



Australian Government
National Capital Authority

Report on Consultation

Draft Development Control Plan 14/03

Pialligo Agricultural Area
Pialligo Avenue

August 2014

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1 Introduction

1.1 Purpose and background

This report summarises the issues raised during the public consultation process undertaken by the National Capital Authority (NCA) on draft Development Control Plan (DCP) 14/03 for the Pialligo Agricultural Area.

In 2012, the ACT Government's Environment and Planning Directorate (EPD) began the preparation of a masterplan for the Pialligo area. This master plan was identified as a key outcome of the ACT Government's Eastern Broadacre study conducted in 2010. The NCA identified the need for a DCP during the original consultation process for the masterplan. A draft variation to the Territory Plan would be required to give effect to the masterplan. It was agreed that a draft DCP would be developed and released for public consultation in conjunction with a draft variation 321 (DV321) to the Territory Plan, both informed by the final Pialligo Masterplan. The DCP was developed in conjunction with an amended DV321 for the Territory Plan. This DCP is informed by the Pialligo Masterplan and National Capital Plan. The final masterplan for the Pialligo Area can be found on [ESDD's website \(http://www.actpla.act.gov.au/tools_resources/legislation_plans_registers/plans/master_plans/pialligo_master_plan\)](http://www.actpla.act.gov.au/tools_resources/legislation_plans_registers/plans/master_plans/pialligo_master_plan).

Pialligo is a unique area of Canberra, being semi-rural in character while being close to Canberra city and the Canberra airport. Pialligo has been generally restricted to agricultural uses with ancillary activities such as residential and small commercial operations. The plant nursery industry is also a key component of the character of Pialligo. These uses have created and subsequently protected the landscape character of the area.

The masterplan process undertaken by EPD identified a number of key outcomes that aim to enable more flexibility for residential living, commercial and some ancillary uses throughout the precinct. Development will also be encouraged closer to Beltana Road through flexibility provisions in a new precinct code, with the aim to conserve the rich soils of the area. This is consistent with National Capital Plan (the Plan) objectives for the Pialligo Avenue Approach Route in this area. The DCP will guide future planning and development of the area in conjunction with a new precinct code under the Territory Plan.

A DCP that secures the integrity of the Approach Route, in particular its landscape character is required to guide development along Pialligo Avenue in response to the outcomes of the masterplan process.

1.2 National Capital Plan requirements

The Plan came into effect on 21 January 1990. The subject site is adjacent to Pialligo Avenue, an Approach Route as defined in the Plan. Special Requirements for Approach Routes apply 'to development on all land (not included within any Designated Area) which fronts directly onto the Approach Routes AND is not more than 200 metres from their middle lines'. Special Requirements for Approach Routes under section 2.4 of the Plan apply to the site and state:

'Development is to conform to Development Control Plans agreed by the Authority, which seek to enhance the surrounding predominantly rural character and landscape outside the urban areas. As the Approach Routes enter the built up area, the emphasis shall shift to a more formal character.'

The purpose of this Development Control Plan (DCP) is to provide guidance for the future development of the Pialligo precinct within the framework of the National Capital Plan and the Territory Plan.

Draft DCP 14/03 has been prepared in accordance with the Plan.

1.3 Effect of the Development Control Plan

DCP 14/03 will guide development of the Pialligo Area and includes provisions for:

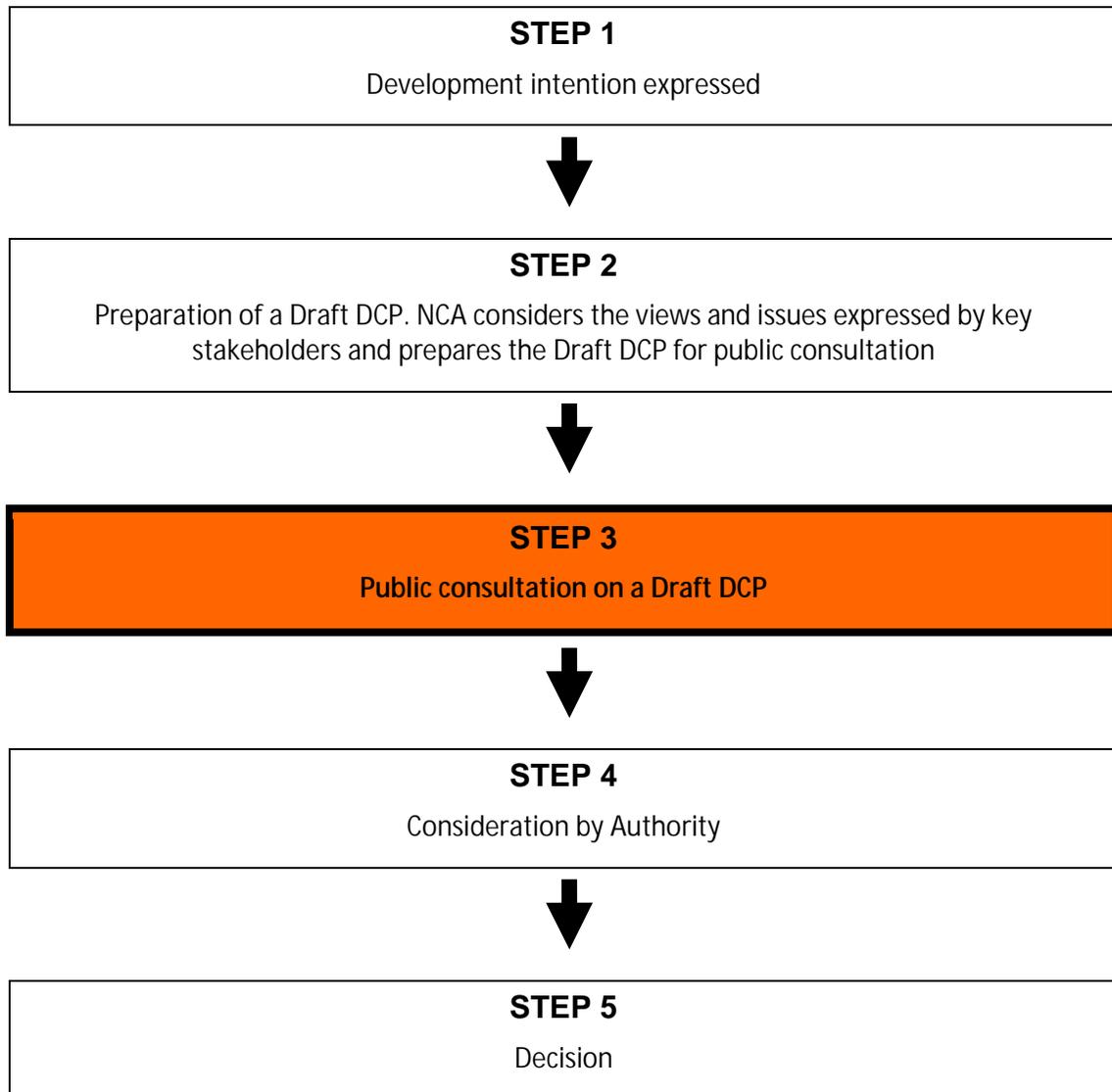
- general planning and urban design objectives
- building height and setback, and architectural quality in built form
- requirements for access to the site and parking
- providing for an enhanced landscape character along the Barton Highway frontage.

2 Public consultation

2.1 Development Control Plan process

The process for making a DCP is outlined in Figure 1.

Figure 1: Outline of the Development Control Plan process



2.2 Stakeholders

On 9 May 2014, the NCA released draft DCP 14/03 for public consultation. The following stakeholders were identified as having an interest in the future development of the site:

- ACT Government Environment and Planning Directorate
- ACT Government Territory and Municipal Services Directorate
- Australian Government - Department of Defence
- Pialligo Residents Association
- Canberra Airport
- lessees and business owners in the area.

All identified stakeholders were advised by letter and/or electronic mail about the release of the draft DCP for public comment.

2.3 Release of the draft Development Control Plan for public comment

In accordance with the NCA's 'Commitment to Community Engagement (August 2011)' the consultation period ran for six weeks, concluding on 23 June 2014. The consultation process included:

- 9 May 2014, the draft DCP 14/03 was published on the NCA's web site and a media release was provided to national media outlets. Written notices were sent to key stakeholders.
- 10 May 2014, a notice was also published in *The Canberra Times* on this day.
- 21 May 2014, a public information session was held at the NCA offices.
- 22 May 2014, a joint briefing was conducted with the ACT Government's Environment and Planning Directorate to the Pialligo Resident's Association on Draft DCP 14/03 and Draft Variation 321.
- 23 June 2014, the period for written submissions concluded.

3 Issues

The NCA received two written submissions in response to the draft DCP. These submissions were acknowledged by the NCA.

The key issues raised are discussed below. A summary of each submission, together with a detailed response, is at [Attachment A](#).

3.1 Beltana Road landscape masterplan

Comments received

It was noted that clause 8.4 nominates the preparation of a landscape masterplan by the relevant authority. It was submitted that there is currently no statutory trigger for the preparation of the masterplan, or who the relevant authority is and that more detail would assist in determining when the masterplan would be required to be prepared and by which authority.

NCA response

The development of a masterplan for the Beltana Road was cited as a key action/strategy of the Pialligo masterplan process to improve pedestrian experience along Beltana Road. The timing and responsibility of any masterplan is a matter for the ACT Government. The NCA would support the development of such a masterplan, however the need for this to be a requirement of the DCP may not be necessary. There remains a need for the Approach Route to be considered when improvements are made to Beltana Road within 200m of Pialligo Avenue. The DCP cites the development of Block 25 Section 2 Pialligo as a key opportunity to develop the Beltana Road corridor and the gateway to the precinct.

Clause 8.4 will be amended to read:

A landscape masterplan should be developed for Beltana Road prior to any major capital upgrades to the Road Reserve. This plan will need to articulate a landscape structure and public realm that remains consistent for the entirety of Beltana Road and shall provide for a high quality integrated 'Gateway' to Pialligo at the entrance to the precinct from the Approach Route. Development on Block 25 Section 2 Pialligo shall include kerb adjustments and landscape works in the Beltana Road Reserve that achieve the objectives for the 'Gateway' outlined in the Pialligo masterplan and this DCP.

3.2 Flood risk

Comments received

It was submitted that the area is subject to flooding and this would need to be taken into account with any development proposals. It was suggested the DCP include information on flood affectation of the DCP and note that some areas are currently estimated to be inundated by a 1%AEP flood (the 100 year flood).

NCA response

Water quality of the Molonglo River and Woolshed creek will impact on the water quality of Lake Burley Griffin which is a Commonwealth Heritage Listed place and via cooperation with the ACT Government requires improvements in water quality outcomes. The DCP will be amended to reflect this connection. However, it is considered unnecessary to duplicate flood risk and building requirements of the Territory Plan.

To ensure all development should consider the river and Lake Burley Griffin, Clause 8.5 will be amended to read:

The river corridor area, as shown in DCP drawings 14/03-1 and 14/03-2, shall be revegetated with native riparian species. All development shall mitigate any detrimental downstream impacts on the Molonglo River and Lake Burley Griffin.

3.3 Landscape plan and tree assessment requirements

Comments received

It was noted that clause 8.6 requires a landscape plan and tree assessment for all development applications and that this could require additional work for the proponent and may not always be required.

NCA response

It is considered necessary for the landscape structure of the Approach Route and adjacent development to be considered in each development application. If development is minor and no impacts on the landscape structure or associated trees are envisaged it is reasonable to require that the development application be accompanied by a statement outlining this. Inclusion of such a statement would ensure consistency with the DCP.

It is recommended clause 8.6 be amended to read:

A landscape plan and tree assessment must accompany all development applications. If development is minor in nature and there are no perceived impacts on trees or the overall landscape of the Approach Route, the development application shall include a statement to this effect.

To improve readability the second sentence of clause 8.6 in the draft DCP will be moved to clause 8.7 of the DCP.

3.4 Signage

Comments received

Comments made in the ACT Government's submission and by attendees at the briefing to the Pialligo Residents Association raised a question in regard to clause 10.1. It was noted that clause 10.1 restricts signage within the avenue setback to only permit signage that identifies the precinct. It was questioned whether this would apply to setbacks along Beltana Road considering the commercial activity in this area.

NCA response

Clause 10.1 articulates that this restriction on signage relates only to Pialligo Avenue and the Pialligo Avenue setback. Signage within the Beltana Road setbacks will be subject to the Territory Plan.

3.5 Internal setbacks**Comments received**

It was suggested that the internal setback dimensions should be removed as they are no longer a feature of the Pialligo masterplan or subsequent draft variation 321 to the Territory Plan.

NCA response

The internal setbacks shown on DCP drawing 14/03-2 have been removed. Clause 5.3 will not be amended to ensure users understand that setbacks other than the Pialligo Avenue setback are considered by the Territory planning authority.

4 Recommended changes

In response to submissions received, and as a result of internal review, the following changes are recommended to draft DCP 14/03:

1. Amend clause 8.4 to read:
 - *A landscape masterplan should be developed for Beltana Road prior to any capital upgrades to the Road Reserve. This plan will need to articulate a landscape structure for the entirety of Beltana Road and shall provide for a high quality integrated 'Gateway' to Pialligo at the entrance to the precinct from the Approach Route. Development on Block 25 Section 2 Pialligo shall include kerb adjustments and landscape works that achieve the objectives for the 'Gateway' outlined in this DCP and DCP drawing 14/03-2.*
2. Clause 8.5 is amended to read:
 - *The river corridor area, as shown in DCP drawings 14/03-1 and 14/03-2, shall be revegetated with native riparian species. Development shall mitigate any detrimental downstream impacts on the Molonglo River and Lake Burley Griffin.*
3. Clause 8.6 is amended to read:
 - *A landscape plan and tree assessment must accompany all development applications. If development is minor in nature and there are no perceived impacts on trees or the overall landscape of the Approach Route, the development application shall include a statement to this effect.*
4. Move second half of Clause 8.6 to Clause 8.7 which will now read:
 - A landscape plan shall retain mature native trees wherever possible. DCP drawing 14/03-2 does not restrict or mandate planting of trees in the areas shown but indicates the required landscape character for the Pialligo Avenue frontage.
5. Amend DCP drawing 14/03-2 to remove internal setbacks as these are no longer reflected in Draft Variation 321 to the Territory Plan.

5 Conclusion

In May 2014, draft DCP 14/03 was released for public consultation in accordance with the NCA's 'Commitment to Community Engagement (August 2011)'. Two written submissions were received in regard to draft DCP 14/03.

In response to submissions made, five changes to the draft DCP have been made.

Appendix A – Summary of submissions

Note: The National Capital Authority (NCA) undertakes an open and transparent consultation process. The draft DCP advised that the NCA would prepare a Consultation Report for publication on the NCA website, and that this Consultation Report would include a summary of each submission, along with the name and suburb of each person making the submission.

| Submission No. | Details of Submitter | Key Points Raised in Submission | NCA Consideration |
|----------------|---|---|-------------------|
| 1. | ACT Government - Environment and Planning Directorate (EPD) | <p>Conservation Planning and Research supports the design intention to restore indigenous riparian vegetation in the vicinity of Woolshed Creek and to have a grouping of endemic eucalypt and Casuarina trees setback from Pialligo Avenue. Both of these design features will aid the movement of local wildlife, particularly small birds, across the planning area. This movement would be further added if the 'endemic grouping' as identified in DCP Drawing 14/03 also included some native shrubs and/or small trees.</p> | Noted. |
| | | <p>[ACT Heritage Council] note[s] that there are two places on the ACT Heritage Register within the area of the Draft DCP. These are Aboriginal sites PMG1 and Molonglo River Corridor Potential Archaeological Deposit. Further, there is a recorded location of Aboriginal archaeological sensitivity and the Pialligo Cricket Ground also falls within the Draft DCP area. While these two places are not listed, they are recognised as having heritage value. While the Draft DCP does not acknowledge these places, the planning controls are consistent with the identified heritage values.</p> | Noted. |

| Submission No. | Details of Submitter | Key Points Raised in Submission | NCA Consideration |
|-----------------------|-----------------------------|---|---|
| | | <p>Part 1: Context (Background) of the Draft DCP recognises the final Master Plan for Pialligo Area. However, this section should also mention the document titled: 'Cultural and Heritage Strategic Assessment of: Pialligo Masterplan' (Navin Officer Heritage Consultations 2012). This document was drafted to inform heritage values and constraints within the Pialligo Masterplan area, and is also applicable to the Draft DCP. Provided this document is referenced under Part 1, the Heritage Unit has no objection to the DCP.</p> | <p>The heritage assessment informed the Pialligo masterplan which in turn has informed both draft variation 321 to the Territory Plan and draft DCP 14/03.</p> <p>Part 1: Context is only included in draft DCP and does not form part of any approved DCP.</p> <p>No change to the DCP is recommended.</p> |

| Submission No. | Details of Submitter | Key Points Raised in Submission | NCA Consideration |
|----------------|----------------------|---|---|
| | | <p>It is suggested that the DCP include information on flood affectation of the DCP area. Some areas are currently estimated to be inundated by a 1%AEP flood (the 100 year flood). This covers a proportion of the site and would need to be taken into account with any development proposals</p> <p>Woolshed Creek and Pialligo Brook should be mentioned in the DCP as significant features of the site and its value as a watercourse, floodway and water quality feature should be recognized.</p> <p>The area should be recognised as a flood plain of the Molonglo River (extreme events only) and Woolshed Creek (for the northern area of the DCP).</p> <p>EDD offers in-principle support for the Draft DCP pending the consideration of the above comments.</p> | <p>Water quality of the Molonglo River and Woolshed creek will impact on the water quality if Lake Burley Griffin which is a Commonwealth asset. The DCP will be amended to reflect this connection.</p> <p>Water quality of the Molonglo River and Woolshed Creek will effect on the water quality of Lake Burley Griffin which is a Commonwealth Heritage Listed place. The DCP will be amended to reflect this connection. However, it is considered unnecessary to duplicate flood risk and building requirements of the Territory Plan.</p> <p>Clause 8.5 be amended to ensure all development proposals consider the river and Lake Burley Griffin.</p> |
| | | <p>The internal setback dimensions should be removed as they are no longer a feature of the Pialligo masterplan or subsequent draft variation no 321.</p> | <p>This will be amended in the final DCP.</p> |

| Submission No. | Details of Submitter | Key Points Raised in Submission | NCA Consideration |
|----------------|----------------------|--|--|
| | | <p>Item 8.4 nominates the preparation of a landscape masterplan by the relevant authority, however there is no trigger for the preparation of the masterplan, or who the relevant authority is. More detail would assist in determining when the masterplan would be required to be prepared and by which authority.</p> | <p>The development of a masterplan for the Beltana Road was cited as a key action/strategy of the Pialligo masterplan process to improve pedestrian experience along Beltana Road. The timing and responsibility of any masterplan is a matter for the ACT Government. The NCA would support the development of such a masterplan, however the need for this to be a statutory requirement of the DCP may not be necessary. There does however, remains a need for the Approach Route to be considered when improvements are made to Beltana Road.</p> <p>Clause 8.4 will be amended to clarify the intent of a Beltana Road landscape masterplan and the role of the development of Block 25 Section 2 Pialligo on the gateway to the precinct.</p> |
| | | <p>... is there a need for item 8.6 that requires a landscape plan and tree assessment for all DA's? This could require additional work for the proponent and may not always be required.</p> | <p>It is considered necessary for the landscape structure of the Approach Route and adjacent development to be considered in each development application. If development is minor and no impacts on the landscape structure or associated trees are envisaged it is reasonable to require that the development application be accompanied by a statement outlining this. Inclusion of such a statement would ensure consistency with the DCP. Clause 8.6 will be amended to clarify the tree assessment and landscape plan requirements.</p> |

| Submission No. | Details of Submitter | Key Points Raised in Submission | NCA Consideration |
|----------------|---|--|--|
| | | Item 10.1 restricts signage within the avenue setback to only permit signage that identifies the precinct. Does this include signage facing Beltana Road with business names and the like? | Clause 10.1 articulates that this restriction on signage relates only to Pialligo Avenue and the Pialligo Avenue setback. Signage within the Beltana Road setbacks will be subject to the Territory Plan. No change is recommended. |
| 2. | Australian Government – Department of Defence | Correspondence received outlines that the Department of Defence has no objections to the DCP proceeding. | Noted. |