

CONSULTATION REPORT

NATIONAL CAPITAL PLAN EXPOSURE DRAFT

SEPTEMBER 2015



Australian Government
National Capital Authority

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1. INTRODUCTION

The National Capital Plan (the Plan) is the strategy and blueprint giving effect to the Commonwealth's interests and intentions for planning, designing and developing Canberra and the Territory. The National Capital Authority (NCA) is responsible for administering the National Capital Plan for the Australian Government.

The NCA is undertaking a reform process to update the Plan and to amend the planning arrangements between the Australian and ACT Governments. The Plan has not been holistically reviewed since it came into effect in 1990. The Plan reform is intended to achieve four key outcomes:

1. Create a revised and modernised National Capital Plan.
2. Amend metropolitan planning arrangements to provide greater flexibility to the ACT Government to accommodate the growth of Canberra.
3. Reduce duplication and complexity in planning.
4. Ensure continued Commonwealth interest in areas identified as having the special characteristics of the National Capital.

The work has focused on streamlining the shared responsibilities and interests of the Australian and ACT Governments. In June 2015, the NCA released an Exposure Draft of a revised Plan that proposed key changes relating to:

- » the structure and format of the document
- » metropolitan planning (matters such as urban form, land use, transport and infrastructure)
- » areas identified as having special characteristics of the National Capital (Designated Areas)
- » areas where there is a high level of Commonwealth interest but where the detailed planning role is shared between the National Capital Authority and ACT Government (Special Requirements).

This report summarises the public consultation process undertaken and highlights the key issues raised during that period.

2. PUBLIC CONSULTATION

On 5 June 2015, the NCA released the Exposure Draft of the Plan for public consultation. The consultation period ran for six weeks, concluding on 22 July 2015.

The ACT Government was briefed prior to release of the Exposure Draft of the Plan, as well as the following Australian Government agencies:

1. Department of Defence
2. Department of Prime Minister and Cabinet
3. Department of Finance
4. Attorney-General's Department
5. Department of the Environment
6. Department of Foreign Affairs and Trade
7. Defence Housing Australia
8. CSIRO
9. Australian Sports Commission
10. Australian War Memorial (Department of Veterans' Affairs).

Upon release of the Exposure Draft of the Plan for public consultation, the NCA wrote to 60 stakeholders from government and the community advising of the release of the Exposure Draft, and invited stakeholders to attend briefing sessions.

During the public consultation period, the Plan review team briefed the following stakeholders:

- » Yarralumla Residents' Association
- » National Institutions (Questacon, National Archives of Australia, Museum of Australian Democracy at Old Parliament House, National Library Australia) and the Murray Darling Basin Authority
- » Australian Institute of Architects and Australian Institute of Landscape Architects
- » Community interest groups (Walter Burley Griffin Society, Friends of the Albert Hall Inc., National Heart Foundation, Friends of Grasslands, Pedal Power, Lake Burley Griffin Guardians, National Trust ACT)
- » Belconnen Community Council
- » Deakin Residents' Association
- » Planning Institute of Australia
- » Weston Creek Community Council
- » Planning Committee of the Australian Institute of Architects
- » Inner South Canberra Community Council (included a representative from Kingston and Barton Residents' Group)
- » Australian National University
- » Canberra Business Chamber.
- » Property Council of Australia

The following stakeholders were offered a briefing but either declined the offer, did not respond or a suitable time was not available:

- » National institutions (National Portrait Gallery, High Court of Australia, Australian National Botanic Gardens, Royal Australian Mint, National Film and Sound Archive, Australian Institution of Aboriginal and Torres Strait Islander Studies, National Museum of Australia)
- » North Canberra, Gungahlin and Tuggeranong Community Councils
- » Campbell Residents' Group
- » Conservation Council ACT Region Inc.
- » University of Canberra/Canberra Urban and Regional Futures.

Woden Valley Community Council, Canberra International Airport and the Tuggeranong and Regional Business Forum were briefed following the close of the consultation period.

NCA representatives also conducted two open information sessions for members of the public.

The NSW Department of Planning and local councils surrounding the ACT were provided a letter of courtesy, recognising that while the Plan does not impact on local government or state planning operations there may be interest in the NCA's planning reform work from an industry perspective.

The NCA invited the public to have their say in one or more of the following ways:

- » Attending a public information session
- » Contributing to the discussion online by joining an online forum
- » Emailing comments
- » Writing to the NCA's Chief Planner.

Thirty-nine submissions were received in response to the Exposure Draft of the Plan. A number of comments were received online.

3. SUMMARY OF ISSUES

Comments received extended beyond the changes proposed to the Plan to legislative matters and existing policy in the Plan. Issues concerning proposed changes to the Plan, or requested changes to the Plan, are outlined below, together with an NCA response. This section is structured as follows:

1. Broad policy matters and the proposed structure and format of the Plan.
2. Changes to planning arrangements between the NCA and ACT Government (Special requirements and Designated Areas).
3. Specific matters.

Issues concerning ACT Government planning initiatives, legislation, and detailed policy matters are outside the scope of the current process.

Attachment A is a summary of each submission and the NCA's consideration.

Attachment B lists each change proposed in response to matters raised during public consultation.

3.1 Broad policy matters and proposed structure and format of the Plan

3.1.1 Format and structure of the document

Comments

Submitters supported the proposed format of the Plan, indicating that it makes the document much simpler and easier to navigate. The new document was considered a significant improvement on the current Plan. In particular, submitters supported the consolidation of information for each spatial area into precinct codes noting that this adds clarity and legibility to detailed planning provisions.

Some submitters provided suggestions to improve navigation of the document even further, such as adding paragraph numbers in some sections of the document, and avoiding repetition of section numbers.

NCA response

Support for the revised format and structure of the document is noted. A number of suggested formatting changes have been made.

3.1.2 National interest and national significance

Comments

Commentary throughout the public consultation period largely supported the narrative concerning national significance and the matters of national significance identified in Part One of the Exposure Draft. Specific comments were received as follows:

- » The matters of national significance could be expanded to include restrictions on building heights in Central Canberra.
- » Changes to the matter of national significance regarding the pre-eminence of the role of Canberra unnecessarily qualifies the role of the city, and may weaken the intent of the matter.
- » 'Conservation' as used in the matters of national significance could be defined as per the Australian ICOMOS Burra Charter definition.

One submitter thought that Part One of the Exposure Draft does not offer a clear vision of what 'national significance' and 'national capital interest' are, nor how they can support land use and development decisions.

NCA response

Policy already exists in the Plan to limit building heights in Central Canberra. The RL617 height limit is contained within multiple sections of the revised Plan including the Statement of Planning Principles (Part Two) and General Policies for the Central National Area (section 4.1.1).

The proposed changes to the matter of national significance regarding the pre-eminence of the role of Canberra were intended to clarify the role of the city. The terms 'National Capital functions' and 'Australian national life' are deliberately broad to cover the range of roles and functions the city currently performs and may perform in the future.

The term 'Conservation' in the context of the Burra Charter relates to looking after places to retain their cultural significance. The Plan uses 'conservation' in multiple contexts, and a this particular definition would not cover all of these.

3.1.3 Changes to urban areas

Comments

Submitters largely supported the reduction of Urban Areas in the Gungahlin District. One submitter indicated a preference for the Kenny Nature Reserve to remain within Urban Areas until the Territory Plan variation process to change this area to a non-urban zone has been completed.

Identifying the area between North Canberra and Gungahlin as urban land was not supported by some submitters on the basis that this area provides an open space buffer between the two districts. Concern was expressed that removing the buffer between North Canberra and Gungahlin may set precedence for the gradual erosion of other open space areas between districts.

No objections were received in regard to the expansion of urban areas around Fyshwick and at West Belconnen.

The NCA has previously 'certified' proposals (under clause 4.4(d)) for Stromlo Forest Park so that development can proceed without an amendment to the Plan. One submitter sought advice as to whether the certified boundary has been included in the revised General Policy Plan – Metropolitan Canberra.

One submitter suggested that Block 799 Gungahlin could be included as part of Urban Areas to reflect its development for commercial/tourist accommodation purposes.

The Commonwealth Scientific and Industrial Research Organisation (CSIRO) requested that their Ginninderra property (Blocks 1426, 1427, 1545, 1609 and 1603 Belconnen) be included within Urban Areas.

NCA response

Kenny has been reinstated as part of the Urban Areas.

The inclusion of areas adjacent to Mitchell reflects the existing Plan provision that this is a future Urban Area and the current use of these areas for urban development such as the racecourse, Exhibition Park in Canberra (EPIC) and Bimberi Youth Justice Centre.

The General Policy Plan – Metropolitan Canberra has been amended to revise the urban boundary to recognise the previous certification provided to the ACT Government in regard to Stromlo Forest Park.

The Exposure Draft proposed to retain Block 799 Gungahlin within Broadacre Areas. Permitted land uses for Broadacre Areas included 'Tourist Facility', which is defined as:

'The use of land for the purpose of providing entertainment, recreation, cultural or similar facilities for use mainly by the general touring or holidaying public. This may include a restaurant, café, bar, service station, tourist accommodation (including motel) and the retail sale of crafts, souvenirs, antiques and the like.'

The existing land use provisions allow for the types of uses envisaged for the site, therefore no change has been made.

The land use policy of CSIRO's Ginninderra property has been changed from 'Hills, Ridges and Buffer Spaces' to 'Urban Areas'.

3.1.4 Potential future urban areas

Comments

The proposed removal of Australian Parliamentary scrutiny from some metropolitan land use decisions generated two opposing views. The first recognised that the approach brings significant efficiencies to the planning process, and supported the concept so long as further detail regarding the administrative process for 'certification' by the NCA of land use proposals is articulated in the Plan.

Submitters suggested that the process for certification could be set out within the 'Governance' section of the Plan. Submissions sought assurance that the process had a robust framework for assessing compliance with all relevant policies, and any certification should be published and included with any subsequent Territory Plan variation. The point at which the ACT Government requires certification should also be articulated, with submitters indicating a preference for this to occur prior to the Territory Variation process commencing.

Other submitters did not support removing the need for an amendment to the Plan. It was asserted that removing scrutiny by the Australian Parliament seems to be a lost opportunity for including a truly national perspective in decision-making specific to the National Capital.

A number of submitters sought to understand how the 'potential future urban areas' were selected, and how these areas, and the General Policy Plans more broadly, relate to the ACT Government's 'Planning Strategy (2012)'.

Each identified area attracted comment. Future development of Broadacre Areas to the east of the city, including parts of the Majura Valley and Symonston, was generally supported. Some concern was raised that development in the Majura Valley would impact on water quality in the Molonglo River and subsequently Lake Burley Griffin, and it was noted that land uses are likely to be limited to commercial and industrial given proximity to the airport and flight paths.

Concern was expressed that the ACT Government is taking a piecemeal approach to development in the Symonston area. Submitters considered that this fragmented approach will not adequately protect the environmental, heritage and amenity values of Symonston, and requested full community consultation before any proposal to extend urban settlement in to the area.

Some opposition was received to identifying the West Murrumbidgee as a future urban area. Comments received regarding the development of West Murrumbidgee included:

- » water quality and the natural environment would be severely negatively impacted
- » the infrastructure required to cross the Murrumbidgee River would be expensive
- » development in the area may impact on operations at the Canberra Deep Space Communications Complex
- » once across the Murrumbidgee River, there may be a continual push further into the mountains and bushland areas to the west and south of the city
- » West Murrumbidgee (and Majura) would distort town centre planning principles and the emphasis on Civic
- » development of West Murrumbidgee would be inconsistent with a city form that achieves sustainability and reduces environmental impact.

It was also asserted that the Tuggeranong district does not have a sufficiently large employment base at present to provide for the existing population, let alone an increase in population. If there is a desire to increase Tuggeranong's population, this could be achieved through more cost-effective infill development.

Submitters stated that all relevant studies should be completed prior to identifying the West Murrumbidgee Area as a potential future urban area. Comparison was made with the West Belconnen area, where all studies were undertaken prior to commencing statutory processes to rezone the land. Submitters therefore requested that any proposal to develop the land should require amendments to both the Plan and the Territory Plan, accompanied by an environmental impact assessment, evidence of suitability for urban development, economic cost benefit analysis over an extended lifecycle and comprehensive planning controls.

Submitters suggested other areas that could be identified as potential future urban areas, including land between the Tuggeranong Town Centre and the Murrumbidgee River Corridor, other areas currently identified as 'rural' to the west of the Murrumbidgee River, and the IKEA site.

NCA response

The proposed changes will streamline the planning and development process in the National Capital without compromising national capital or environmental values or community expectations.

Should the ACT Government wish to pursue urban development in any area identified as a 'potential future urban area', all due diligence studies will be undertaken. The level of investigation to determine the suitability of an area for urban development remains the same, it is the process that is proposed to change.

The process for 'certification' of land use proposals in 'potential future urban areas' has been set out in the 'Part Three' of the Plan. Following certification that land use proposals are consistent with national interest principles, the ACT Government will undertake their own planning processes to vary the Territory Plan. This will include public consultation.

Minor adjustments to land in the Fyshwick and Symonston area have been made to reflect the current status of the ACT Government's Eastern Broadacre investigation areas and the strategic assessment.

The IKEA was incorporated into Urban Areas through Amendment 84 to the Plan (gazetted in 2014).

3.1.5 General policy matters

Comments

Some submitters requested that the Plan provide greater encouragement to densify Canberra's inner suburbs and provide greater diversity of housing within Canberra's existing urban boundary.

Comments received suggested the following changes to the General Policy Plan – Metropolitan Canberra:

- » the Inter-town Public Transport Route should reflect the ACT Government's current strategic planning for public transport and the public transport strategy identified in 'Transport for Canberra (2012)'
- » 'existing' and 'proposed' arterial roads should be updated to reflect current planning being undertaken by the ACT Government
- » Majura Parkway should be recognised as a National Road.

NCA response

Policies for the Central National Area encourage a compact, sustainable city and seek to consolidate the central areas of Canberra.

The following changes have been made to the General Policy Plan – Metropolitan Canberra:

- » the Inter-town Public Transport Route follows the strategic transport routes identified in 'Transport for Canberra (2012)'
- » 'proposed' arterials roads in Gungahlin are now shown as 'existing' and alignments have been changed where necessary
- » Majura Parkway is shown as a National Road
- » the 'proposed' arterial road link from Ainslie Avenue to Majura Parkway has been deleted.

3.1.6 Heritage

Comments

Submitters expressed general support for the inclusion of heritage places within Designated Areas being considered as Commonwealth Areas for the purposes of applying the provisions of the *Environmental Protection and Biodiversity Act 1999*. One submitter suggested that legal advice may be needed regarding the reference to Commonwealth Areas. The intent of the proposed changes are welcome, however it is not clear the Plan itself can overcome the specific inclusion contained in subsection 525(2) of the EPBC Act.

A number of administrative matters were identified as requiring consideration:

- » Who undertakes the identification of heritage places (as per section 2.4.1) and how is this undertaken?
- » Provisions of the Plan may need to be considered in terms of heritage, and changes may be required as part of reconciling heritage and planning objectives.
- » Is an approach being considered whereby specialist heritage advice can be provided to the NCA by a separate unit or authority within government?
- » other elements that contribute to a comprehensive heritage system could be considered, such as an expert heritage authority, heritage agreements, protective powers including top work orders and penalties, the provisions of technical advice, and support for research.

Comment was received that the Plan does not clearly define 'heritage places'. Parts of the Plan refer specifically to Commonwealth and National Heritage places, which suggests that references elsewhere in the Plan to 'heritage

places' might include places on the ACT Heritage Register. It was recommended that this should be the case as it would help provide statutory protection for heritage places that are on the ACT Heritage Register and are located in Designated Areas.

One submitter expressed concern with the lack of heritage protection for the interiors of buildings.

A number of submitters suggested that the NCA should mandate a requirement for Heritage Management Plans to accompany major development proposals for heritage places, and should require Heritage Impact Statements as well.

The application of heritage principles and consistency between Commonwealth agencies was also questioned. Some submitters indicated that it is not clear whether the actions referred to in the 'objectives and principles' would be dealt with by the NCA in a manner consistent with the way the Department of the Environment would deal with a referral under the EPBC Act, or whether actions would be referred to that Department.

NCA response

The wording of the clause relating to the consideration of heritage places within Designated Areas as Commonwealth Areas has been amended to clarify that it is the NCA's application of previous policy commitments to approach the issue in this manner. This approach does not rely on legislative change.

A definition of 'heritage place' has been added to Appendix B to clarify the term.

Administrative matters will be considered separately from the process to amend the Plan.

The NCA will retain the discretion to determine whether a Heritage Management Plan or Heritage Impact Statement is required to accompany a major development application. These plans or statements may not be warranted depending on the nature of the proposal.

The requirements of the EPBC Act in relation to matters of national environmental significance will continue to apply where relevant.

3.1.7 Statement of Planning Principles

Comments

Submitters expressed a range of views in relation to the Statement of Planning Principles (Part Two of the Exposure Draft of the Plan). Some submitters commented that the statement of planning principles is clear. One submitter considered Part Two to be vague and to offer little actionable planning policy.

Specific comments received included:

- » 'Urban intensification' is different to 'urban development' as currently referred to in the Plan. 'Urban intensification' is also at odds with the principle of maintaining 'Garden City' and 'City Beautiful' values.
- » The changes concerning consideration of heritage places in Designated Areas and the focus on diversification of transport modes are supported.
- » The Exposure Draft refers to sustainability in the context of urban development in general rather than the protection of the natural environment. When compared to the current Plan, this appears to be a weakening of policy and principles that apply specifically to the environment. The language and intent of the current Plan with respect to environmental protection should be retained.
- » The Territory Plan cannot be inconsistent with the Plan and section 2.4.1 need to be redrafted so that its intent is clear. The principles and policies of the current Plan should be included.

- » The intent to introduce a 'Statement of Planning Principles' for the entire Territory was supported, but assurance is sought that the application of these principles will not add red tape or increase timeframes for development assessments or delay the progress of Variations to the Territory Plan.

NCA response

The planning principles contained in Part Two of the revised Plan are necessarily high level. The NCA notes that the ACT Government did not object to the Statement of Planning Principles.

The Plan currently contains policies concerning urban consolidation, including policy for Urban Areas which states:

The planning of urban areas should seek to introduce measures through which urban consolidation may occur.

The terms 'urban consolidation' and 'urban intensification' are interchangeable – both are concerned with ensuring that land is used to its fullest potential and increasing the population within a defined urban area. The Plan encourages this approach but does not specify the mechanisms for this to occur.

Part Two of the Exposure Draft states that the Statement of Planning Principles is binding on both the Commonwealth and the ACT Government.

Timeframes for development assessment under the Territory Plan and variations to that plan are set out in the *Planning and Development Act 2007* (ACT).

3.2 Changes to planning arrangements between the NCA and ACT Government

3.2.1 Extent of NCA jurisdiction

Comments

Many submitters expressed support for retaining the NCA's existing level of oversight and were concerned that the NCA's influence will be diminished through the proposed changes to the Plan. It was asserted that the NCA takes a longer-term view and is not subject to the same financial and population pressures as the ACT Government, and therefore can act as a counter to the ACT Government's approach to developing the city.

A number of submitters overtly stated that they did not support any reduction in Designated Areas or National Land.

Comments were made that the proposed changes to the Plan and arrangements between the NCA and ACT Government appear to assume that wherever there is duplication in planning, the solution is to transfer powers from the NCA to the ACT Government. It was suggested that there is evidence that NCA planning arrangements are more streamlined and effective than those currently administered by the ACT Government.

NCA response

Excluding the airport, which is already excluded from Designated Areas by virtue of the Airports Act 2006, there is no reduction in Designated Areas. The gazettal of National Land is undertaken through a legislative process and is not identified in the Plan.

Changes to areas where the NCA has a level of oversight have been made having regard for the national interest in a particular area, and how the NCA's interest could be best expressed. For example, the NCA maintains an interest in Namadji National Park as this area forms part of the National Capital Open Space System. The NCA's interest

can be reflected in the General Policy Plans (ie. the area is subject to the 'Mountains and Bushland' land use policy), and through general principles and policies for planning and development of the area.

Other changes have been made on the basis that there is an overt national interest in a particular area, such as proposing that the AIS and The Mint be included within Designated Areas.

3.2.2 Designated Areas

Comments

Many submitters considered that the proposed changes to Designated Areas appropriately reflect the special characteristics of the city.

No submitters objected to the proposal to include additional land adjacent to Anzac Parade within Designated Areas.

The Australian Sports Commission requested that, to simplify planning arrangements, the Designated Areas be expanded to incorporate the Australian Institute of Sport (AIS). Two submitters sought further justification for its inclusion, suggesting that as the current planning arrangements have not been problematic, there is no need to alter these when the site is substantially developed. The ACT Government sought to understand why the AIS was included within Designated Areas stating that this has the potential to impact on the day to day operations of the stadium, such as requiring works approval for minor matters (such as changing the types of goal posts on the field).

The ACT Government also did not support the inclusion of the Constitution Avenue sites (Nara House and the Convention Centre) within Designated Areas. One other submitter sought to understand the implications for works currently underway and whether works currently considered exempt from development approval under the ACT Government's planning regime would continue to be exempt under the new arrangements.

A number of submitters requested that Canberra Airport be retained within Designated Areas. Concern was expressed that commercial development at the airport has altered the metropolitan structure of Canberra by encouraging office development to locate at the airport rather than in Civic or the Town Centres. Retaining the airport within Designated Areas would ensure a level of oversight by the NCA.

The Department of Finance requested that The Mint be included within Designated Areas given its significance as a national icon and tourist destination in the National Capital.

The Defence Housing Authority requested that land at Academy Close used for housing Australian Defence Force Academy personnel be included within Designated Areas.

A suggestion was received that section 1.2 should do more to clarify how Designated Areas are identified, including why they do not align solely with National Land status. A small number of responses indicated that there could be further review of Designated Areas and land status.

NCA response

Inclusion of the AIS within Designated Areas was at the request of the property owner (the Australian Sports Commission). Inclusion of the AIS in Designated Areas reflects its national function and status as a national institution. The AIS is currently Territory Land subject to Special Requirements, which require a DCP to be prepared by the NCA and which is subsequently administered by the ACT Government. Including the site within Designated Areas aligns with the policy objective of streamlining and removing complexity in planning processes.

Following discussions with ACT Government representatives, the NCA understands that the concern to the AIS being within Designated Areas relates to management of day to day sporting activities and events in the precinct. The NCA will work with the Australian Sports Commission and the ACT Government to address these concerns.

Section 112A of the *Airports Act 1996* specifically excludes Canberra Airport from being a Designated Area. The NCA does not undertake the detailed planning for the airport and is not responsible for approving development proposals. The NCA will however continue discussions with Canberra Airport to determine what, if any, recognition of their role should be incorporated into the Plan.

The NCA supports the inclusion of The Mint and land at Academy Close within Designated Areas.

Designated Areas are those areas that are deemed to have the special characteristics of the National Capital. National Land is land used, or intended to be used, by the Commonwealth. The Inner Hills provide are an example of an area that has been deemed to have the special characteristics of the National Capital (ie. they provide the landscape setting for the city and are a key component of the Griffins' plan for the city). The Inner Hills are not, and are not intended to be, used by the Commonwealth. Conversely, there are National Land sites distributed around the city in suburbs such as Fyshwick and Mitchell. These sites do not have the special characteristics of the National Capital and should not be included in Designated Areas.

3.2.3 Special Requirements

Comments

Commentary received regarding Special Requirements indicated that generally removing Special Requirements for some areas of Territory Land is welcome, however further consideration of areas subject to Special Requirements is required. One option could be to remove Special Requirements, replacing them with comprehensive policies in the Plan itself.

Qualified support was provided for removing Special Requirements where there is duplication of planning controls under the Territory Plan, where there are comprehensive national policies, or where a precinct code can incorporate key elements of the existing Special Requirements. These points were particularly pertinent to the Murrumbidgee and Molonglo River Corridors and Namadgi National Park, where existing appendices of the Plan set out detailed conditions of land use, planning and management.

However, where no specific national policies are in place there was concern that removal of Special Requirements would diminish the quality of the National Capital.

More specific comments were received regarding the following areas currently subject to Special Requirements:

Haig and Telopea Parks

Concern was expressed about the removal of Special Requirements for Haig and Telopea Parks (in particular the latter), with several submitters suggesting that the additional level of oversight provided by the NCA is warranted.

Other submitters suggested that Special Requirements could be removed if there was another mechanism in the Plan to ensure that the parks remained as open space areas.

Namadgi National Park

Submitters recognised that while there are other protections in place to regulate activities in the park, such as legislation and management agreements, these are not recognised in the Plan

Similar to Haig and Telopea Parks, the removal of Special Requirements for Namadgi National Park was supported if its use as open space area is retained in some form in the Plan and if land use changes can only be made through amendment to the Plan.

Kingston Foreshore

Support was provided for the retention of Special Requirements for Kingston Foreshore, however a comment was made that the current requirements for lighting are too prescriptive. The Plan requires the use of high pressure sodium, mercury vapour and metal halide lighting depending on location, which excludes the use of other, more modern, light sources (for example, LEDs). It was therefore suggested that the desired lighting colour only be specified, without restricting light source.

Civic

One submitter did not support any erosion of the NCA's functions that would impact the city centre.

Another submitter was uncertain why Civic remains subject to Special Requirements and recommended that an alternative would be to develop comprehensive policies for quality urban outcomes to be embedded in the Plan, commensurate with the status of the National Capital. This would give greater certainty to developers and the community – particularly for the next phase of significant city developments.

Another submitter expressed a desire for the continued work on ensuring that the high speed rail corridor connects directly into the CBD and the station contributes to urban efficiencies and experience.

Molonglo and Murrumbidgee River Corridors

As per comments pertaining to Haig and Telopea Parks, and Namadgi National Park, the removal of Special Requirements was supported if the river corridors' use as open space areas are retained in some form in the Plan and if land use changes can only be made through amendment to the Plan.

One submitted was concerned that removing Special Requirements for the Molonglo River Corridor reduces the NCA's control over Lake Burley Griffin's uses and water quality.

It was also suggested that more specific requirements are needed in the Plan to manage the urban interface.

Main Avenues and Approach Routes

Support was provided for the continuation of Special Requirements for land flanking Main Avenues and Approach Routes, however concern was expressed that the landscape quality of key approaches to the city is deteriorating, and that planning and design policy for these areas is not clear enough. For example, the Federal Highway and Northbourne Avenue corridor is increasingly becoming dominated by vehicle access-ways, and landscape patterns established in past decades are not being carefully considered as part of new proposals. The intent of early policies to create buildings within a landscape setting appears to have been lost.

NCA response

The NCA agrees that an investigation of alternatives to Special Requirements should be further considered. This will form part of future stages of planning reform.

The proposal to remove Special Requirements for Haig and Telopea Parks has been reversed. Previous settings to protect the landscape qualities of these areas are retained.

The Murrumbidgee and Molonglo River Corridors, and Namadgi National Park, will continue to be recognised as open space areas through the General Policy Plans for the ACT and Metropolitan Canberra. The various management plans, intergovernmental agreements and Commonwealth and Territory initiatives outlined below help protect the national interest in these areas.

Namadgi National Park

Namadgi National Park is part of the Australian Alps National Parks and there is a Memorandum of Understanding (MOU) between Australian Government, NSW, Victoria and ACT government national park authorities concerning cooperative management of the alps national parks. The MOU establishes an Australian Alps Liaison Committee which has a number of functions, including the requirement to prepare a Strategic Plan for the management of the parks. The Strategic Plan aims to implement the mission of the MOU, which includes protecting the unique landscapes and natural and cultural heritage values of the parks, allow for appropriate recreation and tourism opportunities, and protect water catchments. There are a range of other parties who also have role in helping administer the MOU and for managing intergovernmental relationships – the Australian Alps Ministerial Council, the Australian Alps national parks Head of Agencies Group, the Australian Alps Liaison Committee and various reference groups and special task groups.

The Australian Alps National Parks and Reserves is on the National Heritage List, so the EPBC Act is applicable.

Also at a Territory level is the requirement under the ACT's Nature Conservation Act 2014 for custodians of reserves to prepare management plans. These management plan are statutory instruments. The Namadgi National Park Plan of Management 2010 identifies the values of the park and how they can be protected, and specific management plans for particularly sensitive areas provide even further detail (such as the Ginini Flats Wetlands Ramsar Site Plan of Management 2001).

Murrumbidgee and Molonglo River Corridors

The Special Requirements in the Plan for the Murrumbidgee River Corridor are a continuation of the NCDC's Murrumbidgee River Corridor Policy Plan from 1988, which established the concept of the corridor as an integrated management area. The Murrumbidgee River Corridor Management Plan 1998 (similar to the Namadgi National Park Plan of Management in that it is a statutory document administered by the ACT Government) also approaches management of the corridor in an integrated manner. Objectives of the management plan relate to maintaining water quality, conserving cultural heritage landscapes, enhancing habitat links and conserve natural landforms, and providing for some recreational and tourism opportunities (for example, places like Kambah Pool).

The ACT Government also has the Lower Cotter Catchment Strategic Plan 2007, which recognises that water is the most important value of the Lower Cotter Catchment and outlines a series of strategies for sustainable land use to restore the Lower Cotter Catchment to a stable condition that supports the delivery of clean water, and also allows for a range of activities that are compatible with the protection of water resources. The strategic plan isn't a statutory document, but plans are afoot for the ACT Government to prepare a statutory reserve management plan to replace the strategic plan.

More directly related to water quality and water management are projects and agreements stemming from the Murray Darling Basin Plan 2012 (administered by the Murray Darling Basin Authority) and the National Water Initiative 2004 (a shared commitment by governments to increase the efficiency of Australia's water use). An Intergovernmental Agreement (IGA) between the Australian and ACT Governments has been executed regarding the sustainable future of the Murray-Darling Basin, and the Commonwealth-Territory Water Management Partnership Agreement reflects the commitments of the IGA. The agreements set out a number of terms and conditions, including setting out the process for delivering projects given in-principle support in the IGA. The IGA also reflects the objectives of the National Water Initiative.

The ACT is recipient of an \$85 million grant to undertake the ACT Basin Priority Project to improve long-term water quality in the ACT (this relates to a number of lakes and waterways). The project is expected to provide significant downstream benefits by improving water quality and river health in the Murray-Darling Basin by reducing the level of nutrients and other pollutants flowing into the Murrumbidgee River and downstream. The NCA is represented on the Interjurisdictional Committee delivering the project.

The Molonglo River Corridor is managed by the ACT Government. Specific management plans, such as the 'Jerrabomberra Wetlands Nature Reserve Plan of Management (2010)' take into account land uses on adjacent land and waters, with the intention of maintaining and enhancing environmental quality.

The NCA will continue to control land use for the Murrumbidgee and Molonglo River Corridors through the General Policy Plans. The Plan also contains general principles and policies for the river corridors to protect and enhance the environmental quality, landscape setting and the natural and cultural resources of the river corridors.

3.3 Specific policy matters

3.3.1 Diplomatic Mission land use policy

Comments

The addition of 'Diplomatic Mission' as a permitted use in the Barton, Constitution Avenue and Anzac Parade, City Hill and West Basin precincts was largely supported. One submitter sought clarification about whether sites on which diplomatic missions are located will be National Land, and also how parking for missions will be accommodated.

Conversely, other submitters considered 'Diplomatic Use' as an inappropriate use in inner city areas. These submitters suggested that diplomatic missions should not be dispersed around Central Canberra (and not at all in West Basin) and are better serviced elsewhere.

A review of the Precinct Code for the diplomatic estate was recommended as the Exposure Draft retains the current maximum of two storeys. It was suggested that a more performance-based approach should be taken that relates building form to streetscape and context. The proposal to simply transfer the current two-storey limit and 0.35 maximum plot ratio may constrain innovative design responses for this special development type and should be tested.

NCA response

The report of the Joint Standing Committee on the National Capital and the External Territories' (JSCNCET) *Inquiry into the Allocation of Land to Diplomatic Missions in the Australian Capital Territory* recommended (among other things) that the Australian Government implement policies to facilitate medium and high density options for housing chanceries and allow more extensive use of commercial properties to house chanceries. The report also encouraged moving towards a more commercial approach, similar to Washington DC.

The Australian Government response to the JSCNCET's report agreed to this approach. The proposed changes to the Plan to allow diplomatic missions to establish facilities across the city are one part of implementing the recommendations of the JSCNCET's report.

The establishment of a mission will still be subject to other considerations such as security. Parking requirements will be addressed by the NCA through the Works Approval process.

The Precinct Code for the diplomatic estates applies to the Yarralumla, Deakin and O'Malley diplomatic estates only. Diplomatic missions established in the Barton, Constitution Avenue and Anzac Parade, City Hill and West Basin precincts will be subject to the planning and design provisions of the Precinct Codes for these areas. A review of provisions for the Yarralumla, Deakin and O'Malley diplomatic estates may form later stages of the Plan review.

3.3.2 Employment location policies

Comments

Submitters offered support for the change of focus to employment broadly rather than office employment specifically. Support was also offered for the continued dispersal of employment across the city.

Some submitters sought for the NCA to have a more prominent role in shaping Canberra's development, however it was considered that the Exposure Draft does not afford the NCA any effective responsibilities. Comment was made that the policies outlined in section 3.5.3 of the Exposure Draft are sensible but do not appear to allow the NCA any scope to influence the pattern of the city's growth.

Submitters request further explanation regarding the removal of 'the focus of employment location policies on offices and the ability of the Commonwealth government to control their location'. It was suggested that this seems to be a logical planning step, however, the implications for the Territory and for employment centre development are not apparent. It was questioned whether defined office employment centres will remain aligned with Town Centres if the NCA pursues this approach. It was also suggested that a strong case exists to retain, in an updated form, the analysis and principles contained in Chapter 3 of the Plan.

A suggestion was made that the airport and Parliamentary Zone need to be recognised as major employment centres.

NCA response

A drawing showing 'defined activity centres' (similar to the existing drawing in the Plan showing 'defined office employment centres') has been added. This recognises that the airport and the Parliamentary Zone are major employment centres and reinforces the NCA's views and policies on urban form.

The responsibility for property decisions for Commonwealth agencies has been divested to the departmental secretary of each agency and is coordinated by the Department of Finance. The Plan therefore has no effect in controlling where Commonwealth agencies choose to locate.

Town Centres are recognized as 'Defined Activity Centres' as they are major employment generating areas. As the Plan has shifted focus to all employment generating uses, defined activity centres also includes industrial areas.

3.3.3 Definitions

Comments

Submitters suggested that the following terms should be defined in the Plan:

- » 'environmental values'
- » 'heritage'
- » 'buffer'
- » 'contemporary urban design'
- » 'gross floor area'.

Other comments regarding definitions were made as follows:

- » Does the definition of 'Defined Activity Centre' intended to exclude the Parliamentary Zone and Canberra Airport?
- » Alignment between the definitions of the Plan and the definitions of the Territory Plan would be beneficial.
- » References to 'City' (meaning the city centre) should be consistent and references to 'Civic' (an old term) should be deleted.

NCA response

The existing Plan definition of 'Gross Floor Area' was inadvertently left out during the restructure of the Plan. This definition has been added to Appendix B with minor modifications as follows:

- » multi-unit residential buildings are subject to the same calculations as commercial, industrial and business buildings
- » calculations in respect of balconies on multi-unit residential buildings has been clarified.

Changes have been made to employment location policies which assist in clarifying the term 'Defined Activity Centres'.

The NCA supports a review of terminology used in the Plan to:

- » better align definitions used in the Plan and the Territory Plan
- » add definitions for terms as appropriate
- » ensure outdated terms are replaced with more current ones
- » ensure consistency of terms throughout the Plan.

A review of definitions and terms will be undertaken as part of future stages of the Plan review.

3.3.4 Lake Burley Griffin master plan

Comments

Submitters requested that a master plan and guidelines for Lake Burley Griffin and foreshores be prepared. The masterplan could reflect historic tree plantings, identify major views and vistas, nominate the location of pedestrian and cycle paths, protect heritage qualities, building materials and quality, identify development nodes and suitable areas for different types of recreational use, and ideally accommodate recreation needs for the next 100 years.

A master plan could address the future needs of specific areas, such as the hospice and surrounds.

NCA response

The NCA supports the idea of a master plan or similar for the Lake and its foreshore areas. Such a framework could recognise areas of heritage and conservation value, identify suitable nodes for development, and ensure that lakeside development is appropriate to the location.

Review of Precinct Codes will commence once the new format and structure of the Plan is in place, and the 'Lake Burley Griffin and Foreshores Precinct Code' will form an early stage of Precinct Code review.

3.3.5 Land use

Comments

One submitter, while recognising that permitted land uses along much of Constitution Avenue are already extensive, suggested the following additional permitted uses in the 'Land Use A' area of the Constitution Avenue and Anzac Parade Precinct:

- » 'Retail'
- » 'Child Care Centre'
- » 'Consulting Rooms'
- » 'Health Centre'.

The Department of Finance (Finance) requested a series of land use-related changes to the Plan to support their divestment of Anzac Park East and West, and East and West Blocks. These changes included:

- » varying the land use policy of the Anzac Park East and West sites from 'National Capital Use' to 'Land Use A'
- » adding additional permitted uses for the 'Land Use A' area of the Constitution Avenue and Anzac Parade Precinct
- » varying the land use policy of the East and West Block sites from 'National Capital Use' to a mixed use zoning which would allow a broader range of uses.

Submitters requested further land use changes in regard to nature conservation areas, suggesting that 'Nature Conservation Area' should be added as a permitted use in any area. Grasslands at Yarramundi Reach, and woodlands at Stirling Park and Scrivener's Hut contain population of threatened species and endangered ecological communities that should be protected with a 'Nature Conservation Area' status. The provision for extension of Empire Circuit should also be removed from the Plan.

NCA response

The NCA supports varying the land use policy for Anzac Park East and West, as well as expanding the range of permitted uses for the 'Land Use A' area of the Constitution Avenue and Anzac Parade Precinct. The additional uses identified below are consistent with the policy of creating a mixed use boulevard:

- » Commercial Accommodation (Serviced Apartment only)
- » Consulting rooms
- » Education Establishment
- » Health Centre
- » Retail (ground floor of buildings only)
- » Ancillary uses:
 - » Child Care Centre
 - » Consulting rooms
 - » Retail (either ground floor or above).

The NCA also supports changing the land use policy for East and West Blocks as proposed by Finance. The current Master Plan for the Parliamentary Zone (incorporated into the Exposure Draft as the Parliamentary Zone Precinct Code) notes that some commercial and tourism facilities that support the objectives for the Zone are possible. No specific sites are identified, however the addition of the following uses helps clarify the policy objective:

- » Commercial Accommodation (Hotel, Motel and Serviced Apartments only)
- » Community Use
- » National Association Office
- » National Capital Use
- » Office
- » Parliamentary Use
- » Place of Assembly
- » Ancillary uses:
 - » Café
 - » Car Park
 - » Child Care Centre
 - » Club
 - » Consulting Rooms

- » Personal Services Establishment
- » Retail
- » Restaurant.

In addition to the proposed land uses changes, a provision will be added to the Plan requiring the preparation of detailed conditions of planning, design and development for the Anzac Park East and West. These conditions will be required to be prepared prior to development of the site, be endorsed by the Authority and address landscape structure, architectural quality, heritage and more.

The definition of 'Nature Conservation Area' under the Plan refers to areas declared or intended to be declared a Reserve under relevant ACT legislation, including Wilderness Areas. Grasslands at Yarramundi Reach, and woodlands at Stirling Park and Scrivener's Hut are not Reserves for the purposes of ACT legislation.

Precincts where reserves already exist, or where there is the possibility of a reserve, already allow for this use. It is unlikely that reserves will be established in many precincts, and therefore the NCA does not consider it necessary to add 'Nature Conservation Area' as a permitted use in all precincts.

3.3.6 Building heights

Comments

Submitters considered that it would have been timely and appropriate to propose key policy changes in the Exposure Draft on matters that have been the subject of debate for a number of years, such as building heights in Central Canberra.

Finance sought to increase permitted building heights for Anzac Park East and West to support their divestment of these buildings.

NCA response

The NCA supports increasing permitted building heights for Anzac Park East and West as follows:

- » increasing permitted building height for the majority of the site to 25 metres above adjacent kerb levels
- » requiring buildings on those parts of the sites fronting Anzac Parade to be built to a maximum RL600.

Increasing permitted building heights to 25 metres for the majority of the sites will promote development of a scale consistent with other sites on Constitution Avenue. Increasing permitted building height to a mandatory RL600 will enhance the land axis between Parliament House and the Australian War Memorial and improve the ability of buildings in this location to frame the Parliament House Vista.

The NCA agrees that a broader examination of building heights is required. This will occur as part of future stages of the Plan review.

3.3.7 Legal interpretation

Comments

The proposed format and structure of the Plan was largely supported, with many submitters strongly endorsing the new Plan format. However one submitter suggested that changes to the structure and rewording of the Plan will bring about changes to the status and legal interpretation of major sections of the document.

This submitter also questioned the legality of the proposal to remove Parliamentary scrutiny of some land uses decisions given that processes for Plan amendments are set out in the Act. It was suggested that it is not

appropriate for approval of future urban areas to be given in advance of any assessment of these areas and specifically without the need for amendment to the Plan.

NCA response

In preparing the Exposure Draft, the NCA sought advice from external parties as part of a peer review process. The proposed model of planning for future urban areas is consistent with contemporary planning practice.

Declaration of a potential future urban area does not automatically result in development occurring. Relevant investigations are required to determine the suitability of the area for urban development and refine urban boundaries. ACT Government planning processes, including necessary variations to the Territory Plan, will be required.

The draft amendment to introduce 'potential future urban areas' and the process of certifying land use proposals for these areas will be subject to Ministerial approval and Parliamentary scrutiny. Recognition and endorsement of potential future urban areas will be received through this process. Amendments to the Plan will still be required for all other changes to the Plan, such as the expansion of Designated Areas.

The provisions of the Plan are applicable regardless of where they sit within the document. For example, the 'Griffin Legacy' principles are still applicable to development within the Central National Area (as stated in both the current Plan and the Exposure Draft) regardless of whether they sit within an introductory section or Part Four of the Plan.

3.4 Other matters

A number of submissions raised matters that did not directly address the Exposure Draft of the Plan. The following issues were raised:

- » *Australian Capital Territory (Planning and Land Management) Act 1988*
- » implementation of previous reviews and inquiries
- » accountability and compliance with NCA works approval decisions and Development Control Plans
- » water quality and management of Lake Burley Griffin
- » Canberra National Heritage listing
- » Canberra Brickworks and Environs
- » City Hill and West Basin
- » Water Sensitive Urban Design.

4. RECOMMENDED CHANGES

At **Attachment B** is a schedule of changes proposed to the Plan as a result of public consultation on the Exposure Draft. Key changes made in response to public comment relate to land use, the General Policy Plan – Metropolitan Canberra, additional governance arrangements for certifying land use proposals, and Haig and Telopea Parks. Some changes are the result of internal review and ongoing discussions with stakeholders. Minor changes to text have also been made which do not substantially effect policy. Minor formatting changes have also been made.

5. CONCLUSION

The Exposure Draft of the Plan was released for public consultation between 5 June and 22 July 2015. Thirty-nine submissions and several online comments were received from community groups, residents' association, government and individuals. Public comment informed key changes to the Plan and a series of minor changes, which have been incorporated into the draft amendment to give effect to the revised Plan.

ATTACHMENT A

Submissions

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
1	National Trust (ACT)	<p>Ongoing concern with the lack of heritage protection of places included in the National and Designated Areas. There are a number of known heritage sites within these areas which have a range of owners.</p> <p>While the EPBC Act protects the exterior under NCA responsibility and the whole building where there is a Commonwealth interest there is nothing protecting the interiors of other places.</p>	<p>Buildings listed under the Environment Protection and Biodiversity Conservation Act 1999 require a Heritage Management Plan. Buildings are managed in accordance with the policies of the HMP, including interiors where relevant.</p> <p>Heritage is also addressed in section 3.1.6 of the report.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
2	National Heart Foundation of Australia (ACT Division)	<p>Suggests the inclusion of the following Active Living Principles into planning policy:</p> <ul style="list-style-type: none"> » Connected Places - all transport networks should provide interconnected and continuous safe routes, particularly to major destinations and community uses such as shopping centres, schools and health facilities. This principle assumes adoption of the transport user hierarchy. » Open Space - good quality, accessible, connected open space provides the opportunity for people to undertake physical activity. Exposure to natural spaces (everything from parks and open countryside to gardens and other greenspaces) has generally been found to have positive benefits for mental and physical health. » Mixed land Use and Density - a mixture of land uses and densities creates variety, interest and multiple destinations for users. Clustering of related land uses can improve accessibility and reduce travel distances. Good design can ameliorate conflicts between different land uses such as noise. » Safe and Attractive Places - all public places should be safe and attractive, this includes people's perception of safety and natural surveillance, through the provision of adequate lighting, active frontages and limiting blank walls at ground floor level. In the context of urban environments, aesthetics relates to the attractiveness of an area and in particular the combined effects of various elements such as the quality of the architectural and landscape design, the quality of views and vistas, and the arrangement of elements such as furniture in the public realm . Attractiveness is also associated with the overall experience and use of the area, including how pleasant it is to sit, walk, cycle, view and talk. » Supportive Infrastructure - facilities that support physical activity can enhance people's experience and encourage regular activity. This includes infrastructure such as street furniture, shading, water bubblers, signs, bike lockers and bus shelters. » Environments for All - all spaces should be designed to allow easy access and use by all people, regardless of age, ability or transport mode. 	Adoption of the Active Living Principles and how these could be reflected in the Plan will be considered as part of subsequent stages of the Plan review.

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
3	Dianne Firth	<p>Supports:</p> <ul style="list-style-type: none"> » the integration of the transport user hierarchy (as identified in the West Basin Guidelines) into all levels of planning code to ensure that pedestrians are prioritised. » The protection of an integrated open space network through the National Capital Open Space System. » Public access to the entire Lake Burley Griffin Foreshore, including legible connections through the Kingston Foreshore. <p>Encourages the identification of pedestrian and cycle networks for all precincts (based on citywide active travel networks identified through TAMS) and protection of major pedestrian and cycle connections through precincts and major sites. Precinct codes should be updated in this respect to ensure that the protection of active transport routes is not overlooked in the development of new sites or in redevelopment within precincts.</p> <p>Matters of National Significance identified include the development of a city which both respects environmental values and reflects national concerns with the sustainability of Australia's urban areas. Urban sustainability needs to include consideration of the relationship between employment, residential and transport land uses at a metropolitan level, as these land use relationships are critical for providing a built environment that is supportive of active transport options particularly for the journey to work.</p> <p>Concerned with the removal of Special Requirements for Haig and Telopea Parks, and suggested that the additional level of oversight through the NCA's Special Requirements is warranted. While both parks are on the ACT Heritage Register, a number of development proposals appear to be testing the boundaries of the heritage registration of indicate that the policy is not well understood by parts of the ACT Government.</p>	<p>Noted.</p> <p>The NCA supports the idea of a master plan or similar for the Lake and its foreshore areas. This could be incorporated into a precinct code undertaken as part of further plan review work. This matter is also addressed in section 3.3.4 of the report.</p> <p>Future stages of the Plan review, including examination of detailed policy within Precinct Codes, offers an opportunity to identify pedestrian and cycle networks for each precinct, and connectivity of these with other precincts.</p> <p>Noted.</p> <p>This matter is also addressed in section 3.2.3 of the report.</p> <p>Special Requirements for Haig and Telopea Parks have been reinstated.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Concerned with the deterioration of the main entries to the National Capital, and considers that the policy is not clear enough. Of particular concern is the Federal Highway corridor from North Watson to Dickson. The carefully designed parklike setting established by the National Capital Development Commission in the 1960s is starting to senesce in parts and needs a tree management plan. The easement width of the parkway entry as it approaches Dickson seems to be confused and degraded by roadworks over decades. The Federal Highway/Northbourne Avenue road reserve is of particular importance for the design of Capital Metro, and questioned whether policy for the approach to the National Capital is clear enough.</p> <p>Concerned regarding the clarity of policy and its implementation. Suggested that there has been a gradual wearing down of Special Requirements for Northbourne Avenue since policy was established in the 1960s, in particular the specifications for the landscape setting (trees and grass and/or low shrubs). The avenue is now dominated by vehicle access with landscape 'decoration', with developers inserting trees on the verge that show no appreciation of the carefully conceived pattern of existing planting. The facades of buildings are starting to form a continuous wall rather than having façade modulation integrated with landscape so the building is read as a building in a landscape setting (the intent of early policy).</p> <p>Unsure as to the status for the Redwood Plantation (planted under direction of Walter Burley Griffin 1918-20).</p>	<p>Future stages of the Plan review provide the opportunity to review detailed policy for Main Avenues and Approach Routes.</p>
			<p>The Exposure Draft of the Plan does not change the planning arrangements for the Redwood Plantation at Pialligo. The site is currently within Broadacre Areas and is subject to Special Requirements for Approach Routes.</p> <p>The Redwood Plantation is also listed on the Commonwealth Heritage List.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
4	Brett Odgers on behalf of ACT Chapter of Walter Burley Griffin Society Inc.	<p>Governance arrangements recommended by Dr Allan Hawke's report, the Joint Standing Committee on the National Capital and External Territory's 'The Way Forward' report from 2008, and the 2011 'Etched In Stone? Inquiry into the Administration of the National Memorials Ordinance 1928' have, for the most part, not been implemented.</p> <p>The local focus of the ACT Government and disinterest in Canberra's constitutional role are illustrated by their continuing opposition to any National Capital elements of Canberra being listed on the National Heritage register. The Territory Plan itself is overdue for review and, as it has evolved since 1991, has reduced checks and balances with respect to the environment, heritage, design excellence, public consultation and the leasehold system.</p> <p>The result of the proposed changes to the Plan is that the Commonwealth is handing significant land and planning powers over to the ACT government. The fact this historic shift is not accompanied by commensurate changes in legislation, governance and administration is of concern.</p> <p>The Exposure Draft proposes to relinquish strategic planning to the ACT Government. This is not supported because of the readiness of the ACT Government to jeopardise and manipulate for specific local interest Canberra's National and Territory Plans, along with the leasehold system (as evidenced by the freedom being given to the University of Canberra to develop non-university residential, office and commercial land uses).</p> <p>There are major planning and environmental problems, impacting on the status, structure and sustainability of Canberra, with West Murrumbidgee, the continued intensive urbanisation of the Majura Valley and the lower Molonglo corridor. The NCA should not exclude these areas from the scope of the Plan.</p> <p>The Exposure Draft also inappropriately relinquishes direct NCA responsibility for Pialligo and Fairbairn with their Commonwealth Heritage assets, including Griffin's California Redwoods forest.</p>	<p>This matter is outside the scope of the current planning process.</p> <p>The revised Plan seeks to ensure the national interest in the planning and development of the Territory is protected whilst enabling the ACT Government to plan for the growth of the city.</p> <p>This matter is also addressed in section 3.1.4 of the report.</p> <p>The Exposure Draft of the Plan does not change the planning arrangements for the Redwood Plantation at Pialligo. The site is currently within Broadacre Areas and is subject to Special Requirements for Approach Routes.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Deployment of the terms 'national interest' and 'Commonwealth's interest', which may warrant NCA intervention, are too simplistic and vague to provide adequate safeguards of process and outcome. There is a pervasive need in the document to clarify and specify the realities and ongoing prospects of the Commonwealth's presence in the ACT. They may be deployed effectively on an ad hoc basis but may produce disputes and, in any case, 'designated land' is a stronger safeguard.</p> <p>Another unfortunate cession by NCA is that the Draft shows an arterial road link from Ainslie Avenue to Majura Parkway, passing through Ainslie-Majura Nature Reserve.</p> <p>In regard to Designated Areas, the first problem with this section is that the descriptions and proposed changes are about the existing situation without any account of prospective or any future National Capital land use needs and demands. Even the identification of national non-building uses is confined to military memorials, denying consideration for an array of non-military national monuments, memorials and symbols.</p> <p>Australia and the rest of the world are not finished yet with Canberra. A passing comparison with Washington in particular will show the array of institutions, memorials, agencies and symbols which accumulate during the history of the capital and which are not confined to the Federal Triangle. It is only a century ago that the entire ACT was reserved for National Capital purposes.</p> <p>Inclusion of the Australian Institute of Sport as a Designated Area illustrates the potential for future national land use demands for Canberra.</p> <p>The contraction of National and Designated Areas runs down the available land bank for national capital uses.</p> <p>Does not support the exclusion of the airport from Designated Areas.</p>	<p>The Commonwealth maintains a level of interest across the whole of the ACT, however the level of oversight varies depending on the nature of that interest. Those areas with the highest level of Commonwealth interest have been retained within Designated Areas.</p> <p>The 'proposed' arterial road from Ainslie Avenue to Majura Parkway has been deleted.</p> <p>The powers of the Commonwealth to expand (or contract) Designated Areas and gazette new areas of National Land, remain under the Australian Capital Territory (Planning and Land Management) Act 1988.</p> <p>Section 112A of the Airports Act 1996 specifically excludes Canberra Airport from being a Designated Area. The NCA will work with the airport to ensure appropriate recognition of the airport in the Plan.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>The idea of the 'Bush Capital', rather than 'garden city', does not rate a mention although this image endures as a vital aspect of the character and attraction of the capital. The Exposure Draft seems to take a rather ambivalent attitude towards the NCA's claims on the National Capital Open Space System. Protection of the hills, ridges and central landscape setting, and the vistas to the distant mountains should continue in direct NCA responsibility. This iconic topography is plainly at risk from the Territory's public and private developers. With respect to the planned reshaping of West Ridge for the expansion of Yarralumla suburb on the Adelaide Avenue axial, it is indicative that the NCA appears to be interested only in the impact on the entrance to Dunrossil Drive.</p> <p>Removing Special requirements for the Molonglo River Corridor reduces NCA control over Lake Burley Griffin's uses and water quality.</p> <p>The Exposure Draft excludes or defers policy changes, meaning that criteria and guidelines that might be needed in the national interest have not been examined.</p> <p>The 'Statement of Planning Principles' will need institutional changes to support successful implementation.</p> <p>On the issue of location of Australian Government offices and employment, the Exposure Draft makes no attempt to recognise its importance, overcome the divided planning systems and devise policy and administrative mechanisms to deal with the problem.</p>	<p>The general principles and policies for the National Capital Open Space System remain in the Plan, including identification of the system in the General Policy Plans for the Australian Capital Territory and Metropolitan Canberra. The Inner Hills are retained within Designated Areas.</p> <p>Refer also section 3.2.3 of the report.</p> <p>No changes are proposed to the Plan in relation to Canberra Brickworks and Environs.</p> <p>Refer section 3.2.3 of the report.</p> <p>Future stages of the Plan review offer the opportunity for policy review and change.</p> <p>The Plan encourages public sector office employment to locate in the City Centre and Town Centres, however responsibility for property decisions, including the location of offices, for Commonwealth agencies lies with the agency head.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>The contraction of National and Designated Areas is intensified by the persistent expansion of diplomatic estates and generous allocation of blocks of land to embassies. Similarly, there is a disproportionate allocation of land around the Parliamentary and National Triangles, Constitution Avenue and Kings Avenue to the defence, intelligence, security and police agencies. The NCA's control over national land use planning should be strengthened not diminished.</p> <p>Updating of land use policies and precinct codes are necessary periodically.</p> <p>City Hill is currently subject to multiple development pressures such as City to the Lake, light rail, courts redevelopment and the Australia Forum. The provisions in the Exposure Draft are inconsistent and warrant a major study and debate, or possibly a design competition for a master design. The provisions will allow for mixed uses and building heights which could compromise or destroy the avowed objectives of enhancing and fulfilling City Hill as the vital elevated point of Griffin's National Triangle.</p> <p>The power for the NCA to 'slide in' as needs arise, for example by declaring new Designated Areas, is reassuring, however too much land and planning power is given. Objectives of streamlining, reducing duplication and starving the NCA of resources, is at the cost of disempowering both the NCA and the Commonwealth. The NCA should be accorded adequate powers and resources to carry out its responsibilities.</p>	<p>With the exception of the airport (refer section 3.2.2 of the report) there is an expansion of the Designated Areas.</p> <p>No changes are proposed to areas of National Land. Processes for the gazettal and degazettal of National Land lie outside the National Capital Plan.</p> <p>The NCA's obligation to keep the Plan under constant review and to propose amendments to it when necessary remains. Future stages of the Plan review offer the opportunity for policy review and change.</p> <p>Future stages of the Plan review offer the opportunity for policy review and change.</p> <p>The Australian Government retains the power to declare new Designated Areas and National Land as required.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
5	Yarralumla Residents' Association	<p>As a legislative instrument, the <i>Legislative Instruments Act 2003</i> and Legislative Instruments Handbook apply. The revised Plan provides an opportunity to improve the legal effectiveness, clarity and intelligibility of the Plan, but proposed changes to the Plan have increased the overall opacity of the document.</p> <p>The removal of dated material from the Plan is sensible, however the restructuring and rewording brings inherent changes to the status and legal interpretation of major sections of the document that have not been made explicit. General introductory policies are now included as specific principles and are not tied to the particular precinct codes that they refer to. It has also increased the ambiguity and apparent internal inconsistency of the Plan so that the legal interpretation of section 26 of the <i>Australian Capital Territory (Planning and Land Management) Act 1988</i> will be highly qualitative and subjective.</p> <p>There is an absence of the definition of important terms including 'environmental values', 'heritage', 'buffer' and use of vague terminology such as 'contemporary urban design'. The only terms that are defined are those referring to building types.</p> <p>The principles and policies sections are confusingly structured and numbered and there is a lack of paragraph numbers. For example, section 2.2 has two sub-sections labelled 'objective' but there are no sub-headings so it is not clear what the objectives refer to.</p> <p>The 'urban intensification' referred to in section 2.1 'General Matters' is different to urban development as expressed in the current Plan. As such the term needs explanation as it does not align with other principles and policies contained in the Exposure Draft, including the principle of 'maintaining the Garden City and City Beautiful values...'. </p>	<p>The provisions of the Plan are applicable regardless of where they sit within the document. For example, the 'Griffin Legacy' principles are still applicable to development within the Central National Area (as stated in both the current Plan and the Exposure Draft) regardless of whether they sit within an introductory section or Part Four of the Plan. This matter is also addressed in section 3.3.7 of the report.</p> <p>Terms used in the Plan have been defined where appropriate.</p> <p>Changes have been made to paragraph numbering where appropriate to improve legibility of the document.</p> <p>Policies of the Plan currently require the planning of urban areas to seek to measures through which urban consolidation may occur. There is no change in policy intent.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>As a disallowable instrument, specific processes are set out in the <i>Australian Capital Territory (Planning and Land Management) Act 1988</i> regarding the Plan amendment process, including the requirement for an amendment to be laid before both Houses of Parliament so that it is subject to Parliamentary scrutiny.</p> <p>The Exposure Draft proposes a process that would allow for future urban development without the need for public consultation or Parliamentary scrutiny. It is not appropriate for approval of future urban areas to be given in advance of any assessment of these areas and specifically without the need for amendment to the Plan.</p> <p>The Exposure Draft refers to sustainability in the context of urban development in general rather than the protection of the natural environment. When compared to the current Plan, this appears to be a weakening of policy and principles that apply specifically to the environment. The language and intent of the current Plan with respect to environmental protection should be retained.</p>	<p>The draft amendment to implement the proposed changes to the Plan, including the identification of potential future urban areas and the process for certification of these areas for urban use, will be subject to Parliamentary scrutiny.</p> <p>Declaration of a potential future urban area does not automatically result in development occurring. Relevant investigations are required to determine the suitability of the area for urban development and refine urban boundaries. ACT Government planning processes, including necessary variations to the Territory Plan, will be required.</p> <p>This matter is also addressed in section 3.3.7 of the report.</p> <p>Sustainability principles are embedded in Part Two of the revised Plan, and refer to sustainability in the context of both urban development and the natural environment.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>The intent and requirements of section 2.4.1 'Urban design and heritage' of the Exposure Draft are imprecise and lack the necessary clarity for a legal instrument.</p> <p>The Exposure Draft does not have a definition of 'heritage' which is a significant change from the current Plan. It is not clear how a heritage place is defined and whether it is a place on the Commonwealth and/or ACT Heritage Register, and/or whether the National Capital Authority can declare a place to be a heritage place. It appears the reference to a heritage place is confined solely to Commonwealth and National Heritage Lists. The 'objective' should be expanded to refer to 'natural, indigenous and other cultural and historic heritage places'.</p> <p>It is not clear whether the actions referred to in the 'objectives and principles' would be dealt with by the NCA in a manner consistent with the way the Department of the Environment would deal with a referral under the EPBC Act, or whether actions would be referred to the Department of the Environment.</p> <p>There is no reference to Australia's responsibilities to heritage protection under the Burra Charter nor the requirement for conservation management plans. It is not clear whether there is a difference between conservation plans and the Heritage Management Plans proposed in the Exposure Draft. These matters are addressed in the current Plan.</p> <p>The Territory Plan cannot be inconsistent with the Plan and section 2.4.1 need to be redrafted so that its intent is clear. The principles and policies of the current Plan should be included.</p>	<p>Heritage matters are addressed in section 3.1.6 of the report. A definition of 'heritage place' has been added to Appendix B to clarify the term.</p>

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		<p>Interpretation of section 4.1.1 of the Exposure Draft could be clearer if the four main elements of Griffin's design were specified in relation to Designated Areas as in the current Plan. The contents of section 4.1.1 is currently contained in the 'Introduction' to the Plan, however the Exposure Draft proposes to include it in Part Four of the revised Plan. This elevates its status from general overarching policies in an introduction to formal principles and policies.</p> <p>The Plan is a disallowable instrument, which becomes law having sat before each House of Parliament for 15 days. As such this is one section with which the Territory Plan must not be inconsistent as per section 26 of the <i>Australian Capital Territory (Planning and Land Management) Act 1988</i>. Section 4.1.1 sets out 43 high level concepts with very general terminology that would make any assessment so highly subjective and qualitative that consistent interpretation and application in law will not be practicable. This makes the change in the status of this section highly problematic.</p>	<p>The Introduction to the current Plan forms part of the legislative instrument. In assessing a proposal, the NCA is required to have regard to any relevant provision of the Plan (including the Introduction).</p> <p>Part Four of the Plan contains requirements for Designated Areas as well as Special Requirements. The Central National Area, as defined in the Plan, is within Designated Areas. The general policies in section 4.1.1 have been included in Part Four of the revised Plan as they are applicable to the Central National Area.</p> <p>The content of section 4.1.1 has not changed from the current Plan. The description of these policies as forming a basis for planning and urban design decisions for the Central National Area also remains unchanged.</p> <p>Regardless of where the general policies are within the Plan, they are still applicable to guiding development in the Central National Area.</p>

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6	Lend Lease	<p>Both the current Plan and the Exposure Draft require a Development Control Plan for works in Designated Areas. Section 12(c) of the <i>Australian Capital Territory (Planning and Land Management) Act 1988</i> requires that works are in accordance with the (Development Control) Plan. However, there are no compliance provisions of powers provided in the Act to ensure that development is in accordance with these requirements. Thus there is no mechanism for ensuring that the principles and policies for Designated Areas embodied in the Plan are adhered to.</p> <p>Recent developments undertaken on Adelaide Avenue appear not to comply with the Development Control Plan and hence the Plan itself. There are no powers to require non-compliant matters to be fixed and brought into compliance, nor any other penalties that can be applied.</p> <p>There is therefore an important gap in the integrity of the planning framework for the ACT which needs to be addressed. When this issue is combined with the issues regarding general principles for the Central National Area, it is likely that the whole framework to ensure the appropriate planning and development of the National Capital will become ineffective.</p> <p>The proposed restructuring of the national capital plan is both sensible and welcome. A principles based approach to planning will provide flexibility and allow a proactive response to emerging challenges.</p>	<p>Development Control Plans (DCPs) are not required for land within Designated Areas. The Plan itself requires DCPs for a number of areas outside Designated Areas, including Territory Land adjacent to Main Avenues and Approach Routes. In these circumstances, any development proposal is administered through the Territory Plan by the Territory planning authority in accordance with the Special Requirements specified in the Plan and any DCP.</p> <p>Noted.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Concerns regarding the inclusion of Block 12 Section 65 City in Designated Areas.</p> <p>Currently 'exempt development' to commence in August/September with works to take around nine months. Questions whether exempt status will be retained with change in land status. Recommends that a provision be made for a range of buildings works, commensurate with those currently facilitated as exempt development, where these do not affect the Constitution Avenue elevation.</p>	<p>Works already commenced prior to an amendment to the Plan taking effect will not require approval.</p> <p>Some exempt works under the ACT's <i>Planning and Development Act 2007</i> and Planning and Development Regulations 2008 will continue to be exempt under the NCA's jurisdiction, including internal building works and maintenance activities. Other works will require approval through the NCA.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Concerns regarding the inclusion of Block 12 Section 65 City in Designated Areas.</p> <p>The change in land status will result in some narrowing of uses that could be considered. While acknowledging the symbolic role of Constitution Avenue and the strong likelihood that office uses will continue to be the highest and best use, the narrowing of permissible uses will reduce longer term flexibility. Requests that the full spectrum of currently assessable uses be retained.</p> <p>Specifically concerned that health, financial establishment, business agency and some minor community uses will not be permitted, and retail (including drink establishment and restaurant) will be restricted to ancillary use only.</p> <p>Concerned with loss of exempt development rights.</p>	<p>Although the site is not currently within a Designated Areas, the Plan currently specifies the land use for the site as being 'Land Use A'. The site is also currently subject to Special Requirements under the Plan, which require development to conform to a Development Control Plan agreed by the NCA. A DCP for the site would reflect the 'Land Use A' policy.</p> <p>'Financial establishment' as defined by the Territory Plan is akin to the Plan definition of 'Bank' and 'Cooperative Society', both of which are permitted uses in the 'Land Use A' area. Both 'Bar' and 'Restaurant' are permitted uses within 'Land Use A' (akin to the Territory Plan definitions of 'Drink establishment' and 'Restaurant').</p> <p>'Business agency' as defined under the Territory Plan would fall within the definition of 'Office', which is a permitted use for 'Land Use A'.</p> <p>'Social/community facility' is a permitted use within 'Land Use A' and allows for</p>

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7	Ed Wensing	<p>The proposed structure of the Plan is much simpler and easier to navigate, digest and understand.</p> <p>There is a case to strengthen the PALM Act to restore the power of the superior jurisdiction to exercise its authority over a subordinate level of government. The Commonwealth's planning agency, the NCA, must always be able to exercise absolute control over matters which threaten to destroy or detract from the special characteristics of the National Capital.</p> <p>Supports the continued inclusion of the inter-town public transport system and the provision of corridors for public transport between the city centre, the town centres and other major employment nodes, and that as far as practicable, the public transport service will be segregated from other transport systems and will operate with priority right-of-way.</p> <p>The Exposure Draft states that heritage places within Designated Areas will be considered as Commonwealth Areas for the purposes of protecting the environment in the manner currently afforded under the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) and any subsequent legislation. This is a very welcome measure as it will enable the NCA to ensure the heritage values in Commonwealth areas can be better managed.</p>	<p>Refer also section 3.3.5 of the report regarding the range of additional uses proposed to be added to the list of permissible uses in the 'Land Use A' area of the Constitution Avenue and Anzac Parade Precinct. It is proposed to add 'Health Centre' and 'Consulting Rooms' to the list of permitted uses for 'Land Use A', and vary the extent of retail permitted within development proposals.</p> <p>Noted.</p> <p>Changes to the <i>Australian Capital Territory (Planning and Land Management) Act 1988</i> are outside the scope of the current process.</p> <p>Noted. Refer section 3.1.5 regarding changes to Inter-town Public Transport routes.</p> <p>Noted. Refer section 3.1.6 of the report regarding heritage matters.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
8	Friends of Albert Hall	<p>Support the proposed policies over the National Capital Open Space System and the continued definition of Hills, Ridges and Buffer Spaces, the River Corridors, and the Mountains and Bushlands as integral parts of the overall Canberra landscape setting for the city.</p> <p>Supports the continuation of the employment location policies and dispersed employment locations in the town centres. The concept of decentralized town centres and their general location was included as part of the Canberra National Heritage listing nominations prepared by a group of professionals including the submitter.</p> <p>Notes the plans for the City Hill precinct. City Hill forms one of the integral parts of Griffin's plan and it should be respected as such. The vistas to the various avenues emanating from City Hill should be respected and reinforced through careful urban design. Indeed, the Plan should encourage the reclamation of the vista along the full length of Ainslie Avenue.</p> <p>Agrees with the discussion in Part One on matters of National Significance, but the list of matters of national significance could be expanded to include restrictions on building heights in Central Canberra.</p> <p>Seeks to retain Canberra Airport in Designated Areas. Its exclusion has done nothing but wreak havoc over other parts of metropolitan Canberra, especially in terms of employment location in the town centres.</p> <p>Albert Hall is a municipal facility similar to town halls and large halls in other towns. The National Capitals Plan definition for the use of the site needs to allow for such activities. Indeed it needs to cover all those civic/municipal, community and cultural activities. The Plan needs to retain the site specific limitations on commercial activity which states '... and for ancillary short term commercial /retail activities'.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Building height limits for Canberra Central are embedded in the Plan, in both the Statement of Planning Principles and General Policies for the Central National Area.</p> <p>This matter is addressed in section 3.2.2 of the report.</p> <p>The annotation stating that 'Albert Hall may be used as a Cultural Facility for ancillary short-term commercial/retail activities' has been added to the figure titled 'Land use for the Yarralumla and Deakin Diplomatic Precinct'.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
9	Australian Garden History Society	<p>Pleasing to note the following matter of national significance:</p> <p><i>'Conservation and enhancement of the landscape features which give the National Capital its character and setting, and which contribute to the integration of natural and urban environments'.</i></p> <p>Lake Burley Griffin is a major Canberra landscape feature. The AGHS agrees that the lake <i>'should remain predominantly as open space parklands while providing for existing and additional National Capital and community uses in a manner consistent with the area's national symbolism and role as the city's key visual and landscape element.'</i></p> <p>The Society welcomes some aspects of the West Basin development. A continuous yet diverse landscaped lake shore providing safe access for pedestrians, cyclists and motorists is a desired goal and it is also admirable to have buildings exhibiting a high degree of design excellence.</p> <p>Serious concern however, that these buildings will create a dense wall which will impede the outlook to the Brindabella Range from Commonwealth Avenue for residents and visitors. This will further erode the broader vistas from the city to the surrounding hills and mountains which provide an important historical and aesthetic experience yet continue to be lost.</p> <p>Commonwealth Park, already showing signs of neglect, considered to be a site at risk of losing significant aspects of the original landscape plan. It is to be hoped that the pressures placed on Commonwealth Park as a result of possible expanded temporary exhibitions will not further exacerbate the deterioration of the park. Dame Sylvia Crowe's original plan (1964) for the then Commonwealth Gardens was to create a city garden landscape not only to incorporate 'horticultural aspects' but also 'children's play areas, waterside walks, tranquil glades and bush environments'. Continued maintenance of these original features is essential.</p>	<p>Noted.</p> <p>Noted.</p> <p>The Exposure Draft did not proposed changes to the policy intent for the West Basin Precinct.</p> <p>Maintenance and management of Commonwealth Park is outside the scope of the National Capital Plan.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
10	Weston Creek Community Council	<p>Does not support West Murrumbidgee being identified for future urban use.</p> <p>The Murrumbidgee River corridor is a vital source of water for Canberra and the region. The development of an urban area in the immediate vicinity of the river corridor creates potential to contaminate an area which is subject to water quality protocols under the Murray Darling Basin Plan.</p> <p>The Plan previously provided for no urban development west of the Murrumbidgee River and all adjacent land was designated either rural or hills, ridges or bushland. The Plan notes that the Territory's rural lands contribute very significantly to the landscape setting of the National Capital. The change of the land use to allow for urban development west of the river corridor would potentially damage the immediate natural environment (both flora and fauna) and place stress on the ridges and bushland adjacent to the site.</p> <p>The Tuggeranong Valley does not have a sufficiently large employment base at the present time to provide employment for the existing population let alone the increased population proposed for the Valley.</p> <p>Concerns about the change of use of the current buffer zone between the Inner North and Gungahlin. The use of buffer zones has contributed significantly to the overall character of Canberra and their retention should be paramount. The removal of one could easily be taken as a willingness to remove others such as the buffer between the Inner South area and Woden.</p>	<p>This matter is addressed in section 3.1.4 of the report.</p> <p>The land between the Inner North Canberra and Gungahlin districts is currently within the Broadacre Areas land use category. This land use category allows for development of uses such as administrative and utility, community facilities, Defence offices, and tourist and transport facilities.</p> <p>An open space buffer is retained on the western side of the area.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>The NCA proposes to reduce the duplication and complexity in planning for a substantial portion of Territory Land by removing special requirements. The Council notes that this includes the removal of the Murrumbidgee and Molonglo river corridors. This will leave any planning and/or development of these areas with the ACT Government. The NCA considers that the corridors are sufficiently protected by legislation but the Plan makes no specific reference to this legislation.</p> <p>The Council supports the changes made to the areas identified as having the special characteristics of the National Capital (Designated Areas).</p> <p>The Council notes that the changes to the Plan streamline the development processes for individuals, developers and Commonwealth and ACT Government agencies. The Overview published on the website indicated that this could result in subsequent deregulation activities such as self-assessment of development proposals by property owners (if supported by the ACT Government). The Council is very reluctant to support such a proposal given the complexity of development assessments and the difference in the knowledge and expertise of individuals who would undertake such assessments.</p> <p>The diminution of control by the ACT Government over a period of time has already resulted in many poor outcomes in terms of the quality of both design and construction. In addition the resulting negative effect on neighbourhoods has at times been considerable.</p>	<p>Other applicable legislation, management plans and the like exist and are likely to evolve. It is not necessary to identify these in the National Capital Plan.</p> <p>Noted.</p> <p>Examination of use of the Development Assessment Forum principles may be considered as part of future planning reform. No changes to the Plan in this regard are currently proposed.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>In regard to Part Two of the Exposure Draft:</p> <ul style="list-style-type: none"> » Does the change to consider all transport modes give greater flexibility to develop light rail or another form of public transport? It is not clear how this change will sit with the NCA's responsibility for land adjacent to approach roads such as Northbourne Avenue or Commonwealth Avenue. » The Council welcomes the change to remove the focus of employment location policies on offices and the ability of the Commonwealth government to control their location, but is not confident that it will achieve its objective of positively affecting Canberra's future development as the Commonwealth has essentially established its employment locations in the Parliamentary Triangle and City Centre. 	<p>The change to consider all transport modes provides the flexibility to examine all transport modes and their interaction. The Plan refers to 'public transport' however does not specify whether this means light rail, bus or other form of public transport.</p> <p>No changes have been made to planning arrangements for either the road reservations of, or land flanking, Main Avenues and Approach Routes.</p> <p>The Plan encourages public sector office employment to locate in the City Centre and Town Centres, however responsibility for property decisions, including the location of offices, for Commonwealth agencies lies with the agency head.</p>
11	Lake Burley Griffin Guardians	<p>Section 1.1 – The Guardians support the key objectives of the Plan, the statement of national significance and the identified matters of national significance.</p> <p>Section 1.2 – The Guardians support the three primary factors for identifying the extent of urban areas, however recommends that the National Triangle needs to be named and fully identified in the list of places that comprise the Designated Area; with the NCA named as the authority responsible for the continuing integrity of the National Triangle.</p> <p>Section 2.2.1 – The Guardians encourage the second objective for the location of employment and employment generating land uses in Define Activity Centres. Visionary ideas and research is needed to initiate better income streams for the Territory in areas such as science based technology so that the ACT Government can reduce its dependence on real estate.</p>	<p>Noted.</p> <p>The National Triangle is already encompassed in the areas identified as forming the Designated Areas. Including land within the National Triangle in Designated Areas recognizes that the NCA is responsible for detailed planning, design and development in this area.</p> <p>Noted.</p>

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		<p>Section 2.3.1 – The following recommendations are made:</p> <ul style="list-style-type: none"> » The second objective should stipulate vistas and the importance of open spaces for defining the geometry of the city. The plane of the Lake is important in this role, allowing views to nationally significant termini and views across the Lake to the mountains beyond. » The Guardians support the conservation of the major vistas from major landmark locations and parklands, around Lake Burley Griffin and other vistas such as from the former Kingston Power House towards the eastern lake shore, from the Arboretum towards the lake and along roads such as Sturt Avenue across to Mount Ainslie. » The Guardians strongly urge the production of a specific masterplan and guidelines for the lakeshore. This plan should accommodate the need for lakeshore recreation for the next 100 years. <p>In regard to water management, water quality and ecology, the Guardians recommend:</p> <ul style="list-style-type: none"> » The Guardians would like to see the strong interdependence between the Lake and Jerrabomberra Wetlands emphasized much more definitely and in a way that precludes any management or development in one that will impact even lightly on the other. » The Guardians would like to see much more strength behind the statements relating to the maintenance of a robust and sustainable ecology both in the water column and the riparian surrounds of the Lake and other water bodies and water courses. » The Guardians wish to see the problem of poor dilution and aeration in partially closed embayments addressed more positively in the Plan. » The Guardians urge the pollutant transport in urban runoff be addressed a good deal more positively in the Plan. 	<p>Section 2.4.1 of the Plan requires that vistas to major landscape features are to be protected and enhanced by development. Detailed policy of the Plan also stipulates the need to conserve major vistas and open spaces. For example, policies for the Central National Area require development of the city to reinforce and express the integrity of the Griffins' visual structure by strengthening vistas. Provisions for City Hill recognizes the importance of this precinct in connecting significant main avenues and vistas.</p> <p>Refer section 3.3.4 of the report regarding a Lake Burley Griffin master plan.</p> <p>Water quality and management of Lake Burley Griffin is outside the scope of the National Capital Plan. The NCA, ACT Government and other stakeholders are on a working group to address water quality in the Molonglo catchment.</p>

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		<p>Section 2.4 – the first objective and principles are supported, however there are concerns that vistas to and from City Hill and to West Basin will be detrimentally impacted by the proposed developments around City Hill and West Basin.</p> <p>The Guardians note that 'Heritage places within Designated Areas will be considered as Commonwealth Areas for the purposes of protecting the environment' and welcome this change.</p> <p>The Guardians recommend that the protection and management of listed heritage places formerly in Designated Areas but now excluded, need to have a formal arrangement in place for their listing in the Territory Heritage Register and ongoing management.</p> <p>General Policy Plan Metropolitan Canberra – the proposed urban development area between the Molonglo River and Pialligo Avenue close to Oaks Estate is a valued Indigenous heritage area.</p> <p>[The following comments by the submitter referred to 'Molonglo'. Given the context of the comments, the NCA has taken this to mean 'Majura'.]</p> <p>The proposed Majura development area has the potential to adversely impact water quality of Lake Burley Griffin. The proposed Majura and Symonston development areas will be in flight paths and therefore need to be industrial or commercial. While the Guardians support development to augment the Canberra economy, the Majura area is too sensitive for such development and a review of the proposal is recommended.</p> <p>Development west of the Murrumbidgee may impact the Canberra Deep Space Communication Complex. It is essential that an environmental impact statement and heritage studies be undertaken prior to development planning and with NCA authority.</p> <p>It is not clear how the proposed Majura and West Murrumbidgee areas fit within the established urban towns without distorting current town centre planning principles and without distorting emphasis on Civic and contributing to further traffic congestion.</p> <p>Principles and policies for the National Capital Open Space System are supported.</p>	<p>Review of detailed policy for West Basin and City Hill is outside the scope of the current process.</p> <p>Refer section 3.1.6 of the report regarding heritage matters.</p> <p>Listing of heritage places is the responsibility of other agencies and is outside the scope of the National Capital Plan.</p> <p>Refer section 3.1.4 of the report.</p> <p>Declaration of an urban area does not automatically result in development occurring. Development proposals will still need to consider natural and cultural heritage and is subject to relevant legislation.</p> <p>Noted.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Reference to 'Lanyon' in section 3.2.3.3 should be to 'Lanyon Bowl' as the former term implies reference to the homestead complex only.</p> <p>Section 3.3.1 – 3.3.3 – The Guardians support the hierarchical principles of urban structure, however is very concerned about the proposed West Basin development. This is a forced development which doesn't work with Civic which has an enclosed character deliberately constructed without connection with the Lake. The Civic principle will be the loser as the current (historic) centre of Civic will be conflicted by West Basin. Recommends that further research is needed to resolve the conflicts to the commercial and retail areas of Civic.</p>	<p>Clause 3.2.3.3 is as per the existing Plan. Future stages of the Plan review offer the opportunity to review this policy.</p> <p>Clause 3.1.5(d) of the revised Plan refers to 'Lanyon Bowl' and states that the Commonwealth, a Commonwealth authority, the Territory or a Territory authority shall not do anything which adversely affects the historic landscape and heritage values of the Lanyon Bowl Area.</p> <p>Review of detailed policy for West Basin and City Hill is outside the scope of the current process.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Section 4.1.1 – The Guardians support the general policies to protect the 1918 Griffin Plan, however in regard to 3c, private housing should not be enabled to exploit lakeside national open space areas that are required for future national capital visitation use or for the use by the population for contemplative views comprising mostly of natural or contrived natural foreshores. The Guardians is opposed to the insertion of housing into the principles for the Central National Area.</p> <p>There is no mention of the axis' that are significant features of the Griffins' geometry.</p> <p>The Guardians recommend that the recommendations of 'Etched in Stone' be adopted. Some existing memorials, such as the Australians of the Year marker posts need revision as the location of these for the ongoing years will be an adverse impact on the Lake landscape.</p> <p>The Guardians believe that vistas to City Hill will be lost with the development proposals outlined for the Central National Area and should be protected.</p> <p>Section 4.1.2 – The Guardians make the following recommendations:</p> <ul style="list-style-type: none"> » The Guardians support items 1-16, conserving the prominence of City Hill as an iconic feature of the Designated Areas and National Triangle and therefore City Hill deserves a dot point link to the precinct outline. » There should be more credit given to Griffin's original organic design principles. » With regard to the landscaping, particularly the lake shores, the Guardians recommend the association to be with Griffin and the likely influence of the landscaping works of Frederic Law Olmsted Snr, along with the National Capital Development Commission landscaping of the 1960s rather than the City Beautiful and Garden City which is associated with the Federal Capital Advisory Commission. <p>Section 4.3.2 – The Guardians recommend that Kings and Commonwealth Avenues are distinct features that reinforce the Parliamentary Zone and the entire road reserves should be kept as a unit and not split down their centre.</p>	<p>Section 4.1.1 is as per the existing Plan. Future stages of the Plan review offer the opportunity to review this policy.</p> <p>Adoption of the recommendations of reports by the Joint Standing Committee on the National Capital and External Territories is outside the scope of the current process.</p> <p>Section 4.1.2 is as per the existing Plan. Future stages of the Plan review offer the opportunity to review this policy.</p> <p>The Parliamentary Zone Precinct boundaries are as per the legislative description of the <i>Parliamentary Zone contained in the Parliament Act 1974.</i></p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Section 4.3.6 – A consistent approach to tree planting is recommended with a master plan for the Parliamentary Zone and Kings and Commonwealth Avenues that considers all aesthetic aspects of trees. The Guardians recommend that the Parliamentary Zone should have a dignified tree-scape appearance well planned and set out to achieve the best quality designed landscape. This landscape differs from Commonwealth Park that was designed as a park to have colour and horticultural interest.</p> <p>Section 4.4 – Brisbane Avenue is an important Avenue that has and will continue to require attractive tree planting. The Guardians recommend that as for Sydney Avenue, the whole of Brisbane Avenue road reserve should be included in the Barton Precinct.</p>	<p>Section 4.3.6 is as per the existing Plan. Future stages of the Plan review offer the opportunity to review this policy.</p> <p>The NCA is currently developing a Place Renewal Plan for Kings and Commonwealth Avenues.</p> <p>The whole of the Brisbane Avenue road reservation is within Designated Areas (either forming part of the Barton Precinct of the Main Avenues and Approach Routes Precinct). The NCA is therefore responsible for detailed planning and design, including the approval of works, within the road reservation.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Section 4.6.3 – questions whether if diplomatic missions are located in the City area whether they will be National Land. Also questions how parking would be accommodated.</p> <p>Permitted uses in City Hill, such as Residential, Scientific Research Establishment, Diplomatic Missions, Health Centre, Indoor Recreation Facility and Casino, can be better located and serviced elsewhere.</p> <p>The Guardians recommend that any such activities around City Hill should be housed in a building form of a well designed ring below the City Hill tree canopy.</p> <p>Comments about the open space are vague. The Guardians note that the planning for City Hill so far is of great concern and demonstrates a failure to live up to the potential expressed in Griffin’s designs. Recommends that best practice urban and landscape design be pursued to conserve the iconic value of City Hill landmark.</p> <p>Buildings heights at 25 metres above the kerb of Vernon Circle are too high. Figure 43 demonstrates how City Hill will be destroyed as a visual topographic apex of the National Triangle. It clearly shows the buildings around Vernon Circle as above the tree canopy height consequently diminishing the heritage value of City Hill. City Hill could have effective lower level buildings on Vernon Circle that address and complement the circle and Hill Park.</p> <p>The landmark buildings of 14-18 storeys proposed in the precinct at Northbourne and Commonwealth Avenues will affect the complete destruction of City Hill as a landmark icon of the Griffin geometry.</p> <p>The Guardians are totally opposed to the height of the development proposals around City Hill, particularly the landmark buildings on Commonwealth and Northbourne Avenue. The buildings will completely block vistas to and from City Hill from the nationally significant avenues and from public areas around the lake. The precinct should be redesigned to protect the vistas to and from City Hill.</p>	<p>Refer section 3.3.1 of the report regarding the Diplomatic Mission land use policy.</p> <p>Review of detailed policy for West Basin and City Hill is outside the scope of the current process.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Figure 38 as an indication of connection and vistas is a pretence, it fudges the intention of the development on the vistas. The public on City Hill will not be able to enjoy vistas across the lake to the west and east at all. Vistas will only be available to the occupiers of the upper floors of the proposed 'landmark' buildings. A plan should be drawn that truthfully illustrates the vista lines.</p> <p>The car parking of the Designated Areas needs to be explained in this plan and not be referenced to the ACT Government Parking Strategy.</p> <p>Section 4.7 - The Guardians notes the proposed recreation area of the West Basin precinct is far too narrow to create a meaningful recreation zone. The apartment/business development component is far too extensive and too high. It does not provide for meaningful public space and will constrain public use and access. The Guardians recommend that the precinct should not be subject to the proposed development.</p> <p>Section 4.7.3 - West Basin is a space that should entirely be for future recreation. It will be better with landscape to the water's edge and no buildings.</p> <p>The type and location of Diplomatic Missions should be clarified. They should not be spotted around Central Canberra and definitely not located in West Basin.</p> <p>Section 4.7.5 - It is likely that in winter 25 or 16 metres high buildings will shade the recreation strip.</p> <p>The location for the parking for the proposed buildings has not been identified.</p> <p>The public waterfront promenade is proposed as reflecting the geometry and intent of the 1918 Griffin Plan. The Guardians notes that there was a large parkland space area depicted in the 1918 plan while in this current proposal that area is the setting for four large building blocks and one smaller block is a contradiction to the Griffin Plan.</p> <p>Questions whether a minimum width of 55 metres for footpaths is to be provided.</p>	<p>Review of detailed policy for West Basin and City Hill is outside the scope of the current process.</p> <p>Review of detailed policy for West Basin and City Hill is outside the scope of the current process.</p> <p>Refer section 3.3.1 of the report regarding the Diplomatic Mission land use policy.</p> <p>Review of detailed policy for West Basin is outside the scope of the current process.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Section 4.8 - The Guardians welcomes the increased recognition of Constitution Avenue as the base of the National Triangle. We note that the density of building development is approximately twice the density of the 1918 Griffin Plan. Also the 1918 plan has continuous building frontages to Constitution Avenue on the north side only.</p> <p>The Guardians supports WSUD and notes that the Draft needs to outline how this can be augmented to insist that exemplary engineering design that provides the highest efficiencies. The WSUD is a loose term open to widely differing interpretation. It is invoked in several of the 16 Precinct Codes but apparently not in all Precincts draining into the Lake, at least not in those terms. The Guardian feels strongly that that there must be a goal to apply WSUD widely in all sub-catchments of the Lake's catchment.</p> <p>Functionally effective riparian zones should be established around the lake and on the banks of both urban and rural streamlines wherever it is feasible to do so in the Lake's catchment.</p>	<p>Application of WSUD principles in all precincts will form part of future stages of the Plan review.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Section 4.12.3 – The Guardians recommend that the first dot point should comment on the aesthetic and heritage qualities and that the intimate and extensive vistas should be maintained.</p> <p>The lake precinct should cover all the lake edging landscape. This includes the lake edge landscape of Acton Peninsula alongside the ANU Precinct and the narrow landscape area between Parks Way and the water edge extending to Yarramundi Reach.</p> <p>An uninterrupted pedestrian/cycle pathway around the lake is encouraged and this should also include a board walk on the lake side of the Governor General’s residence.</p> <p>The Guardians encourages a master plan for the whole of the lake and lakeshore landscape. Research into the historic tree plantings planned and implemented by Weston, Griffin, Pryor and later by Richard Clough and the NCDC Landscaping Division needs to be investigated and analysed now that planting has been in place for over 50 years. All major vistas and views need to be identified.</p> <p>The Guardians see as a matter of high priority in strengthening the ecology of the Lake’s waters and surrounds, the extension wherever possible of linked assemblages of riparian and macrophyte vegetation that act to refine both overland and instream inflow. Where the two cannot sensibly be linked, then one or the other alone is to be rehabilitated or established.</p> <p>Section 4.12.4 – The term ‘Public Utility’ must be defined in the draft Plan.</p>	<p>Refer section 3.3.4 regarding the development of a Lake Burley Griffin master plan.</p> <p>‘Public Utility’ is defined in Appendix A of the Plan.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Section 4.12.5 – It should be noted that the entire Lake and its foreshores is under consideration as a heritage feature.</p> <p>Pages 204 -206 are devoted to the planned expansion of the ACT Hospice. The Guardians believes this is a short-sighted view. The existing hospice site is a sensitive lakeshore environment and located off a very busy road. It is apparent that a complex such as a hospice will always require further development expansion. The NCP should encourage other sites in Canberra be established and developed when needed for hospice purpose.</p> <p>Apart from form and colour, size is also important and it should be noted that as these buildings are to be in harmony with the lake image. Security fences are visually intrusive should not be permitted. Storage outside boatsheds should be limited to water craft.</p> <p>'Public safety' along with 'public access' needs to be inserted in the second sentence.</p> <p>In regard to lake maintenance and boat servicing, further comments are required to ensure such structures are located in appropriate development nodes and do not impact public parks.</p> <p>In regard to siting policies, archives and reference collections should be located in purpose built archive buildings.</p> <p>Section 4.13 - It is questionable that the landscaping east of Lennox Avenue is now to be predominantly exotic. There already exists a strong native character of tree planting in the ANU area.</p>	<p>Refer section 3.3.4 regarding the development of a Lake Burley Griffin master plan.</p> <p>Section 4.13 reflects existing policy in the Plan. Review of detailed policy for the Acton Peninsula Precinct is outside the scope of the current process.</p>
12	Master Builders Association of the ACT	Supports the principles-based approach to metropolitan planning and changes which will give the ACT Government more flexibility to release urban land in a timely way to meet market demand.	Noted.

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
13	Tuggeranong Community Council	<p>Requests greater emphasis and statutory planning support be included within the Plan to encourage densification of our inner suburbs and provide a greater diversity of housing within Canberra existing urban boundary.</p> <p>To be successful the national interest assessment should be an assessment against clear and easily understood 'national interest principles' and should be supported by a process which gives the ACT Government certainly of a timely and reliable assessment, so as to not unnecessarily delay proposals for urban development.</p> <p>Supports the proposed expansion of urban areas at Fyshwick and West Belconnen.</p> <p>Supports a clearer definition of the role of the NCA in planning in the ACT and better efficiencies in strategic planning processes.</p>	<p>At a broad level, the Plan encourages the planning of urban areas to introduce measures through which urban consolidation may occur (refer to 'Policies for Urban Areas'). Policies for the Central National Area relate to accommodating growth to contribute to a compact, sustainable city.</p> <p>The ACT Government is responsible for the detailed planning of the majority of Canberra's urban areas.</p> <p>Refer section 3.1.4 of the report regarding the proposed addition of processes for requiring land use certification.</p> <p>Noted.</p> <p>Noted.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
14	Deakin Residents' Association	<p>Agrees in principle to the Exposure Draft, however does not want this to be seen as support for development in the West Murrumbidgee area. Many people believe that the Exposure Draft was set up to enable the West Murrumbidgee development to occur, but the Council believes that infill would be more suitable for the needs of the Tuggeranong Community than this expensive greenfield development.</p> <p>Increasing the Tuggeranong population, making the Hyperdome more central within the district and creating space for more houses could all be achieved through infill development, as well as being more cost efficient.</p> <p>In regard to West Murrumbidgee development, concerns about the environmental impact on the river corridor; need for a major bridge; the ranges on the western side having small valleys with steep slopes meaning it would be an expensive engineering operation and the fact that if people have to drive to Tuggeranong maybe they might continue on.</p> <p>In previous Council polls, most people voted against development of the West Bank.</p> <p>There need to be clarity of the respective roles of the NCA and ACT Government because of their often competing objectives. Lack of clarity has manifested itself in such matters as an apparent reluctance to progress the Canberra National Heritage listing, inconsistency between the NCA's Development Control Plan (DCP) and implementation of these by the ACT Government, inconsistency between the NCA's Designated Areas requirements and adjoining Territory Plan Precinct Codes, and disregard of national capital values in respect of the Canberra Brickworks and environs proposal.</p> <p>Continuing concern that the Canberra National Heritage listing has not progressed. A clear pathway should be identified for its resolution and implementation, which takes into consideration public responses and a deadline for its implementation.</p>	<p>Refer section 3.1.4 of the report.</p> <p>Noted.</p> <p>Consideration of the Canberra National Heritage listing is outside the scope of the current process.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>The DCP for Adelaide Avenue needs to be reviewed and management arrangements need to be strengthened. DRA considers that the planning and urban design objectives of the DCP have not been met, and adherence to the DCP would have resulted in a different outcome along the avenue to what now appears.</p> <p>There are no mechanisms contained in the DCP to measure performance and ensure accountability.</p> <p>Suggests that the ACT Government has been allowed to pursue its own development and economic objectives, with long term consequences to the national interest.</p> <p>The provisions for the Designated Area extending from State Circle to National Circuit is inconsistent with the Territory's Deakin Precinct Code in regard to plot ratios. The Territory code allows for plot ratios to 30%, while the NCA's requirements allow for up to 40%. The Territory's code respects the character elements of this area of the suburb, and the same level of recognition should be accorded those blocks covered by the Designated Area.</p> <p>There should be community input into the requirements for Designated Areas to ensure consistency where necessary and to ensure these are effectively administered.</p> <p>DRA has been disappointed with the proposals developed by the ACT Government's Land Development Agency for Canberra Brickworks and environs. Full consultation with the NCA, and assessment by the NCA of the proposals, may have resulted in varied plans, particularly in regard to the recognition of the Governor-General's residence and Dunrossil Drive. DRA believes that the NCA needs to establish and continually assert a strong position in relation to the brickworks proposal.</p>	<p>Development proposals on land flanking Adelaide Avenue are administered through the Territory Plan by the Territory planning authority in accordance with the Special Requirements specified in the Plan and any DCP. Review and appeal mechanisms exist as per Territory planning legislation.</p> <p>Review of detailed policy for the Deakin Forrest Residential Area is outside the scope of the current process.</p> <p>The ACT Government has recently announced revised plans for Canberra Brickworks and Environs. The NCA will work with the ACT Government as the proposal progresses.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Concerns with the insufficient lack of attention in design and planning to 'people movement' in all its forms, beyond the national and arterial road network and an indicative inter-town public transport route incorporated into the Exposure Draft.</p> <p>For this to be meaningful, the National Capital Plan needs to address emerging needs arising from more significant urban intensification, as well as efficient transport in all its forms in a carbon constrained future.</p> <p>This extends to facilitation of active travel and cycling, through the integrated provision of shared footpaths, pedestrian crossings, adequate street lighting, etc.</p> <p>It also includes current and future public transport options (including metropolitan light rail and the possibility of interstate fast train) as well as identification of the need for Park and Ride facilities (presumably facilitated by the ACT Government and provided outside the Parliamentary Triangle), and balancing the adequacy of car parking and cycling facilities in existing and new developments over which the NCA has control.</p>	<p>The ACT Government is largely responsible for many of these matters, including public transport, the provisions and maintenance of much of the city's path network, and identification of Park and Ride facilities.</p> <p>The NCA is responsible for the provisions of paths and associated infrastructure in areas managed by the agency.</p> <p>There is opportunity to review car parking and cycling facilities (including end-of-trip facilities) as part of future stages of the Plan review.</p>
15	Australian Institute of Landscape Architects	<p>Supports maintaining an effective NCA that has a legislated role in planning the whole Territory. The national capital's landscape goes beyond the Parliamentary Triangle, therefore AILA strongly supports the NCA continuing to provide the national perspective and having the power to act in the national interest.</p> <p>AILA would be pleased to contribute detailed comments during the formal consultation period that commences after the initial exposure draft phase.</p>	Noted.
16	Ginninderra Falls Association	<p>The criticism that the National Capital Plan adds a layer of complexity to ACT planning that should be removed is worrying. The ACT's Territory Plan, which defines the development process in Canberra in accordance with policies in the National Capital Plan, has been continually revised since 2008 in response to criticism that it is too restrictive and too difficult to navigate. None of these changes seem to have satisfied the critics and the Territory Plan has actually become more complicated and less unified because of the never-ending changes. The GFA would not like to see the National Capital Plan emasculated in the same way.</p>	Noted.

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>The GFA is concerned that revision of the National Capital Plan should not reduce the National Capital Authority's ability to ensure that the ideals behind the design of Canberra, both the central area and the outlying townships, remain the standard that must be respected.</p>	<p>Noted. The NCA considers that the proposed changes to the Plan adequately reflect the division of planning responsibility between the NCA and ACT Government while adequately protecting the Commonwealth's interest.</p>
		<p>The GFA is concerned that the removal of material from the Plan, such as civic centre townscape provisions, and their replacement by supporting documents, might weaken the focus of the National Capital Authority and the ACT Government on these provisions.</p>	<p>Key principles and policies for 'Civic' are retained through the Special Requirements for City Centre.</p>
		<p>The GFA disagrees with narrowing the National Capital Authority's area of responsibility. The ACT Government is subject to continual pressure from development interests, as well as financial and population pressures. It is essential that the Plan will adequately enable the NCA to be the arbiter of policies that are implemented by the ACT Government.</p>	<p>The NCA considers that the proposed changes to the Plan adequately reflect the division of planning responsibility between the NCA and ACT Government while adequately protecting the Commonwealth's interest.</p>
		<p>In relation to the Australian National University policy, the GFA questions the desirability of allowing twelve storey buildings at selected locations on the campus. As the ANU campus is located between the lake and the base of Black Mountain, such buildings will inevitably detract from the natural landscape vista.</p>	<p>Detailed modelling of the proposed building heights has been undertaken and the NCA is satisfied that the landscape values of the city are preserved.</p>
		<p>The GFA regards protection of our hills, ridges and buffer zones as an essential element that must not be sacrificed to different city visions and population pressure. Moreover, as Canberra's urbanisation spreads to the ACT border and beyond into NSW, the NCA has to be mindful of the hills, ridges and buffer zones which lie in NSW itself. Binding covenants with NSW jurisdictions and landowners are necessary to protect the existing character of the national capital as a city in the landscape. The West Belconnen proposal to extend the urban area across the ACT border into NSW is but the first example of this inevitable trend and reinforces the need for protection of hills, ridges and buffer zones to define the urban edge of the national capital.</p>	<p>Covenants or agreements with NSW jurisdictions is outside the scope of the National Capital plan.</p> <p>'Draft Amendment 85 – West Belconnen Urban Development' is currently with the Assistant Minister for Infrastructure and Regional Development, the Hon. Jamie Briggs, for consideration.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
17	Robyn Coghlan	<p>Concerns about any weakening of the NCA's role in ACT planning. The Plan should not relinquish tasks to the ACT Government that really need careful oversight by NCA planners in order to maintain the ethos of Canberra's design as a city in the landscape.</p> <p>Does not support the proposition that as the ACT Government has a key role in city and strategic planning, greater flexibility be given to the Territory to determine where the city's growth occurs, and reduce complexity in the planning process to allow this to occur.</p> <p>Does not support removing the 'area under investigation for urban use' in the vicinity of EPIC and the racecourse and changing the land use policy to Urban Areas. EPIC and the racecourse provide the buffer zone between Gungahlin and North Canberra. Removing these for high-density residential to support the light rail project and to house population growth is setting a precedent for removing all buffer zones to accommodate the burgeoning population.</p> <p>Does not support removing the Authority's powers over the Murrumbidgee and Molonglo river corridors, Tuggeranong Valley and Namadgi National Park.</p>	<p>The NCA considers that the proposed changes to the Plan adequately reflect the division of planning responsibility between the NCA and ACT Government while adequately protecting the Commonwealth's interest.</p> <p>Refer section 3.1.4 of the report.</p> <p>The land between the Inner North Canberra and Gungahlin districts is currently within the Broadacre Areas land use category. This land use category allows for development of uses such as administrative and utility, community facilities, Defence offices, and tourist and transport facilities.</p> <p>An open space buffer is retained on the western side of the area.</p> <p>Refer section 3.2.3 of the report.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
18	Planning Institute of Australia	<p>Recommends:</p> <ol style="list-style-type: none"> 1. That the NCA consult further with the Territory community to revise the National Capital Plan to integrate with the ACT Planning Strategy and Territory Plan to: <ul style="list-style-type: none"> » establish clear guidelines and policies to protect the national significance of the Capital » shift responsibility for metropolitan planning to the Territory » clarify administration and implementation of the National Capital Plan » provide clear land use and development controls covering the whole Territory (outside of National land and the Parliamentary Zone), to be administered by the Territory in consultation with the NCA where appropriate. 2. Amendments to the PALM Act should to be considered to apply consistent expectations, and a consistent development management regime to National land, Territory land and Designated Areas. 3. The intent of the PALM Act requirement for the National Capital Authority to 'keep the Plan under constant review and to propose amendments to it when necessary' should be honoured. The NCA should commit to a minimum Plan review cycle such as the Territory has adopted for the ACT Planning Strategy. This can be accomplished legislatively or administratively. 4. To enable it to undertake effective oversight of planning within the Territory, the NCA board should be expanded to include additional representation from the Territory, and the surrounding region of NSW. 5. Similar to previous Peer Reviews convened by the NCA for its major plans, a peer review panel should be convened to assist the NCA with development of the draft Plan, test best practice and evidence basis for changes to assist the NCA in meeting its objective for the new plan. 	<p>The Exposure Draft of the Plan provides opportunity for community comment and consultation. Peer assistance was sought in the preparation of the Plan, and consultation occurred with Australian Government agencies and the ACT Government prior to public release of the Exposure Draft.</p> <p>The Plan establishes broad land use policy for the whole of the Territory, with the recognition that outside of Designated Areas and National Land, the ACT Government has detailed planning responsibility. Provisions of the <i>Australian Capital Territory (Planning and Land Management) Act 1988</i> ensure that the Territory Plan is not inconsistent with the National Capital Plan.</p> <p>Review of the National Capital Plan is an ongoing process, and further stages of the Plan review offer the opportunity to review detailed policy in the Plan and explore the potential for peer review panels or similar.</p> <p>Review of legislation is outside the scope of the current process.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
19	Inner South Canberra Community Council	<p>The draft seems to be based on the assumption that wherever there is duplication in planning, the solution is to transfer powers from the NCA to the ACT Government. But the rationale for this view is nowhere articulated. There is much evidence that NCA planning arrangements are more streamlined and effective than those currently administered by the ACT Government.</p> <p>Supports the retention of Special Requirements for Kingston Foreshore.</p> <p>Disappointed that the Exposure Draft proposes to remove Special Requirements for Telopea Park. The explanatory material does not explain why this change is necessary, both in terms of the intimate relationship between Wentworth Avenue, which remains subject to Special Requirements, and the historic and iconic nature of Telopea Park itself.</p> <p>The proposed excision of the Murrumbidgee and Molonglo River Corridors is also cause for significant concern. The current NCP states that 'it is in the interests of the National Capital to ensure that the Murrumbidgee and Molonglo River corridor are conserved and managed within an agreed plan', and urban use is specifically excluded from these parts of the ACT.</p> <p>Under the exposure draft, urban expansion could extend into the West Murrumbidgee without an amendment to the NCP. All that would be required is that the ACT obtain NCA certification that 'the proposed changes are not inconsistent with the principles and policies of the Plan.' The community should have the right to debate and comment on any proposal to extend Canberra's urban areas.</p> <p>Recent events illustrate the unwillingness of the ACT and Commonwealth Governments to reflect maturely and objectively on the requirements and suggestions of the NCA, including the extraordinary impasse in relation to the proposed Canberra brickworks development and lack of interest by the Commonwealth Government in relation to the proposed heritage listing of Canberra.</p>	<p>The NCA considers that the proposed changes to the Plan adequately reflect the division of planning responsibility between the NCA and ACT Government while adequately protecting the Commonwealth's interest.</p> <p>Refer section 3.2.1 of the report.</p> <p>Refer section 3.2.3 of the report.</p> <p>Refer section 3.1.4 of the report.</p> <p>The ACT Government has recently announced revised plans for Canberra Brickworks and Environs. The NCA will work with the ACT Government as the proposal progresses.</p> <p>Consideration of the Canberra National Heritage listing is outside the scope of the current process.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Believes that there should be a comprehensive assessment of the impact on the Jerrabomberra Wetlands of the proposed Jerrabomberra-Symonston urban development. Supports the Yarralumla Residents' Association recommendation that any development of this area should require a formal variation to the Territory Plan.</p> <p>Concerns about the piecemeal approach taken to Symonston by the ACT Government, which is not considered to adequately protect the environmental, heritage and amenity values of this significant but unappreciated piece of old Canberra. It is important that there is full community consultation with local residents, including rural lessees, before any proposal for extension of urban settlement in to this area.</p> <p>The ISCCC is disappointed that the exposure draft, unlike the current NCP, does not include any meaningful discussion of the employment impacts of planning decisions.</p> <p>As stated in the explanatory material, the focus of employment location policies on offices and the ability of the Commonwealth government to control their location, has been removed from the draft. A strong case exists to retain in the new NCP, albeit in an updated form, the useful analysis and principles contained in chapter 3, 'Employment Location' in the current Plan.</p> <p>The much-reduced section on employment in the exposure draft (3.5) notes that 'one of the key principles of Canberra's urban structure has been that a hierarchy of centres has been developed, with each town having a centre acting as a focal point for higher order retail functions, commercial services, offices and community facilities.'</p> <p>The ISCCC would like the NCA to be given a prominent role in the shaping of Canberra's development, but there is nothing in the exposure draft that it affords it any effective responsibilities. The policies outlined in the draft at 3.5.3 are quite sensible but do not appear to allow the NCA any scope to influence the pattern of the city's growth.</p>	<p>Relevant studies will need to be completed prior to consideration of urban development at Jerrabomberra-Symonston. A variation to the Territory Plan will still be required to enable development to proceed.</p> <p>Refer also section 3.1.4 of the report.</p> <p>Employment analysis does not form part of planning policy itself and is therefore more appropriate as supporting information to the Plan.</p> <p>Refer also section 3.3.2 of the report.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
20	Australian Institute of Architects	<p>Supports the submissions from Yarralumla Residents' Association, Deakin Residents' Association, Lake Burley Griffin Guardians and Friends of the Albert Hall.</p> <p>The proposed structure of the NCP is a significant improvement on the original document. The hierarchy of the document is clear and accessible. The refinement of the basis for assessment of national significance provides for a contextual basis for the policies and controls reflective of Canberra's current development status and the requirements to not only protect environmental values but also the inherent need to consider how environmental impacts of urban development can be managed to improve the sustainability of Australia's cities.</p> <p>The process and scope of certification by the National Capital Authority that is proposed to ensure that changes made by the Territory planning authority are not inconsistent with the NCP, should be explicitly set out in the governance section. There should also be included a requirement for the record of certification and the basis on which it is made, to be publicly notified as part of the consultation processes under both plans.</p> <p>Statement of planning principles is clear. Supports changes concerning consideration of heritage places in Designated Areas and the focus on diversification of transport modes.</p> <p>The Statement of planning principles with regard to environmental sustainability needs expansion and supplementary information to give a baseline for assessment of compliance with these policies. In the economic development of Canberra and the ACT, it remains the situation that income from the release of land for development and betterment charges provides a substantial element of funding for the operations of the ACT Government, leading to the potential for conflict of interest in assessing the environmental impact of development. A robust framework is required for assessing compliance with all policies, processes and principles for any new areas of development, prior to certification as proposed within the Exposure Draft. Draft variations to the Territory Plan should also require certification of compliance with the NCP to be issued with consultation documents.</p>	<p>Noted.</p> <p>Noted.</p> <p>Refer section 3.1.4 of the report.</p> <p>Noted. Refer section 3.1.7 of the report.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Supports the proposal to allow development in the broadacre areas to the east of Mount Majura and Mount Ainslie.</p> <p>The proposition to allow development south of the Murrumbidgee River on the same terms is not supported. Development in this location has the potential to negatively impact on the river corridor by requiring major road and infrastructure connections, degrading amenity and environmental values of the river and by encroaching on gorge areas.</p> <p>Development south of the Murrumbidgee River would either remain isolated with all of the negative implications for cost of delivery of services or, be the beginning of an ongoing, but unsustainable, push for further development south into the rural lands and river corridor.</p> <p>The development of this area is inconsistent with development of a city form suited to achieving sustainability principles in relation to the environmental impact of the city. It also fundamentally conflicts with the conservation of this river corridor as an important national resource and key open space element which defines the edge to the developed urban areas.</p> <p>At a minimum any proposition to develop this land should require a variation to both the Territory Plan and the National Capital Plan and accompanying full and detailed environmental impact assessment, evidence of suitability for urban development, economic cost benefit analysis over an extended lifecycle and comprehensive planning controls.</p> <p>Supports removing the content of appendices of the Plan where there is duplication of planning controls under the Territory Plan, where there are comprehensive national policies, or where a precinct code can incorporate key elements of the existing Special Requirements.</p> <p>More specific requirements are needed for the Murrumbidgee River Corridor to manage the urban edge interface and, the ongoing protection of this critical conservation area. Alternatively a precinct code could be prepared as has been done for the Jerrabomberra Wetlands.</p>	<p>Refer section 3.2.3 of the report.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
21	Reid Residents' Association	<p>Supports the proposed amendments to extend and adjust the Designated Areas. The structure of precinct codes consolidating information for each area is supported and adds to the clarity of the document structure.</p> <p>Suggests that in view of predicted climate change scenarios it would be advisable to strengthen Dame Sylvia Crowe's (1964) original vision for Commonwealth Park as a city garden landscape and not have it carved up for short-term commercial activities.</p>	<p>Noted.</p> <p>Maintenance and management of Commonwealth Park is outside the scope of the National Capital Plan.</p>
22	North Canberra Community Council	<p>Supports the heritage objectives but recommends that within Designated Areas, the NCA mandate the requirement for Heritage Management Plans to accompany major development applications for heritage places, which should be prepared to meet the requirements of the <i>Environmental Protection and Biodiversity Conservation Act 1999</i>. The NCA should require Heritage Impact Statements to accompany major development applications for a heritage place.</p> <p>Regarding metropolitan planning, removing scrutiny by the Australian Parliament seems to be a lost opportunity for including a truly national perspective in decision-making specific to the national capital.</p> <p>Supports the eight key objectives of the Plan but can see that there appears to be tension between the object of the Plan 'to ensure that Canberra and the Territory are planned and developed in accordance with their national significance', and 'matters that should be the prerogative of the Canberra community'. Integrated planning, design excellence and sustainability are essential for Canberra and, while a partnership relationship between the ACT Government and NCA there would appear to be real need for a final arbiter in contested areas.</p> <p>Concerns for potential loss of vistas and amenity for both West Basin and Commonwealth Park. Commercial activity, particularly involving high-rise buildings and/or 'theme-park' style construction, quite possibly would detract from the views westward to Brindabella Range from Commonwealth Avenue for residents and visitors.</p>	<p>Refer section 3.1.6 of the report.</p> <p>Refer section 3.1.4 of the report.</p> <p>Noted.</p> <p>The Precinct Codes for West Basin and City Hill reflect existing policy in the Plan. Review of detailed policy for these precincts is outside the scope of the current process.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Suggests that in view of predicted climate change scenarios it would be advisable to strengthen Dame Sylvia Crowe's (1964) original vision for Commonwealth Park as a city garden landscape and not have it carved up for short-term commercial activities.</p>	<p>Maintenance and management of Commonwealth Park is outside the scope of the National Capital Plan.</p>
		<p>Removing the requirement for NCA's Development Control Plans for Haig and Telopea parks is of concern. While there is always room for park enhancement, there needs to be a continuation of 'the conservation of landscape and environmental qualities, consideration of the historical context of the open space, planting patterns, and recreation opportunities'.</p>	<p>Refer section 3.2.3 of the report.</p>
		<p>Supports the heritage objectives but recommends that within Designated Areas, the NCA mandate the requirement for Heritage Management Plans to accompany major development applications for heritage places, which should be prepared to meet the requirements of the <i>Environmental Protection and Biodiversity Conservation Act 1999</i>. The NCA should require Heritage Impact Statements to accompany major development applications for a heritage place.</p>	<p>Refer section 3.1.6 of the report.</p>
		<p>The importance that the system (NCOSS) is planned, developed and managed on an integrated basis cannot be overemphasized and aerial mapping, monitoring and remediating these areas should be undertaken.</p>	<p>The National Capital Plan sets out requirements for the planning of the National Capital Open Space System. How management of the land is undertaken lies outside the scope of the Plan.</p>
		<p>In regard to the Constitution Avenue and Anzac Parade Precinct, the activities permitted under Land Use A in the area boarded by Coranderrk St, Constitution Avenue, Anzac Parade and Parkes Way appear open to ad hoc development and would require tighter planning control to retain appropriate amenity in keeping with such a prime position.</p>	<p>The Precinct Code for Constitution Avenue and Anzac Parade largely reflects existing policy in the Plan. Review of detailed policy for this precinct is outside the scope of the current process.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
23	Duncan Marshall	<p>While the heritage provisions of the National Capital Plan are welcome as far as they go, it is not clear that they provide the full suite of measures necessary to address heritage issues as part of a good practice approach. Key issues include:</p> <ul style="list-style-type: none"> » Who undertakes the identification of heritage places (as per section 2.4.1) and how is this undertaken? » It is clear the provisions in the Plan may not yet have been considered in terms of heritage, and that changes may be needed as part of reconciling heritage and planning objectives. » Is an approach being considered whereby specialist heritage advice can be provided to the NCA by a separate unit or authority within government? » the Australia ICOMOS objectives for heritage legislation identify a number of other aspects that might be considered as part of an overall heritage system – an expert heritage authority, heritage agreements, protective powers including stop work orders and penalties, the provision of technical advice, and support for research. <p>These may not be matters best addressed in the Plan itself, but they should be as part of the overall planning and heritage system.</p> <p>Legal advice may also be needed regarding the reference to Commonwealth Areas. While the intent of this principle is welcome, it is not clear this overcomes the exclusion contained in subsection 525(2) of the EPBC Act. It may be beneficial to refer specifically to this exclusion, and that the purpose is to negate it.</p> <p>Suggests changes to wording of specific heritage clauses within the Plan.</p>	<p>Refer section 3.1.6 of the report.</p> <p>Many of the issues raised cannot be addressed through the Plan itself, however administrative processes which may achieve similar outcomes could be explored.</p> <p>Minor changes have been made to the objectives and principles for heritage in Part Two of the Plan.</p> <p>Detailed policy review forming part of future stages of the Plan review will consider the intersection of heritage and planning objectives.</p>
24	Pedal Power	<p>In keeping with the aim of streamlining coordination between ACT planning process, recommends that for areas within its planning control, the NCA should formally adopt the ACT Government’s design standards for cycling and walking infrastructure. This would give consistency of approach and avoid duplication of effort. Whether this should be reflected in the NCP is a matter for further consideration.</p>	<p>The adoption of design standards is outside the scope of the National Capital Plan. Further consideration will be given to the adoption of ACT standards outside the Plan review process.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Pedal Power ACT's planning objectives relevant to the NCP include:</p> <ul style="list-style-type: none"> » Cycling should be recognised and promoted as the most efficient form of urban transport (bar none) over distances of up to 5 km. » A formal planning hierarchy of walking first, cycling second, public transport third and driving last should be adopted on national land. » All urban planning and development projects (without exception) should mandate consideration of active travel facilities from first principles at the outset, in a way which integrates them seamlessly with Territory active travel plans. » Cycling should be recognised as an essential transport mode, whether for travel to public or private facilities. » Cycling infrastructure should be safe, attractive, quick, convenient and maintained to the same standard as roads. It should offer a choice of facility appropriate to the needs and abilities of different riders. » 40 km/h speed limits should be used more extensively (in conjunction with other traffic calming measures) to facilitate active travel to and within areas of national land where people walking and riding may be at risk from motor vehicles. » Longer-distance cycleways should reflect complete separation from vehicles in arterial road corridors, with grade-separated crossings where appropriate. » In suitable streets, the potential for shared space concepts should be considered, with appropriate non-linear design features and traffic speeds no higher than 20 km/h. » In areas of high active travel density, cycling and walking facilities should be separated from each other to minimise conflict between users and provide a low-stress travel environment for all. » Appropriate areas of national importance – eg the ANU and AIS – should be designated as Active Travel Zones warranting rapid, intensive measures to create the dense networks of quality cycle and walking routes which are required to get people into active travel. » Active travel should be fully integrated with public transport. 	<p>Noted. Adoption of these objectives and how these could be reflected in the Plan will be considered as part of subsequent stages of the Plan review.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<ul style="list-style-type: none"> » Mixed land use principles should be used to maximise employment, retail and recreational opportunities over short distances. » Vehicle parking should be flexibly priced for the purpose of managing demand. » Data collection should be managed in a way that provides for better active travel planning outcomes. » The quality and effectiveness of active travel facilities should be assessed not only against Australian standards, but also against international best practice. <p>In general, Pedal Power ACT considers that cycle paths on national land should be:</p> <ul style="list-style-type: none"> » of adequate width for the anticipated level of usage, given their importance and popularity — generally 4m or wider in high traffic areas, where practicable » separated from pedestrian traffic as necessary on routes with very high current and anticipated usage such as the Lake Burley Griffin Circuit » free from hazardous tight turns and excessively steep gradients » designed and maintained to a standard of smoothness that avoids cracked and broken pavements and tree-root damage » sited away from parked vehicles to minimise the risk of car dooring accidents » given priority over minor roads and driveways serving lakeshore facilities » free of pinch points and other hazardous obstacles, with only Austroads compliant centre bollards used where absolutely necessary to prevent vehicle ingress. 	<p>The suggestions for the design of cycle paths relates to design standards. The adoption of design standards is outside the scope of the National Capital Plan. Further consideration will be given to the adoption of ACT standards outside the Plan review process.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Pedal Power ACT strongly supports the NCP aim of completing a high-quality Lake Burley Griffin Circuit path, given the Lake's central importance to Canberra's layout. Pedal Power ACT considers that the NCA should accord a much higher status to pedestrian and bicycle movement through the central parklands generally.</p> <p>Pedal Power ACT attaches particular importance to intersection design based on international best practice, while placing active transport modes at a higher priority than vehicles. This includes avoiding the use of minor slip-lanes for left turns at cross-roads; these may be convenient for vehicle traffic, but create a hazardous potential conflict point for bicycles.</p> <p>Cycle path links with and between national institutions, playgrounds, picnic areas and other public facilities will enhance the amenity of the central areas.</p> <p>Bicycle parking, secure storage and changing facilities should be mandated to a high standard in all residential, commercial and employment premises in areas under NCA oversight.</p>	<p>Future stages of the Plan review will consider the inclusion of policies requiring end-of-trip facilities in new residential, commercial and employment developments.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
25	David Mackenzie	<p>Provides a series of recommendations primarily concerning water management, water quality and ecology that apply to Lake Burley Griffin and its catchments.</p> <p>Recommendation 1</p> <p>A great deal more assertiveness is required in the Draft's statements relating to the maintenance of a robust and sustainable ecology both in the water column and the riparian surrounds of the Lake as well as in its catchment.</p> <p>Recommendation 2</p> <p>The problem of poor dilution, mixing and aeration in partially closed embayments of the Lake must be addressed more positively in the Plan.</p> <p>Recommendation 3</p> <p>The frequent and thorough preparation for, and treatment of, urban runoff into the Lake requires far more positive coverage in the Draft.</p> <p>Recommendation 4</p> <p>The NCP must adopt a goal to apply the latest WSUD technology in all sub-catchments of the Lake's catchment.</p> <p>Recommendation 5</p> <p>The NCP should require that wherever it is feasible to do so, functionally effective riparian zones be established, augmented or restored around the lake's entire foreshore and on the banks of both urban and rural streamlines in the Lake's catchment.</p> <p>Recommendation 6</p> <p>It is a matter of high priority to strengthen the ecology of the Lake's waters and its surrounds by rehabilitating and extending zones of riparian vegetation and macrophytes to the maximum extent permissible, aiming wherever possible, to link them as assemblages that act to refine both overland and instream waters. Where the two cannot sensibly be linked, then one or the other alone is to be rehabilitated or established. The NCP should stipulate this as a requirement for the entire Lake catchment.</p>	<p>Water quality and management of Lake Burley Griffin is outside the scope of the National Capital Plan.</p> <p>Application of WSUD principles in all precincts will form part of future stages of the Plan review.</p> <p>Review of detailed policy for City Hill Precinct is outside the scope of the current process.</p> <p>Refer section 3.3.4 of the report regarding the development of a Lake Burley Griffin master plan.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
26	Friends of Grasslands	<p>Recommendation 7</p> <p>The NCP needs to emphasise in greater detail the strong interdependence between the two Precincts, Lake Burley Griffin and Jerrabomberra Wetlands, and in particular ensure that planning, development, management and usage are directed, where appropriate, to them as a combined functional unit.</p> <p>Recommendation 8</p> <p>I lodge strong objection to the siting of buildings around City Hill whose heights will block views from it along the Avenues listed above and views of it from the many surrounding vantage points; it must not be obscured in the slightest by buildings. Preservation of the dignity of the Central National Area predominates over commercial development and this must not be violated.</p> <p>Recommendation 9</p> <p>The building heights between Commonwealth Avenue and the West Basin Foreshore (Point Park) must be constrained to allow an uninterrupted view from Commonwealth Avenue across to the Inner Hills and the Bullen and Brindabella Ranges. Heights must be lowered progressively to accommodate the varying gradient of Commonwealth Avenue and their architecture requires to be unobtrusive in sympathy with their surrounds.</p> <p>Supports the changes to the General Policy Plan – Metropolitan Canberra which significantly reduce urban areas in Gungahlin, and also supports the move to include some existing and new sections of Canberra Nature park in the National Capital Open Space System.</p> <p>Suggests changes to precinct codes to allow the establishment of 'Nature Conservation Area' as a permitted land use in any Designated Area. Grasslands at Yarramundi Reach, woodlands at Stirling Park and Scrivener's Hut contain population of threatened species and endangered ecological communities that should be protected with a 'Nature Conservation Area' status.</p>	<p>Noted.</p> <p>Refer section 3.3.5 of the report.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>The land use of Stirling Park should be changed from 'National Capital Use' to 'Nature Conservation Area' and the provision for extension of Empire Circuit removed. If the Authority does not support this for all of Stirling Park at this time, all of the uncontested lands that form the bulk of Stirling Park should become a Nature Conservation Area.</p> <p>Does not support the identification of West Murrumbidgee as a potential future urban area until all relevant environmental studies have been undertaken. Does not object to the urban development proposed in the West Belconnen Area because comprehensive studies of that area were undertaken prior to a proposed change in land use and because of the significant care that has been taken to ensure that development will protect and manage matters of environmental value.</p> <p>Recommends that the West Murrumbidgee area not be recognised as a future urban area and that the NCA undertake and publish an evaluation of the natural values of the West Murrumbidgee area.</p> <p>Supports the matters of national significance identified in the draft Plan. Two in particular are important for the ongoing role of the National Capital Authority:</p> <ul style="list-style-type: none"> » Conservation and enhancement of the landscape features which give the National Capital its character and setting, and which contribute to the integration of natural and urban environments. » The development of a city which both respects environmental values and reflects national concerns with the sustainability of Australia's urban areas. <p>Also recommends:</p> <ol style="list-style-type: none"> 1. That there be no reduction of designated land or National Land under the National Capital Plan. 2. That the National Capital Authority adopt a policy of undertaking and publishing identification and evaluation of the natural values of an area before approving any development. 	<p>Refer section 3.1.4 of the report.</p> <p>Noted.</p> <p>Refer section 3.2.1 of the report regarding the extent of the NCA's jurisdiction in relation to National Land and Designated Areas.</p> <p>Adoption of a policy to publish details of the natural values of an area before approving development requires further consideration outside the current process.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
27	Canberra CBD Ltd	<p>Applauds the move to achieve clear planning controls that include a well-define explanation of national significance and identification of areas which have the special characteristics of the National Capital.</p> <p>Sees benefit in achieving consistency between planning documents in the ACT, particular in relation to hierarchy, terminology and clarity around the respective planning roles of the Commonwealths and ACT Governments.</p> <p>Supports the role of the NCA in administering the plan, both in relation to strategic planning and development applications. Objects to any eroding of the NCA's functions that would impact on the city centre. The role of the NCA and the national capital plan in promoting the city is necessary as it sets a clear vision for the act government, particularly as the Territory plan must be consistent with strategic directions set in the Plan.</p> <p>Supports the objectives of the City Hill Precinct Code, in particular to maintain and promote the city centre as the main commercial centre of Canberra and regional with the city hill presenting as the pre-eminent hear to the city.</p> <p>Supports the continuation of Special Requirements for land flanking Main Avenues and Approach Routes.</p> <p>Also desirable is the continued work on ensuring that the high speed rail corridor connects directly into the CBD and the station contributes to urban efficiencies and experience.</p>	<p>Noted.</p> <p>Noted. Refer section 3.2.3 of the report.</p> <p>Noted.</p> <p>Decisions regarding high speed rail are outside the scope of the current process.</p>
28	SHL Developments	<p>Change in structure of the document will enhance usability and language to harmonise it with other planning documents in the Territory. This change is likely to remove confusion and assist in interpretation of the Plan.</p>	<p>Noted.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
29	Department of Finance	<p>In regard to the Constitution Avenue and Anzac Parade Precinct Code:</p> <ul style="list-style-type: none"> » The 'indicative urban structure' appears not to take account of the existing physical structures of the land. The configuration of the blocks in Russell would adversely impact on titling, servicing, etc. Finance would like an opportunity to work with the NCA to reach a better outcome – particularly in view of the possible extension of light rail into the Russell Precinct, which will further complicate the configuration of block affecting access/egress, their future management, development and potential and value. » The Exposure Draft treats the height of Anzac Park East and West as static and does not set out heights for these properties. Finance considers the treatment of the properties in the exposure draft to be inconsistent with the surrounding buildings particularly section 5 Campbell. Even though these buildings are listed on the heritage register as visual portal elements to the Parliament House Vista, finance contend that the exposure draft should reflect that they have the potential for redevelopment, including; an expansion of the uses authorised on these properties and increases in building envelope (including height) and the requirement for portal symmetry to be addressed in the planning controls of the precinct code. <p>Finance is aware of a proposal by CSIRO to seek an amendment to the Plan in regard to Blocks 1426, 1427, 1545, 1609, 1630 District of Belconnen to amend the planning policy/zone from the national capital open space system – hills, ridges and buffer spaces to urban area. However the proposed has not been included in the exposure draft.</p> <p>The Designated Areas should included The Mint site given its significance as a national icon and tourist destination in the nation's capital.</p>	<p>Refer section 3.3.6 of the report in regard to building heights for Anzac Park East and West.</p> <p>Refer section 3.1.3 of the report.</p> <p>Refer section 3.2.2 of the report.</p>
30	Canberra Business Chamber	<p>The revised format and structure of the Plan is supported. The introduction of clear Parts and the closer alignment in format and hierarchy to the Territory Plan will assist in reducing the perception of complexity and lessen confusion between the two plans.</p>	<p>Noted.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Supports the merger of general matters and introductory clauses into a new Part One, as this adds clarity and highlights the value of the matters of national significance in the planning and development of Canberra. Generally supports all changes to matters of significance, with the following suggestions:</p> <ul style="list-style-type: none"> » changes to the matter of national significance concerning the pre-eminence of the role of Canberra unnecessarily qualifies the role, and may weaken the intent of the matter. » Conservation could be defined as per the Australian ICOMOS Burra Charter definition. <p>The 'Statement of Planning Principles' for the entire Territory is generally supported. It will be important for the Territory to be confident that this Statement aligns with the object of the Territory Plan and will add value to their planning processes.</p> <p>Canberra Business Chamber seeks your advice that these 'principles' are not likely to have negative fiscal / business ramifications for the ACT Government with no reduction in Specific Purpose Payments (or similar) to the Territory as a result of these (or other) proposed changes to the Plan.</p>	<p>Refer section 3.1.2 of the report. The proposed changes to the matter of national significance regarding the pre-eminence of the role of Canberra were intended to clarify the role of the city. The terms 'National Capital functions' and 'Australian national life' are deliberately broad to cover the range of roles and functions the city currently performs and may perform in the future.</p> <p>The Burra Charter defines conservation in respect of cultural heritage. The Plan uses 'conservation' in multiple contexts, some of which are not associated with cultural heritage.</p> <p>Noted.</p> <p>The proposed changes to the Plan are unlikely to have negative financial implications for the ACT Government.</p> <p>The ACT Government has not raised concern that proposed changes to the Plan will impact General Revenue Assistance, National Specific Purpose Payments or National Partnership Payments to the ACT Government.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Canberra Business Chamber supports the proposal to give greater 'flexibility' to the ACT Government to determine when 'potential future urban areas' might come into play through Variation to the Territory Plan without further amendment to the National Capital Plan. Seeks clarification on, or makes suggestions in regard to, the following matters:</p> <ul style="list-style-type: none"> » The relationship between the ACT's 'Planning Strategy' and the General Policy Plan could be made clear in the context of the proposed flexibility – potentially through collaborative review by the NCA and ACT Government on an agreed cyclical basis. » the 'national interest principles' based approach that will be used for the Territory to achieve the Commonwealth's compliance test triggered by this new flexibility should be articulated. » the point in the process at which the NCA agrees 'compliance' should be nominated. Canberra Business Chamber is of the view that compliance would best be agreed ahead of the Territory Plan Variation process. 	<p>Refer section 3.1.4 of the report.</p>
		<p>The general intent of removing Commonwealth control on office locations as a means to manipulate employment growth in particular areas (by deleting the detailed policies from the 'Employment Location' in the Plan) appears to have merit. However Canberra Business Chamber requests that the overarching strategic direction regarding defined employment centres be considered for retention – potentially integrated as part of the revised General Policy Plan.</p>	<p>Refer section 3.3.2 of the report.</p>
		<p>Supports the addition of 'Diplomatic Mission' as a permitted use for parts of Constitution Avenue and Anzac Parade, Barton/Forrest and West Basin.</p> <p>The Precinct Code proposed for the diplomatic estate retains the current maximum building height of two storeys on development. Suggests that a performance-based approach be considered that relates to streetscape and context. There may well be occasions where taller buildings with small footprints are more suitable to the context and diplomatic requirements than a simplistic two-storey solution.</p>	<p>Noted. Refer section 3.3.1 of the report.</p>
		<p>Supports the inclusion of heritage places within Designated Areas being considered as Commonwealth Areas for the purposes of applying the provisions of the Environmental Protection and Biodiversity Act 1999.</p>	<p>Noted.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>In regard to the City Hill Precinct Code, it appears that the words 'intersecting with London Circuit' appear to have been inadvertently deleted from the landmark building height provisions. Key projects in the City Hill Precinct (such as the Australia Forum) may need to be of a height above that currently permissible in the Plan. Encourages the NCA to use the Draft Amendment process to test height provisions for City Hill.</p>	<p>The words 'intersecting with London Circuit' have been added to the building height policies for the City Hill Precinct. This ensures the written policy reflects the drawing showing indicative building form, height and landmark buildings.</p>
		<p>Further explanation is required to explain the addition of the Australian Institute of Sport to Designated Areas.</p>	<p>Review of detailed policy for City Hill Precinct is outside the scope of the current process.</p>
		<p>Dunrossil Drive is National Land and Designated Area status should be afforded to this area given it is of national significance by virtue of use, heritage and location.</p>	<p>Refer section 3.2.2 of the report.</p>
		<p>NCA works approval in Designated Areas that are on Territory Land has been a source of some discontent with the ACT Government and has led to confusion for planning and development in Canberra for a number of years. In the interests of streamlining and clarifying approval processes, Canberra Business Chamber encourages the NCA to continue to work with the ACT Government towards rationalisation of the matter.</p>	<p>Dunrossil Drive is within Designated Areas.</p>
		<p>Concerns that Special Requirements and the overlapping responsibilities of the NCA and ACT Government are not fully resolved. Encourages the NCA and the ACT Government to work together to remove all Special Requirements from Territory Land in the Plan and replace them with sound and comprehensive policies attuned to achieving positive urban, open space and design outcomes.</p>	<p>Refer section 3.2.1 of the report.</p>
		<p>The proposed removal of Special Requirements from some areas within the National Capital Open Space System and from Haig Park and Telopea Park is supported on the proviso that their continued use and conservation as open space places is protected in the Plan.</p>	<p>Refer section 3.2.3 of the report.</p>
			<p>Refer section 13.2.3 of the report.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
31	Doma Group	<p>Uncertain why Civic remains subject to Special Requirements. Recommends that as an alternative to Special Requirements the NCA should work with the ACT Government to develop comprehensive policies for quality urban outcomes for Civic to be embedded in the Plan commensurate with the status of the National Capital. This would give greater certainty to developers and the community – particularly for the next phase of significant city developments.</p> <p>Canberra Business Chamber notes that the Exposure Draft does not entertain any change to the overarching <i>ACT (Planning and Land Management) Act 1988</i>. In effect this means that the relationship between the National Capital Plan and the Territory Plan and associated amendment/variation and approval processes cannot be fully reviewed. There would be merit in the NCA and ACT Government reviewing the Act to explore more streamlined measures and processes in the relative plans. This could result in changes being proposed to modernise the Act and establish a more collaborative relationship between the Territory and Commonwealth.</p> <p>The revised Plan should recognise the new car park and hotel development on Section 22 Barton. Commercial accommodation should be acknowledged as a permitted use in the York Park area as the hotel has been approved and acknowledged an appropriate use.</p> <p>The current review process provides a good opportunity to update the York Park Masterplan.</p> <p>The drawings for Block 13 Section 9 Barton could also be updated to more accurately reflect what has been approved and built. In particular the location of the structured car park on the corner of Macquarie and Broughton Streets and the updated naming of the streets themselves.</p>	<p>Review of legislation is outside the scope of the current process.</p> <p>The revised Plan offers a streamlined process and vests greater power in the ACT Government.</p> <p>Developments on Section 22 and Section 9 Barton have been determined to be not inconsistent with the current provisions of the National Capital Plan.</p>
32	Conservation Council ACT Region	<p>Supports the matters of national significance established in the Plan.</p> <p>Regards the NCA as a very important counter to the ACT Government’s exuberance to develop without adequate regard for the environment. We recognise that the NCA takes a longer-term view and we are concerned that its influence is being reduced through reduction in the areas for which it has responsibility.</p>	<p>Noted.</p> <p>Noted.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Two particular matters of national significance identified in the Exposure Draft are important for the ongoing role of the National Capital Authority:</p> <ul style="list-style-type: none"> » Conservation and enhancement of the landscape features which give the National Capital its character and setting, and which contribute to the integration of natural and urban environments. » The development of a city which both respects environmental values and reflects national concerns with the sustainability of Australia's urban areas. <p>These are matters where the NCA has had a valuable role in providing for the ongoing protected natural values in and around Canberra. Regards any reduction in National Land or Designated Areas as a reduction in environmental protection and recommends that there be no reduction of Designated Areas or National Land.</p>	<p>Noted. Refer section 3.2.1 of the report.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Does not support the identification of the West Murrumbidgee area as a future urban area. This area has ongoing natural environmental values and as the first main foray of Canberra over the Murrumbidgee would have a significant impact on the environmental values of the surrounding areas.</p> <p>The development of the West Murrumbidgee area is not a logical extension of Tuggeranong given the significant riparian region that needs to be set aside to protect the natural values of the Murrumbidgee. The distance between the proposed urban area and the existing town centre of Tuggeranong would effectively create two communities – one without adequate facilities.</p> <p>The development of the identified West Murrumbidgee area would lead to further development on the western bank of the Murrumbidgee. The Conservation Council that before any development is recommended, or certainly commenced, there should be identification and evaluation of the natural values of an area.</p> <p>The National Capital Authority should undertake this evaluation given the matter of national significance: ‘The development of a city which both respects environmental values and reflects national concerns with the sustainability of Australia’s urban areas’.</p> <p>Recommends that:</p> <ul style="list-style-type: none"> » The West Murrumbidgee area not be recognised as a future urban area. » The NCA adopt a policy of undertaking and publishing identification and evaluation of the natural values of an area before approving any development. » The NCA undertake and publish an evaluation of the natural values of the West Murrumbidgee area. 	<p>Refer section 3.1.4 of the report.</p>
33	Rob Purdon	<p>Supports the repackaging and simplification of the Plan.</p> <p>It would be helpful to have a companion document which summarises the main changes to the Plan from previous editions and a summary of the implications of these changes for planning and development in the Territory.</p>	<p>Noted.</p> <p>As part of the supporting documentation for ‘Draft Amendment 86 – Revised National Capital Plan’, the NCA has published a document outlining the changes made between the Exposure Draft and the Draft Amendment.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>The introductory section could mention the actual date of introduction of self government as it was a significant event in the National Capital.</p> <p>There is no clear commentary on the process for amending the plan or what would trigger an amendment.</p> <p>Discussion on employment location policy is encouraging but is treated inconsistently. For example, there does not appear to be any reference to the airport as a major employment node when it is clearly bigger than Woden. There is reference to preferred locations for public sector employment, and this is welcomed but there is no reference to the Parliamentary Triangle or the airport which is confusing.</p> <p>In regard to definitions:</p> <ul style="list-style-type: none"> » There does not appear to be any definition of gross floor area in the appendix. » It would be helpful if the land use definitions and general definitions were aligned with the definitions in the Territory Plan. » Is the definition of 'defined activity centres' meant to exclude the parliamentary Triangle and the airport? <p>The scope for changes in the defined future urban areas without the need for a formal amendment to the NCP is welcomed, but additional future development areas could have been included (for example, between Tuggeranong Town Centre and the Murrumbidgee River corridor).</p> <p>Supports the Precinct Code for the ANU.</p> <p>References to 'City' (as in city centre) should be consistent and reference to 'Civic' (an old fashioned term) should be deleted.</p>	<p>The relevant paragraph in the 'Introduction' to the Plan has been amended to include the year of self-government and now reads 'The introduction of self-government for the Australian Capital Territory in 1988...'. <i>The Australian Capital Territory (Planning and Land Management) Act 1988</i> requires the NCA to keep the Plan under constant review and to propose amendments to it when necessary. The Act and the NCA's 'Commitment to Community Engagement' outline the amendment process.</p> <p>Refer section 3.3.2 of the report.</p> <p>Refer section 3.3.3 of the report.</p> <p>The setback of Tuggeranong Town Centre from the Murrumbidgee River Corridor is a result of environmental considerations.</p> <p>Noted.</p> <p>Changes have been made where relevant.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Some plans including the 'Designated Area' plan need better geographic reference so as to more easily recognise the boundary extent.</p>	<p>The scale of maps in the Plan means that the precise boundaries of Designated Areas are difficult to determine. Geographic information systems, such as 'ACTMAPI' provide detailed information about the extent of Designated Areas.</p>
34	Australian National Botanic Gardens	<p>The Australian National Botanic Gardens has recently launched a Master Plan to guide development of infrastructure at the Gardens for the next 20 years. The review of the Plan provides an opportunity to update the proposed Precinct Code to ensure consistency between the Plan and the Gardens Master Plan.</p>	<p>The Authority supports updating the Precinct Code to reflect the Australian National Botanic Gardens Master Plan. The NCA will continue to work with the Gardens in preparing a revised Precinct Code.</p>
35	Property Council of Australia	<p>Believes it would have been timely and appropriate to propose key policy changes in the Draft on matters that have been the subject of debate for a number of years. These include a review of building heights in the city centre and further consideration regarding sites and precincts that should be subject to Designated Area status with regard to National Land and Territory Land. The Property Council urges the NCA to take planning leadership to progress these matters as a priority.</p> <p>In regard to matters of national significance, does not understand the value of qualifying the 'pre-eminent role' of the National Capital with 'as the centre of National Capital functions and as a symbol of Australian national life and values'. Concerns that this statement is an unnecessarily restrictive definition of the National Capital that is not further interpreted by cross reference to section 1.2.</p> <p>Section 1.2 should do more to clarify how Designated Areas are identified, including why they do not align solely with National Land status. The reasons outlined in this section of the Draft are not easy to reconcile with the Designated Areas proposed by the NCA as set out in Part 4.</p>	<p>Detailed policy matters are outside the scope of the current process. Future stages of the Plan review will examine detailed policy matters.</p> <p>The proposed changes to the matter of national significance regarding the pre-eminence of the role of Canberra were intended to clarify the role of the city. The terms 'National Capital functions' and 'Australian national life' are deliberately broad to cover the range of roles and functions the city currently performs and may perform in the future.</p> <p>Refer section 3.2.2 of the report.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Supports the intent to introduce a 'Statement of Planning Principles' for the entire Territory, but seeks assurance that the application of these principles will not add red tape or increase timeframes for development assessments or delay the progress of Variations to the Territory Plan.</p>	<p>The Statement of Planning Principles is unlikely to add red tape or increase timeframes in relation to development assessment or Territory Plan variation processes.</p>
		<p>The removal of 'the focus of employment location policies on offices and the ability of the Commonwealth government to control their location' requires further explanation. In general terms this seems to be a logical planning step. However, the implications for the Territory and for employment centre development are not apparent. If the NCA pursues this approach, will defined office employment centres remain aligned with Town Centres.</p>	<p>Refer section 3.3.2 of the report.</p>
		<p>Seeks further advice on how 'potential future urban areas' were selected.</p>	<p>Refer section 3.1.4 of the report.</p>
		<p>The 'principles-based approach' referenced by the NCA as being the way that the Commonwealth would 'retain an appropriate level of oversight to uphold the national interest' in relation to this 'flexibility' in metropolitan planning is unclear. The Property Council expects that this will be spelt out in considerable detail as part of the Draft Amendment consultation phase.</p>	
		<p>Suggests that Part Three should include a description of the relationship between the General Policy Plan and the (non-statutory) ACT Planning Strategy and any associated governance arrangements.</p>	
		<p>Seeks assurance that no changes have been made to policy in the transfer of current Plan requirements to Precinct Codes.</p>	<p>No changes to policy intent have been made in developing Precinct Codes, with the exception of those matters identified in the supporting documentation for the Exposure Draft, or in this report.</p>
		<p>Seeks assurance that the provisions of the ANU Precinct Code have been developed in liaison with and endorsed by the ANU.</p>	<p>The ANU Precinct Code was developed in conjunction with, and has been endorsed by, ANU.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Questions the basis for the addition of the Australian Institute of Sport to the Designated Areas.</p> <p>Seeks assurance that the Precinct Code for the AIS has been developed with and endorsed by the ACT Government and the AIS.</p> <p>Supports the addition of 'Diplomatic Mission' as a permitted use for parts of Barton and Forrest, West Basin, Constitution Avenue and Anzac Parade. Recommends that a review of the associated Precinct Code should be undertaken as a priority – and before the Draft Amendment is released. The proposal to simply transfer the current two-storey limit and 0.35 maximum plot ratio may constrain innovative design responses for this special development type and should be tested.</p> <p>The revised Plan should recognise the new car park and hotel development on Section 22 Barton. Commercial accommodation should be acknowledged as a permitted use in the York Park area as the hotel has been approved and acknowledged an appropriate use.</p> <p>The current review process provides a good opportunity to update the York Park Masterplan.</p> <p>Recommends that the NCA resolve the overlap of planning jurisdiction inherent in Special Requirement on Territory Land.</p> <p>Policies related to subject sites on Territory Land should be developed and built into the Plan to replace the Special Requirement provisions.</p> <p>Notes that significant open space areas are proposed to have Special Requirements removed including the Haig and Telopea Parks, Murrumbidgee and Molonglo River Corridors, Lanyon Bowl and Namadgi National Park. Supports this proposal provided that the open space is mandated in the Plan and that no land use changes can be made (other than by amendment to the Plan).</p>	<p>Refer section 1.1.8 of the report. The Precinct Code is based on the existing provisions of the Development Control Plan for the AIS. No changes to policy intent have been made.</p> <p>Noted. Refer section 3.3.1 of the report.</p> <p>Development on Section 22 has been determined to be not inconsistent with the current provisions of the National Capital Plan.</p> <p>Review of detailed policy for the Barton Precinct (including the York Park Masterplan) is outside the scope of the current process.</p> <p>Refer section 3.2.3 of the report.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
36	Australian National University	<p>Of particular interest to the ANU are the Precinct Codes for Acton Peninsula and West Basin, specifically the latter given the significant development planned for this precinct in the future. In regard to the interaction between the ANU Precinct and the West Basin Precinct:</p> <ul style="list-style-type: none"> » The proposed land uses in West Basin are varied and may create a flow of activity between both precincts. However, the ANU does not have any active frontage to West Basin and these precincts are divided by a significant road which will need to be addressed in order to realise the benefits of population accessing lakeside activities. » Connectivity between the two precincts needs to be considered for vehicular, pedestrian and cyclist modes. The current links are via Batchelor's Lane and Lawson Crescent could become contested if other accesses are not addressed. The grade separation mentioned for Parkes Way is an interesting opportunity. It currently focusses on the section directly adjoining the city between the intersection of Commonwealth Avenue and Edinburgh Avenue. There may be an opportunity to consider an extension to this linkage. » It may be appropriate to consider increased building heights towards the Parkes Way section of the University precinct. A similar successive increase in height may be appropriate and provide an excellent opportunity to establish a visual link between the lake and university community. 	<p>Review of detailed policy for the Acton Peninsula and West Basin Precincts, including options for improving connectivity between these precincts and ANU, will form future stages of the Plan review.</p>
37	ACT Government	<p>Appreciates that development within a five kilometer radius of Mount Stromlo is required to be referred to ANU.</p> <p>Does not support the inclusion of the Australian Institute of Sport within Designated Areas. Including Canberra Stadium within Designated Areas has the potential to impact on the day to day operations of the stadium and the existing commercial contracts it currently has in place. Even minor works and changes would require NCA works approval (such as changing the goal posts at Canberra Stadium from rugby to soccer).</p>	<p>Noted.</p> <p>Refer section 3.2.2 of the report. Based on subsequent conversations with the ACT Government, the NCA understands that there is no objection to the inclusion of the Australian Institute of Sport and Nara House and the Convention Centre from a planning perspective. The NCA will work with the ACT Government to resolve concerns regarding the day-to-day management of ACT Government event venues.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Does not support the inclusion of Nara House and the Convention Centre within Designated Areas. Works on these sites would require NCA approval and would compound the existing arrangement whereby the ACT Government cannot approve exterior works to the Legislative Assembly Building (already in the Designated Areas) and the proposed changes could subject the Nara Centre buildings to Commonwealth oversight.</p> <p>Suggests changes to the Inter-town Public Transport Route to reflect the ACT Government's current strategic planning for public transport and the public transport strategy identified in 'Transport for Canberra (2012)'.</p> <p>A number of arterial road routes between Mitchell and the Barton Highway and Federal Highway in the area bounding the Central District (north) and Gungahlin remain as 'proposed' on the revised General Policy Plan – Metropolitan Canberra. Recommends updating these routes to reflect current planning being undertaken by the ACT Government. The arterial alignment identified as proposed linking Barton and Federal Highway now use Sandford Street and Morisset Road alignment. Horse Park Drive and Mirrabai Drive north should be shown as 'existing'.</p> <p>It is proposed to removed the airport from Designated Areas. Understands that the <i>Airports Act 1996</i> will continue to apply to the airport and development on airport land. Although the ACT Government will continue to not have planning control over the airport (as is currently the case), the proposed change to the Designated Areas map will require consequential changes to the Territory Plan map. Further investigation will be required to determine if any legislative amendments (particularly to ACT legislation) are required to reflect this change.</p>	<p>Refer section 3.1.5 of the report.</p> <p>Noted.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Since at least 2005, the NCA has referred works application that impact places on the ACT Heritage Register to the ACT Heritage Council for advice. This has been done in part by an agreement established in 2005 and provisions in Chapter 10 of the Plan that the Commonwealth and ACT Government's should respect each other's registers.</p> <p>Part 2.4.1 of the Exposure Draft deals with urban design and heritage and includes principles for the protection of heritage places within Designated Areas. There does not appear to be a clear definition of 'heritage places'. Elsewhere in the Exposure Draft there are specific references to Commonwealth and National Heritage places, suggesting that heritage places might include heritage places on the ACT Heritage Register.</p> <p>ACT Heritage recommends that this be clarified and that heritage places for the purposes of the Plan include places on the ACT Heritage Register. This would help provide statutory protection for heritage places that are on the ACT Heritage Register and are located in Designated Areas and/or on Commonwealth land.</p> <p>In regard to West Murrumbidgee, it will be important for the NCA and ACT Government to work together on West Murrumbidgee should a commitment be made for further investigation and development of the area. Further investigation would be important to provide certainty about the long term direction and management of the western edge of Canberra's metropolitan area. This would provide a strategic planning context to proposals that may arise, and provide greater certainty about where future settlement may occur in the Territory once further urban areas such as Gungahlin and Molonglo valley are fully developed.</p> <p>Issues with differences between Plan and Territory Plan definitions and the confusion it causes in the assessment of potential proposals. An example is the definition of motorsports and its application to model airplanes, particularly in Broadacre Areas. Concerns with forestry in Designated Areas – if 'Forestry' is considered to be 'agriculture' then there will not be an impact on existing forestry activities.</p>	<p>Refer section 3.1.6 of the report.</p> <p>Noted. The NCA will continue to work with the ACT Government regarding the West Murrumbidgee area.</p> <p>Refer section 3.3.3 of the report.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>NCA works approval and Plan instruments are at times duplicative or at cross purposes with Territory approvals and the Territory Plan. This underlines the need for consideration of a single plan for the Territory with both NCA and planning and land authority requirements.</p>	Noted.
		<p>Commonwealth works approvals and other instruments can override the operation of the Heritage Act, Nature Conservation Act, Emergencies Act and other legislation in Designated Areas and on National Land. This creates uncertainty which could be addressed by legislation requiring consultation and administrative arrangements.</p> <p>It is unclear as to what extent the Territory's planning and other land management legislation applies to National Land. This risks poor outcomes and unnecessary risk and liability. This could be address by legislative amendment.</p> <p>There is uncertainty as to the extent that Territory legislation like the Building Act and Utilities Act applies to the Commonwealth. As a result, consideration could be given to the amendment of the <i>Australian Capital Territory (Self-Government) Regulations 1989</i>.</p>	Noted.
		<p>It may be worthwhile to review the adequacy of current powers and procedures for the monitoring and enforcement of NCA works approvals.</p>	<p>Review of legislation, including the addition of enforcement mechanisms for NCA Works Approvals, is outside the scope of the current process.</p>
		<p>The <i>Australian Capital Territory (Planning and Land Management) Act 1988</i> contains overly prescriptive requirements for Territory Plan variations and development assessment processes. Such provisions could be reviewed and potentially modified or removed.</p> <p>The <i>Australian Capital Territory (Planning and Land Management) Act 1988</i> can be considered to require both NCA and Territory development approvals for works in Designated Areas. While this duplication is addressed by Territory regulations a legislative change at the Commonwealth level would be preferable.</p>	<p>Noted. Review of legislation is outside the scope of the current process.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>The NCA has previously 'certified' proposals for Stromlo Forest Park so that development can proceed without an amendment to the Plan. At the time, the NCA suggested this could be formalised through the Plan review process. Seeks clarification that this has occurred.</p> <p>In relation to Urban Areas in the District of Gungahlin, suggests that the urban boundary needs to reflect the reduction in the urban area as a result of the Gungahlin Strategic Assessment, with the exception of the Kenny Nature Reserve area. The area of Kenny should remain as is and not be included in the Hills, Ridges and Buffer Zone until the Territory Plan variation for this area is completed.</p> <p>Gungahlin Block 799 could also be included as part of Urban Areas to reflect its development for commercial/tourist accommodation purposes.</p> <p>The eastern extension of Fyshwick could be included as part of the potential future urban area consistent with the Eastern Broadacre Strategic Assessment. All due diligence studies in this area are completed and the areas are all part of the current Eastern Broadacre Strategic Assessment.</p> <p>Further clarification is requested on the requirement for <i>'all proposals for development within two kilometres of HMAS Harman shall be referred to the Department of Defence for examination and comment...'</i> and the likely impact on proposals in Fyshwick and Pialligo.</p> <p>Suggests other amendments to the Urban Areas boundary, land uses and potential future urban areas, and seeks clarification on roads and the Mount Stromlo-Arboretum Link as follows:</p> <ul style="list-style-type: none"> » Additional land within Rural Areas to the west of the city could be included as potential future urban areas » Need to better define the Mount Stromlo-Arboretum link » The IKEA site should form part of the potential future urban area in the Majura Valley » Majura Parkway should reflect the alignment under construction and be identified as a National Road » Delete the 'proposed' road from Majura Road to Fairbairn Avenue » Questions the 'future' arterial roads through the Mitchell area. 	<p>Refer section 3.1.3 of the report.</p> <p>This clause currently exists in the Plan. Advice should be sought from the Department of Defence to determine any implications for future development proposals.</p> <p>The NCA understands that the ACT Government does not wish to pursue identifying other 'potential future urban areas' at this point in time.</p> <p>Refer also section 3.1.5 of the report.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Processes for considering environmental impacts (such as noise, contaminated land, lighting, air quality and odour, and water quality) can be ad hoc, particularly issues which the Territory Plan consider and the Environment Protection Authority (EPA) as a mandatory referral agency would consider. Referrals are made to the EPA, however this is an administrative process and there does not appear to be any specific provisions in the Plan. Responses are generally based on the requirements of the Territory Plan for consistency. The review of the Plan provides an opportunity to explore this issue.</p> <p>The Plan would benefit from a provision requiring an environmental impact assessment for works within Designated Areas. The ACT Government and NCA rely on administrative processes to deal with these issues.</p> <p>The current noise standard for the Convention Centre and Nara House is 60dB(A) during day time hours to 10pm and 50dB(A) during night time hours. If changed to Designated Areas, these sites will be subject to restrictions of 55/45dB(A) respectively. An acoustic consultant may be required to determine the possible implications that may result in relation to operations on the blocks and adjacent blocks under the NCA noise zone.</p> <p>In regard to section 2.3.1, consider breaking up 'water catchments' and 'water quality' into two distinct criteria or through a clause such as <i>'Development will respect environmental values such as water catchments and water quality and ensure resilience to the impacts of climate change'</i>.</p> <p>Potential future urban areas includes critical habitat of the Grassland Earless Dragon. The National Recovery Plan for this species prevents development from occurring within this habitat, thus these habitat areas should be removed from the potential future urban area.</p>	<p>Future stages of the Plan review could examine the inclusion of referral mechanisms into the Plan.</p> <p>Noted. The ACT Government may wish to further explore the implications of including the Convention Centre and Nara House within Designated Areas and consider changes to regulations if necessary.</p> <p>The relevant principle has been updated to refer to both water catchments and water quality, and reads <i>'Development will respect environmental values including water catchment and water quality and ensure resilience to the impacts of climate change'</i>.</p> <p>Noted. These areas are identified as 'potential' future urban areas only. All relevant studies are required to be completed prior to statutory planning processes being undertaken. Territory Plan variation processes will determine final urban boundaries.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>In regard to policies for the National Capital Open Space System (3.2.3), the term 'Management Plan' should be changed to avoid confusion with Management Plans required under the <i>Nature Conservation Act 2014</i>. Operational Plans are prepared annually and would detail proposed works for the next year.</p> <p>Suggests the following addition to section 3.2.3.3: 'Any development should aim to provide a net positive benefit on the major rivers'. An improvement in water quality will complement other policies in this section.</p> <p>Water Sensitive Urban Design (WSUD) is mentioned in the objectives section of various precincts. WSUD strategies should be explained in the Plan or linked to the Territory Plan's definition in the WSUD General Code. This comment applies to other terminology such as environmental sustainability.</p> <p>Care should be taken where the Plan mandates bio-filtration systems as WSUD measures as there have been issues with the use of these systems in Canberra in the past.</p> <p>The York Park Master Plan indicates tree plantings to the north and west of the York Park grasslands. This is inappropriate as the trees will shade endangered Natural Temperate Grassland and habitat of the critically endangered Golden Sun Moth.</p>	<p>The term 'Management Plan' in clause 3.2.3 has been changed to 'Operational Plan' to ensure consistency of terminology.</p> <p>The NCA supports the intent of development providing a net positive benefit on the major rivers, however considers the policy would be difficult to implement. The principles and policies for river corridors aim to enhance the environmental quality of the river corridors.</p> <p>Consideration of incorporation of WSUD principles will form part of future stages of the Plan review.</p> <p>The provisions of the Constitution Avenue and Anzac Parade Precinct Code refer to bio-filtration systems, however the relevant clause does not mandate this measure but alludes to bio-filtration forming part of a broader WSUD strategy.</p> <p>Any works in this area will be undertaken in a way that protects natural heritage values.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Suggests the relevant objective for the Jerrabomberra Wetlands Precinct be amended to read: <i>'...Any future proposal for new or upgraded services will be required to demonstrate that there are no prudent and feasible alternatives to locating new infrastructure within Jerrabomberra Wetlands Nature Reserve, and if this can be demonstrated, works will be required to protect the nature conservation core areas and take all reasonable measures to minimise adverse impacts.'</i></p>	<p>Agreed. The relevant clause has been amended generally as per the suggested wording to read:</p> <p><i>'...Any future proposal for new or upgraded services will be required to demonstrate that there are no prudent and feasible alternatives to locating new infrastructure within Jerrabomberra Wetlands Nature Reserve. If this can be demonstrated, works will be required to protect the nature conservation core areas and all reasonable measures to minimise adverse impacts must be taken.'</i></p>
		<p>Section 4.3.6 promotes T-intersection and signalisation of King Edward Terrace, Commonwealth Avenue and Kings Avenue. This proposal would have severe traffic implications and is considered unlikely to work as Commonwealth Avenue carries the heaviest volume of traffic in the ACT. This proposal could only be supported if a detailed Traffic Impact Assessment demonstrated the arrangement could work.</p>	<p>Section 4.3.6 is existing policy. Changes to the current traffic arrangements would be subject to detailed discussion between the NCA and relevant ACT Government directorates.</p>
		<p>Section 4.5.5 allows the provision of vehicular access from State Circle, although does indicate this provision should be minimised. Roads ACT does not support access either direct to an arterial road or major collector road.</p>	<p>Works Approval applications are subject to the full range of assessment and consideration including consultation with relevant ACT Government directorates.</p>
		<p>Figure 63 indicates a road hierarchy that differs from the Estate Development Code of the ACT Government. The differences between these two hierarchies could cause confusion.</p>	<p>The road hierarchy for West Basin (and other areas within Designated Areas) will be subject to consultation with the ACT Government and will be planned to meet relevant Australian Standards.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
38	Canberra Airport	<p>It is suggested that street light lamp, and especially the lamp colour used in NCA areas, should be the same as specified in TAMS Design Standard-12 as many NCA roads link into ACT roads and the differences in colour can impact driver comfort. The revised Plan should also consider referring to energy efficient globes which could result in energy savings and minimise greenhouse gas emissions.</p> <p>The revised Plan should consider references to provision of facilities for visually impaired persons and persons with a disability as per ASA1428.1 and AS/NZS1428.1.</p> <p>The Exposure Draft discusses the provision of pedestrian and cycle links but does not discuss meeting these standards.</p> <p>The revised Plan could make reference to the recently updated Territory and Municipal Services Standards and Specifications for various asset maintenance works.</p> <p>An issues for Parks and Territory Services (TAMSD) is land tenure changes that might affect current and future horse paddocks in non-urban areas. EPD has commissioned a consultant to investigate the future of horse paddocks and one of the outcomes of this study could be to recommend that government assign a land tenure category to horse paddocks so that they are not continually seen as a land bank for development. In the case of potential impacts on ACT Rural Lands, TAMSD presumes the draft will go through a public consultation process and so farmers will be given the opportunity to raise any concerns they might have.</p> <p>Recognises that the removal of Canberra Airport as a Designated Area is a formality, however is concerned about the potential loss of status for the site, at least in local planning decisions, as an area of national interest important for the Territory. It is necessary to make provision for the ongoing service of the Airport to the Territory within the Plan.</p>	<p>Asset management matters are outside the scope of the current process.</p> <p>Noted.</p> <p>Refer section 3.3.2 of the report.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
39	Jack Kershaw	<p>Over time land uses in areas around the Airport could encroach on the operations of the Airport and its ability to serve Canberra as the nation's capital. Metrics and recommended standards to protect air operations from off-airport impacts are provided by the National Airports Safeguarding Advisory Framework, and these should be provided for within the Plan.</p> <p>For example, expects that future urban growth within the Majura Valley will be planned for only in alignment with the requirements of the Safeguarding Framework.</p> <p>Properly constituted, binding design competitions should be required for major buildings and places.</p> <p>In regard to Main Avenues, no trams should be allowed on Northbourne, Commonwealth and Kings Avenues (the latter two converge, so would create a poor tram arrangement anyway). Majura Parkway and upgraded Northcott Drive should be included. Ainslie Avenue between London Circuit and Cooyong Streets should be restored. Reference should be made to the Commonwealth's preferred High Speed Rail route and station.</p> <p>National Museum of Australia and Australian Institute of Torres Strait Islander Studies should be moved to Yarramundi.</p> <p>There is a major omission in regard to Jerrabomberra Wetlands – Walter Burley Griffin's important visual and practical Causeway on East Captain Cook Crescent/Russell Axis. This could provide a low environmental impact trestle for a Central National Area tram, pedestrians, bikes and horses. Cafes could be on the bridge like the Ponte Vecchio in Italy. This would facilitate links in the Central National Area as well as eco awareness.</p> <p>Suggests allowing a youth hostel at the Australian National Botanic Gardens.</p>	<p>Further consideration of how best to reflect the National Airports Safeguarding Framework in the Plan is required. The NCA will consider this as part of future stages of the Plan review.</p> <p>These matters are outside the scope of the current process.</p> <p>The NCA will be working with the Australian National Botanic Gardens to update the Precinct Code to reflect the Australian National Botanic Gardens Master Plan (refer submission number 34).</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Shops should be allowed at Russell.</p> <p>In regard to Constitution Avenue, allow the Griffin's 'Dreaming Spires', buildings up the slopes of Mount Pleasant on the true Constitution Avenue alignment.</p> <p>Building facades facing Parkes Way should be parallel to Constitution Avenue with much wider setbacks to Parkes Way. This will emphasize geometry of the National Triangle.</p> <p>There needs to be broader public open space to Commonwealth Avenue to open up vistas to and from City Hill.</p> <p>Would like to see Griffin 1911 geometry in three central basins of Lake Burley Griffin, the Causeway (key axis) and Acton Peninsula crossings, wind-shielded two kilometre rowing course from Kingston to Regatta Point, the hospice should be moved to Acton Peninsula, the Prime Minister's residence should be moved inside Alexandrina Drive, Floriade and the National Museum Australia should be moved to Yarramundi. There should always be public open space on the lake foreshores.</p> <p>City Hill Precinct Code needs to be redone to encourage a successful reinterpretation of Griffin, as at Capital Hill. Hold a design competition based on informed expert and community brief, and don't rule out a hilltop building (the People's Forum).</p> <p>Permit and encourage densification of Hobart and Melbourne Avenues to levels similar to State Circle. Correct the mistake of St Andrew's church siting right on the Canberra Avenue axis, which diminishes Parliament House, by relocating the church and realigning the avenue.</p>	<p>The land use for the Defence precinct at Russell is primarily 'National Capital Use'. The provisions of the Plan allow for uses ancillary to this, including retail, café, bar, restaurant and personal service establishments.</p> <p>These matters are outside the scope of the current process. Future stages of the Plan review offer the opportunity to review detailed policy matters.</p>

SUBMISSION NO.	DETAILS OF SUBMITTER	COMMENTS	NCA RESPONSE
		<p>Within the Parliamentary Zone, the 'Parliamentary Executive Campus' is odd, and questions whether it would be better to incrementally extend Parliament House's wings up and out. Recalls that Aldo Giurgola envisaged diagonal pathway lines, especially in the vastness around Reconciliation Place. These are natural and needed.</p> <p>The NCA should encourage successful reinterpretations of Griffin, notably at City Hill and Russell. The formality of Griffin's plan, especially the three central basins of Lake Burley Griffin, and his earthworks to achieve level ground, should be emphasized and aimed for.</p> <p>Airport should be within Designated Areas because of the National Capital arrival experience and close proximity to the Central National Area. However, no major employment should be at the airport.</p> <p>The Intertown Public Transport Route could be deleted. Instead include an intra-Central National Area tram loop corridor using the Causeway and high Acton Peninsula bridge. Majura Parkway and Morshead Drive should be approach routes. Rural villages should be allowed in Mountains and Bushland areas.</p> <p>A matter of national significance concerning the exemplary design of buildings and places should be added.</p>	<p>Refer section 3.2.2 of the report in regard to the airport.</p> <p>Refer section 3.1.5 of the report in regard to changes to the Inter-town Public Transport Route.</p> <p>Principles and policies of the Plan require high design quality of architecture, urban design and landscape.</p>

Online Comments

COMMENTS	NCA RESPONSE
<p>In regard to Special Requirements for Kingston Foreshore, it was suggested that the existing lighting provisions are too prescriptive. For example, specific types of lighting (sodium, mercury vapour, metal halide, etc) are identified. A more general description of desired lighting effects could allow for other lighting types, such as LEDs, to be used.</p>	<p>The current provisions of the Plan provide some flexibility by stating that particular light sources 'should' be used. The NCA would not object to alternative light sources that meet the requirements of reducing light spill to a minimum and ensuring that lighting does not compete with that of the National Triangle.</p> <p>Future stages of the Plan review will examine Special Requirements for Kingston Foreshore and provide the opportunity to amend the current lighting requirements.</p>
<p>Would not like to see changes which allow politicians to approve expansion of Tuggeranong to the western side of the river. Tuggeranong residents do not want the 'bush capital' destroyed in this way.</p>	<p>Refer section 3.1.4 of the report.</p>
<p>Web material associated with the Exposure Draft of the Plan stated that the ACT Government would be given greater flexibility in the role of city and strategic planning and that the Plan would adopt a principles-based approach to metropolitan planning in the ACT. This would be achieved by assessing proposals against 'national interest principles', however it is unclear what these principles are. A clear framework is required to ensure that the mechanism providing flexibility to the ACT Government is unambiguous.</p>	<p>Refer section 3.1.4 of the report.</p>

ATTACHMENT B

The table below identifies the changes to the exposure draft of National Capital Plan based on comments received during the public consultation. Minor formatting changes have also been made.

#	CHANGE	REFERENCE/SECTION OF PLAN	ADDITIONAL DETAILS
1	Two additional principles have been added to Part Two of the Plan in relation to environmental sustainability and open space. These principles encourage containing urban expansion so as to minimise impacts on valuable natural and rural areas, and for new development to be in existing urban areas.	Clauses 2.3.2 (a) and (b)	
2	A definition of 'Gross Floor Area' has been added.	Appendix B	<p>A definition of 'Gross Floor Areas' exists in the current Plan but was inadvertently left out of the Exposure Draft. Minor modifications to the definition have been made as follows:</p> <ul style="list-style-type: none"> » multi-unit residential buildings are recognised as being subject to the same calculations as commercial, industrial and business buildings » calculations in respect of balconies on multi-unit residential buildings has been clarified.
3	The land use policy for the Anzac Park East and West sites has been changed from 'National Capital Use' to primarily 'Land Use A'. An 'Open Space' policy is proposed for areas of the site fronting Anzac Parade and Parkes Way.	Figure 69 'Land use for the Constitution Avenue and Anzac Parade Precinct'	
4	<p>The following uses have been added to the list of permitted uses for 'Land Use A' in the Constitution Avenue and Anzac Parade Precinct:</p> <ul style="list-style-type: none"> » Commercial Accommodation (Serviced Apartment only) » Consulting Rooms » Education Establishment » Health Centre » Retail (ground floor of buildings only) » Ancillary uses – Child Care Centre, Retail (ground floor or above) 	Section 4.8.4	

#	CHANGE	REFERENCE/SECTION OF PLAN	ADDITIONAL DETAILS
5	Provisions have been added to the Constitution Avenue and Anzac Parade Precinct Code requiring the preparation of detailed conditions of planning, design and development for the Anzac Park East and West sites.	Section 4.8.5, 'Anzac Park East and West'	
6	<p>Permitted building heights for the Anzac Park East and West sites have been amended as follows:</p> <ul style="list-style-type: none"> » The majority of the site is subject to a maximum permitted building height of 25 metres (above adjacent kerb level). » Buildings on those parts of the site fronting Anzac Parade are required to be built to a mandatory RL600 (which will allow for buildings of around 35 metres in height). <p>Written policy has been added to reflect the change to the relevant building heights drawing.</p>	<p>Figure 81</p> <p>Section 4.8.5, 'Building height and form'</p>	
7	The land use policy for East and West Blocks, and curtilage of the buildings, has been changed from 'National Capital Use' to 'Mixed Use'.	Figure 12	This change will facilitate greater diversity and activity within the Parliamentary Zone.
8	<p>The following uses have been identified as permitted uses within the 'Mixed Use' land use policy area of the Parliamentary Zone Precinct Code:</p> <ul style="list-style-type: none"> » Commercial Accommodation (Hotel, Motel and Serviced Apartments only) » Community Use » National Association Office » National Capital Use » Office » Parliamentary Use » Place of Assembly » Ancillary Uses – Café, Car Park, Child Care Centre, Consulting Rooms, Personal Services Establishment, Retail, Restaurant 	Section 4.3.4	

#	CHANGE	REFERENCE/SECTION OF PLAN	ADDITIONAL DETAILS
9	<p>The following changes have been made to the General Policy Plan – Metropolitan Canberra:</p> <ul style="list-style-type: none"> » the Inter-town Public Transport Route follows the strategic transport routes identified in the ACT Government’s ‘Transport for Canberra (2012)’ » ‘proposed’ arterial roads (Horse Park Drive and Mirrabai Drive) in the north of the Gungahlin district are now shown as ‘existing’ and alignments have been changed as necessary » ‘proposed’ arterial roads between the Central District (north) and Gungahlin district have been updated to reflect current planning being undertaken by the ACT Government » the ‘proposed’ arterial road from Fairbairn Avenue to the Majura Parkway has been deleted » Majura Parkway is shown as a National Road » the urban boundary in the vicinity of Stromlo Forest Park has been extended to reflect the Stromlo Forest Park Master Plan » the suburb of ‘Kenny’ in the Gungahlin district has been reverted back to urban to reflect current planning by the ACT Government. 	Figure 2 ‘General Policy Plan – Metropolitan Canberra’	
10	The proposal to remove Special Requirements over Haig and Telopea Parks has been reversed. Special Requirements will apply to these sites.	Section 4.27	
11	<p>The Mint has been included in Designated Areas.</p> <p>The site has been included in the Diplomatic Precinct (Yarralumla, Deakin and O’Malley) Code. A land use policy of ‘National Capital Use’ has been applied.</p>	<p>Figure 1 ‘Designated Areas’ and Figure 10 ‘Designated Areas precincts’</p> <p>Figure 120 ‘Yarralumla and Deakin Diplomatic Precinct location’</p> <p>Figure 122 ‘Land use for the Yarralumla and Deakin Diplomatic Precinct’</p>	The Department of Finance requested The Mint be included in Designated Areas as there is an overt national interest in this site.
12	The land use policy for the Commonwealth Scientific and Industrial Research Organisation’s site at Ginninderra (Blocks 1426, 1427, 1545, 1609 and 1603 Belconnen) has been changed from ‘Hills, Ridges and Buffer Spaces’ to ‘Urban Areas’.	Figure 2 ‘General Policy Plan – Metropolitan Canberra’	CSIRO requested this change.

#	CHANGE	REFERENCE/SECTION OF PLAN	ADDITIONAL DETAILS
13	A definition of 'Serviced Apartment' has been added.	Appendix B	'Serviced Apartments' are listed as a permitted use in various precincts, however the Plan does not currently define the term. The proposed definition is largely consistent with that used by the Australian Bureau of Statistics. The NCA's definition refers to five or more units, while the ABS definition refers to 15 or more units.
14	The process for the ACT Government to obtain 'certification' of land use proposals where the land is identified in the Plan as a 'potential future urban' area has been defined.	Section 3.1.2	
15	The following land uses have been identified as being permitted for the 'Medical Superintendent's Residence' and 'Limestone House' in the Acton Peninsula Precinct: <ul style="list-style-type: none"> » Consulting Rooms » Educational Establishment » Office » Restaurant. 	Section 4.13.4	The NCA currently manages the Medical Superintendent's Residence and Limestone House on behalf of the Australian Government. The NCA has previously leased these buildings to a range of Commonwealth agencies. The proposed additional uses do not compromise the principles and policies of the Plan and will allow for adaptive reuse of the buildings consistent with their heritage value.
16	The following changes have been made in regard to heritage matters: <ul style="list-style-type: none"> » a definition of 'heritage place' has been added » minor changes have been made to the objective and principles for heritage » the wording of the clause relating to the consideration of heritage places within Designated Areas as Commonwealth Areas has been amended to clarify that it is the NCA's own decision to approach the issue in this manner. 	Definition – Appendix B Sections 2.4.3 and 2.4.4	

#	CHANGE	REFERENCE/SECTION OF PLAN	ADDITIONAL DETAILS
17	<p>A drawing showing 'defined activity centres' in relation to employment has been added to clarify where the major employment centres are located. These centres have also been listed in written policy and the term 'Defined Activity Centre' has been included.</p>	<p>Figure 8 'Defined Activity Centre'</p> <p>Clause 3.5.3(a)</p> <p>Appendix B</p>	<p>The Plan has shifted the focus from office employment to all major employment generating activities. Defined Activity Centres therefore include industrial area and Canberra International Airport.</p> <p>The new Figure 8 is akin to Figure 19 'Defined Office Employment Centre' of the current Plan.</p>
18	<p>Land at the Defence Housing Authority's Academy Close site (Block 2 Section 65 Campbell) has been included within Designated Areas.</p> <p>The site has been included in the Australian Defence Force Academy and Royal Military College Duntroon Precinct. A land use policy of 'Residential' has been applied.</p> <p>Written policy has been added to the Australian Defence Force Academy and Royal Military College Duntroon Precinct Code for the site. This policy has been derived from the approved Development Control Plan (DCP 12/01), however the following changes have been made to these provisions:</p> <ul style="list-style-type: none"> » Land use provisions from the DCP have been deleted as the site is now within Designated Areas and land use is identified through the Plan. » Specific reference to the NCA's 'Commitment to Community Engagement' has been deleted. As the site will be in Designated Areas, consultation on any Works Approval application will be required to be undertaken in accordance with the NCA's 'Commitment to Community Engagement'. » Reference to the ACT Parking and Vehicular Access Code has been deleted, and specific provisions added akin to the provisions of that code. 	<p>Figure 1 'Designated Areas' and Figure 10 'Designated Areas precincts'</p> <p>Figure 100 'Australian Defence Force Academy and Royal Military College Duntroon Precinct location'</p> <p>Figure 102 'Land use for the Australian Defence Force Academy and Royal Military College Duntroon Precinct'</p> <p>Section 4.9.7</p>	
19	<p>The annotation stating that 'Albert Hall may be used as a Cultural Facility for short-term commercial/retail activities' has been added to the drawing titled 'Land use for the Yarralumla and Deakin Diplomatic Precinct'.</p>	<p>Figure 122 'Land use for the Yarralumla and Deakin Diplomatic Precinct'</p>	<p>This provision currently exists in the Plan, however was inadvertently left off the relevant map in the Exposure Draft.</p>

#	CHANGE	REFERENCE/SECTION OF PLAN	ADDITIONAL DETAILS
20	The clause referring to landmark buildings for the City Hill Precinct has been amended to read <i>'Landmark buildings up to RL617 (generally 14-18 storeys) will be restricted to the corners of the main avenues intersecting with London Circuit'</i> .	Section 4.6.5, 'Building height' provisions	The addition of 'intersecting with London Circuit' ensures the written policy reflects the drawing showing indicative building form, height and landmark buildings and is consistent with the existing policy.
21	The land use policy for Block 10 Section 13 Forrest (the site at the corner of State Circle and Canberra Avenue) has been changed from 'Community Facility' to a mixed use zoning to broaden the range of permitted uses for the site. Detailed conditions of planning, design and development have been included to guide development, and relate to building height and setbacks, plot ratio, architecture, access and parking, landscaping and offsite works.	Figure 28 'Land use for the Deakin Forrest Residential Precinct' Section 4.5.5, 'Block 10 Section 13 Forrest'	In January 2014, the ACT Government's Land Development Agency requested an amendment to the Plan to change the land use policy of Block 10 Section 13 Forrest. The NCA has been working with the LDA to resolve a number of matters, including access arrangements for the site. These issues have now been resolved and the LDA has sought to include the changes in the draft amendment.
22	In addition to the existing permitted 'Office' use, the following land uses have been identified as being permitted on Block 25 Section 6 Barton (ACT Rugby Union Club): » Bar » Café » Residential » Restaurant.	Section 4.4.5 'Block 25 Section 6 Barton'	In February 2015, the Authority agreed to extend the range of permitted uses for Block 25 Section 6 Barton in accordance with the following clause in the Plan: <i>'The use of land within a Designated Area for a purpose not specifically set out in the Detailed Conditions of Planning, Design and Development may be permitted by the Authority where it is satisfied that a particular proposal is not inconsistent with relevant Principles and Policies of the Plan.'</i> This decision will be reflected in the Plan.

#	CHANGE	REFERENCE/SECTION OF PLAN	ADDITIONAL DETAILS
23	<p>The following minor changes have been made:</p> <p>a. The 'Introduction' to the Plan has been amended to include the year of self-government in the ACT to recognise this significant event. The relevant paragraph reads <i>'The introduction of self-government for the Australian Capital Territory in 1988 created a circumstance where two governments, the Australian Government and the ACT Government, share responsibility for the further development of the Territory'</i>.</p> <p>b. References to 'Civic' (an outdated term) have been changed to 'City'.</p> <p>c. The term 'Management Plan' in clause 3.2.3 has been changed to 'Operational Plan' to correspond with ACT Government terminology.</p> <p>d. The principle of sustainability concerning resilience to climate change in Part Two has been updated to refer to both water catchments and water quality, and reads <i>'Development will respect environmental values including water catchment and water quality and ensure resilience to the impacts of climate change'</i>.</p> <p>e. The objective for the Jerrabomberra Wetlands Precinct Code concerning new or upgraded services has been amended to read <i>'...Any future proposal for new or upgraded services will be required to demonstrate that there are no prudent and feasible alternatives to locating new infrastructure within Jerrabomberra Wetlands Nature Reserve. If this can be demonstrated, works will be required to protect the nature conservation core areas and all reasonable measures to minimise adverse impacts must be taken'</i>.</p> <p>g. Forestry' (existing forestry operations only) has been recognised as a permitted use in multiple land use categories, and supporting policy added encouraging the establishment of a native landscape character.</p> <p>h. 'Aquatic Recreation Facility (Stromlo Forest Park only)' and 'Indoor Recreation Facility (Stromlo Forest Park only)' have been added as permitted land uses in Hills, Ridges and Buffer Spaces. This change will help facilitate the Stromlo Forest Park Master Plan.</p>	<p>a. Introduction</p> <p>b. Various</p> <p>c. Clause 3.2.3(d)</p> <p>d. Clause 2.3.2(e)</p> <p>e. 4.11.3(f)</p> <p>f. Clause 3.1.5(e), sections 3.6.3, 3.2.4.4, 3.2.5.4, 3.2.6.4, 3.7.4</p> <p>g. Clause 3.2.4.4</p>	

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The National Capital Authority was established under the
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