, white and/or zincalume on roofs and walls will not be permitted.

- Clause 6.2 be amended to read:

Colours of external finishes of buildings should be sympathetic to the rural landscape. High contrasts in colours will not be permitted.

- Clause 8.2 be amended to read:

An integrated and responsive landscape design solution is required for the Monaro Highway frontage. This frontage should be maintained and enhanced with native trees and shrubs. Mature native trees are to be retained wherever possible.

- Delete 'are to be carefully sited and...' from Clause 11.1.
- Clause 12.3 added, reading:

All lighting pollution and glare shall be mitigated in accordance with the Civil Aviation Safety Regulations Manual of Operation Standards 139, Section 9.21 'Lighting in the vicinity of aerodromes'.

- DCP drawing 12/06 has been amended to indicate the correct alignment of Dog Trap Creek.

Minor changes have been made to improve grammar and readability of the DCP.

6 CONCLUSION

Draft DCP 12/06 for part Block 1677 Tuggeranong was released for public consultation in June 2012 in accordance with the NCA's Commitment to Community Engagement (August 2011).

Seven written submissions were received.

Ten changes to the DCP have been made in response to comments received and internal review.

APPENDIX A

Note: Details of each submission have only been reproduced in this table where a submitter has granted permission for their name and/or address to be used by the National Capital Authority for the purpose of the Report on Consultation for Development Control Plan (DCP) No. 12/06.

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
1	CONFIDENTIAL SUBMISSION	Notes that on the plan attached to the draft DCP that horse paddocks are adversely affected by the proposed solar farm. While the DCP plan only refers to land on the eastern side of Dog Trap creek the site plan provided by BeaconHill also incorporates more land on the western side of the creek. This is misleading.	Under the National Capital Plan (the Plan), Special Requirements for Approach Routes apply to development on land that fronts directly onto the Approach Route and is not more than 200 metres from the middle line of the road. The area west of Dog Trap Creek resides outside of 200 metres from the Monaro Highway centreline.
		Does not support the use of the horse paddocks for any other purpose. The quality of life in Canberra is enhanced greatly because of its rural environment. Indeed, the sole reason the some people live in the region is because of Canberra's 'bush capital' lifestyle. Canberra is promoted interstate as a 'bush capital'. If the media picks up on the fact that other interests are changing this then this promotion of Canberra will be a joke. The submitter dreads the day when a trip around Canberra will not be a pleasant drive through semi rural areas, where you can see horses grazing still.	Noted. The site is zoned as Broadacre Areas distinct from Rural Areas. A proposal for a solar farm would not be inconsistent with the permitted land uses for the site.
		Equestrian sports are supported in Canberra by the provision of public horse holding paddocks. This makes horse ownership possible for all ACT residents. It is a popular sport, particularly important to females, which promotes physical fitness, responsibility, animal husbandry and better physical and mental health. The slow erosion of these facilities is suffocating this sport.	The ACT Government controls the availability and management of horse paddocks and will determine if the site is made available for the development of a solar farm.

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
1		<p>Nature parks in Canberra are predominately on hills. Flat natural walking areas are becoming rare. The Rose Cottage horse holding paddocks are frequented by walkers and dog walkers and the flat area appeals to senior citizens. Walking on slopes can be difficult for senior citizens and those with joint problems.</p>	<p>The NCA notes that most nature parks in Canberra are on hills and slopes as these hills form the landscape setting for the National Capital. However, the availability of the site will be determined by the ACT Government.</p>
		<p>If the site is selected as a solar farm site the submitter offers this compromise:</p> <p>That the solar farm should be placed on the eastern side of Dog Trap Creek only and not the western side.</p> <p>This would mean that the whole of the solar farm would be on the same side of the Creek and accessed from Mugga Lane without crossing the Creek</p> <p>Also, the area on the western side of the creek is elevated, has significant and beautiful trees, and cannot be screened from Monaro Highway.</p> <p>If the solar farm was confined to the eastern side of the Creek it could easily be disguised by vegetation from the Monaro Highway.</p> <p>If the solar farm goes ahead, I would also suggest that an enclosed equestrian trail (10m wide) be provided around it. This could be in the Landscape zones.</p>	<p>The ACT Government will determine the sites chosen to provide large scale solar power generation facilities. Any detailed designs for the site will be subject to the ACT Government's Development Application process.</p>
2	<p>ACT Government – Environment and Sustainable Development Directorate (ESDD) on behalf of ACT Government</p> <p>GPO Box 158 Canberra City 2601</p>	<p>Environment and Sustainable Development Directorate</p> <p>Concerns have been raised regarding the possible impacts of any reflective materials used in a solar farm development on both Canberra International Airport traffic and Monaro Highway traffic. It is unclear whether the NCA has consulted with the airport in relation to draft DCP12/06.</p>	<p>The Canberra Airport has indicated that as the solar farm is not managed by the airport and is directly below an aircraft departure route so there is risk of glare impacting on aircraft safety. The airport advised that this glare should be mitigated in accordance with the Civil Aviation Safety Regulations Manual of Operation Standards 139, Section 9.21 'Lighting in the vicinity of aerodromes'.</p> <p>It is recommended that the DCP be amended to require lighting and glare be managed in accordance with the Civil Aviation Safety Regulations Manual of Operation Standards 139, Section 9.21.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
2		It is acknowledged however, that future development applications for the site will be assessed by the planning and land authority within ESDD under the Territory Plan and any impacts of a proposed development will be considered as part of the assessment process.	Noted.
		Heritage Council The part of block 1677 Tuggeranong that is the subject of draft DCP12/06 is the potential Aboriginal archaeological deposit. A detailed cultural assessment will be required prior to any development on the site. It should also be noted that, depending on the findings of the cultural assessment, more detailed cultural heritage management surveys may be required prior to any development.	Noted.
		Conservator of Flora and Fauna The part of block 1677 Tuggeranong that is included in Draft DCP 12/06 does not have any known ecological values. However, the block is in an important area of regional wildlife connectivity where there is an east west link, via Wanniasa Hills, Farrer Ridge, Coolamon Ridge and Mt Urambi between the Murrumbidgee and Jerrabomberra woodland and then beyond.	It is recommended that the regional wildlife corridor and importance of this site in this context be noted in the DCP.
		In regard to the above, the NCA may wish to consider the following: Mature and regenerating trees are to be retained as much as possible within Block 1677 for their connectivity values. In areas not utilised for solar arrays, any paddock trees must be retained and restoration plantings encouraged No clearing or disturbance to areas of adjacent Yellow Box Red gum Grassy Woodland should be permitted for bushfire protection of the solar facility.	The DCP currently provides protections for mature native trees on the site. Planting is mandatory in landscape zones within the area subject to the DCP and encouraged in the Dog Trap Creek corridor outside of the DCP area. The ACT Government's Planning for Bushfire Risk Mitigation General Code outlines that bushfire mitigation measures should not occur within areas of high conservation value and recommends that site layout and design mitigate the need to conduct these practices in valued areas.

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
2		<p>Environment Protection Authority (EPA)</p> <p>Rural land uses are potentially subject to activities that may cause land contamination. The “ACT 1995 Strategic Plan - Contaminated Sites Management” details that land should be assessed for potential contamination at the earliest planning stages.</p> <p>The issue of potential site contamination should be included in any assessment of the site prior to a change in land use to ensure the site is suitable for the proposed and permitted uses. The site assessment report must be provided to the EPA for review and endorsement prior to development works commencing at the site.</p>	<p>The DCP does not constitute a development application. It provides a set of planning and urban design objectives, policies and provisions to protect the National Significance of the Monaro Highway as an Approach Route to the National Capital. The issue of site contamination may be considered as part of the decision making process for the ACT Government solar auction.</p>
		<p>Transport and Municipal Services (TAMS)</p> <p>TAMS supports the proposal to locate a large scale solar generation facility on the subject site.</p>	<p>Noted.</p>
		<p>In establishing the planning and urban design provisions for the site, TAMS requests that consideration be given to the following issues:</p> <p>TAMS proposes that access to the site be from the roundabout on Mugga Lane and suggests that the location be determined in conjunction with TAMS Asset Acceptance.</p> <p>During the design development stage TAMS will require information on the type of fencing, work site management and defects liability period.</p>	<p>The DCP does not constitute a development application. It provides a set of planning and urban design objectives, policies and provisions to protect the National Significance of the Monaro Highway as an Approach Route to the National Capital. If the site is chosen to be the site for a large scale solar farm then further exploration of design and infrastructure requirements will be required (within the provisions of any approved DCP) prior to the lodgment of a development application. The DCP will be amended to allow access to the site from the roundabout.</p>
		<p>Community concern has been expressed over the loss of Horse Holding Paddocks (HHP) capacity and any further reduction in the numbers of horses able to be agisted in the HHPs will only increase this concern further</p>	<p>Noted.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
2		All sixteen government horse holding paddocks in the ACT are operated as a single unit through a commercial fifteen year Services Agreement with Territory Agistment Pty Ltd (TA) which is reviewed every three years. The first review is due in November this year.	Noted.
		Not all horse paddocks are the same with some sites able to carry more horses than others. The commercial viability of managing the horse paddocks relies on TA having sufficient flexibility to manage the numbers of horses between sites and individual paddocks within a site. There are currently 325 horses agisted across the 16 HHPs.	Noted.
		Much of the western portion of the Rose Cottage HHP is low quality grazing which is compensated for by the high quality pasture improved paddocks in the Eastern portion of the site. The proposed location of the solar complex in the Rose Cottage HHP will remove a significant amount of high quality grazing from the site and has the potential to affect the commercial viability of TA's operation at Rose Cottage and perhaps more widely. The new southern cemetery has also reduced size of the Rose Cottage HHP.	Noted.
		If the commercial viability of the Rose Cottage HHP, and perhaps the broader HHP network, is jeopardised, there is potential for TA to withdraw their services which would have significant consequences for the ACT Government.	The working relationship between TAMS and their service providers is a matter for TAMS.
		NCA or ACTPLA need to consult with TA and seek their view on the potential impact of this and other HHP related proposals on their business as a matter of priority so that the current good working relationship between TAMS and TA is not jeopardised.	The NCA contacted TA to seek their comment on the DCP. TA subsequently provided written comment on draft DCP12/06 (see submission 3).

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
3	Territory Agistment Pty Ltd	Territory Agistment Pty Ltd is a small company set up to manage the ACT Government Horse Paddocks in the ACT. There are currently 16 Government owned horse paddock complexes across the ACT comprising almost 1000ha of grazing and recreational land. The complexes are linked by a trail network providing a myriad of recreational opportunities for a variety of uses including mountain biking and walking, as well as horse riding.	Noted.
		Canberra is unique in that residents living in the suburbs of Canberra have access to affordable and well located horse agistment in the Broadacre ACT Government Horse Paddocks. The land used for horse agistment provides important buffer zones for residential areas and is used for recreational activities as well as horse agistment and riding. Development continues to encroach on these recreational areas and left unfettered will eventually destroy this point of difference currently held by the ACT from any other large city.	The ACT Government controls the availability and management of horse paddocks and will determine if the site is made available for the development of a solar farm.
		The ACT Government Horse Holding Paddock horse agistment model enables the ACT Government to effectively manage these large recreational areas with limited financial input. Management of the land including weed spraying, fire management and maintenance and replacement of assets is funded by horse agistment and is managed entirely by Territory Agistment under a licence agreement with the ACT Government.	Noted.

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
3		Although broadacre horse agistment was initially considered a temporary land use, its value in providing a positive contribution to the greater Canberra lifestyle should be recognised and secured for the long term.	The subject site is Territory Land. The ACT Government is responsible for licensing and leasing arrangements on the site.
		<p>In 2009 the then Chief Minister, Mr John Stanhope (in Hansard No 430) that 'grazing of horses was seen as a legitimate temporary use of the land until it was required for a more 'beneficial use'. As demonstrated by this submission and many of the others you will no doubt be receiving, we argue horse agistment in the urban area is a valid land use providing social and community benefits at very little cost to the Territory and desperately requiring recognition by the Government.</p> <p>Private horse agistment would not be available or even affordable for the vast majority of our clients. How much does the Territory spend on developing cycle paths in the ACT? We would hope Mr Stanhope's 2009 view of the paddock system is no longer representative of the current Government and that access to horse ownership via the Government Horse Paddocks is recognised for the social, health and community value it provides.</p>	Noted.
		We currently have over 320 horses agisted in the ACT Government Horse Paddocks and a waiting list of over 150 horses. Horse ownership within the ACT community is higher than any other capital city on a per capita basis as a direct result of accessible and affordable horse agistment provided in urban areas.	Noted.
		The ACT has many equestrian based clubs and is host to a number of large equestrian sporting events including the Australian Show jumping Championships. These events contribute greatly to the ACT economy.	Noted.

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
3		Equine-assisted therapy has been used to deal with the behavioural problems of troubled adolescents for a long time in the United States and many of our clients will testify to the value of the opportunity to have access to horse ownership for this reason. In Australia, Father Chris Riley's Youth Off The Streets Program recognises the value of horses as a powerful social learning tool. Horse ownership provides social interaction for people of all ages and in the ACT the Government Horse Paddocks allows people from all socio-economic groups to participate	Noted.
		Although horse agistment was originally considered a temporary land use in these areas, the horse paddock complexes have become permanent fixtures supported by committed and passionate local communities. Due to the temporary nature of the land use, facilities permitted by the Government have been limited to fencing, yards and water infrastructure. Even so, agistees have committed their own funds to develop arenas at almost all complexes.	Funding arrangements for horse paddocks is beyond the scope of the DCP and is a matter for the ACT Government.
		It must also be kept in mind that although the complexes are geographically independent, continued financial viability of the system is reliant on the area as a whole. Removal of complexes from the Horse Paddock system will impact on the viability of the system as a whole and then the cost of managing the left over sites will once again fall to the ACT Government.	Noted.
		The land comprising Rose Cottage Paddock should be permanently allocated for horse agistment. A significant amount of land has already been removed from the Rose Cottage Horse Paddock area for development of the cemetery and any further development will mean the complex is no longer viable.	The ACT Government controls the availability and management of horse paddocks and will determine if the site is made available for the development of a solar farm.

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
3		The Rose Cottage Horse Holding Paddocks have largely been 'developed' by agistees who have planted trees and raised funds to construct the arena and exercise area. The facilities are used on a daily basis by our clients and the site as a whole provides a large community recreation area.	Noted.
		It is agreed the area is a key entry point to the ACT and broad acre horse agistment complements the vista of 'an important recreational and agricultural area for local residents and provides an attractive entry highlighting the nature of the 'bush capital' for visitors.	Development on site is to accord with the provisions of the DCP and the Territory Plan.
		The site also provides a buffer to Long Gully House, an ACT Health Facility which was recently rebuilt at great expense to ACT taxpayers. The facility caters for some interesting characters and any time spent near there will demonstrate the continued requirement for the recreational area the Horse Paddocks currently provide for the residents of Long Gully House.	Noted.
		The area is conveniently located and is already well utilised by members of our community for horse riding, walking, running, bird watching and other recreational activities. These open spaces provide substantial unquantified health benefits for the community and the continued resumption of these areas for development purposes can only have a negative impact on the community in the longer term.	Noted.
		TA Recommends that land used for the ACT Government Horse Paddocks is secured for the long term in recognition of the importance of the land for recreational use and the continuation of the opportunity to own a horse in Canberra which is a unique point of difference for our city.	The subject site is Territory Land. The ACT Government is responsible for licensing and leasing arrangements on the site.
		TA Recommends that ACT Government Horse Paddock land that is used for development be replaced to ensure continued viability of the system and provide affordable and accessible horse agistment within the ACT.	

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
4	CONFIDENTIAL SUBMISSION	Supports proposed a solar farm on land bounded by Mugga Lane, the Monaro Highway and Isabella Drive at Hume.	Noted.
		Notes the site is ACT Government land that has been earmarked for development for some time. Various development proposals have been put forward which have raised resident objections and concerns, especially over possible air pollution. Believes that if this land is to be developed then a solar farm would be ideal, due to the fact that it would be low rise and a non-polluting alternative to some previous proposals.	Noted. The NCA has no role in the selection of sites for future solar farms. The ACT Government controls the availability and management of horse paddocks and will determine if the site is made available for the development of a solar farm.
		Notes that the ACT Government currently uses the site as horse paddocks and that these proposals have raised some concerns among the equestrian community in Tuggeranong. From the plans it appears that even with the solar farm development there will still be land available for horses. Perhaps with this development, it would be an appropriate time for the ACT Government and the equestrian community to work together to find a more suitable and more permanent home.	Noted. The NCA has no role in the selection of sites for future solar farms. The DCP only applies to land within 200 metres of the Monaro Highway centreline. The development footprint of the solar farm proposal extends beyond the boundary of the DCP.
5	CONFIDENTIAL SUBMISSION	As the submitter understands it, the anticipated development proposal is related to a potential solar power facility.	Noted. If the site is selected to be a solar farm it is anticipated that security fencing will be required.
		This facility would be considered critical infrastructure and as such would have to be strongly secured to prevent vandalism, deliberate malicious acts including potential terrorism etc. This means that it would need to be security fenced with a fence that is substantial in nature in order to minimise the risk of destructive acts.	
		Such a substantial fence has two major concerns. There are aesthetic and environmental issues associated with such fencing. A substantial facility surrounded by significant security fence will likely be very unattractive when view from the Monaro Highway and Isabella drive and as mentioned it will be very difficult to screen effectively.	It is recommended that the DCP be amended to clarify and strengthen fencing requirements. Fencing to the site boundary will be restricted to 1.2 metres in height and required to be of a rural character. Security fencing will be required to be set back behind landscape screens. All fencing must be unobtrusive and of high quality construction.

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5		Given the issues raised above I am concerned that a fenced facility will mean that this development is not consistent with requirements or intent of 'broadacre' development in the ACT.	The area subject to the DCP is zoned in the Plan and the Territory Plan as Broadacre Areas distinct from Rural Areas. The Plan recognises that within Broadacre Areas, land uses will be of a nature that they require large sites that are not available within urban areas or, for their effective operation, need or would benefit for a non-urban setting.
		Fencing large areas near animal corridors, horse paddocks etc will severely limit public access to the area and through it to adjacent horse paddocks, walking areas etc. In addition, it will preclude movement of wildlife through the area. This has the potential to create set points of heavy animal movement across these roads, creating significant dangers to both traffic and animals. Note that kangaroo traffic across the Monaro Highway is already significant and this development could enhance the problem	<p>If the ACT Government chooses to permit development of the site for a solar farm, traffic safety and the effects of the development on native wildlife will be considered at the detailed design stage of the project.</p> <p>It is recommended that the DCP be amended to require that any landscape plan prepared for the site consider the relationship of the site to the Jerrabomberra to Murrumbidgee regional wildlife corridor.</p>
6	ACT Equestrian Association (ACTEA)	The ACT Equestrian Association (ACTEA) wishes to lodge a strong objection to the proposal for a solar farm on part block 1677 Tuggeranong to occupy land on the south western corner of the Monaro Highway and Mugga Lane.	Noted.
		This land presently forms part of the complex of Rose Cottage paddocks, one of the ACT Government Horse Holding Paddocks. ACTEA is composed of some 20 affiliate equestrian groups, including the Government Paddocks User Group, and is very concerned at the potential loss of some 18 hectares of land, used by our members.	Noted.

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6		<p>The DCP issued to the proponent by the National Capital Authority (NCA) is to protect the approach on the Monaro Highway to Canberra, a requirement of the National Capital Plan, but this proposal for a solar farm will occupy a much greater amount of land than the narrow strip along the Monaro Highway which the NCA's DCP aims to protect.</p>	<p>Under the Plan, Special Requirements for the Approach Route apply to development on land that fronts directly onto an Approach Route and is no more than 200 metres from the middle line of the road. The area west of Dog Trap Creek resides outside of 200 metres from the Monaro Highway centreline.</p> <p>The DCP does not constitute a development application. Future development proposals for the site will be assessed by the ACT Government against the provisions of the DCP and the Territory Plan.</p>
		<p>It was very distressing for agistees at Rose Cottage and for Territory Agistments who manages the complex to read in The Canberra Times of 9 June that this complex was likely to lose acreage to a solar farm. No previous contact with the users of the land had been made by the proponent or its consulting firm.</p>	<p>Noted.</p>
		<p>The draft DCP refers only to the land up to 200 metres from the middle lines of the Monaro Highway but in contact with a representative of BeaconHill, consultant to the proponent for the solar farm, it has been established that the solar farm will cover an area of some 18 hectares. This means that more than half of the 34.8 hectares of best grazing area for the horses east of the entry off Mugga Lane would be lost if this solar development is approved. It may appear that there is still a large area for the horse paddocks west of the entry lane, but the major portion of that land is under development and not suitable for agistment.</p>	<p>Under the Plan, Special Requirements for the Approach Route apply to development on land that fronts directly onto an Approach Route and is no more than 200 metres from the middle line of the road. The area west of Dog Trap Creek resides outside of 200 metres from the Monaro Highway centreline.</p>
		<p>The Rose Cottage paddock site is not a site without a use; it is part of the business of the firm managing all ACT Government Horse Holding Paddocks and contributes to the viability of that business.</p>	<p>Noted.</p>

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6		<p>Horse owners feel their community recreational resource is under extreme threat. ACTEA has learnt that the proponent has made a direct sale application for the land it requires at this site. This process is possible through the Economic Development Directorate but to the members of ACTEA it appears to be a process which negates the purpose of the Territory Plan. It appears this process allows for development at the whim of the applicant rather than the overall approach of the Territory Plan. The objective of the Territory Plan includes words stating planning and development is “to provide people of the ACT with an attractive, safe and efficient environment in which to live, work and have their recreation.” (v.1 p.1 Object of the Plan 1.1) Rose Cottage paddocks are a recreational resource for those living nearby not limited to horse riders.</p>	<p>If the site is chosen to provide solar power to the ACT a detailed design will be subject to assessment against the DCP and the Territory Plan by the planning and land authority of the Environment and Sustainable Development Directorate.</p>
		<p>The plans for the site are not currently available so it is difficult to consider the effect of the development on the landscape values of the Monaro Highway and its approach to Canberra. But we fail to see how a solar farm in this situation will provide “for an enhanced [our emphasis] landscape character along the Monaro Highway frontage.” p.2 of draft DCP 12/06.</p>	<p>DCP12/06 does not constitute a development application. Future development proposals for the site will be assessed by the ACT Government against the provisions of the DCP and the Territory Plan. The use of the site for a solar generation facility is consistent with the land use policy for Broadacre Areas under the Plan.</p>
		<p>The Rose Cottage Paddocks presently offer a rural landscape usually with grazing horses and kangaroos amidst a background of eucalyptus vegetation below the ridge of Wanniasa Hills Nature Park.</p>	<p>Noted.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
6		<p>The solar farm proposal needs to be considered as a whole. A large acreage of solar panels will be very conspicuous and not very attractive. The NCA provisions for building and fences in the draft DCP aim to conceal much of the solar farm from the Monaro Highway. Approaching the Monaro Highway on Mugga Lane from the west is unlikely to present an attractive view.</p>	<p>The area subject to the DCP is zoned in the Plan and the Territory Plan as Broadacre Areas distinct from Rural Areas. The Plan recognizes that within Broadacre Areas, land uses will be of a nature that they either require large sites that are not available within urban areas or, for their effective operation, need or would benefit from a non-urban setting.</p> <p>The DCP requires a high standard of landscape design for the Monaro Highway frontage and for landscape screening to be planted in the 25 metre setback from the Monaro Highway. The DCP also requires that a Landscape Master Plan be prepared for the site which ensures that the visual impact of buildings car parking, and storage areas from the Monaro Highway is minimised.</p>
		<p>If there is risk of overshadowing will the vegetation be cut down?</p>	<p>The DCP requires a tree assessment be undertaken as part of any development application for the site.</p>
		<p>Both the National Capital Plan and the Territory Plan emphasise the importance of a rural landscape for Canberra in its setting of hills and ridges. In contrast, this development is proposing a large array of solar panels in what is currently a rural setting. The current use provides a buffer between industrial Hume and adjacent suburban areas of Macarthur and Fadden.</p>	<p>The site is zoned as Broadacre Areas, a 'public utility' (a subset of 'Administrative and Utility Services') such as a solar farm is a permissible use.</p> <p>Wanniassa Hills is within the Hills, Ridges and Buffer Spaces land use policy area of the Plan and is subject to the NCA's detailed planning control. Under the Plan, the principle for Hills, Ridges and Buffer Spaces is for these areas to remain substantially undeveloped. Wanniassa Hills will continue to act as a visual buffer between Hume and Macarthur.</p>
		<p>Is this site likely to be efficient for power generation when the hills to its west are likely to shade the site from the direct rays of the sun for part of each day?</p> <p>On behalf of those agisting horses on Rose Cottage paddocks we urge that approval of the NCA Draft Development Control Plan 12/06 be withheld and that a site more remote from suburbia be found for the solar farm.</p>	<p>The DCP does not constitute a development application. Future development proposals for the site will be assessed by the ACT Government against the provisions of the DCP and the Territory Plan.</p>

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7	Government Paddock Users Group (GPUG)	Government Horse Paddocks were established in the ACT over 40 years ago and in Tuggeranong over 20 years ago. At present, Government Horse Paddocks are located in 16 different areas across the ACT and, with one exception, are all linked by equestrian trails. These trails are multi use and are located in quiet areas across the edges of suburbs and reserves. Horse agistment in ACT is keenly sought after, with, at present, over 150 horses on the waiting list for Government Horse Paddocks.	Noted.
		Over the past 5 years, the ACT government has taken back 20% of the area of Government Horse Paddocks for industrial and residential development (such as for West Macgregor and Hume). Horse owners are keen to ensure that the NCA recognises the value and importance of the Government Horse Paddocks to the agistees as well as the residents of the adjacent suburbs.	Noted. The supply and management of Horse paddocks and residential land is the responsibility of the ACT Government. The subject site is Territory Land. The ACT Government is responsible for licensing and leasing arrangements on the site.
		The Government Paddock User Group (GPUG) was established in 2003, after the Canberra bushfires. The group liaises between agistees, the Government Horse Paddock managers and the ACT government to ensure that the Horse Paddocks are maintained to the best standard possible.	Noted.
		The GPUG would like to ensure that opportunities for continued recreational and agricultural uses in the NCA controlled areas remain. The GPUG sincerely hopes that this will include the maintenance of the Government Horse Paddocks and horse trails which already exist. GPUG would like to see provision of more areas for Government Horse Paddocks as well as more horse trails to link them into the existing system.	The NCA does not have detailed planning or land management control of this site. The Plan provides for DCPs to protect and enhance the approach routes to the National Capital. The Monaro Highway is one such Approach Route. The ACT Government will be responsible for assessing future development proposals against the provisions of the DCP and the Territory Plan.

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7		Presently, the existence of the Government Horse Paddocks combined with the horse trails provide a high quality recreational opportunity for horse owners and local residents to use. There are over 200 kilometres of horse trails in ACT. These trails link each of the Government Horse Paddocks as well as travel across the edges of nature reserves.	Noted.
		The ACT horse trails link up with the Bicentennial National Trail which is a trail extending from Cooktown, Queensland in the north to Healesville, Victoria in the south. This trail travels through the western side of the ACT and is the longest non motorised trail in the world. Canberra is the only city that it travels through.	Noted.
		GPUG would like the planners to consider making the existing Government Horse Paddocks a permanent part of the landscape of the ACT. To have a large number of horses and horse paddocks within the urban area of a city is unique in Australia, and possible unique in the world. They continue to remind Canberran's that they live in the "Bush Capital."	<p>The ACT Government will be responsible for assessing future development proposals against the provisions of the DCP and the Territory Plan.</p> <p>The provision of horse paddocks for recreational use across the ACT is beyond the scope of the DCP and is the responsibility of the ACT Government.</p>
		The Government Horse Paddocks provide valuable sporting and recreational opportunities for the Canberra community. The system of Government Horse Paddocks across the urban area are valued and enjoyed by many in the community, not just horse owners.	Noted.
		Government Horse Paddocks have previously been considered by planners as a temporary land use only. Yet from the horse paddocks, many sporting and recreational clubs have been created, including 5 pony clubs, adult riding clubs, show jumping clubs, endurance clubs etc.	The subject site is Territory Land. The ACT Government is responsible for licensing and leasing arrangements on the site.

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7		<p>The Government Horse Paddocks provide recreational opportunities for many people, but especially for women and young girls who make up over 90% of horse owners in Government Horse Paddocks. Few horse owners would consider their horse ownership as temporary; neither should the planners consider the provision of Government Horse Paddocks to be temporary.</p>	<p>The subject site is Territory Land. The ACT Government is responsible for licensing and leasing arrangements on the site.</p>
		<p>Many Government Horse Paddocks currently provide connectivity and wildlife corridors between nature reserves. One example of this is Rose Cottage Horse Paddocks which adjoin Wanniasa Hills Nature Reserve, the special purpose reserve east of Isaacs' Pines, and areas of high quality woodland in Hume and Gilmore (ACT Lowland Woodland Conservation Strategy).</p>	<p>It is recommended that the DCP be amended to require that any landscape plan prepared for the site consider the relationship of the site to the Jerrabomberra to Murrumbidgee regional wildlife corridor.</p>
		<p>All Government Horse Holding Paddocks are managed with conservation values in mind. With strategic planning, these conservation uses can be enhanced.</p> <p>GPUG would like the planners to consider the value of these government horse paddocks and make a commitment to retain them.</p>	<p>The ACT Government controls the availability and management of horse paddocks and will determine if the site is suitable for the development of a solar farm. The subject site is Territory Land. The ACT Government is responsible for licensing and leasing arrangements on the site.</p>
		<p>Despite the increasing popularity of the Government Horse Paddocks, there have already been areas removed from horse agistment in the Hume area to be made available for industrial and other developments. The Southern Cemetery is being developed on the Rose Cottage Horse Paddocks and has removed over 50 hectares from the Rose Cottage complex. Hume Horse Paddocks have already been reduced in area from 109 hectares to 31 hectares due to industrial developments. Any further losses in this area would impose inequity for residents to horse agistment facilities in South Woden and Tuggeranong.</p>	<p>Noted. The ACT Government controls the availability and management of horse paddocks.</p>

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7		Rose Cottage Horse Paddocks have had tree plantings done by different groups such as Greening Australia, Landcare and local high schools. These trees are now almost 20 years old and provide improved landscape quality and habitat along creek lines and the surrounding paddocks. These trees have been added to in the last 5 years with further plantings.	The community planting along the Dog Trap Creek corridor is protected within the area subject to the DCP. The DCP requires that the Dog Trap Creek corridor is to be retained as a revegetation area and improved wherever possible.
		Those parts of the Rose Cottage Horse Paddocks adjoining the Monaro Highway provide a flood plain for Dog Trap Creek which traverses the paddocks through a tree lane. This has not been obvious over the past 10 years of drought, but presently the area is extremely boggy and not easily negotiated by walkers and horses. As a drainage area, it could provide impediments to industrial development.	The ACT Government will determine if the site is made available for the development of a solar farm.
		The western part of the Rose Cottage Horse Paddocks contains areas of high ecological importance, including woodlands and grasslands (ACT Lowland Woodland Conservation Strategy). Sensitive land management of these areas as part of the Horse Paddocks has been continued since the Horse Paddocks were established 20 years ago.	Noted.
		Importantly, the maintenance of the Rose Cottage Horse Paddocks allows for continued connectivity of wildlife corridors between nature reserves and areas of woodland in the area. If future industrial developments are constructed so that they abut these areas of ecological importance then that will reduce their ecological value and impede movement of wildlife.	It is recommended that the DCP be amended to require that any landscape plan prepared for the site consider the relationship of the site to the Jerrabomberra to Murrumbidgee regional wildlife corridor.

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7		<p>The Hume, Gilmore, Macarthur Park and Rose Cottage Horse Paddocks provide attractive landscape features along one of the approach routes to the National Capital, the Monaro Highway. This is a further reason to keep them in their present form, with no further industrial development.</p>	<p>The Plan provides for a DCP that seeks to enhance the surrounding predominantly rural character and landscape outside the urban areas whilst not impeding the development of appropriate areas.</p> <p>The ACT Government will be assessing future development proposals on the site against the provisions of the DCP and the Territory Plan. This will include whether proposed use is consistent with the land use provisions for the site.</p>
		<p>The agistees are anxious and deeply disappointed that most of the eastern area of the Rose Cottage Horse Paddocks could be removed for horse agistment to be developed for a solar farm. The paddocks located east of the dirt road to Symonston Respite facility (Long Gully House) is an area of well established, highly productive pasture, consisting of Australian phalaris. These horse paddocks have been set up with laneways, farm dams, water troughs and extensive shelter belts. These factors, combined with the high quality pasture, make it a productive area for grazing horses.</p>	<p>Noted.</p>
		<p>If the eastern paddocks are made available for this solar development, horse agistment will not be viable on this complex. This is because the remaining paddocks surrounding the cemetery consist of areas of high ecological importance. In dry conditions, grazing is not allowed in these areas.</p>	<p>Noted.</p>
		<p>The Rose Cottage Horse Paddocks, arena, jumping course and connecting trails provide an invaluable social, sporting and recreational resource to the horse owners and the local community who use them.</p>	<p>Noted.</p>
		<p>The horse paddocks provide buffer zones between residential, educational and industrial developments.</p>	<p>The adjacent Wanniasa Hills will continue to act as a visual buffer between Hume and Macarthur and is protected under the Plan.</p>

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		<p>The selection of this site for a solar farm has not considered the present users of the land and the land's relationship to the wider resource of the ACT Government Horse Paddocks and trails. This area is not land in isolation. It forms part of the many equestrian clubs and societies that exist in ACT and region.</p>	<p>The DCP does not constitute a development application. The ACT Government controls the availability and management of horse paddocks and will determine if the site is suitable for the development of a solar farm.</p>

The National Capital Authority was established under the
Australian Capital Territory (Planning and Land Management) Act 1988

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