



Australian Government
National Capital Authority

REPORT ON CONSULTATION

National Capital Plan

Draft Development Control Plan No: 171/09/0001
Part Section 23, Sections 25, 26 and 27 Hume

February 2009

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1. Introduction

1.1 Purpose and Background

The purpose of this report is to summarise the main issues raised during the process of consultation, undertaken by the National Capital Authority (NCA) on Draft Development Control Plan No: 171/09/0001 Part Section 23, Sections 25, 26 and 27 Hume.

1.2 Existing National Capital Plan Provisions

The NCA is responsible for preparing and administering the National Capital Plan (the Plan) and keeping it under constant review, proposing amendments to it when necessary. The object of the Plan is *“to ensure that Canberra and the Territory are planned and developed in accordance with their national significance”*.

The Plan specific areas of land that have special characteristics of the national capital to be Designated Areas. Planning and approval of development within Designated Areas is the responsibility for the NCA.

The Plan also sets out special requirements for the development of any area (not being a Designated Area) that are desirable in the interests of the national capital. In some instances special requirements require the preparation of Development Control Plans (DCPs) which are approved by the NCA. A DCP is prepared responding to the relevant provisions of the Plan and sets out the requirements to regulate development in the interests of the national capital. Under the Plan, a DCP:

May be maps, drawings, photographs, specifications and written statements. They should include sufficient detail for the guidance and management of development in the area, and may include design, siting, scale, purpose, timing and phasing, construction, landscaping and other relevant matters.

Approval of development on Territory land, subject to a DCP, is the responsibility of ACTPLA. Any application must comply with the provisions of the DCP and the Territory Plan.

Under the Plan, Special Requirements apply 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,

In accordance with these Special Requirements, land adjacent to the Monaro Highway *“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 areas, the emphasis shall shift to a more formal character.”*

1.3 Effect of the Draft Amendment to the National Capital Plan

Draft Development Plan No. 171/09/0001 includes the following provisions:

- ▶ planning and urban design objectives for development of the site and buildings;
- ▶ allowing development to a maximum height of 30 metres above natural ground level for blocks above five (5) hectares in size (with provision for some building elements to extend above this);

- ▶ providing for an enhanced landscape character along the Monaro Highway frontage;
- ▶ provision for access from Mugga Lane only; and
- ▶ signage provisions.

2. Consultation

2.1 Draft Development Control Plan Process

The subject sites are adjacent to the Monaro Highway, which is an Approach Route as defined in the Plan. Development Control Plan 171/03/0008 currently applies to the area. The NCA proposes to amend the existing DCP and introduce Draft Development Control Plan No: 171/09/0001.

Draft Development Control Plan No: 171/09/0001 Part Section 23, Sections 25, 26 and 27 Hume was released on 10 January 2009.

2.2 Public Consultation Process

The NCA released the draft DCP for public comment from 10 January 2009 to 12 February 2009.

The consultation process included:

- ▶ Publishing a notice in the Canberra Times on 10 January 2009; and
- ▶ Holding a public information session on at the NCA offices on Wednesday 28 January 2009 between 12 noon and 2pm.

2.3 Public Information Session

On Wednesday 28 January 2009 a public information session was held at the NCA offices between 12 noon to 2pm. The information session was attended by three (3) NCA staff members and a consultant.

Nine (9) members of the public attended, including representatives from the Tuggeranong Community Council, ACT Government Department of Territory and Municipal Services, ACT Planning and Land Authority (ACTPLA), and local residents.

The key issues raised during this public information session included the following:

- ▶ Screening – concerns were raised that screening and landscape provisions in the draft DCP were inadequate to protect the visual amenity of the area;
- ▶ Impact of future waste facilities at Hume – concerns were voiced by ACT Nowaste that provisions in the draft DCP relating to buffers and setbacks would hinder plans to expand resource recovery and recycling facilities;
- ▶ Height – clarification was requested on the height of the development permitted by the draft DCP. It was confirmed that the 12 metre restriction in the existing DCP reflects the now obsolete Territory Plan provision;
- ▶ Typographical errors – several were identified and would need to be rectified; and
- ▶ The role of the NCA in development on the site – it was evident that there was some level of confusion as to the respective roles of the NCA and ACTPLA in development of the site.

The NCA advised attendees at the public information sessions that all concerns should be presented in a written submission in order for the NCA to provide a more considered and formal response.

2.4 Written Submissions

The NCA received a total of seven (7) written submissions in response to the draft DCP.

Six (6) submissions generally opposed the proposed changes to the existing DCP. One (1) submission was generally supportive of the draft DCP.

The Public Submissions Table lists the written submissions received by the NCA as part of the consultation process on the draft DCP, and provides detailed NCA comments and recommended actions (**Attachment 1**).

All submissions were acknowledged by the NCA.

A summary of the key issues identified in the submissions and NCA comments and the recommended changes to draft DCP are outlined below:

3. Summary of Written Submissions

3.1 Building Height

Issues

Five (5) submissions raised concerns specifically in regard to the proposed building height limits. Four (4) of these submissions were unsupportive of the proposed 30 metre height limit for those sites greater than five (5) hectares in area, while one (1) submission suggested that staggered height limits may be more appropriate (for example, height limit of 12 metres within 50 metres of the property boundary, 20 metres within 100 metres, and 30 metres beyond).

Two (2) submissions commented specifically on the provision stating *'building elements that extend above this level will be permitted where necessary for functional or operational reasons'*, stating that such a clause would provide unlimited scope to approve buildings above 30 metres in height.

The objections to the proposed height limits were based on the visual impact of buildings as viewed from the Monaro Highway or Mugga Lane. It was considered that buildings of 30 metres in height would be visually intrusive in a predominantly rural landscape. One (1) submission stated that if such a height limit were permitted, design provisions should be prescriptive in terms of permitted construction materials, building shape and colour, in order to minimise the visual impact. The visual impact, and landscape and screening, is discussed in more detail in Section 3.2 of this report.

NCA Consideration

Clause 2.6.1 in regard to building height could be amended to clarify the distinction between building height, and building elements necessary for functional and operational reasons. It is recommended that the distinction between the roof line and elements extending above the roof line be made.

While the site is currently open bush, the section of the Monaro Highway (and adjacent land) subject of the DCP bisects the Hume industrial estate, which is within the Urban Areas land use policy under the General Policy Plan – Metropolitan Canberra of the Plan. Any development proposed will therefore be within an Urban Area.

The draft DCP contains clauses relating to building height, setback, landscaping, colour and materials, as well as overall planning and urban design objectives, which are necessarily not prescriptive. These provisions provide guidance for development on site, while providing a required level of design flexibility.

At their meeting on 27 February 2009, the Authority agreed to amend the draft clauses in relation to height. This included clarifying the distinction between the roof line and elements extending above this; and adding a requirement for elements above 30 metres in height to be subject of a visual landscape analysis.

Recommended Changes

It is recommended that Clause 2.6.1 be amended, and an additional clause added, as follows:

'Building height should be appropriate for building function. To minimise visual impact of buildings on the highway buildings will be limited to a maximum height of 30 metres (to the top of the roof line) above natural ground level and to a maximum height of 12 metres above natural ground level on blocks less than 5 hectares in area.'

'Minor building elements (such as lift overruns) extending above the roof line will only be permitted where a visual impact assessment demonstrates that these elements do not have an adverse impact on the surrounding character and landscape of the area.'

3.2 Visual Impact - Landscape and Screening

Issues

Five (5) submissions commented on the visual impact of development in excess of 30 metres in height, particularly in a predominantly rural landscape. These submissions reached general consensus that as a major tourist and Approach Route to the National Capital, the landscape character of the Monaro Highway should be protected and that development of 30 metres in height would visually degrade the area. It was considered that negative perceptions of the National Capital would be generated by situating intense industrial development on a main tourist and Approach Route.

Other issues in regard to the visual impact included the detrimental alteration of the open bush character of the area, and the nature of screening to the site. It was conveyed that even with extensive planting of mature vegetation, the visual impacts would still be significant and the development confronting.

NCA Consideration

While the site is currently open bush, the section of the Monaro Highway (and adjacent land) subject of the DCP bisects the Hume industrial estate, which is within the Urban Areas land use policy under the General Policy Plan – Metropolitan Canberra of the Plan. Any development proposed will therefore be within an Urban Area.

The area is predominantly developed with industrial land uses, and the land is zoned IZ1 – General Industrial under the Territory Plan. As the land adjacent to the Monaro Highway is outside Designated Areas, it is the responsibility of ACTPLA to assess proposed development against the provisions of the Territory Plan and the DCP.

The requirement for a Landscape Master Plan is intended to minimise visual impacts of development and provide appropriate screening to development as viewed from the Monaro Highway and Mugga Lane. The draft DCP requires that a Landscape Master Plan be submitted to the Territory for approval as part of the Development Application documentation. It will then be the responsibility of ACTPLA to assess the proposal against the objectives and provisions of the DCP.

Recommended Changes

No change is recommended.

3.3 Compliance with National Capital Plan and Development Control Plan Objectives

Issues

Four (4) submissions highlighted perceived inconsistencies of the provisions of the draft DCP with existing National Capital Plan provisions. These submissions recognised that one objective of the Plan is to protect the main approaches (including the Monaro Highway) to Canberra, and suggested that the proposed data centre will not achieve this objective.

In particular it was noted that special requirements in relation to Approach Routes state that DCPs should *'seek to enhance the surrounding predominantly rural character and landscape outside urban areas.'* The submissions argued that the proposed data centre would do nothing to enhance the rural character of the area, and therefore would not comply with this objective of the Plan and DCP.

One (1) submission commented specifically on clause 2.14.2 of the draft DCP which refers to the objectives of the Landscape Master Plan required to be prepared for the site. The first objective of the Landscape Master Plan is to *'minimise the visual impacts of buildings, car parking, open activities and storage areas viewed from the Monaro Highway and Mugga Lane.'* This submission commented that the proposed changes to the DCP will allow for future development of a scale and character that will not comply with this objective.

There was also general concern that the proposed changes to the DCP would set a precedent for future DCPs and development along the Monaro Highway.

NCA Consideration

The draft DCP (and the existing DCP) incorrectly refer to the site as being within the Broadacre Areas land use policy under the General Policy Plan – Metropolitan Canberra (General Policy Plan) of the Plan. The site is within the Urban Areas land use policy, and Hume is identified as an Industrial Area on the General Policy Plan. It is recommended that Clause 2.4.1 be amended to reflect the correct land use policy.

The section of the Monaro Highway (and adjacent land) subject of the DCP bisects the Hume industrial estate, which is within the Urban Areas land use policy under the General Policy Plan – Metropolitan Canberra of the Plan. Any development proposed will therefore be within an Urban Area. The predominant development in the area is industrial, which is recognised by the Territory Land use policy for the area (IZ1- General Industrial Zone). Any proposal for development must be consistent with the Territory Plan zone and the DCP.

The provisions of the draft DCP provide a framework of planning and urban design provisions including building height, setbacks, landscape character, access and parking for the site. As the land adjacent to the Monaro Highway is outside Designated Areas, it is the responsibility of ACTPLA to assess proposed development against the provisions of the Territory Plan and the DCP.

It is considered that the provisions of the draft DCP are sufficient to guide future development on site, and achieve the objectives of the National Capital Plan.

Recommended Changes

It is recommended that Clause 2.4.1 be recommended to read as follows:

'Land use on the site shall be consistent with the Broadacre Areas land use policy of the National Capital Plan and the IZ1 – General Industrial Zone of the Territory Plan.'

3.4 The Role of the National Capital Authority

Issues

From the submissions it is evident that there is confusion over the respective roles of the NCA and ACTPLA in the development of the site.

A number of submissions commented on the site selection process for the proposed data centre and power station, and were critical of aspects of the Development Application. These submissions stated that the ACT Government was politically and economically motivated to approve the data centre and power station; that ACTPLA were simply accepting the proponent's claims and that there had been no independent work undertaken to determine the scientific accuracy or validity of the studies commissioned by the proponent for the data centre and power station; the heritage of the site has not been sensitively or completely investigated; and that there is no comprehensive Environmental Impact Statement (EIS) accompanying the Development Application (and that the NCA should insist on an EIS being undertaken).

One (1) submission stated that additional documentation should have been made available with the draft DCP, in order for the community to make an informed decision. Suggested documentation included development ownership details, land purchase/transfer/lease purpose details, accurate development specifications, community health assessment and compliance with Federal environmental, visual, noise, water use and pollution standards.

A number of submissions also called for the NCA to act to either halt the development of the data centre and power station, or change certain aspects of the development. These submissions stated that the NCA should be concerned about the ACT Government's inability to understand the effects of such a development in the ACT, and questioned whether it was in the NCA's jurisdiction to investigate a situation where the 'local government' appears not to have the technical ability to determine the adequacy of a proponent's proposal.

The submissions were of the view that the NCA should show leadership in endeavouring substitution of the power plant with a non-polluting renewable energy source, and were of the opinion that the NCA should be able to act to ensure the ACT Government abides by objectives in the Territory Plan which aim to achieve high standards in cleaner production for industrial development.

NCA Consideration

The draft DCP does not propose a data centre and power plant.

The NCA has the detailed planning responsibility, including the development approval (or Works Approval) role, for those areas identified in the Plan as being Designated Areas. Detailed planning for those areas not identified as Designated Areas under the Plan are the responsibility of ACTPLA.

The Monaro Highway is within a Designated Area under the National Capital Plan, and therefore the NCA is responsible for assessing proposed works. The land immediately adjacent to the road reserve, and subject of draft DCP 171/09/0001, is outside of Designated Areas. Therefore ACTPLA has the development approval role for any development on this land.

The Monaro Highway from the ACT border and including its extension as the Eastern Parkway to Morshead Drive is an Approach Route as defined by the Plan. It is in the interests of the National Capital that development flanking Approach Routes to the city is of a type and quality complimentary to the role and status of the city, and Special Requirements apply.

In accordance with the Plan Special Requirements 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 state that land adjacent to the Monaro Highway is to conform to Development Control Plans agreed by the NCA.

The draft DCP has been prepared to establish planning and urban design provisions including building scale, setbacks, landscaping, access and parking for the subject sites. It is the responsibility of ACTPLA to assess any proposal against the provisions of the Territory Plan and the DCP.

Recommended Changes

No change is recommended.

4. Recommended Changes to draft Development Control Plan No: 171/09/0001 Part Section 23, Sections 25, 26 and 27 Hume

Following a review of issues raised in submissions, the NCA has recommended three changes to the Draft Development Control Plan No: 171/09/0001.

5. Conclusion

Draft Development Control Plan No: 171/009/0001 – Part Section 23, Sections 25, 26 and 27 Hume was released for public consultation from 10 January 2009 to 12 February 2009. The consultation process initiated by the NCA for the draft DCP attracted a total of seven (7) written submissions. There were nine (9) attendees at the public information session held on 28 January 2009. Following a review of the submissions received on the draft DCP, three changes to the draft DCP as publicly advertised have been recommended.

6. Attachment 1 – Public Submissions Table

Draft Development Control Plan No. 171/09/0001

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 purposes of the Report on Consultation for Draft Development Control Plan No. 171/09/0001 Part Section 23, Sections 25, 26 and 27 Hume.

No.	Details of Submitter	Key points raised in submission	NCA Consideration
1	Martin Devine	<p>The visual impact of any facility and associated screening along the Monaro Highway is of concern. The site is on the tourist entrance (snowfields, South East NSW, Eastern Victoria) to the National Capital and it should not become a major site with high buildings along the entrance route.</p> <p>The present height limit of 12 metres should be retained. In particular, the provision that states <i>'building elements that extend above this level will be permitted where necessary for functional or operational reasons'</i> should be removed as this will allow unlimited scope and it is not believable that this latitude would be exercised responsibly.</p> <p>The ACT Government's intention to agree with the gas-fired power station and data centre is in sharp contradiction to worthy objectives of the National Capital Plan – <i>'enhance the rural character and landscape...'</i> It cannot be argued that the ACT Government's approval of the development would enhance the visual impact of this area. The NCA has the responsibility to enhance and maintain (not degrade) the rural character and landscape of this area.</p>	<p>Clause 2.6.1 in regard to building height could be amended to clarify the distinction between building height, and building elements necessary for functional and operational reasons. It is recommended that the distinction between the roof line and elements extending above the roof line be made.</p> <p>The draft DCP (and the existing DCP) incorrectly refer to the site as being within the Broadacre Areas land use policy under the General Policy Plan – Metropolitan Canberra (General Policy Plan) of the Plan. The site is within the Urban Areas land use policy, and Hume is identified as an Industrial Area on the General Policy Plan. It is recommended that Clause 2.4.1 be amended to reflect the correct land use policy.</p> <p>The section of the Monaro Highway (and adjacent land) subject of the DCP bisects the Hume industrial estate, which is within the Urban Areas land use policy under the General Policy Plan – Metropolitan Canberra of the Plan. Any development proposed will therefore be within an Urban Area. The predominant development in the area is industrial, which is recognised by the Territory Land use policy for the area (IZ1- General Industrial Zone). Any proposal for development must be consistent with the Territory Plan zone and the DCP.</p> <p>The provisions of the draft DCP provide a framework of planning and urban design provisions including building height, setbacks, landscape character, access and parking for the site. As the land adjacent to the Monaro Highway is outside Designated Areas, it is</p>

		<p>Even extensive plantings using mature vegetation will not obscure the fencing and will not <i>'enhance the rural character and landscape...'</i>.</p>	<p>the responsibility of ACTPLA to assess proposed development against the provisions of the Territory Plan and the DCP.</p> <p>It is considered that the provisions of the draft DCP are sufficient to guide future development on site, and achieve the objectives of the National Capital Plan.</p>
2		<p>There are serious reservations with the scientific accuracy and validity of the studies commissioned by the proponents of the data centre and power station.</p> <p>Urges the NCA to consider the overall intent of a development of such magnitude, and the totality of the development and the impact it will surely have on the national capital, rather than the letter of the planning law. The NCA should not restrict itself to narrow issues such as building scale, setback, access and parking.</p> <p>Would like to think the NCA will move to ensure the Territory Government abides by objectives of the Territory Plan such as <i>'...to ensure that industrial development achieves high standards of cleaner production.'</i> Would like to think it is in the NCA's remit to investigate a situation where local government appears not to have the wherewithal to determine the truth or adequacy of a proponent's proposals.</p> <p>The site selection process appears</p>	<p>The draft DCP does not propose a data centre and power plant.</p> <p>The NCA has the detailed planning responsibility, including the development approval (or Works Approval) role, for those areas identified in the Plan as being Designated Areas. Detailed planning for those areas not identified as Designated Areas under the Plan are the responsibility of ACTPLA.</p> <p>The Monaro Highway is within a Designated Area under the National Capital Plan, and therefore the NCA is responsible for assessing proposed works. The land immediately adjacent to the road reserve, and subject of draft DCP 171/09/0001, is outside of Designated Areas. Therefore ACTPLA has the development approval role for any development on this land.</p> <p>The Monaro Highway from the ACT border and including its extension as the Eastern Parkway to Morshead Drive is an Approach Route as defined by the Plan. It is in the interests of the National Capital that development flanking Approach Routes to the city is of a type and quality complimentary to the role and status of the city, and Special Requirements apply.</p> <p>In accordance with the Plan Special Requirements apply to development on all land (not included within any Designated Area) which fronts directly onto Approach Routes AND is not more than</p>

		<p>politically or economically driven, and ACTPLA has had sufficient opportunity to recommend the proponents conduct a full appreciation of alternate sites.</p> <p>The site is on a main tourist route (Sydney to ski fields), which is inappropriate as visitors transiting the national capital drive through an industrial precinct (between a jail and power station) leading to negative perceptions of the ACT; and negative perceptions will erode the tourism industry.</p> <p>Buildings permitted to 30 metres in height will adversely impact and visually intrude on the landscape and environmental quality of surrounding rural land.</p> <p>There has been dangerous and irresponsible application of standards in the emissions studies accompanying the Development Application. It appears ACTPLA have merely accepted the proponents claims and no independent action has been taken to verify these claims. The NCA ought to be concerned about the ACT Government's inability to understand the impact of the development on the health of people living and working in the capital, and this obvious failing in the ACT Government's duty of care.</p> <p>Questions whether it is within the NCA's jurisdiction to investigate a situation</p>	<p>200 metres from their middle lines. Special Requirements state that land adjacent to the Monaro Highway is to conform to Development Control Plans agreed by the NCA.</p> <p>The draft DCP has been prepared to establish planning and urban design provisions including building scale, setbacks, landscaping, access and parking for the subject sites. It is the responsibility of ACTPLA to assess any proposal against the provisions of the Territory Plan and the DCP.</p>
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		<p>where local government appears to not have the technical ability to determine the truth or adequacy of a proponent's proposals.</p> <p>There appears to be a violation of human right issues associated with such a development (data centre and power station) being located in close proximity to the jail.</p> <p>Environmental concerns (lack of clean energy initiatives, car transport emissions, and water consumption) over development that is contrary to the objectives of the Territory Plan.</p> <p>Concerns over the size and nature of the power generation capability on site, and the net effect of over half a kilotonne of exhaust gases venting into the atmosphere every hour.</p> <p>There are considerable threats to security, with power stations known targets for terrorism.</p> <p>There is a lack of a comprehensive, holistic Environmental Impact Statement (EIS). It is recommended that the NCA revisit the EIS to afford it some impartial, objective expertise. The NCA should insist on a full and independent EIS in accordance with Federal guidelines, whether or not it is technically required under the letter of the previous planning</p>	
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		guidance.	
3	Dr Chris Klootwijk 16 Body Place Macarthur ACT 2904	<p>The draft DCP states that it seeks ‘to enhance the surrounding predominantly rural character and landscape outside urban areas.’ In regard to the proposed height provisions, this will do nothing to improve the rural character of a main entry route to Canberra. A building of 30 metres (or greater under special circumstances) at a 10 metre setback will be very confronting. Suggests staggered height allowances would be less confronting – for example, height limit of 12 metres within 50 metres of the property boundary, 20 metres within 100 metres, and 30 metres beyond.</p> <p>Section 2.3.1 (f) reads ‘to ensure that industrial development achieves high environmental standards of cleaner production, waste disposal, noise and air quality.’ The submitted has attached copies of submissions made to ACTPLA’s Development Application, which raise concerns about air pollution from the gas-fired power station. It is understood that the NCA was proactive in relocating the Gungahlin Drive Extension away from the AIS in order to ensure best air quality for top athletes. It is expected the NCA will show comparable leadership in endeavouring substitution of the gas-fired power plant with a non-polluting renewable energy source (preferably an off-site solar thermal plant).</p>	<p>The draft DCP (and the existing DCP) incorrectly refer to the site as being within the Broadacre Areas land use policy under the General Policy Plan – Metropolitan Canberra (General Policy Plan) of the Plan. The site is within the Urban Areas land use policy, and Hume is identified as an Industrial Area on the General Policy Plan. It is recommended that Clause 2.4.1 be amended to reflect the correct land use policy.</p> <p>The section of the Monaro Highway (and adjacent land) subject of the DCP bisects the Hume industrial estate, which is within the Urban Areas land use policy under the General Policy Plan – Metropolitan Canberra of the Plan. Any development proposed will therefore be within an Urban Area. The predominant development in the area is industrial, which is recognised by the Territory Land use policy for the area (IZ1- General Industrial Zone). Any proposal for development must be consistent with the Territory Plan zone and the DCP.</p> <p>Section 2.3.1 of the draft DCP adopts the objectives contained in the Territory Plan for the IZ1 – General Industrial Zone. The draft DCP does not propose a specific development, but proposes changes to the permitted building heights. It is the responsibility of the ACT Planning and Land Authority to assess any proposal against the provisions of the DCP, including the objectives for the IZ1 – General Industrial Zone.</p> <p>The draft DCP does not propose a data centre and power plant.</p> <p>The NCA has the detailed planning responsibility, including the development approval (or Works Approval) role, for those areas identified in the Plan as being Designated Areas. Detailed planning</p>

		<p>for those areas not identified as Designated Areas under the Plan are the responsibility of ACTPLA.</p> <p>The Monaro Highway is within a Designated Area under the National Capital Plan, and therefore the NCA is responsible for assessing proposed works. The land immediately adjacent to the road reserve, and subject of draft DCP 171/09/0001, is outside of Designated Areas. Therefore ACTPLA has the development approval role for any development on this land.</p> <p>The Monaro Highway from the ACT border and including its extension as the Eastern Parkway to Morshead Drive is an Approach Route as defined by the Plan. It is in the interests of the National Capital that development flanking Approach Routes to the city is of a type and quality complimentary to the role and status of the city, and Special Requirements apply.</p> <p>In accordance with the Plan Special Requirements 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 state that land adjacent to the Monaro Highway is to conform to Development Control Plans agreed by the NCA.</p> <p>The draft DCP has been prepared to establish planning and urban design provisions including building scale, setbacks, landscaping, access and parking for the subject sites. The draft DCP does not propose a data centre and power plant. It is the responsibility of ACTPLA to assess any proposal against the provisions of the Territory Plan and the DCP.</p>
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4		<p>The proposed heights will be obtrusive and are not consistent with existing development at Hume. There is no way of effectively managing the visual impact of facilities built at 30 metres and above.</p> <p>The open bush character of the area will be changed significantly.</p> <p>The visual appearance of the power station stacks and their emissions will be fully visible from the highway and will create a very negative impact.</p> <p>Under the proposed DCP changes, the DA for the proposed development incorporates visible chimneys up to 36 metres high. If it does go ahead, specific design rules for development over this height should be mandated including enforcement of rules that make it essential that the construction material, shape and colour of the buildings and proposed chimneys be as aesthetic as possible so as to minimise negative visual impacts.</p> <p>The proposed fences are 2.4 metres high, black in colour, typically topped by barbed wire, and constructed on a mound (total height above adjacent ground level of three metres). The fencing colour should be compatible with the</p>	<p>The draft DCP does not propose a data centre and power plant.</p> <p>The NCA has the detailed planning responsibility, including the development approval (or Works Approval) role, for those areas identified in the Plan as being Designated Areas. Detailed planning for those areas not identified as Designated Areas under the Plan are the responsibility of ACTPLA.</p> <p>The Monaro Highway is within a Designated Area under the National Capital Plan, and therefore the NCA is responsible for assessing proposed works. The land immediately adjacent to the road reserve, and subject of draft DCP 171/09/0001, is outside of Designated Areas. Therefore ACTPLA has the development approval role for any development on this land.</p> <p>The Monaro Highway from the ACT border and including its extension as the Eastern Parkway to Morshead Drive is an Approach Route as defined by the Plan. It is in the interests of the National Capital that development flanking Approach Routes to the city is of a type and quality complimentary to the role and status of the city, and Special Requirements apply.</p> <p>In accordance with the Plan Special Requirements 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 state that land adjacent to the Monaro Highway is to conform to Development Control Plans agreed by the NCA.</p> <p>The draft DCP has been prepared to establish planning and urban</p>

		<p>environment and barbed wire should not be permitted to be visible from adjacent roads.</p> <p>Extensive planting to obscure the fencing and use of mature trees to obscure the tall buildings and chimneys is essential. Numerous, bushy, tall and mature plants are required for screening.</p>	<p>design provisions including building scale, setbacks, landscaping, access and parking for the subject sites. It is the responsibility of ACTPLA to assess any proposal against the provisions of the Territory Plan and the DCP.</p> <p>While the site is currently open bush, the section of the Monaro Highway (and adjacent land) subject of the DCP bisects the Hume industrial estate, which is within the Urban Areas land use policy under the General Policy Plan – Metropolitan Canberra of the Plan. Any development proposed will therefore be within an Urban Area.</p> <p>The area is predominantly developed with industrial land uses, and the land is zoned IZ1 – General Industrial under the Territory Plan. As the land adjacent to the Monaro Highway is outside Designated Areas, it is the responsibility of ACTPLA to assess proposed development against the provisions of the Territory Plan and the DCP.</p> <p>The draft DCP contains a provision that requires fences built along the external road frontages (which includes the Monaro Highway frontage) to be set back behind landscape screens in order to screen them.</p>
5	Nancy-Louise Scherger	<p>The information contained in the ACT Government request to amend the existing DCP is necessary to fully consider the Draft DCP, and the proposed data centre and gas powered co-generation facility (and should not have to be accessed through a Freedom of Information request). Other</p>	<p>The draft DCP does not propose a data centre and power plant.</p> <p>The NCA has the detailed planning responsibility, including the development approval (or Works Approval) role, for those areas identified in the Plan as being Designated Areas. Detailed planning for those areas not identified as Designated Areas under the Plan are the responsibility of ACTPLA.</p>

		<p>documentation should be made available, including proposed development ownership details, land purchase/transfer/lease purpose details, accurate development specifications, a fully costed business case, a comprehensive community health assessment, and compliance with Federal environmental visual, noise, water use and pollution standards.</p> <p>The proposed changes will allow future development of a scale and character that do not comply with the objectives of the National Capital Plan for an Approach Route – <i>‘enhance the predominantly rural character and landscape outside urban areas.’</i></p> <p>The Monaro Highway is a Designated Area and the proposed changes will allow future development that does not comply with the National Capital Plan objective to <i>‘minimise the visual impact of buildings, car parking, open activities and storage areas viewed from Monaro Highway and Mugga Lane.’</i></p> <p>The proposed changes will allow construction of environmentally polluting industries that are in direct conflict with Federal Government legislation to reduce greenhouse gas emissions, and exceed emissions targets.</p> <p>It is understood the draft DCP is to</p>	<p>The Monaro Highway is within a Designated Area under the National Capital Plan, and therefore the NCA is responsible for assessing proposed works. The land immediately adjacent to the road reserve, and subject of draft DCP 171/09/0001, is outside of Designated Areas. Therefore ACTPLA has the development approval role for any development on this land.</p> <p>The Monaro Highway from the ACT border and including its extension as the Eastern Parkway to Morshead Drive is an Approach Route as defined by the Plan. It is in the interests of the National Capital that development flanking Approach Routes to the city is of a type and quality complimentary to the role and status of the city, and Special Requirements apply.</p> <p>In accordance with the Plan Special Requirements 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 state that land adjacent to the Monaro Highway is to conform to Development Control Plans agreed by the NCA.</p> <p>The draft DCP has been prepared to establish planning and urban design provisions including building scale, setbacks, landscaping, access and parking for the subject sites. It is the responsibility of ACTPLA to assess any proposal against the provisions of the Territory Plan and the DCP.</p> <p>The draft DCP (and the existing DCP) incorrectly refer to the site as being within the Broadacre Areas land use policy under the General Policy Plan – Metropolitan Canberra (General Policy Plan) of the Plan. The site is within the Urban Areas land use policy, and</p>
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6	<p>ACT Planning and Land Authority</p> <p>GPO Box 1908 Canberra ACT 2601</p>	<p>The DCP could be improved by amending the title of the DCP to <i>'Hume North West'</i> to improve clarity regarding the location of the site.</p> <p>Consideration should be given to DCP drawing under Clause 2.16.1 to identify the floodway and the 'landscaping within Mugga Recycling Facility' with arrows.</p> <p>The word 'storage' should be added to Clause 2.4.1 between 'outdoor' and 'areas' in the fourth line to maintain consistency with existing DCP 171/03/0008.</p> <p>Clause 2.9.1 could be reworded to 'External walls should be generally masonry or pre-coated metal that is if a</p>	<p>The draft DCP title refers to both Hume West, and specifically to Sections 23, 25, 26 and 27. It is considered that these references are adequate in defining the area to which the DCP is applicable.</p> <p>The proposed DCP drawing is sufficient for the purpose it serves. The references to 'Floodway' and 'Mugga Recycling Facility' are sufficient as contained within the existing notes on the DCP drawing.</p> <p>The exclusion of the word 'storage' was not intended during the preparation of the draft DCP. It is agreed that the word 'storage' can be inserted as requested.</p> <p>It is acknowledged the wording of Clause 2.9.1 could be improved to state the intent more clearly, however it is considered that the suggested wording is cumbersome. It is therefore recommended that Clause 2.9.1 be amended as follows: <i>'External walls should be generally masonry or pre-coated metal-cladding of low</i></p>

		<p>low reflectivity and not white or off-white or untreated metal. The roof finish is of low reflectivity and not white or off-white or untreated metal' to state the intent more clearly.</p> <p>Typographical errors to be corrected:</p> <p>Clause 2.4.1, 'closet' in the second line should be 'closest'.</p> <p>Clause 2.9.2, 'glass an coatings' should be 'glass and coatings'.</p> <p>Clause 2.12.1 'screened and' should replace 'screened an'.</p> <p>Clause 2.13.1 'Mugga Lane' should replace 'Mugga Lane'</p>	<p><i>reflectivity. The roof should be of pre-coated metal of low reflectivity.'</i></p> <p>All typographical errors will be corrected.</p>
7	Dugald Holmes 7 Taber Place, Isaacs ACT 2607	<p>The Hume Industrial Planning Study states that the Hume industrial area was to be used for light industry (as per the existing industrial areas of Hume). Under the National Capital Plan, Light Industry does not include activities that cause noise, smell or other adverse effects including vibration, smog, etc.</p> <p>The Hume industrial area consists generally of light industry with height limits of approximately 12 metres. ACT Government agencies noted in comments on the Hume Industrial Planning Study that buildings for the data centre and power plant would not be suitable for a</p>	<p>The draft DCP does not propose a data centre and power plant.</p> <p>The NCA has the detailed planning responsibility, including the development approval (or Works Approval) role, for those areas identified in the Plan as being Designated Areas. Detailed planning for those areas not identified as Designated Areas under the Plan are the responsibility of ACTPLA.</p> <p>The Monaro Highway is within a Designated Area under the National Capital Plan, and therefore the NCA is responsible for assessing proposed works. The land immediately adjacent to the road reserve, and subject of draft DCP 171/09/0001, is outside of Designated Areas. Therefore ACTPLA has the development approval role for any development on this land.</p>

		<p>rural area from an appearance perspective.</p> <p>The National Capital Plan intends to protect the predominantly rural setting of the main approach routes to Canberra, including the Monaro Highway. In the case of the proposed data centre and power station, it does not suit the predominantly rural setting with its multiple exhaust stacks, cooling towers, and electrical and gas infrastructure. This will set a precedent for the first heavy industrial area in the ACT to be located on the Main Approach Route of the Monaro Highway.</p> <p>The NCA expressed concern about the detrimental visual impact in the Monaro Highway road reservation of the proposed sub-transmission line from Williamsdale to Theodore.</p> <p>The precautionary principle means the approval (of development) needs to consider whether they have all the facts available to them to make an informed decision. The Monaro Highway's boundaries are part of a Designated Area and therefore the approving body must enforce their authority and give due consideration to the intent of the Designated Area, and the inclusion of the area as such in the first instance.</p> <p>The amendment to the DCP does not</p>	<p>The Monaro Highway from the ACT border and including its extension as the Eastern Parkway to Morshead Drive is an Approach Route as defined by the Plan. It is in the interests of the National Capital that development flanking Approach Routes to the city is of a type and quality complementary to the role and status of the city, and Special Requirements apply.</p> <p>In accordance with the Plan Special Requirements 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 state that land adjacent to the Monaro Highway is to conform to Development Control Plans agreed by the NCA.</p> <p>The draft DCP has been prepared to establish planning and urban design provisions including building scale, setbacks, landscaping, access and parking for the subject sites. It is the responsibility of ACTPLA to assess any proposal against the provisions of the Territory Plan and the DCP.</p> <p>Clause 2.6.1 in regard to building height could be amended to clarify the distinction between building height, and building elements necessary for functional and operational reasons. It is recommended that the distinction between the roof line and elements extending above the roof line be made.</p>
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