



**Australian Government**  
**National Capital Authority**

## **REPORT ON CONSULTATION**

National Capital Plan

**Draft Amendment 63**

**Molonglo and North Weston**

August 2008

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## Introduction

### 1.1 Purpose and Background

The purpose of this report is to summarise the main issues raised during the process of consultation, undertaken by the National Capital Authority (NCA) on the proposed Draft Amendment 63 – Molonglo and North Weston (DA63) to the National Capital Plan (the Plan).

The statutory amendment process for the Plan, including procedures on public consultation is set out in the *Australian Capital Territory (Planning and Land Management) Act 1988* (the Act)(refer Attachment 1).

### 1.2 Existing National Capital Plan Provisions

The object of the Plan is to ensure that Canberra and the Territory are planned and developed in accordance with their national significance.

The Plan states, Matters of National Significance in the planning and development of Canberra and the Territory include:

The pre-eminence of the role of Canberra and the Territory as the National Capital.

Preservation and enhancement of the landscape features which give the National Capital its character and setting.

Respect for the key elements of Walter Burley Griffin's formally adopted plan for Canberra.

Creation, preservation and enhancement of fitting sites, approaches and backdrops for national institutions and ceremonies as well as National Capital Uses.

The development of a city which both respects environmental values and reflects national concerns with the sustainability of Australia's urban areas.

### 1.3 Effect of the Draft Amendment to the National Capital Plan

The purpose of DA63 to the Plan is to enable urban development to occur within Molonglo and North Weston. The Draft Amendment is required to provide for the continuation of urban development in the Territory, while ensuring adequate protection of the National Capital Open Space System. New Broadacre Area land use policy will also be created to recognise existing uses, and balance the loss of Broadacre land in North Weston.

On coming into effect, following public consultation and Parliamentary procedures prescribed in the *Australian Capital Territory (Planning and Land Management) Act 1988* (the Act), DA63 will enable urban development to occur within Molonglo and North Weston.

## Consultation

The NCA released DA63 for public comment on Saturday 1 September 2007. A notice was published in *The Canberra Times* on the same day (refer Attachment 2) and in the *Commonwealth of Australia Gazette* on Wednesday 5 September 2007 (refer Attachment 3). A notice was placed in *The Chronicle* on 4 September 2007 (refer Attachment 4) and a general notice informing of “Changes to your national capital” with the NCA website address was published in *The Australian* on Saturday 8 September 2007 (refer Attachment 5).

The public consultation period ran for fifty-eight (58) business days (excluding public holidays). Public submissions closed on 23 November 2007. Copies of DA63 were made available to the public at the National Capital Exhibition, the NCA offices at the Treasury Building and also on the NCA website. The Draft Amendment as released for public comment can be seen at Attachment 6.

DA63 was released in conjunction with the ACT Planning and Land Authority’s (ACTPLA) Draft Variation to the Territory Plan No.281 Molonglo and North Weston (DV281). An amendment to the Plan is required before the Draft Variation to the Territory Plan can be implemented.

The consultation process undertaken by the NCA for DA63 included:

The NCA conducted a series of individual pre-consultation meetings with key stakeholders between 14 and 29 August 2007. These pre-consultation meetings were held with representatives of the following:

Buru Ngunnawal Corporation;

Ngarigu Currawong Clan;

Defence Training College;

ACT Baha’i Community;

Canberra Institute Technology;

Rural leaseholders in Molonglo and North Weston area;

Yarralumla Residents Association;

Australian National University;

South East Region and Canberra Conservation Council;

RSPCA;

Pegasus Riding School for the Disabled;

Orana School for Steiner Education;

Molonglo Catchment Group;  
Little Gudgenby River Tribal Council;  
Defence Housing Authority; and  
ACT Government.

Other key stakeholders, such as Woden Valley, Weston Creek and Belconnen Community Councils requested that briefings be held following public release of the document. In these circumstances the NCA, in conjunction with ACTPLA, attended meetings held by these organisations and presented material relating to DA63 (and DV281).

On Saturday 1 September 2007 DA63 was released for public consultation.

On 3 September 2007 the NCA referred DA63 to ACTPLA for comment, in accordance with the Act. On the same day the NCA sent letters with a copy of DA63 to key stakeholders, including industry groups, community groups and New South Wales local Councils adjoining the Australian Capital Territory.

On 10 September 2007, the Minister for Local Government, Territories and Roads wrote to the Chairman of the Joint Standing Committee on the National Capital and External Territories (JSC) advising the Committee of the consultation period for DA63 and offering the Committee a briefing by NCA officers.

On 11 September 2007 the NCA held a public information session between 5:30pm and 8:00pm at the National Capital Exhibition. Two representatives from ACTPLA attended this public information session. Approximately 40 members of the public attended.

On 18 September 2007 the NCA presented DA63 at the Belconnen Community Council meeting. This presentation was in conjunction with ACTPLA who presented DV281.

On 26 September 2007 the NCA presented DA63 at the Weston Creek Community Council meeting. This presentation was in conjunction with ACTPLA who presented DV281.

On 3 October 2007 the NCA presented DA63 at the Woden Valley Community Council meeting. This presentation was in conjunction with ACTPLA who presented DV281.

On 9 October 2007 two representatives of the NCA attended a 'drop-in' session at Belconnen Library on DV281 held by ACTPLA.

On 9 October 2007 a request for an exemption to undertake a Regulation Impact Statement (RIS) or Business Cost Calculator (BCC) was sought from the Office of Best Practice Regulation (OBPR).

On 10 October 2007 the NCA presented DA63 to the ACT Division of the Royal Australian Institute Architects (RAIA). This presentation was in conjunction with ACTPLA who presented DV281.

On 13 October 2007 the NCA held a second public information session between 9:00am and 2:00pm at the National Capital Exhibition. Three representatives from ACTPLA attended this public information session. Approximately 15 members of the public attended.

On 15 October 2007 the OBPR advised no RIS or BCC report is required for DA63.

On 15 October 2007 two representatives of the NCA attended a 'drop-in' session at the Centre for Teaching and Learning, Stirling on DV281 held by ACTPLA.

On 8 November 2007 the NCA held a third public information session between 5:30pm and 8:00pm at the National Capital Exhibition. Two representatives from ACTPLA attended this public information session. Approximately 20 members of the public attended.

On 23 November 2007 the formal public consultation period for DA63 ended.

On 21 July 2008 ACTPLA confirmed it's support for DA63 as revised.

## Written Submissions

The NCA received sixty-eight (68) written submissions in response to DA63.

Nine (9) submissions were supportive of DA63. Twenty-two (22) submissions indicated partial support. Thirty-six (36) submissions were opposed to DA63. One submission was provided in-confidence. Those submissions offering partial support generally supported one aspect or one area of development, or offered support provided various measures were incorporated into DA63 and future development.

Twenty-three (23) submissions received were on behalf of organisations such as professional institutions, community special interest groups and Government agencies. A further eleven (11) submissions were received on a community-based pro-forma entitled '*No urban development in the Central Molonglo Valley and no lake on the Lower Molonglo*'.

All submissions were acknowledged by the NCA, together with an undertaking to inform the authors of how the NCA considered their submissions.

A summary of the key issues identified in the submissions, the NCA response and recommended changes to DA63 are outlined below. A more comprehensive summary of submissions can be found at *Attachment 7*.

### 1.4 Light Impact on Mt Stromlo

#### Issues

Four (4) submissions raised concerns regarding the impact of light shed from new development in Molonglo and North Weston on the operation of the observatory at Mt Stromlo. One (1) of these submissions expressed concern with the apparent lack of studies undertaken to determine the impacts on Mt Stromlo from light shed from urban development.

#### NCA Consideration

It is acknowledged that urban development in parts of Molonglo and North Weston will increase the potential for light pollution that can affect the Mt Stromlo Observatory.

The ACTPLA commissioned the *Molonglo Valley Light Impact Study (2006)*, which identified that a Light Limitation Zone will be established. This zone effectively encompasses North Weston and east Molonglo (central and west Molonglo will not affect the observatory). The light impact study identified a number of key recommendations to minimise upward light spill, including: dense tree planting as screening devices between the observatory and urban areas; applying relevant Australian standards to outdoor lighting; applying light sensitive practices to sports grounds; and minimising light spill from lighting systems to ensure down-lighting only.

The Plan also contains policies relevant to development or installations that may adversely affect the operation of Mt Stromlo Observatory. In these cases, development is to be referred to the ANU for examination and comment.

DV281 proposes principles and policies in recognition of the need to minimise upward light spill in east Molonglo due to its proximity to the Mt Stromlo Observatory.

#### Recommended Changes

No change.

## 1.5 Landscape, Views and Vistas

### Issues

Eighteen (18) submissions highlighted potential negative impacts of development on the historical views and vistas that underpin Canberra's landscape setting.

The submissions identified that the major impact would be experienced in the central and west Molonglo areas, and noted these areas represent one of a few surviving large-scale examples of the iconic Australian landscape visible from the edges of Canberra's urban areas. The submissions expressed general concern that the landscape value of the area has been underestimated and that the open space and extensive vistas contribute to Canberra's uniqueness.

Walter Burley Griffin's plan for Canberra and the philosophy of a city within a rural setting was cited as a reason for retention of the existing landscape. Concern was raised that development of central Molonglo would be an intrusion into the rural landscape, an integral part of Griffin's design for the city.

Several submissions commented that existing National Capital Plan provisions may be compromised by the establishment of suburbs in the Molonglo and North Weston areas. Of note were comments relating to the need to maintain visual separation between existing suburbs and new development, and concern regarding the visibility of development from the Central National Area.

### NCA Consideration

The *Molonglo Valley Suitability Study (2005)* examined the extent of landscape assets that define the character and identity of the Molonglo Valley area. The study identified key *Landscape Priority Zones (LPZ)*, which were based on spaces that contribute to the essential and contributory landscape and open space framework for the area.

The areas identified for urban development in DA63 are largely located in areas outside those identified as LPZ in the suitability study. NCA and ACTPLA officers had further discussions on the LPZ in February 2007 and resolved the LPZ for consultation purposes.

A matter of national significance in the planning and development of Canberra and the Territory is the *'preservation and enhancement of the landscape features which give the National Capital its character and setting'*. The importance of the natural setting of



the National Capital has been recognised by the creation of the National Capital Open Space System (NCOSS), with key policies that include promoting a continuum of natural and park-like settings for the National Capital, and to frame and enhance existing and future urban areas.

The intent of DA63 was to ensure that urban areas do not encompass ridgelines, and ridgelines would be retained as part of the NCOSS.

The proposed urban boundary from Molonglo River to Weston (adjoining the Tuggeranong Parkway) has the potential to allow urban development that may be viewed from the Central National Area. This can be resolved by incorporating the Hills, Ridges and Buffer Spaces land use policy in this area between existing uses such as Orana School and the Baha'i Centre, and the Tuggeranong Parkway. This will contribute to the preservation and enhancement of landscape features which gives the National Capital its character and setting, and maintain the landscape setting of the National Capital when viewed from the Central National Area (CNA).

The NCA has been involved in on-going consultation with the Weston Creek Community Council, Orana School, Baha'i Centre and Sikh Association in regard to land use planning for North Weston, including site inspections and meetings. These groups have indicated support for changing the land use policy on the eastern side of North Weston adjacent to the Tuggeranong Parkway (between the Molonglo River to Unwin Place) from Urban Area to Hills, Ridges and Buffer Spaces.

Visual separation between existing suburbs and new suburbs within Molonglo and North Weston will largely be retained. To the south, a buffer is intended between the existing suburbs of Duffy and Holder and new development. It is proposed that the visual separation be further enhanced with a new open space link, linking the Cotter Road and the Molonglo River.

To the east, clear separation will exist between proposed new urban areas and the Central National Area. It is proposed this be further enhanced by creating an increased area of open space between Tuggeranong Parkway and proposed urban areas from Weston to the Molonglo River.

To the north, the Hills, Ridges and Buffer Spaces that exist to the south of existing suburbs such as Cook and Aranda will be maintained.

DV281 contains policies which reflect the visual importance of the ridgelines and the hills providing a visual backdrop to urban development. These policies state that development is to be generally contained to the west of the ridge that separates Molonglo and North Weston from the Tuggeranong Parkway and Lake Burley Griffin to ensure that it is not visible from the Central National Area and belongs to the visual catchments' of the east Molonglo area; and that important hills and ridgelines which form the skyline of the CNA are to be excluded from development.

#### Recommended Changes

Amend the General Policy Plan – Metropolitan Canberra by changing the land use policy on the eastern side of North Weston adjacent to the Tuggeranong Parkway (between the Molonglo River to Unwin Place) from Urban Areas to Hills, Ridges and Buffer Spaces.

Amend the General Policy Plan – Metropolitan Canberra by creating an open space link between Cotter Road and the Molonglo River.

Amend the General Policy Plan – Metropolitan Canberra by identifying a future open space link between Mt Stromlo and the International Arboretum to be indicated by a dashed line and adding a planning provision to Chapter 4 – Urban Areas of the Plan to support the link as follows:

‘Planning of urban areas in Molonglo should make provision for a distinct, accessible and legible link, of a minimum width of seventy (70) metres between Stromlo Forest Park and Canberra International Arboretum and Gardens.’

## **1.6 Bushfire Hazard**

### **Issues**

Twelve (12) submissions raised concern that development is proposed in a known bushfire prone area, and expressed apprehension that measures to mitigate bushfire have not been researched and/or implemented adequately in the planning process.

A number of submissions identified that a lake as a major feature of bushfire prevention and retardation will not necessarily provide adequate protection for new urban areas. These submissions argued that fire protection arguments in favour of a lake are not warranted and note that water bombing is generally an ancillary strategy in fire control. In circumstances requiring large-scale water usage for fire fighting purposes, Lake Burley Griffin would be a more easily accessible water body.

Other specific comments noted that populating the Molonglo area will increase the risk of fire by reducing the ability of a natural ecosystem to retard the progress of fire towards already established parts of the ACT.

### **NCA Consideration**

The ACT Government has commissioned bushfire risk assessments for the area, including the Bushfire Risk Assessment for the Molonglo Valley including North Weston (2005) and the Molonglo Valley Australian Capital Territory Stage 2 Bushfire Risk Assessment (2006).

DV281 proposes principles and policies for bushfire risk management, requiring implementation of bushfire risk management in accordance with the existing *Strategic Bushfire Management Plan for the ACT (2005)*. The proposed principles and policies also acknowledge that a further bushfire risk assessment must be undertaken at the estate development plan stage or earlier.

Recommended Changes

**No change.**

## **1.7 National Capital Plan Provisions**

### **Issues**

Eight (8) submissions commented on existing National Capital Plan provisions and apparent inconsistencies between existing policy and the plans presented in DA63. There was also a perception that the Draft Amendment will not meet key objectives of the Plan.

One (1) submission requested specific changes in land use policy relating to two specific blocks (Blocks 1605 and 1606 Belconnen), and requested the amendment area be extended.

The remaining submissions focussed on apparent contradiction of policy between the proposals of DA63 and existing policy under the National Capital Plan. For example, several submissions noted that proposed urban areas contradict the policy of not building on ridgelines, and the potential for visibility of development from the Central National Area.

Other specific objections related to the loss of Broadacre land at North Weston, which was perceived as degrading the amenity of the area, and reducing opportunity for employment, social and community services in Weston Creek. A number of submissions petitioned the need to exclude urban development on the ridge to the east of existing uses such as the Baha'i Centre and Orana School.

### **NCA Consideration**

Existing uses in the North Weston area, such as the Defence Training College, RSPCA and Orana School are permitted to continue on their existing sites.

The loss of Broadacre land use policy in North Weston will be balanced by the creation of Broadacre land use policy in west Molonglo, permitting the same range of uses as presently available in North Weston.

A matter of national significance in the planning and development of Canberra and the Territory is the *'preservation and enhancement of the landscape features which give the National Capital its character and setting'*. The importance of the natural setting of the National Capital has been recognised by the creation of the National Capital Open Space System (NCOSS), with key policies that include promoting a continuum of natural and park-like settings for the National Capital, and to frame and enhance existing and future urban areas.

The intent of DA63 was to ensure that urban areas do not encompass ridgelines, and ridgelines would be retained as part of the NCOSS.

The proposed urban boundary from Molonglo River to Weston (adjoining the Tuggeranong Parkway) has the potential to allow urban development that may be viewed from the Central National Area. This can be resolved by incorporating the Hills, Ridges and Buffer Spaces land use policy in this area between existing uses such as Orana School and the Baha'i Centre, and the Tuggeranong Parkway. This will contribute to the preservation and enhancement of landscape features which gives the National Capital its character and setting, and maintain the landscape setting of the National Capital when viewed from the Central National Area (CNA).

The NCA has been involved in on-going consultation with the Weston Creek Community Council, Orana School, Baha'i Centre and Sikh Association in regard to land use planning for North Weston, including site inspections and meetings. These groups have indicated support for changing the land use policy on the eastern side of North Weston adjacent to the Tuggeranong Parkway (between the Molonglo River to Unwin Place) from Urban Area to Hills, Ridges and Buffer Spaces.

This is further enhanced by policies contained within DV281 which reflect the visual importance of the ridgelines and the hills providing a visual backdrop to urban development. These policies state that development is to be generally contained to the west of the ridge that separates Molonglo and North Weston from the Tuggeranong Parkway and Lake Burley Griffin to ensure that it is not visible from the Central National Area and belongs to the visual catchments' of the east Molonglo area; and that important hills and ridgelines which form the skyline of the Central National Area are to be excluded from development.

### **Recommended Changes**

Amend the General Policy Plan – Metropolitan Canberra by changing the land use policy on the eastern side of North Weston adjacent to the Tuggeranong Parkway (between the Molonglo River to Unwin Place) from Urban Areas to Hills, Ridges and Buffer Spaces.

Amend the General Policy Plan – Metropolitan Canberra by creating an open space link between Cotter Road and the Molonglo River.

## **1.8 River Corridor**

### **Issues**

Fourteen (14) submissions raised concern with the proposed changes to the Molonglo River Corridor. The general consensus is that the River Corridor needs to be maintained in its existing form (or widened) to provide protection for *Aprasia parapulchella* (pink-tailed Worm Lizard) habitat and other species; retention of the wildlife and habitat corridor; maintaining the quality of water entering the Molonglo River; and protecting riverine ecosystems.

Concern was expressed that the variation in size of the River Corridor will allow intrusion into sensitive transitional zones between the river and surrounding areas. It was identified that the existing River Corridor is closer to sustaining environmental quality, landscape setting and the natural and cultural resources of the Molonglo River Corridor.

A number of submissions identified the need to necessarily adopt the recommendations of the *Molonglo River Corridor Boundary Study (2007)*, and for the principles and policies of *Appendix F* of the Plan to apply to the Molonglo River Corridor.

One (1) submission highlighted past public preference with maintaining a wide river corridor, with development at some distance from the river. The submissions also

highlighted the need to retain current practice of the ACT whereby development is not located in the River Corridor.

### **NCA Consideration**

The *Molonglo River Corridor Boundary Study (2007)* was commissioned in order to review the values of the Molonglo River Corridor based on those identified in the Plan (ecological, environmental, water quality, flood levels, landscape, cultural, recreational).

The recommendation of the *Molonglo River Corridor Boundary Study (Option 1)* is implemented in DA63, and DA63 also proposes that Appendix F of the Plan apply to any development in the Molonglo River Corridor.

Special Requirements of the Plan currently apply to the Molonglo River Corridor, and development within the Molonglo River Corridor is to be in accordance with a Development Control Plan (DCP) agreed by the Authority.

The removal of Special Requirements in the Plan has been previously achieved for Northbourne Avenue (being a Main Avenue) through Amendment 49 to the Plan. Special Requirements (and the need for a DCP) were removed and replaced with relevant principles and policies.

In line with the removal Special Requirements from the Plan, Special Requirements relating to the Molonglo River Corridor should be deleted, and policies included requiring development within the Molonglo River Corridor to comply with the relevant general and specific policies of Appendix F *Requirements for the Murrumbidgee River Corridor* and any other relevant provision of the Plan.

The detailed planning will then be the responsibility of ACTPLA, who will be required to address all relevant principles and policies of the Plan when determining outcomes within the Molonglo River Corridor.

The *Molonglo River Corridor Boundary Study (2007)* was commissioned in order to review the values of the Molonglo River Corridor based on those identified in the National Capital Plan (ecological, environmental, water quality, flood levels, landscape, cultural, recreational). The study examined the scenario by which a lake would be created, however did not recommend this option as the construction of a lake would severely impact on the degree to which the corridor can satisfy the values in the National Capital Plan.

In light of the submissions received during the consultation period, the NCA identified the need for an independent review of earlier environmental work undertaken to determine if the proposed urban boundary is justified in terms of biological and environmental conservation. This study is being jointly funded between the NCA and ACTPLA. The final draft of the study identifies areas which are ecologically constrained and these match the River Corridor as proposed in DA63.

DV281 includes policies relating to minimising the impact of urban development on areas on high conservation value (including the River Corridor) through suitable mechanisms including the provision of appropriate buffers.

## Recommended Changes

Remove the Special Requirements for the Molonglo River Corridor, noting all development will need to comply with the relevant principles and policies of Appendix F and all other relevant principles and policies of the Plan. Include an additional policy within Chapter 8 – National Capital Open Space System of the Plan as follows:

‘Development within the Molonglo River Corridor is to comply with all relevant principles and policies of Appendix F and any other relevant principle or policy of the Plan.’

## 1.9 Environment and Heritage

### Issues

Forty-three (43) submissions highlighted environmental and/or heritage (European, Aboriginal or natural) concerns. A large number of these submissions focussed on the potential impacts of urban development on areas of high conservation value located in the central Molonglo area.

Some issues have been more comprehensively addressed elsewhere in this report. Concerns regarding the River Corridor and the lake and dam have been addressed in sections 3.5 and 3.13 of this report.

General concern was raised regarding the impact of urban development on fauna within the lower Molonglo Valley. It was noted that the Lower Molonglo is the only known habitat for several rare species, and fauna at risk includes native fish, the platypus, and the eastern long-necked turtle.

Several submissions raised concern regarding the impacts of urban development on the Aboriginal and European heritage associated with the area. It was noted that the Molonglo Valley has a history of Aboriginal cultural importance, as well as cultural significance to the history of European settlement.

Concern was raised that development would have negative impacts on an area significant to Australia’s first inhabitants, and that known or potential Aboriginal heritage sites would be lost. It was highlighted that the plans have not adequately integrated the conservation of either Aboriginal or European heritage sites.

Section 3.13 of this report notes that if a lake were proposed it would drown (or at least partially inundate) one known Aboriginal site, and will also prevent further exploration and understanding of indigenous heritage in the area. Two known sites of geological heritage significance would also be affected.

Specifically, a number of European heritage sites were identified as having the potential for preservation, including the Pioneer Cemetery; the Coonan’s woolshed; and the site of the original Coppin’s homestead.

Section 3.13 of this report identifies that the impact on *Aprasia parapulchella* (Pink-tailed Worm Lizard) habitat was significantly noted within the submissions. The Pink-tailed Worm Lizard is listed as vulnerable under the *Environment Protection and*

*Biodiversity Conservation Act 1999* (EPBC Act). In particular, a lake would inundate large areas of this habitat and displace this endangered species. Concern has also been raised regarding the general loss of Pink-tailed Worm Lizard habitat, noting that the species and associated habitat is at a critical point and preservation is essential.

The potential impacts on the Molonglo Valley bird populations, in particular the various birds of prey, were well documented within the submissions. The submissions identified that species such as the Brown Treecreeper, Little Eagle, Peregrine Falcon, Wedge-tailed Eagle and Superb Parrot would all be negatively affected, with the potential for local extinctions of ACT bird populations. It was submitted that of the thirteen raptor species within the valley, eleven would be significantly affected by proposed urban development.

It was highlighted that the Molonglo Valley is extensively used for nesting and foraging by raptor species, and that these species and the areas they frequent require preservation to avoid potential extinction. The Preliminary Assessment was criticised in submissions that it ignores the fact that birds are migratory and require large territory to roam. Any proposed conservation areas such as Kama would not be sufficient.

The Preliminary Assessment was also criticised based on the conclusion presented that because raptor species within the Molonglo Valley area not nationally threatened, their habitat can be destroyed. Concern was expressed that only minimal measures are proposed to address the significant loss of habitat for birds, or to mitigate impacts on the raptor populations.

One (1) submission noted that the various studies did not reflect the submitter's own observations.

The plans as presented in the Draft Amendment and Draft Variation could account for the loss of 655 Ha of Yellow Box Red Gum Grassy Woodland (YBRGGW), listed as Endangered under the ACT *Nature Conservation Act 1980*. This represents a significant portion of the remaining EEC in the ACT. It was suggested that the cumulative impacts of the loss of woodlands and grasslands is not adequately addressed.

It should be noted that the community titled 'Yellow Box Red Gum Grassy Woodland' under the *Nature Conservation Act 1980* and the community titled 'White Box Yellow Box Red Gum Grassy Woodland and derived native grasslands' under the EPBC Act are very similar, however are classified under different criteria. Some areas identified as YBRGGW may not qualify under the EPBC Act.

A number of submissions commented on the loss of this endangered ecological community (EEC), notably within the central Molonglo area, as well as Natural Temperate Grassland (NTG). YBRGGW provides connectivity to other resources, and is a significant habitat area for various birds and other fauna.

It was noted within the submissions that there is the potential to proceed with development whilst still retaining areas of YBRGGW, and the loss of the EEC cannot be justified given the amount of degraded land in east Molonglo. It was suggested that any dismemberment of YBRGGW and NTG should be offset by the rehabilitation and

preservation of an equivalent area. Ideally, the preservation and enhancement of the remaining community should be a priority.

A number of submissions also suggested that the small portion of YBRGGW in the north east section of east Molonglo should be incorporated into the Arboretum, or otherwise preserved.

A number of submissions commented on the inadequacy of the proposed Kama reserve. Comments noted that the reserve as proposed would not be of sufficient size to protect either a high quality example of the EEC, or its landscape functions; the isolation of the bushland area may compromise the quality and viability of the reserve; and that central Molonglo should not be developed in any form in order to protect and improve existing woodlands and grasslands in and around Kama.

The submissions generally concluded that central Molonglo should be excluded from urban development due high conservation value. Several submissions suggested the central Molonglo area be incorporated into a 'nature reserve' or similar.

In general, concern was raised that the ecological value of the Molonglo Valley has been ignored, and that urban development within the ACT is expanding with disregard for environmental capacity.

Again, the Preliminary Assessment was criticised for an inadequacy to address environmental issues, and failure to apply the ACT Government principles for sustainable development and ACT Government policy on woodlands, grasslands, riparian corridors and threatened species conservation.

Several submissions noted that parts of the Molonglo Valley form critical wildlife corridors or links to other resource areas. In particular, it was noted that the Molonglo Valley forms a critical point for the interrelation of native bushland in Canberra, and links to open land and woodland corridors to the west and south, the Murrumbidgee River Corridor, the Naas Valley and Brindabella Ranges. These areas provide natural habitat for native fauna and provides vital connectivity for migrating birds and animals.

### **NCA Consideration**

In light of submissions received during the public consultation period, the NCA identified the need for an independent review of previous environmental work undertaken to determine if the proposed urban boundary was justified in terms of biological and environmental conservation. This study was jointly funded between NCA and ACTPLA.

The purpose of the study was to review existing environmental studies that have been undertaken to inform the urban boundary of the proposed Molonglo and North Weston development, and determine if the recommendations of the studies are consistent with what has been implemented in DA63 and DV281 in terms of the proposed urban boundary.

On 11 February 2008 the NCA engaged ngenvironmental to undertake this review.



The independent study recommended that the woodland of the central Molonglo area, and the Molonglo riparian corridor, be preserved. This would allow for the retention of vegetation and ecological communities in the more sensitive localities.

The central Molonglo area is potentially not required for urban development for another 20-30 years, which would allow adequate time to conduct long-term monitoring of endangered species and determine conclusively the suitability of the area for urban development.

On 28 April 2008 and 6 May 2008 NCA officers indicated to ACTPLA that central Molonglo should be excluded from urban on the basis of the draft environmental study.

On 13 May 2008 (in a media release) the ACT Government Chief Minister and ACT Government Planning Minister called for a 'moratorium' on development in central Molonglo. This would allow sufficient time for planning and environmental studies to be completed. The ACT Government Planning Minister hoped that the NCA would support the ACT Government's moratorium on development in central Molonglo.

On 29 May 2008 the Authority considered the removal of central Molonglo from Urban Areas. The Authority agreed to the removal of central Molonglo on the basis of the environmental report. This position was reaffirmed on 8 July 2008.

The independent environmental review is attached to this report (*Attachment 8*) and will be available on the NCA website at [www.nationalcapital.gov.au](http://www.nationalcapital.gov.au).

It should be noted that the Draft Amendment does not trigger referral under the EPBC Act. However, subsequent development within Molonglo and North Weston are subject to the provisions of the EPBC Act and may trigger referral processes under the EPBC Act.

ACTPLA commissioned the *Molonglo Valley Heritage Review (2006)* and subsequent *Molonglo Valley Heritage Review Geological Heritage Addendum Report (2006)* which recommend further heritage (Aboriginal, non-Aboriginal and natural) investigations. The recommendations are aimed at minimising the impact of development on any cultural resources located within the Molonglo and North Weston area. DV281 contains relevant principles pertaining to the recognition and conservation of significant aboriginal and historic heritage places.

#### Recommended Changes

Amend the General Policy Plan – Metropolitan Canberra by removing central Molonglo from Urban Areas on the basis of the environmental report.

## **1.10 Pedestrian/Cyclist Infrastructure**

### **Issues**

Eleven (11) submissions highlighted issues relating to pedestrian/cycling infrastructure, including the need to maintain existing cycling links around the Molonglo and North Weston area; the need for neighbourhood design to focus on walking and cycling; Stromlo Forest Park and its open space linkages to the Canberra International

Arboretum and Gardens; and the potential to redevelop areas such as the CIT Arboretum to provide recreational walking and cycling tracks.

A number of submissions raised concern that the Draft Amendment does not accommodate any pedestrian or cycle paths, and that provision of such must be an integral part of the design of suburbs in Molonglo and North Weston.

The potential to develop Stromlo Forest Park, and enhance existing cycling facilities was emphasized by a number of submissions (including community cycling-focussed groups), and noted the need for considerable investment by the ACT Government to create a world-class cycling facility.

A number of submissions also identified the potential for commuter paths between Molonglo and Woden/Belconnen/Civic.

### **NCA Consideration**

The Draft Amendment proposes land use policy changes only, and is not required to identify potential pedestrian and cycle paths.

ACTPLA is responsible for the detailed planning of the area through concept plans, estate development plans and so on.

Pedestrian and cycle paths should be incorporated into the planning at a future stage, and will include connectivity with existing routes in the area.

The extent to which Stromlo Forest Park is developed, and the investment in the facility is a matter for the ACT Government to determine.

### **Recommended Changes**

No change.

## **1.11 Need for and Suitability of Urban Development in Molonglo Valley**

### **Issues**

Eleven (11) submissions raised concern regarding the need for and suitability of development in the Molonglo Valley. These submissions largely argued against continuing urban sprawl and focussed on the premise that development can be accommodated in alternative ways.

A number of these submissions were opposed to additional greenfield areas being released for development within the ACT, and argued that population growth can be accommodated in alternative ways. Current demographic and social trends provide an opportunity for population growth to be accommodated through urban infill and renewal.

One submission in particular noted that the Plan indicates that growth should be focussed in Gungahlin until lower cost alternatives are identified, or Gungahlin

approaches capacity. Given current population growth, demand for greenfield sites could be accommodated through Gungahlin, and development in Molonglo and North Weston delayed on the development timeframe.

Comments regarding previous planning for the ACT and sub-region were also made. Of note was the comment that the *ACT and Sub-region Planning Study 1995* examined possible future urban areas and concluded that development in Molonglo should not be pursued. The *ACT and Sub-region Planning Study 1995* also identified the Molonglo Valley as a possible location for national capital uses requiring large site and/or urban fringe locations, rather than large scale residential development.

A number of submissions also commented that the high quality landscape is more suited to non-urban uses, and that there are alternative sites within the ACT with the potential for urban development.

### **NCA Consideration**

The ACT Government released the *Canberra Spatial Plan* in 2004, which identifies two new areas deemed capable for greenfield residential development, being the Molonglo Valley and Kowen Plateau. This is in addition to the completion of Gungahlin and residential intensification within existing urban areas of Canberra.

Subsequently the *Molonglo Valley Suitability Study (2005)* was undertaken jointly by the NCA and ACTPLA. The study for Molonglo was in response to the proposed growth scenarios within the *Canberra Spatial Plan*. The suitability study, in conjunction with other studies relating to the environment and infrastructure, informed the urban boundary presented in DA63.

Development in the Molonglo and North Weston area conforms to the *Canberra Spatial Plan* of containing urban growth within a 15 kilometre radius of the city centre, and residential intensification within a 7.5 kilometre radius of the city centre.

The ACT Government has indicated that it is giving a high priority to affordable housing as part of a strategic urban development programme. Proposed urban development in Molonglo and North Weston will play a key role in delivering this initiative, and timely land release is a crucial component.

### **Recommended Changes**

No change.

## **1.12 Canberra as the ‘Bush Capital’**

### **Issues**

Six (6) submissions were received which directly referred to the impact of development on the loss of the ‘bush’ character of Australia’s capital and the loss of the notion of the ‘Bush Capital’.

The submissions noted that development in the Molonglo and North Weston area would alter the distinct atmosphere, culture and rural nature of Canberra, as exposure

to open space would be lost. The sense of space and rural landscape would be lost, and the current farmland and former pine forest areas are important in retaining the open space system of Canberra.

The submissions highlighted the need to retain the 'Bush Capital' notion, and for development and growth to be accommodated in alternate ways (for example, higher densities in existing areas).

### **NCA Consideration**

Development and growth within the ACT is being accommodated through a variety of means, including greenfield development sites such as Molonglo and North Weston, the completion of Gungahlin, and increased density and consolidation within existing urban areas.

Urban development within the Molonglo and North Weston area will promote a more sustainable city. A more sustainable urban form will be achieved by containing residential growth in more central locations to major employment centres, thereby reducing travel times and the consumption of land, water and energy. The proposed urban areas represent a more compact city, and place some limitations on the continued dispersal of the Canberra urban form.

A matter of national significance in the planning and development of Canberra and the Territory is the *'preservation and enhancement of the landscape features which give the National Capital its character and setting'*. The importance of the natural setting of the National Capital has been recognised by the creation of the National Capital Open Space System (NCOSS), with key policies that include promoting a continuum of natural and park-like settings for the National Capital, and to frame and enhance existing and future urban areas.

Open space will be maintained through the NCOSS, including maintaining separation between towns, and between existing urban areas and proposed development within Molonglo and North Weston.

The NCOSS will retain the 'bush' nature of Canberra, and broad expanses of bushland, and views to the Brindabella's will largely be maintained.

### **Recommended Changes**

Amend the General Policy Plan – Metropolitan Canberra by changing the land use policy on the eastern side of North Weston adjacent to the Tuggeranong Parkway (between the Molonglo River to Unwin Place) from Urban Areas to Hills, Ridges and Buffer Spaces.

Amend the General Policy Plan – Metropolitan Canberra by creating an open space link between Cotter Road and the Molonglo River.

## **1.13 Public Consultation**

### **Issues**

Three (3) submissions were received commenting on the public consultation process for DA63 and the planning process for Molonglo and North Weston in general.

Specific comments included concern that the decisions have already been made and the plans have already been drawn; key stakeholders (notably Weston Creek Community Council and ACT Cross Country Club) were not included in the list of key stakeholders identified in the Draft Amendment; and concern was raised that community views have largely been ignored since the release of the Molonglo Structure Plan by the ACT Government.

### **NCA Consideration**

Key stakeholders identified by the NCA include rural leaseholders in the Molonglo and North Weston area, key environmental groups such as the Molonglo Catchment Group and South East Region and Canberra Conservation Council; lessees of existing uses such as the RSPCA and Defence Training College; and ACT Government departments.

Other key stakeholders, such as Woden Valley, Weston Creek and Belconnen Community Councils requested that briefings be held following public release of the document. In these circumstances the NCA, in conjunction with the ACT Planning and Land Authority, attended meetings held by these organisations and presented material relating to the Draft Amendment (and Draft Variation).

Other key consultation activities included:

On 11 September 2007 the NCA held a public information session between 5:30pm and 8:00pm at the National Capital Exhibition. Two representatives from ACTPLA attended this public information session. Approximately 40 members of the public attended.

On 18 September 2007 the NCA presented DA63 at the Belconnen Community Council meeting. This presentation was in conjunction with ACTPLA who presented DV281.

On 26 September 2007 the NCA presented DA63 at the Weston Creek Community Council meeting. This presentation was in conjunction with ACTPLA who presented DV281.

On 3 October 2007 the NCA presented DA63 at the Woden Valley Community Council meeting. This presentation was in conjunction with ACTPLA who presented DV281.

On 9 October 2007 two representatives of the NCA attended a 'drop-in' session at Belconnen Library on DV281 held by ACTPLA.

On 13 October 2007 the NCA held a second public information session between 9:00am and 2:00pm at the National Capital Exhibition. Three representatives from ACTPLA attended this public information session. Approximately 15 members of the public attended.

On 15 October 2007 two representatives of the NCA attended a 'drop-in' session at the Centre for Teaching and Learning, Stirling on DV281 held by ACTPLA.

On 8 November 2007 the NCA held a third public information session between 5:30pm and 8:00pm at the National Capital Exhibition. Two representatives from ACTPLA attended this public information session. Approximately 20 members of the public attended.

The methods employed through public consultation are intended to reach as many community groups and individuals as possible, and to provide all groups and individuals the opportunity to provide a submission and comment on the Draft Amendment.

#### Recommended Changes

No change.

## **1.14 Built Form and Design**

### **Issues**

Eighteen (18) submissions commented on the future built form and design initiatives of development in Molonglo and North Weston.

Major concern was raised that future development in the Molonglo/North Weston area will repeat the perceived inadequacies of Gungahlin. This includes small lots and the lack of regard for the natural environment; general unattractiveness particularly in areas of higher density; traffic congestion; and the perception that good quality urban design would be lost in favour of developers trying to maximise profit and Government aiming to maximise land taxes.

It was generally perceived that proposed densities within Molonglo and North Weston are too low and too restrictive to housing choice, and that urban sprawl is inappropriate. It was considered that current demographic and social trends provide the opportunity for Canberra to achieve growth through urban renewal and infill development. Demand for single dwelling, low density lots could be catered for by Gungahlin, with demand for multi-unit housing met within existing town centres, redevelopment areas and along public transport routes.

A number of submissions focussed on sustainability and the need for new development to represent the highest standards in sustainable urban design. Comments included the need for street and block orientation to aid solar passive design; grey water systems and other initiatives to reduce water usage and create energy; and densities being appropriate to harvesting solar energy. Some of these submissions further recommended the need for appropriate housing and/or planning codes to mandate water sensitive urban design and high energy efficiency development.

Concern was raised regarding the infilling of green spaces around existing suburbs, and concern for potential incompatible land uses to be developed around existing land uses such as Orana School.

Other specific comments included the need for existing uses to be retained on their current sites; the need for open spaces and buffers to be incorporated in order for Weston Creek to remain a separate and distinct town; and the need to enhance open space linkages between Mt Stromlo and the Canberra International Arboretum and Gardens.

### **NCA Consideration**

The General Policy Plan – Metropolitan Canberra of the Plan identified land use policies and is the strategic plan for the ACT. An Amendment to the Plan is required before the Draft Variation to the Territory Plan can be implemented.

The NCA has responsibility for strategic planning, in addition to detailed planning responsibility for those areas identified within the Plan as being Designated Areas. Detailed planning for those areas not identified as Designated Areas under the Plan are the responsibility of ACTPLA.

All urban areas identified by DA63 are proposed to be outside of Designated Areas, and therefore detailed design and outcomes of the new suburbs within Molonglo and North Weston is the responsibility of ACTPLA.

### **Recommended Changes**

No change.

## **1.15 Infrastructure and Services**

### **Issues**

Sixteen (16) submissions commented on a range of infrastructure and service related issues, with the focus on whether additional urban areas on the scale proposed are warranted given strains on existing infrastructure and services. Concern was also raised that infrastructure was inadequately planned, and the 'ad hoc' approach of developing on an 'as needed' basis is inefficient and not cost effective.

Perhaps the most notable issue raised in the submissions is the provision of an adequate water supply to the additional population. A number of submissions questioned whether population growth can be supported given the uncertainty of future water supply. One submission stated that in regards to water resource management, the Molonglo and North Weston area is not suitable for development.

The existing problem of sewerage odour from vents in the Weston Creek area was raised, with concern that this will not be rectified before settlement in new suburbs of Molonglo and North Weston.

Several submissions commented that the costs associated with servicing the Molonglo and North Weston area will be high, largely due to topography and geology of the area. It was noted that the National Capital Plan indicates that development in the lower Molonglo area should be delayed on fiscal grounds.

One submission commented on the relationship between high land servicing costs and housing affordability. This submission noted that as infrastructure and servicing costs will be high, housing affordability objectives area at risk.

One submission recommended a detailed cost-benefit and lifecycle analysis of infrastructure servicing costs and opportunities should be undertaken, including remediation of contaminated sites, provision and staging of all trunk infrastructure services and staged construction of public transport, schools and parks.

Other specific comments included the need to plan for community services and waste management facilities.

### **NCA Consideration**

Those areas identified as urban in DA63 are a representation of those areas the NCA considers suitable for urban development at some stage in the future.

The detailed design, including the provision of services and infrastructure is the responsibility of the ACT Government, including essential services such as water and electricity; transport infrastructure; and community facilities. The ACT Government is also responsible for delivering adequate services while achieving housing affordability objectives.

### **Recommended Changes**

No change.

## **1.16 Lake and Dam**

### **Issues**

Twenty-two (22) submissions objected to damming the Molonglo River downstream of Coppins Crossing to create a new lake. The grounds for objection included impact on wildlife habitat; impact on a functioning river corridor; destruction of indigenous heritage; and the preference for alternative stormwater management options.

In general, it was expressed that the lake would impact on a functioning river corridor and would diminish the value of existing ecosystems.

More specific comments concluded that any lake would be deep, with limited shallow areas where macrophytes (macroscopic aquatic plants) can establish. Water quality would likely be poor with two urban creeks and intermittent discharges of cold, high nutrient water from Scrivener Dam. This would also potentially increase the change of algal and bacterial blooms, delivering poor water quality.

The impact on *Aprasia parapulchella* (Pink-tailed Worm Lizard) habitat was significantly noted within the submissions. The lake would inundate large areas of this habitat and displace this endangered species. Some raptor nesting sites may also be impacted by flooding the area.



Several submissions commented that a lake will drown (or at least partially inundate) one known Aboriginal heritage site, and will also prevent further exploration and understanding of indigenous heritage in the area. Two known sites of geological heritage significance would also be affected.

There was general consensus that a lake for stormwater management is outdated and that there are less environmentally damaging solutions to run-off and water quality issues. Suggestions included controlling stormwater higher in each sub-catchment with a series of on or off-line ponds; a series of shallow ponds and restoration of wetlands and riparian vegetation; and a chain of ponds in incoming creeks combined with a sequence of small waterbodies in the river. The *River Corridor Boundary Study* argued against a lake a preferred a chain of ponds – it was felt by some that the NCA has ignored this advice.

The geological and visual significance of the river corridor was noted, in addition to the potential to cause problems downstream. A rehabilitated river corridor was supported, and it was argued that this provides a better outcome for birds and biodiversity in general, as well as meet other desired outcomes (for example, recreational needs).

### **NCA Consideration**

DA63 **does not** propose a lake on the Molonglo River.

Special Requirements of the Plan currently apply to the Molonglo River Corridor, and development within the Molonglo River Corridor is to be in accordance with a Development Control Plan (DCP) agreed by the Authority.

The removal of Special Requirements in the Plan has been previously achieved for Northbourne Avenue (being a Main Avenue) through Amendment 49 to the Plan. Special Requirements (and the need for a DCP) were removed and replaced with relevant principles and policies.

In line with the removal Special Requirements from the Plan, Special Requirements relating to the Molonglo River Corridor should be deleted, and policies included requiring development within the Molonglo River Corridor to comply with the relevant general and specific policies of Appendix F *Requirements for the Murrumbidgee River Corridor* and any other relevant provision of the Plan.

The detailed planning will then be the responsibility of ACTPLA, who will be required to address all relevant principles and policies of the Plan when determining outcomes within the Molonglo River Corridor.

The *Molonglo River Corridor Boundary Study (2007)* was commissioned in order to review the values of the Molonglo River Corridor based on those identified in the National Capital Plan (ecological, environmental, water quality, flood levels, landscape, cultural, recreational). The study examined the scenario by which a lake would be created, however did not recommend this option as the construction of a lake would severely impact on the degree to which the corridor can satisfy the values in the National Capital Plan.

The ACT Government has indicated that a lake is the preferred water management strategy, however is subject to further analysis.

### **Recommended Changes**

Remove the Special Requirements for the Molonglo River Corridor, noting all development will need to comply with the relevant principles and policies of Appendix F and all other relevant principles and policies of the Plan. Include an additional policy within Chapter 8 – National Capital Open Space System of the Plan as follows:

‘Development within the Molonglo River Corridor is to comply with all relevant principles and policies of Appendix F and any other relevant principle or policy of the Plan.’

## **1.17 Transport and Traffic**

### **Issues**

Twelve (12) submissions raised issues with planning for sustainable transport infrastructure and implications of new urban development on existing roads.

A number of submissions raised concern that relevant traffic studies and modelling have not been undertaken, or objected to traffic flow projections produced in the Preliminary Assessment. It was generally established that integrated transport planning needs to be given a high priority, and that any sustainability scenario would envisage a greater provision for public transport initiatives.

Of note were those submissions that advocated the need to investigate light rail as an alternative to buses for public transport, and to increase public transport patronage. These submissions noted that the existing public transport system in Canberra does not cope with demands placed on it, and is not attractive in its current form and service level.

Suggestions included a light rail link from Molonglo to Woden and/or Civic to aid in reducing congestion on roads; reducing travel times; and providing an opportunity to increase density along major public transport routes.

A number of submissions commented on the potential pressures that may be placed on existing roads with the increase in population, and noted the need to upgrade existing major roads such as Cotter Road and Lady Denman Drive. It was noted that Tuggeranong Parkway needs to remain the major transport connection between Molonglo and Woden.

### **NCA Consideration**

The detailed design, including the provision of services and infrastructure is the responsibility of the ACT Government, including the investigation and development of transport infrastructure throughout the Molonglo and North Weston area. DA63 identifies a proposed Inter-Town Public Transport Route, however this is only indicative. In this case it aligns with options presented in DV281 and the Preliminary Assessment.

The indicative route does not specify the mode of transport, and therefore does not preclude light rail. The mode of transport will be determined by the ACT Government.

Light rail as a public transport option has not been investigated significantly by the ACT Government for the Molonglo and North Weston development. Instead, development of the area is considered an opportunity to expand and strengthen the inter-town bus network by creating an orbital system in addition to the existing line haul system.

### **Recommended Changes**

No change.

## **1.18 Mt Stromlo/Arboretum Link**

### Issues

The ACT Chief Minister's Department has advocated the creation of a park similar to Centenary Park in Sydney within the Molonglo and North Weston area. It is intended that the park will form an open space link between the International Arboretum and Mt Stromlo.

### NCA Consideration

Roman Cypress Hill is one of three hills proposed in 1916 for afforestation by Walter Burley Griffin and forms part of the International Arboretum. Roman Cypress Hill is one of three hills known collectively as the Green Hills, which lie to the west of the centre of Canberra city. Roman Cypress Hill is listed as an Indicative Place on the Register of the National Estate (RNE).

The RNE listing advice notes that the evergreen plantings proposed by Griffin would strengthen the skyline axial view for a series of boulevards running east/west from Capital Hill. The NCA has undertaken replanting of Roman Cypress Hill following damage by fire in 2001.

The proposed park link between the International Arboretum and Mt Stromlo will in part realise the intention of the Green Hills.

In addition, such a link will provide additional recreational opportunities on a regional scale, and form a focal point for suburbs in Molonglo and North Weston.

### Recommended Changes

Amend the General Policy Plan – Metropolitan Canberra by identifying a future open space link between Mt Stromlo and the International Arboretum to be indicated by a dashed line and adding a planning provision to Chapter 4 – Urban Areas of the Plan to support the link as follows:

‘Planning of urban areas in Molonglo should make provision for a distinct, accessible and legible link, of a minimum width of seventy (70) metres between Stromlo Forest Park and Canberra International Arboretum and Gardens.’

## **1.19 Electrical Zone Substation**

### Issues

The ACTPLA has requested a minor alteration to DA63 in order to retain the site of a proposed electricity sub-station within Designated Areas. The site is located on the eastern boundary of the Draft Amendment area, directly adjacent to the International Arboretum.

The primary purpose of retaining this site within Designated Areas is to maintain a level of certainty in the statutory planning processes associated with the infrastructure. Works approval would remain with the NCA, as per existing arrangements.

### NCA Consideration

ActewAGL has advised that the capacity of existing sub-stations cannot cater for the extent of development proposed in Molonglo and North Weston. A new electricity sub-station is required, and an application to proceed with the infrastructure will need approval as soon as possible.

If the proponent lodges an application for works approval prior to the approval of the Draft Amendment, the application will be assessed by the NCA only until such time as the Draft Amendment is approved. If the Draft Amendment is approved in current form, Designated Areas status will be uplifted from the site of the electricity sub-station, and the NCA would cease assessment of the proposal. Any application would then be required to be resubmitted to the ACTPLA.

### Recommended Changes

No change.

## **1.20 Scrivener Dam Flood Inundation**

### Issues

Parts of the proposed urban areas within Molonglo and North Weston will occur within the Scrivener Dam failure incremental inundation zone and this may alter the current hazard rating for Scrivener Dam. Using the currently available inundation maps, it is estimated about 34 Ha of proposed urban areas would be inundated which would impact on about 508 dwellings.

In February 2005, Scrivener Dam was assessed to have a ‘High C’ hazard classification using the relevant applicable Australian National Committee on Large Dams (ANCOLD) Guidelines. In October 2007, the ACTPLA completed a safety review of Scrivener Dam to examine the potential implications on Scrivener Dam from the proposed downstream development.

The ACTPLA's 2007 Safety review stated that though the NCA's 2005 safety review and its outcomes are still current for Scrivener Dam (no major changes reported to the existing downstream conditions), the Scrivener Dam would have to be re-classified into "Extreme" hazard classification as a consequence of the proposed Lower Molonglo Valley development.

#### NCA Consideration

Some of the proposed urban areas fall within the Scrivener Dam failure inundation zone (as provided by the ACT Government). Any proposed development should not occur in these areas until the Scrivener Dam safety risk assessment has been completed and appropriate safety and operational procedures are in place in accordance with the relevant standards and guidelines.

In 2007 an ACTPLA Safety Review recommended a review of Scrivener Dam hydrology including a re-establishment hazard classification conforming to the relevant Australian National Committee on Large Dams (ANCOLD) guidelines. It is intended the NCA will commence this review in 2008, in conjunction with ACTPLA.

#### Recommended Changes

Add a planning provision to Chapter 4 - Urban Areas of the Plan to ensure that any areas potentially affected by Scrivener Dam flood inundation may only be developed where it is demonstrated that Scrivener Dam meets flood safety and operational requirements, based on the applicable Australian National Committee on Large Dams (ANCOLD) guidelines. An additional policy be added to Chapter 4 – Urban Areas of the Plan as follows:

'Any areas potentially affected by Scrivener Dam flood inundation may only be developed where it is demonstrated that Scrivener Dam meets flood safety and operation requirements, based on the applicable Australian National Committee on Large Dams (ANCOLD) guidelines.'

## **1.21 Designated Area Boundary Adjacent to the International Arboretum**

#### Issues

The ACTPLA has requested a minor alteration to DA63. A parcel of approximately 13 Ha immediately to the north west of the International Arboretum is shown as a Designated Area in both DA63 and DV281. This was based on the assumption that this parcel would be added to the International Arboretum in due course, and should therefore be designated in common with the main arboretum site. Late last year it was indicated that the International Arboretum has no plans to incorporate this parcel, and therefore removing the need for it to be a Designated Area.

#### NCA Consideration

Under existing National Capital Plan provisions, the site in question is not within Designated Areas. The NCA does not oppose retaining this area outside of Designated Areas.

## Recommended Changes

Adjust the Designated Area boundary adjacent to the International Arboretum to exclude a parcel from Designated Areas (this land includes the proposed location of the Electrical Substation).

### **1.22 Additional Permissible Uses at Stromlo Forest Park**

#### Issues

The ACTPLA has requested a minor amendment to DA63 to include overnight camping and tourist facilities as permissible uses for the Stromlo Forest Park site. This would overcome the inconsistency between the Plan and the Territory Plan in relation to permissible uses under its hills, ridges and buffer spaces land use policies, at least for the Stromlo Forest Park site.

#### NCA Consideration

Stromlo Forest Park is currently partly within Designated Areas under the Plan (and Hills, Ridges and Buffer Spaces land use policy), and partly within the NUZ3 land use zone (Non-urban Hills, Ridges and Buffer Zone) under the Territory Plan. The P4 (Plantation Foresry) overlay also applies to Stromlo Forest Park under the Territory Plan.

Under the Plan, permitted land uses within the Hills, Ridges and Buffer Spaces land use policy excludes overnight camping or tourist facilities. Under the Territory Plan, the P4 overlay provision permits 'Overnight Camping area' and 'Tourist Facility'.

Allowing these two additional uses under the Plan would resolve the inconsistency between the two plans in regard to Stromlo Forest Park.

Appendix A of the Plan provides the following definitions:

**Overnight Camping:** Land which is open to the public and used or intended for use for holiday and recreational use of tents for overnight residential use; the term includes any land together with any amenity buildings erected thereon which is used or intended for use in conjunction with such land.

**Tourist Facility:** 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, motel and the retail sale of arts and crafts, souvenirs, antiques and the like.

Chapter 13 of the Territory Plan provides the following definitions:

**Overnight Camping area:** means the use of land which is open to public use for holiday and recreational purposes which involves primarily the setting up and use of tents for overnight accommodation.

**Tourist facility:** means the use of land for providing entertainment, recreation, cultural or similar facilities for use mainly by the general touring or holidaying public and may include a restaurant, café, bar, service station, tourist accommodation and the retail sale of arts and crafts, souvenirs, antiques and the like.

The definitions are almost exact, and any change to promote consistency between the two plans is supported.

To further promote consistency, the definitions will be amended to include the same range of sub-uses.

#### Recommended Changes

Amend the definitions in Appendix A of the Plan of *Tourist Facility* and *Overnight Camping* to promote consistency with the Territory Plan, and include *Overnight Camping* and *Tourist Facility* as additional permitted land uses at Stromlo Forest Park.

## Recommended Change to DA63

Following a review of issues raised in submissions, the NCA has recommended a number of changes to DA63 as released for public comment in September 2007. The changes involve:

Amending the General Policy Plan – Metropolitan Canberra by:

removing central Molonglo from Urban Areas on the basis of the environmental report;

Changing the land use policy on the eastern side of North Weston adjacent to the Tuggeranong Parkway (between the Molonglo River to Unwin Place) from Urban Areas to Hills, Ridges and Buffer Spaces;

Changing the land use policy for a 13 Ha parcel of land adjacent to the International Arboretum from Hills, Ridges and Buffer Spaces to Urban Areas;

Identifying a future open space link between Mt Stromlo and the International Arboretum as a dashed line and adding a planning provision to Chapter 4 – Urban Areas to support the link; and

Creating an open space link between Cotter Road and the Molonglo River.

Adjusting the Designated Areas boundary adjacent to the International Arboretum to exclude a parcel from the Designated Areas (this land includes the proposed location of the Electrical Substation);

Adding a planning provision to Chapter 4 – Urban Areas of the Plan to ensure that any areas potentially affected by Scrivener Dam flood inundation may only be developed where it is demonstrated that Scrivener Dam meets flood safety and operational requirements, based on the applicable Australian National Committee on Large Dams (ANCOLD) guidelines;

Including *Overnight Camping* and *Tourist Facility* as additional permitted land uses at Stromlo Forest Park; and

Removing the Special Requirements for the Molonglo River Corridor, noting all development will need to comply with the relevant principles and policies of Appendix F and all other relevant principles and policies of the Plan.

Draft Amendment 63 incorporating changes can be seen at *Attachment 9*.



## Conclusion

The consultation process initiated by the NCA for Draft Amendment 63 – Molonglo and North Weston attracted a total of approximately seventy-five (75) attendees at the three public information sessions and sixty-eight (68) written submissions.

Following a review of issues raised in the sixty-eight (68) submissions received, a number of changes to DA63 as outlined above have been recommended by the NCA.

Discussion with the ACT Government has also informed a number of the recommended changes.

The NCA recommends that DA63 be approved in its revised form.

The statutory processes for amending the National Capital Plan (*refer Attachment 1*) in respect of DA63 have been completed and satisfied.

Accordingly, DA63 will be submitted to the Commonwealth Minister for Home Affairs for approval in accordance with Section 18 of the *Australian Capital Territory (Planning and Land Management) Act 1988*.

## Attachments

- 1 Statutory Background to the National Capital Plan Amendment Process.
- 2 Notice of release of Draft Amendment 63 for public comment published in *The Canberra Times* on Saturday 1 September 2007.
- 3 Notice of release of Draft Amendment 63 for public comment published in *Commonwealth of Australia Gazette* of 5 September 2007.
- 4 Notice of release of Draft Amendment 63 for public comment published in *The Chronicle* on 4 September 2007.
- 5 Notice of 'Changes to your National Capital' published in *The Australian* on 8 September 2007.
- 6 Draft Amendment 63 – Molonglo and North Weston (September 2007), as released for public comment on 1 September 2007.
- 7 Key Issues identified through the submissions.
- 8 Environmental report
- 9 Draft Amendment 63 incorporating changes proposed following public consultation.