Australian Government
National Capital Authority

Development Control Plan 21/01

Part Block 11 Section 38 Fyshwick (Dairy Road Precinct)

July 2021

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1.0 Preamble

The subject site, part Block 11 Section 38 Fyshwick, is adjacent to the Monaro Highway. The Monaro Highway, from the ACT border to Morshead Drive, is defined as an Approach Route in the National Capital Plan (the Plan). In accordance with Section 4.24 of the Plan, Special Requirements apply to development on all land which fronts directly onto Approach Routes and is not more than 200 metres from their middle lines.

Special Requirements state:

> *'Development…is to conform to Development Control Plans agreed by the National Capital 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 will shift to a more formal character.'*

The provisions of this Development Control Plan (DCP) apply to the subject site and in the absence of a provision in the National Capital Plan to the contrary, all development will be in accordance with the relevant provisions of the Territory Plan. Where an inconsistency arises between the Territory Plan and the National Capital Plan, the National Capital Plan and this DCP prevail.

The subject site is Territory Land outside the Designated Area of the Plan and therefore the ACT Government's planning and land authority is responsible for assessing development applications relating to the subject site. In doing so, the planning and land authority is required to ensure that the proposed development is consistent with this DCP and the Plan.

The subject site is located approximately 5 kilometres south-east of Canberra's city centre, is within 3 kilometres of Canberra Airport, and is in close proximity to other mixed use precincts. The topography of the site and land immediately adjoining the site to the east results in the site sitting below the level of the Monaro Highway Approach Route. Established vegetation exists within the road reservation reducing the impact of existing and future built form on the site.

Redevelopment of the site presents an opportunity to transform an industrial site into a mixed use precinct of the highest quality and design. Adaptive reuse of former industrial buildings coupled with new buildings, landscaping and public art can facilitate a vibrant place where people live, work, create and play.The Monaro Highway road reservation forms part of the Designated Areas of the Plan and therefore the National Capital Authority (NCA) is responsible for granting Works Approval within the road reservation.

2.0 Planning and urban design objectives

The character of development in this area contributes to the experience and quality of Monaro Highway as a significant Approach Route to the National Capital. The Approach Routes play a critical role in the formation of the traveller's perception of the city and alert the traveller to the special symbolic and functional significance of the National Capital.

The objective for planning and development of the Approach Routes is to establish and enhance the identity of the approaches. Design and development of the subject site must:

a. enhance the character of the Monaro Highway as an Approach Route to the National Capital
b. improve the landscape quality of the Monaro Highway frontage and enhance the visual quality and views to the Central National Area

c. provide for a diverse range of employment opportunities, housing and dwelling typologies, gathering places and open spaces
d. create a permeable network of streets, cycleways and pedestrian connections with a logical hierarchy and which promote a high level of pedestrian amenity
e. utilise the existing features and buildings of the subject site, and create bold, playful, powerful and interesting urban forms to create a fine grain development
f. integrate best practice social and environmental sustainability measures into all aspects of design
g. establish capacity for the subject site to accommodate and attract a variety of people and demographics and uses to create a vibrant destination
h. promote a physical, visual and ecological connection with the nearby wetlands and the wider city fabric.

3.0 General conditions of planning, design and development

3.1 Land use and building height

a. Land use of the subject site shall be consistent with the land use of the National Capital Plan, and the land use of the Territory Plan.
a. DCP drawing 21/01-01 illustrates permitted building heights on the subject site. The DCP drawing shows variable permitted building height limits of up to 32 metres and 12 metres, the latter being in the location of the rectangular portion of the site that contains the retained and repurposed warehouse building running parallel to the Monaro Highway.
b. Existing warehouse facilities located within the subject site should continue to be repurposed for creative businesses, start-ups, cultural and recreational facilities, and to contribute to the environmental sustainability of the precinct through adaptive reuse of existing building fabric. Should warehouse buildings be replaced, buildings of a similar scale and in compliance with the height limit, may be constructed where they provide for a similar range of uses identified above.
c. New buildings that contribute to a diverse and active precinct are permitted within the area subject to a maximum building height limit of 32 metres.
d. Building height measurement includes building elements such as, but not limited to, roof top plant, lift overruns, antennas, photovoltaic panels, flues and vents.
e. No building elements are permitted above the maximum building height.

3.2 Building setbacks

a. All buildings and structures must be setback a minimum of 6 metres from the subject site boundary to the Monaro Highway.
b. A composition of soft landscaping must be provided within the setback areas, and which meets the provisions of section 3.7 of this DCP.
c. All other setbacks to the subject site boundaries, and within the subject site, shall be in accordance with the Territory Plan.

3.3 Access, movement and parking

a. No access to the subject site is permitted from the Monaro Highway.
b. Development should enable connections to adjacent sites if and when these are developed as part of the broader East Lake development.

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c. Site layout and planning should support freedom of pedestrian and cyclist movement. Active transport modes should be physically separated from motorised transport where possible and designed to minimise conflict.
d. Where physical separation of active transport and motorised modes of transport is not possible, road environments should be designed to facilitate shared access and movement.
e. Pedestrian and cycle infrastructure must be designed to connect to the wider network of off-road paths in the surrounding area, including to the remainder of the Dairy Road Precinct and hereafter to destinations such as Jerrabomberra Wetlands.
f. Car parking on the subject site is to be provided in accordance with relevant provisions of the Territory Plan, including in relation to design, location and rates.

3.4 Building design

a. Development is to achieve a high architectural design quality within a landscaped setting. Consideration must be given to the visual impact of proposed development, in particular when viewed from the Monaro Highway.

b. Building forms, materials and finishes should be responsive to microclimate issues including solar access and wind. Use of sunscreen devices as articulation elements should be employed to achieve climate responsive façades.

c. Buildings should generally be modulated to clearly express the grid of the building. Tactility, silhouette and human scale in relation to built form should be achieved with the design of buildings.

d. Building design, layout and construction should take account of the impacts of noise on surrounding uses.
e. Service areas, where located immediately adjoining or visible from the public realm must be integrated into the design of buildings to provide a positive relationship to the public realm.
f. Development must exemplify exceptional built form and public domain. Site users and visitors should experience surprise and delight as they move through the development, and are exposed to buildings and places of high quality, variety and texture.

3.5 Sustainable development

a. Development must exemplify sustainability principles and demonstrate excellence in site amenity, urban design and environmentally sustainable design.
b. Development should apply best practice building and environmentally sustainable design, detailing, and servicing strategies to minimise environmental impact in construction and operation.
c. Site planning and development should explore opportunities to sustainably manage surface water by incorporating Water Sensitive Urban Design (WSUD) principles.
d. Development should include the Incorporation of best practice WSUD interventions to improve water quality outcomes.

3.6 Landscape

a. A comprehensive landscape plan must be submitted with any application for development of the subject site. Landscaping for individual buildings should be complementary to the broader landscaping of the precinct.
b. Planting between the highway and the development is to provide a continuous visual screen. This can be achieved by dense planting of trees and scrubs, with species to be selected for

their suitably for site conditions and Canberra's climate. Tree species to be planted between the highway and development should be able to grow to 15 to 20 metres at maturity.

c. Planting for the length of the subject site should occur prior to completion of any major new buildings adjacent to the Monaro Highway, and should include a significant proportion of mature specimens to give immediate visual impact.

d. Established trees on the subject site should be retained where possible. Tree removal may be considered where:
    - a tree is in ill health or in decline;
    - a tree poses a threat to public safety;
    - a tree is restricting the growth of other vegetation;
    - necessary to comply with utility provider requirements and/or site remediation required under Auditor instruction (where this is required, tree removal must be compensated for by planting on other parts of the subject site;
    - the existing tree is exotic and will be replaced by a native tree; and/or
    - site and building design can be improved by the removal of trees.

    A Tree Management Plan must accompany landscape plans, outlining tree protection measures during construction activity for existing trees proposed for retention.

e. Landscape design must:
    - provide for areas of deep rooted planting which is integrated with the open spaces and public realm design of the subject site
    - minimise the visual impact of parking on the public domain by integrating parking layouts with street tree plantings and pavement design
    - provide a complementary hierarchy of streetscape elements that relates to the road hierarchy giving primacy to the main avenues, emphasising continuity along their length through avenues of appropriately scaled street trees
    - use continuous street trees to define the pattern of major and minor streets
    - include hard and soft landscape materials that are complementary to existing development on the subject site and contribute towards the creation of a vibrant precinct
    - ensure that the form and size of street trees are proportionate to the width of streets and height of facing buildings
    - support diversity through the planting of new species that integrates into Canberra's broader urban forest
    - incorporate species which endure harsh environmental conditions, and have a deep rooting system that will not lift kerbs and paving
    - provide for trees with adequate tree pits and be planted in correct soil conditions
    - demonstrate consideration of required infrastructure and services, and integrate landscape design with infrastructure to the extent practicable
    - ensure that selected species will not pose problems to the ecologically important Jerrabomberra Wetlands
    - demonstrate consideration of bushfire planning principles and ensure that Asset Protection Zones established under any ACT Government strategic bushfire management plan are adequately maintained.

3.7 Fencing

a. Fencing along the subject site boundary to the Monaro Highway must be designed in a manner that is integral with the landscape design using high quality materials. The use of pre-coloured metal, chain-link, barbed or razor wire is not permitted where visible from the Approach Route.
b. All fencing to the subject site boundaries must not be bulky or visually obtrusive.

3.8 Signage

a. No signs directly addressing the Monaro Highway are permitted. This includes signs attached to boundary fencing, within the setback area, attached to the building or on the roof.
b. Signs visible from the Monaro Highway but not directly addressing the road must be integrated with landscape and building design. Any signage not affixed to a building must be within a landscape setting.
c. All signs on buildings must be below the eaves or parapet of a building.
d. Temporary freestanding signage will be permitted where associated with events at the Dairy Road Precinct. Such signage must be consistent with Territory signage policies.

3.9 Lighting

a. All outdoor lighting, including security and car park lighting, shall be designed and sited to minimise light pollution. Outdoor lighting shall use full cut-off light fittings. Any up-lighting of buildings or structures should be carefully designed to keep night time overspill to a minimum.
b. Outdoor lighting design must have regard to the proximity of the Jerrabomberra Wetlands to the subject site. Design measures could include:
    - Reducing the intensity or turning off lighting at times not needed, to reduce impact of wildlife.
    - Reducing the intensity and duration of external building lighting operation during migration periods of the Bogong moth in October and between February and April (this may include shutting off lights that are not needed during the latter part of the night at times of peak moth migration).
    - Ensuring that the design and operation of lighting does not cause wildlife or avifauna disorientation, injury or death.

3.10 Service Areas

a. Service areas, plant and equipment, storage areas and waste facilities should be located where they will not be visible from the Monaro Highway, or otherwise suitably screened
b. If screens and fences are to be used, they must be designed as an integral part of the development, using colours, materials and landscaping to ensure that they complement the appearance of buildings on the subject site.

3.11 DCP Drawing

a. The written provisions of this DCP should be read in conjunction with DCP Drawing 21/01-1 available at Appendix 1, which forms part of this DCP.

Appendix 1 – DCP drawing 21/01-01

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