

09

12 | DEVELOPMENT
CONTROL
PLAN



Australian Government
National Capital Authority

CONSULTATION REPORT

BLOCK 2 SECTION 6 & BLOCK 1 SECTION 16 LAWSON

BELCONNEN NAVAL TRANSMITTING STATION

FEBRUARY 2013

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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) 12/09 for Block 2 Section 6 and Block 1 Section 16 Lawson.

In November 2011, the NCA received a request from the ACT Government to amend the DCP for Block 2 Section 6 and Block 1 Section 16 Lawson. Draft DCP 12/09 proposed to amend the current DCP (171/10/0003) for the Belconnen Naval Transmitting Station (BNTS) to allow for the management of part of the site for bushfire protection purposes.

In September 2012, the Department of Sustainability, Environment, Water, Population and Communities (SEWPAC) approved the use of part of the BNTS to form part of the outer asset protection zone (APZ) for the development of Lawson South (refer EPBC 2010/5549).

The purpose of the 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 National Land located outside the Designated Areas in the Plan. Section 4.5.1 of the Plan (Special Requirements for Urban Areas) requires that any development, including subdivision and leasing proposals, of all National Land not included in a Designated Area of the Plan, is to conform to a DCP agreed by the NCA. DCP's are to reflect the relevant provisions of the Territory Plan.

Draft DCP12/09 has been prepared in accordance with the Plan.

1.3 EFFECT OF THE DEVELOPMENT CONTROL PLAN

DCP 12/09 will amend the current DCP (10/03) to allow for the management of an outer APZ on the site in accordance with the SEWPAC decision.

Draft DCP12/09 includes the following provisions:

- > Allow for flexibility in design to ensure integration with the surrounding urban context, in particular the development of Lawson South adjacent to the site.
- > Maintain and integrate the existing natural and cultural heritage values of the site with future development, and allow for adaptive reuse of existing buildings on site where possible.

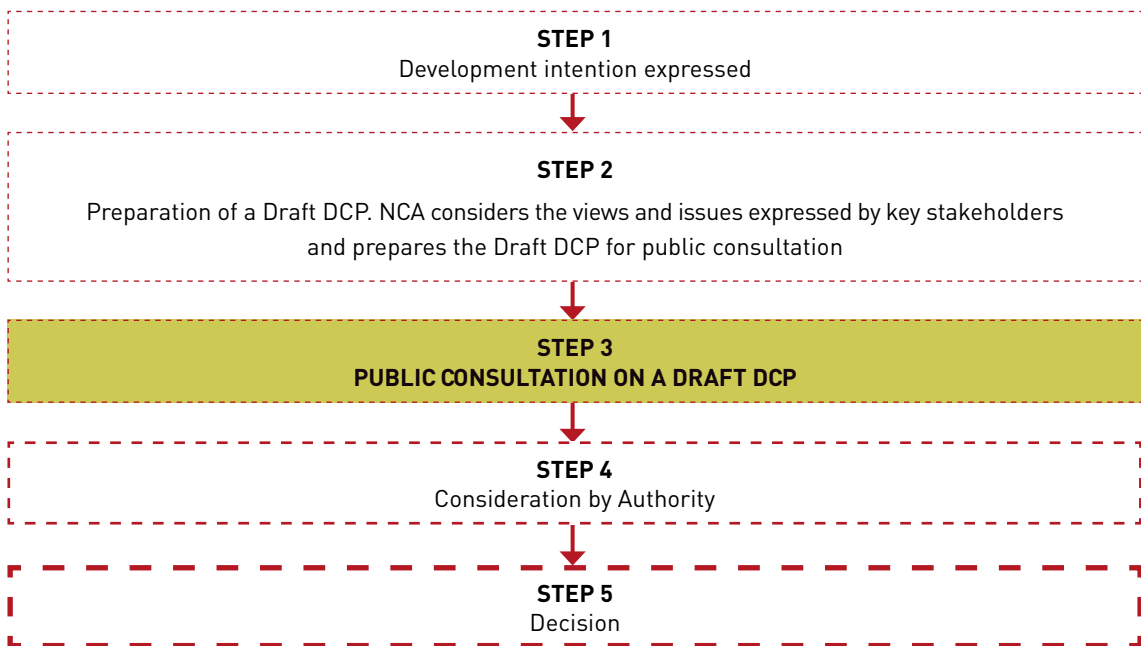
Further detailed planning will be required prior to the development of the site.

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 19 October 2012, the NCA released draft DCP12/09 for public consultation. The following stakeholders were identified as having an interest in the future development of the site:

- Department of Defence (DoD)
- Department of Sustainability, Environment, Water, Population and Communities (SEWPAC)
- ACT Government Environment and Sustainable Development Directorate
- ACT Government Territory and Municipal Services Directorate
- Conservation Council
- Friends of Grasslands (FOG)
- Residents near the site.

Stakeholders were advised by letter and electronic mail about the release of draft DCP12/09 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 30 November 2012. The consultation process included:

- Friday 19 October 2012 – draft DCP published on the NCA's website, a media release provided to national media outlets.
- Saturday 20 October 2012 – notice published in The Canberra Times.
- Monday 22 October 2012 – written notices sent to all identified key stakeholders (including email advice and letter box drops).
- Thursday 1 November 2012 – a public information session was held at the NCA offices between 12.00pm and 1.30pm.
- Friday 30 November 2012 – period for written submissions concluded.

3 ISSUES

The NCA received five written submissions in response to draft DCP12/09.

A summary of these submissions, together with a detailed response, is at **Attachment A**.

The key issues are outlined below, together with the NCA response.

3.1 NATURAL TEMPERATE GRASSLAND MANAGEMENT AND ASSET PROTECTION ZONES

COMMENTS RECEIVED

Submitters noted that bushfire management in the form of asset protection zones (APZ) that intrude into nature conservation areas are not always compatible with management objectives in grassland ecosystems. Submitters also suggested that bushfire buffer zones should be totally outside high quality conservation areas such as this site.

There was concern that the DCP does not distinguish between inner and outer APZs allowable on the site. It was suggested that only an outer APZ should be allowed in the area subject to the DCP.

NCA RESPONSE

The BNTS is listed on the Commonwealth Heritage List. Natural temperate grassland areas are also listed as an endangered ecological community (EEC) under the Environment Protection and Biodiversity Conservation Act 1999 (Cth). SEWPAC is the approval authority for activities impacting on Commonwealth heritage listed sites or EECs. SEWPAC have approved the use of this area as an outer APZ with a number of conditions and offsets (EPBC Ref: 2010/5549). The landowner has also issued the ACT Government a license in order to manage the outer APZ on the BNTS site in accordance with the SEWPAC decision. The management regime of the grassland areas is beyond the scope of the DCP. The management regime of the site will be determined by the site owner and applicable environmental legislation.

It is agreed that only an outer APZ should be permissible on the site.

Two changes are recommended to ensure that only outer APZs are allowed in the area subject to the DCP.

3.2 CULTURAL HERITAGE

COMMENTS RECEIVED

Submitters expressed concern that the extensive cultural heritage and historic context of the site was not fully addressed in the draft DCP. These heritage elements included:

- Multiple Aboriginal sites associated with potential archaeological deposits (PADs).
- The original street planning and layout of the BNTS.
- The naval communications infrastructure that is currently on the site and masts that have been removed from the site.

NCA RESPONSE

The DCP is not a statement of heritage significance. It forms the planning framework for the site. The DCP requires that prior to any development of the site further detailed investigations are required. This includes detailed analysis of the heritage constraints and historic context of the site.

3.3 ADAPTIVE REUSE OF TRANSMITTING STATION

COMMENTS RECEIVED

The Canberra Region Amateur Radio Club (CRARC) provided a submission advocating for the site to be used as a national museum of communications.

NCA RESPONSE

The NCA is not the land owner of the site. The use of the buildings on site is beyond the scope of this DCP, and is a matter to be considered by the landowner as part of a future development and management regime for the site.

4 RECOMMENDED CHANGES

Three changes are recommended to the DCP:

- Clauses 4.15, 4.20 and 4.23 be amended to read:

The area identified in Figure 2 may be used as an Outer Asset Protection Zone (APZ) for the purpose of providing bushfire protection to adjoining development in Lawson South.

This will restrict the area to only an outer APZ. The area will be managed in accordance with the SEWPAC decision and any agreements with the landowner for the specific purpose of protecting Territory Land.

- Legend of Figure 2 be amended to read 'Outer Asset Protection Zone'

This change will reflect the change made to Clauses 4.15, 4.20 and 4.23.

- Insert at end of clause 7.2d:

...The Bushfire Risk Assessment shall consider the relevance of the APZ in Precinct B as identified in Figure 2, as this is considered a developable part of the site subject to future detailed planning.

This change will ensure the developable area of Precinct B is not restricted in the future.

5 CONCLUSION

Draft DCP12/09 for Block 2 Section 6 and Block 1 Section 16 Lawson was released for public consultation in October 2012 in accordance with the NCA's Commitment to Community Engagement (August 2011). Five written submission were received in regard to draft DCP12/09.

Three changes to the DCP have been made.

APPENDIX A – SUMMARY OF SUBMISSIONS

Note: Details of each submitter 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 12/09.

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
1	ACT Government GPO Box 158 Canberra City 2601	Environment and Sustainable Development Directorate	Noted.
		ACT Heritage Council The Heritage Council does not object to Draft DCP 12-09, and the Council acknowledges the areas outlined in the DCP as designated for conservation.	
		Precincts A and B - which are assumed to be subject to this Draft DCP - have been identified as suitable for residential use, albeit not in the near future. Nonetheless, the Council wishes to advise that should development in these precincts occur, there are controls under the <i>Heritage Act 2004</i> that must be considered. Although the Draft DCP refers to Commonwealth and Defence Land, the <i>Heritage Act 2004</i> also applies to the area in question.	Development of the site will need to adhere to the controls set out in the DCP as well as Commonwealth and Territory legislation applicable to the site at the time of development.
		It is noted that Precincts C, D, and E have been identified for vegetation, heritage, and nature conservation. The desired planning outcomes for these precincts is in keeping with the natural, historic, and Aboriginal heritage values identified across the blocks in question. Where they relate to the <i>Environment Protection and Biodiversity Conservation Act 1999</i> , these values have been discussed in detail in the document titled <i>Belconnen Naval Transmitting Station Site Lawson, Heritage Management Plan</i> (Godden Mackay Logan 2009). This document also outlines detailed conservation policies to be applied to the areas in question.	Noted

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
		<p>Block 2 Section 6 and Block 1 Section 16 Lawson also retain heritage significance under the <i>Heritage Act 2004</i>. The report titled <i>Belconnen Naval Transmitting Station: Indigenous Cultural Heritage Assessment</i> (Navin Officer 2008) located multiple Aboriginal sites associated with Potential Archaeological Deposits (PADs). Before the commencement of any development works, a Conservation Management Plan must be submitted for approval by the ACT Heritage Council, outlining a sub-surface testing methodology for PADs and salvage collection of Aboriginal sites to be impacted.</p>	<p>Further investigation is required prior to the development of the site.</p> <p>No change to the DCP is recommended.</p>
		<p>The area falls within the boundary of a natural temperate grassland nomination, made under the <i>Heritage Act 2004</i>. Council would be encouraged to see a more detailed assessment of the heritage significance of this nomination under the criteria of the Act.</p>	<p>Further investigation into any heritage constraints that may exist at the time of development is required.</p> <p>No change to the DCP is recommended.</p>
		<p>Environment Protection Authority (EPA)</p> <p>After reviewing the documentation it appears that the proposed future uses of the blocks are benign but sensitive in nature with a mix of residential and conservation areas proposed. Block 2 Section 6 Lawson must be managed in accordance with the conditions of the EPA endorsed Site Audit Statement (157B) dated 25 September 2009 by Dr Ian Swane of Sinclair Knight Merz Pty Ltd for the site and managed in accordance with the site environmental management plan titled "Final Belconnen Naval Transmitting Station Site Environmental Management Plan" dated September 23, 2009 by SMEC Australia Pty Ltd. Particular attention should be taken to the Site Audit Statement for land use planning purposes and land use suitability in relation to the detail in the DCP.</p>	<p>Noted</p>
		<p>Territory and Municipal Services Directorate (TAMS)</p> <p>TAMS notes a statement in Section 7.2d, which suggests a Bushfire Risk Assessment consistent with AS/NZS 4360 and AS 3959 is required and the outcomes shall be incorporated into the estate design. This Bushfire Risk Assessment should also be consistent with the ACT Strategic Bushfire Management Plan Version 2, 2009.</p>	<p>Noted</p> <p>No change to the DCP is recommended.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
2	Australian Government - Department of Defence (DoD)	DoD provided comment noting the changes to the DCP.	Noted
3	National Trust of Australia (ACT)	The National Trust (ACT) has had a long history with this site, working hard to conserve the area and advocating for the preservation of all its significant features. We still feel this is a nationally significant site and as such should be appropriately managed and protected. We have a number of concerns with this Draft DCP relating to the conservation of its identified significant heritage features.	Noted
		Once recognised, future development constraints for the whole site should be adequately addressed. We would also like to see that the new planning of the residential area in sections A and B recognise and hopefully duplicate the original street planning and layout to not only conserve some of the elements of the original housing design but also assist in its interpretation.	The Commonwealth heritage listing and draft DCP refer to the street layout and open spaces of the original residential area. Development of the site is a matter for the land owner. No change to the DCP is recommended.
		Another concern is the reference to endorsed Environment and Heritage Management Plans for the site. While we agree these need to be completed and referred to for future development in area we are concerned that they have not yet been undertaken or completed. These plans should have been done prior to the DCP being drafted to better inform the DCP and provide more defined outcomes within it.	The DCP is not a development proposal but a broad planning framework that contains provisions for further detailed investigations to be undertaken prior to any development of the site. No change to the DCP is recommended.
		Apart from these concerns we appreciate that the Draft DCP is accounting for future development of the site and surrounding areas and are glad that there will be a guiding document to conserve the heritage values of the area well into the future. We are always happy to be involved with any projects relating to the site and would welcome being involved in any future planning, interpretation or conservation activities, especially the creation of the Concept Plan for the area.	Noted

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
4	Friends of Grasslands (FOG)	FOG has had a long-standing interest in the Belconnen Naval Transmitting Station (BNTS), and provided comments on the current Development Control Plan (DCP) (171/10/0003) in April 2009. In reviewing the draft DCP 12/09, FOG notes that the changes to the previous DCP are in identifying areas that may be utilised as an Asset Protection Zone for the purposes of bushfire protection activities. As stated in its submission of 14 April 2009, FOG believes that bushfire buffer zones should be totally outside reserves and high quality conservation areas such as this site. For this reason FOG opposes the proposed changes to the DCP.	Noted. The approval authority for these kinds of activities is the Department of Sustainability, Environment, Water, Population and Communities (SEWPAC). SEWPAC have approved the use of this area as an outer asset protection zone with a number of conditions and offsets.
		If, despite this view, the changes go ahead, FOG thinks that the wording is inadequate. The wording as is does not distinguish between Inner and Outer Asset Zones and, as such, actually allows Inner Asset Zones to impinge upon the high quality conservation areas in precinct D. The wording also lacks any requirement for a developer to comply with the Commonwealth's requirements under the EPBC Act for monitoring and management of that part of the Outer Asset Zone occurring within the high conservation areas. The wording of any such changes that are made should limit the impingement of the asset zone to outer asset zone only, specifically exclude its use as an inner asset zone, and specify compliance with the Commonwealth's conditions for these areas.	Agreed, in part. The DCP will be amended to ensure only outer asset protection zones will be permissible in the area shown in Figure 2. <i>The Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act)</i> is sufficient to enforce the requirements of the SEWPAC decision.
		Another concern FOG has in relation to asset protection zones is the area that will be needed for this purpose around any residential development in precincts A and B. If, in the future, outer asset zones for these precincts are added and extend into the neighbouring precincts, then most of precinct D will in fact be an outer asset zone and managed for bushfires rather than for conservation.	Future development of precincts 'A' or 'B' may require areas for bushfire protection. Any development in these precincts will require referral and possibly the subsequent approval of the SEWPAC under the EPBC Act. No change to the DCP is recommended.

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
		As far as FOG is aware, bushfire management in outer asset zones that intrude into nature reserves takes precedence over and is not always compatible with conservation management. For this reason FOG strongly objects to any asset protection zone within conservation areas, or to any development that would require the imposition of an asset protection zone within such areas.	The approval authority for these kinds of activities is SEWPAC. SEWPAC have approved the use of this area as an outer asset protection zone with a number of conditions and offsets.
5	Canberra Region Amateur Radio Club (CRARC)	<p>The Belconnen Naval Transmitting Station officially opened 1939 and closed 2005, is listed as <i>"A rare example of the technical development of Australian Naval Communication during its operation. Highly valued for its social and symbolic associations by members of the local community including former Naval personnel"</i> by the National Trusts in Australia Movement.</p> <p>It has also listed desired outcomes as <i>"The buildings, transmitting equipment and ancillary equipment to be retained in situ to represent the station at the level of technical development when it ceased transmitting. Former HF aerials to be reinstated. A representative sample of the former LF aerial towers be placed, together with connecting equipment at the rear of the current station building. The whole remaining site, including the grasslands, to be opened for public visitation. The current buildings and grounds, where appropriate, to be utilised as a radio communications museum."</i></p> <p>This document sets out to propose a suitable usage by people and for people with an interest in radio communications and its history in a way that would be sympathetic to the desired outcomes.</p>	<p>Noted. The use of the buildings on site is beyond the scope of this DCP, and is a matter to be considered by the landowner as part of a future management regime for the site.</p> <p>No change to the DCP is recommended.</p>
		<p>The Canberra Region Amateur Radio Club (CRARC) was originally the Canberra Radio Society when formed in the 1950s. It became a Division of the Wireless Institute of Australia</p> <p>(WIA) started in 1974, and is now an affiliated club. The club has a long history of community involvement with its activities with the Wireless Institute Civil Emergency Network (WICEN) providing emergency and logistical communications and support. In addition the club has an active membership with pursuits in all facets of radio communications including past and present members of the defence forces.</p>	Noted

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
		<p>We believe the club membership has the necessary technical skills, commitment and contacts to develop and support a high quality Communications Museum as well as suitable learning facilities for schools and other interested groups. The size of the facility may also lend itself as suitable for the storage of WICEN equipment and club activities so as to provide an increased level of security by attendance.</p>	Noted
		<p>Some thoughts and ideas for such a facility:</p> <p>We will be celebrating the centenary of the Australian Capital Territory in 2013. For the centenary the establishment of a museum incorporating, military communications, broadcasting museum and general communications in its many forms would be a historical benefit and a wonderful gift to the Australian people.</p> <p>Why Should it be established?</p> <ul style="list-style-type: none"> Economic benefits to our region. Any city, town or regional economy needs diversification for its economic base. Tourism is one such method to broaden the economic base. Flow on to local businesses. In addition to direct spending, visiting an attraction can generate additional spending for a visit on -souvenirs, gifts, accommodation, meals, travel expenses. Linking and feeding to and from Canberra's other amazing attractions A tribute to our War Veterans Preservation of the Historical Facility. Sympathetic and relevant use of the infrastructure. <p>Why a communications museum?</p> <ul style="list-style-type: none"> In this day and age the technology available to us is mind boggling even compared to 20 years ago let alone communications of 90 years ago. We now have mobile phones that are internet capable allowing the user to communicate and down load information from all over the world. A museum of communications can display and educate younger generations and remind our seniors to our communications history:- 	<p>The use of the buildings on site is beyond the scope of this DCP, and is a matter to be considered by the landowner as part of a future management regime for the site.</p>


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		<ul style="list-style-type: none"> • How did we get to this; A museum could show some of the many steps it took to arrive with present day communications. • Show and preserve the heritage of these advances in technology • Telephones from operator connected to Direct dial. • How did business communicate apart from the post, it was by teleprinter and telegrams. (Facsimile machines are a relatively new device) • What was the greatest impetus to technology? The First and Second world wars saw • great advances in technology • Such a museum apart from preserving the technology heritage would also celebrate and remember the personnel who operated the technology during wars or conflicts. • A display of the history of mobile phones • Education of remote Australians by Radio • Emergency communications networks for remote Australia • Comparative displays of old and new technology (Size versus Performance) • Satellite communications including contacts with the International Space Station • Scientific displays of how the Sun, Moon and other Environmental issues can effect communications • Apollo space missions and Canberra's roll in making it a success • Radio telescopes • Clandestine operations • SETI 	

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
		<p>How should it be displayed?</p> <p>A combination of Static as well as active displays Presenters/ guides who were able to demonstrate the operation of the some of the technology would bring the museum to life Visitor interaction with the exhibits Practical Demonstrations of radio communications (old and new) by suitably licenced persons connecting to other radio amateurs all over the world.</p> <p>Some displays and equipment would be readily set up as a hands-on experience similar to the way Questacon encourages visitors, particularly young people, to try it and experience the technology. For example a pair of old teleprinters set up to provide direct text communication would provide a telling comparison with internet chat services or SMS via mobile phones. A similar facility demonstrating how morse code was used prior to voice and teleprinter would be a fun display.</p> <p>Where would you find a pool of presenters/ guides?</p> <ul style="list-style-type: none"> • The ACT region has a substantial number of amateur radio operators • There is amongst the retired population as well as in club membership numbers of ex defence and civilian operators. • Assistance from the AWM <p>Where would the equipment be sourced?</p> <ul style="list-style-type: none"> • A substantial amount of radios (transmitting and receiving) along with photographic, and ex defence personal recollections and information could become available for display to show the progress of communications from early 1900's to recent times. • The above radio equipment and associated information is slowly being lost to the current generations and those following due to the lack of a central radio and communications museum of some national significance. 	

SUBMISSION NO.	DETAILS OF SUBMITTER	KEY POINTS RAISED IN SUBMISSION	NCA CONSIDERATION
		<ul style="list-style-type: none"> Defence photographers have undoubtedly recorded technically significant aspects of the unique equipment and antennas that were in use at Belconnen and Harman; these photographs could provide a historical view of military communications even if the equipment cannot be located for display There are other radio collections through Australia that may be looking for a new home due to the owners' advancing age and without any place to keep them. Co-operation with the Australian War Memorial Royal Flying Doctor service and School of the Air Visiting displays from Foreign Radio Clubs With suitable funding, equipment of significance or historical importance could be purchased Copy some display and demonstration methods from Questacon <p>Why the CRARC?</p> <ul style="list-style-type: none"> Few if any other organisations would possess the technical ability to operate, maintain and install the equipment required for communications museum. A strong desire to establish such a museum A high percentage of retired members interested in sharing this history on a voluntary basis Access to equipment to enhance such a display A long history of community service Membership with as business background to ensure the viability of such a venue 	

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The National Capital Authority was
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NATIONAL CAPITAL AUTHORITY

GPO Box 373, Canberra ACT 2601

Telephone: +61 2 6271 2888

Facsimile: +61 2 6273 4427

Email: natcap@natcap.gov.au

WWW.NATIONALCAPITAL.GOV.AU