



Australian Government

National Capital Authority

Report on Consultation

DEVELOPMENT CONTROL PLAN

07

12

PART BLOCKS 1470 AND 1471 TUGGERANONG
MONARO HIGHWAY

AUGUST 2012

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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) 12/07 for part Blocks 1470 and 1471 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. Blocks 1470 and 1471 have been identified as a possible location for a large-scale solar generation facility.

In April 2012, the NCA received a request from ActewAGL Retail to establish a DCP for part Blocks 1470 and 1471 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 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 the 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 12/07 has been prepared in accordance with the Plan.

1.3 Effect of the Development Control Plan

DCP12/07 establishes planning and urban design provisions including building height, setbacks and design, landscape character, access and parking for development at part Blocks 1470 and 1471 Tuggeranong.

Draft DCP12/07 includes the following provisions:

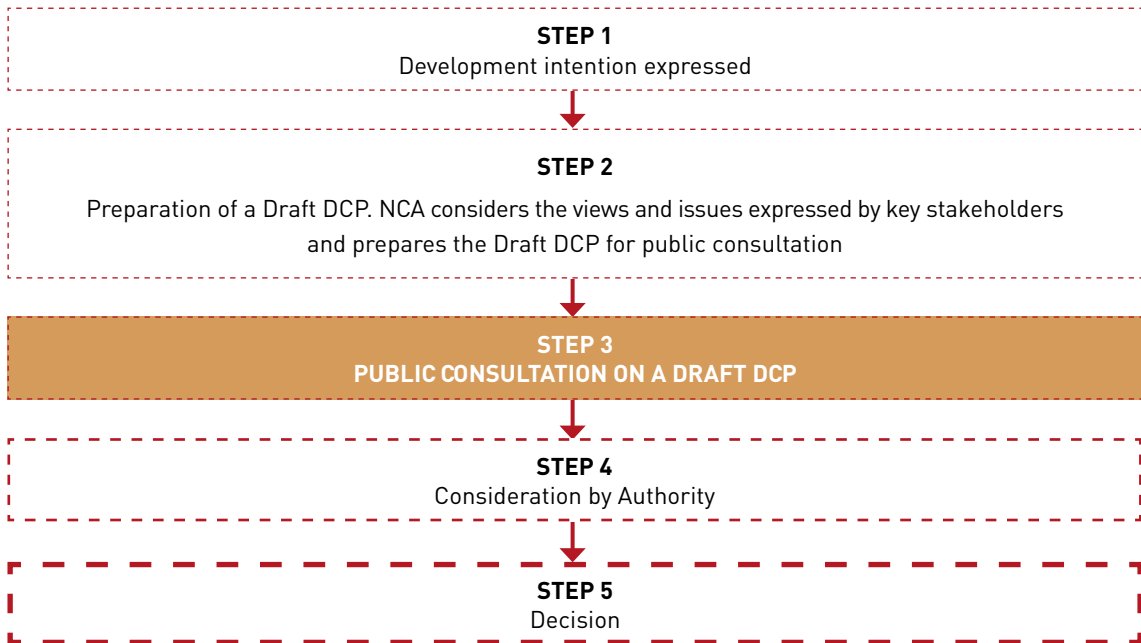
- General planning and urban design objectives for future development of Part Blocks 1470 and 1471 Tuggeranong.
- Requirements for building height and setback and architectural quality in built form.
- Requirements for access to the site and parking.
- Requirements for an enhanced landscape character 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 DCP12/07 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
- Residents of rural properties near the site
- Tuggeranong Community Council.

ACT Government agencies, adjacent lessees and the Tuggeranong Community Council were advised by letter and electronic mail about the release of draft DCP12/07 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 concluding on 20 July 2012. The consultation process included:

- Friday 8 June 2012 – draft DCP published on the NCA's web site, a media release provided to national 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)
- Tuesday 19 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 one written submission in response to draft DCP12/07. This submission was a collective comment from the ACT Government and was acknowledged by the NCA.

A summary of the submission, together with a detailed response, is at **Attachment A**. The ACT Government generally supported the DCP. Comments included noting of relevant ACT legislation or policy related to the area subject to the DCP and the proposed solar farm.

No written submissions were received from the general public, nor were there any attendees to the public information session.

4 INTERNAL REVIEW

4.1 Ambiguous language

ISSUE

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

NCA RESPONSE

Four changes are recommended removing ambiguous terms completely where they are of no use and replacing them with stronger language when required.

4.2 Standard fencing requirements

ISSUE

The requirements for fencing along the Approach Route needed standardisation.

NCA RESPONSE

Two changes are recommended to standardise fencing requirements for the Approach Route.

5 RECOMMENDED CHANGES

As a result of internal review, the following changes are recommended to draft DCP12/07:

- 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.

- Delete point two from Clause 7.1 and integrate with amended Clause 7.3 so that it reads as follows:

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

- *not appear solid, bulky or obtrusive*
- *be highly integrated with landscape design*
- *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*
- Delete Clause 7.4.
- 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'.

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

6 CONCLUSION

Draft DCP12/07 for part Blocks 1471 and 1470 Tuggeranong was released for public consultation in May 2012 in accordance with the NCA's relevant Commitment to Community Engagement (August 2011). One written submission was received in regard to draft DCP12/07.

Seven changes to the DCP have been made to 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 12/07.

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
1	ACT Government – Environment and Sustainable Development Directorate on behalf of ACT Government GPO Box 158 Canberra City 2601	Environment and Sustainable Development Directorate 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 DCP12/07.	The Canberra Airport has indicated that as the solar farm is not managed by the airport so there is risk of glare related issues. Although this site is not likely to effect Canberra Airport operations, it was noted that a nearby site had been investigated for an aerodrome. The airport advised that any 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'. 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.
		However, it is acknowledged 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.	Agreed.
		ACT Heritage Council Blocks 1470 and 1471 Tuggeranong are not registered on the ACT Heritage Places Register and there are no current nominated heritage places or identified Aboriginal heritage sites on these blocks. In consideration of this, the ACT Heritage Council does not object to DCP12/07 noting the provision in Part 8 of the <i>Heritage Act 2004</i> (ACT) for the protection of Aboriginal places or objects.	Noted.

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
1		<p>ACT Environmental Protection Authority</p> <p>EPA records indicate that activities at the site have the potential to cause contamination. The ACT Government's "Strategic Plan for Contaminated Sites Management" (1995) and the ACT Environment Protection Authority, Contaminated Sites Environment Protection Policy, 2009 specifically requires that potentially contaminated land be investigated at the earliest stages of the planning process to ensure a site is suitable for the proposed use.</p> <p>It was noted that under the precautionary principal, areas impacted by sheep dips and associated rural activities would be considered potentially contaminated and subject to assessment and audit should a change in land use or redevelopment be proposed.</p> <p>An assessment and remediation, if required, by suitably qualified consultants and independent audit by an accredited contaminated land auditor of this assessment would be required to ensure the area is suitable for the proposed and permitted uses. The findings of the audit must be reviewed and endorsed by the EPA prior to the land being used for other purposes.</p>	<p>DCP12/07 does not constitute a development application. It provides 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 ACT Government decision making process.</p>
		<p>Territory and Municipal Services Directorate</p> <p>TAMS supports the proposal to locate a large scale solar generation facility on the subject site.</p>	<p>Noted.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
1		<p>In establishing the planning and urban design provisions for the site, TAMS requests that consideration be given to the following issues:</p> <ol style="list-style-type: none"> 1. all landscape designs should be in accordance with TAMS Design Standards and that any off-site areas will be subject to Design Acceptance certification from TAMS 2. a traffic analysis be undertaken on the intersection of Monaro Highway and Angle Crossing to ascertain the impact of additional traffic on the intersection to determine whether any road improvements are required 	<p>DCP12/07 does not constitute a development application. It provides 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 prior to the lodgment of a development application.</p>

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

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