



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

# Draft Development Control Plan 21/01

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Part Block 11 Section 38 Fyshwick (Dairy Road Precinct)

January 2021

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## Introduction

The National Capital Plan (the Plan) came into effect on 21 January 1990. The subject site, part Block 11 Section 38 Fyshwick, is adjacent to the Monaro Highway. The Monaro Highway, from the ACT border to Morshead Drive, is defined as an Approach Route in the Plan. In accordance with Section 4.24 of the Plan, Special Requirements apply to development on all land which fronts directly onto Approach Routes and is not more than 200 metres from their centre lines.

Special Requirements state:

*‘Development...is to conform to Development Control Plans agreed by the National Capital Authority, which seek to enhance the surrounding predominantly rural character and landscape outside the urban areas. As the Approach Routes enter the built up areas, the emphasis will shift to a more formal character.’*

The purpose of this Development Control Plan (DCP) is to provide guidance for the future development of the subject site within the framework of the National Capital Plan and the Territory Plan. In the absence of a provision to the contrary, all development should be in accordance with the relevant provisions of the Territory Plan. Where an inconsistency arises between the Territory Plan and the National Capital Plan, the National Capital Plan prevails.

## Part one: Context

### 1.1 Background

Block 11 Section 38 Fyshwick, together with Block 12 Section 38 Fyshwick form the ‘Dairy Road Precinct’. The site is leased by Molonglo Group entities. To enable further development to occur, a DCP must be prepared to help guide planning and design. The DCP will only apply to part of Block 11 Section 38 Fyshwick, however both Block 11 and Block 12 are discussed in this section as they form the broader Dairy Road Precinct.

The Dairy Road Precinct is located within the suburb of Fyshwick, and is bound by the Monaro Highway, Dairy Road, and the Jerrabomberra Wetlands. The site is approximately five kilometres from Canberra city centre and within three kilometres of Canberra International Airport. The site is situated within the eastern extent of the ACT Government’s East Lake Urban Renewal precinct.

The combined area of Blocks 11 and 12 Section 38 Fyshwick is approximately 14.3 hectares (Block 11 on its own is almost 12.4 hectares in size). The site has traditionally operated as a hub for transport, storage, and distribution. Around 20,000m<sup>2</sup> of building space exists on site.

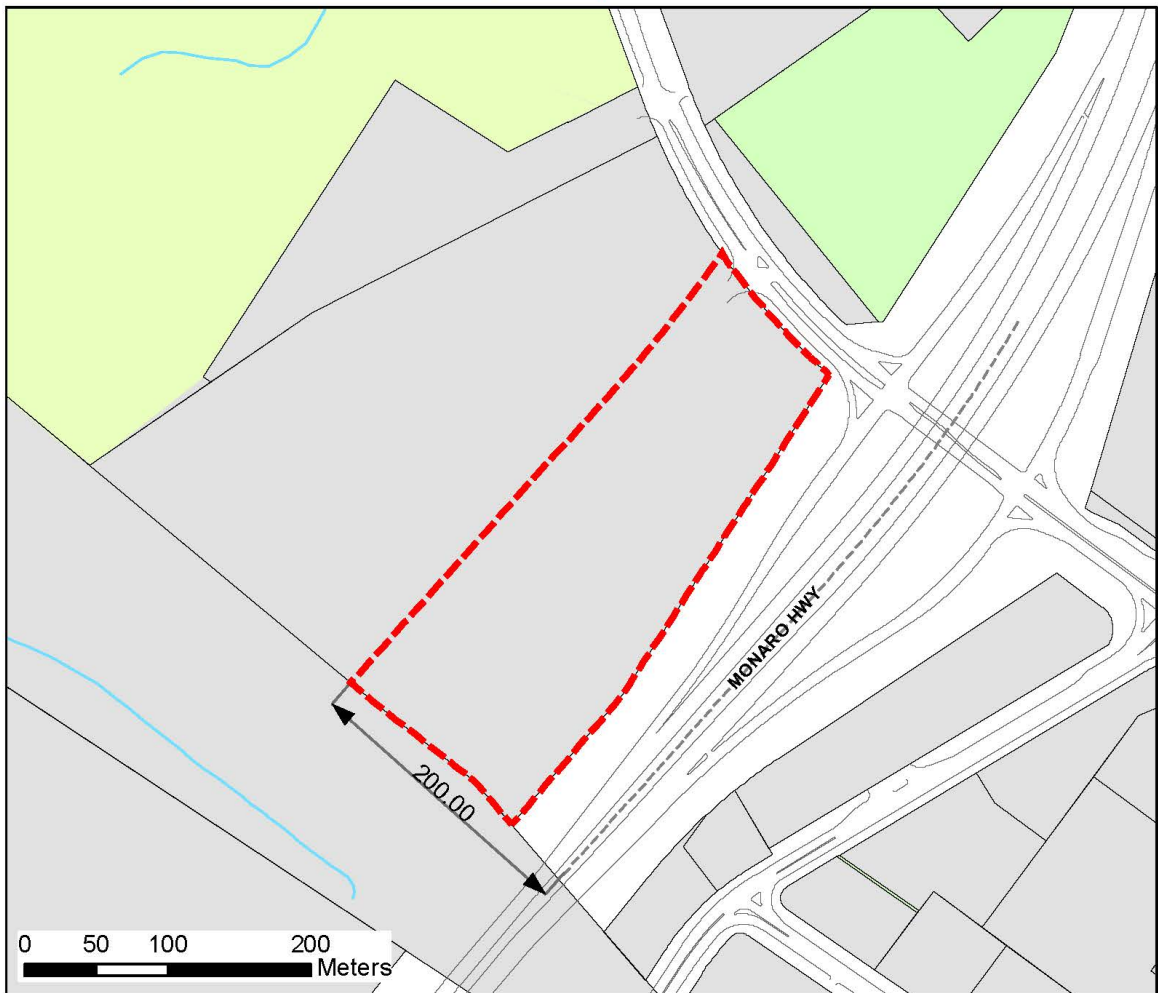
The site in its context is illustrated in Figure 1.

In recent years, a number of industrial and warehouse buildings have been repurposed to accommodate a range of business and leisure activities.



**LEGEND**

- AREA SUBJECT TO DCP
- Blocks



**DCP 21/01 - LOCALITY MAP**

Figure 1- Locality map of site

## 1.2 Explanatory statement

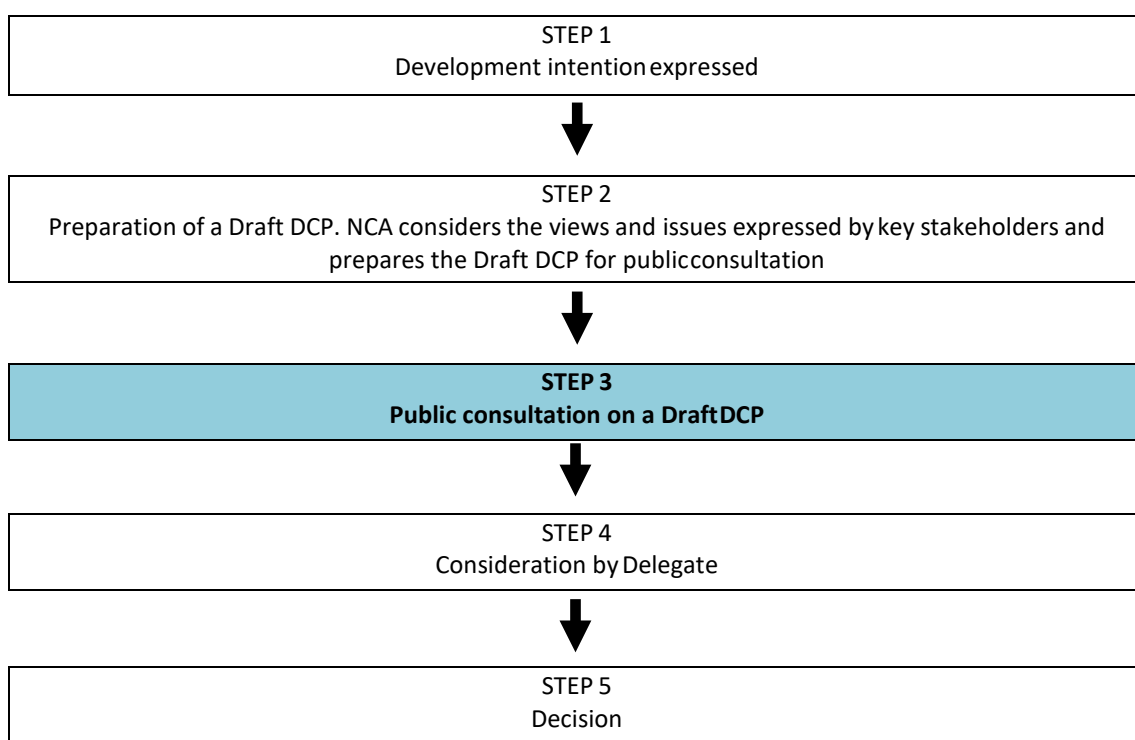
If approved, DCP 21/01 will establish broad planning and urban design requirements for the subject site, including provisions addressing building height, setbacks and design, landscape character, access and parking. The purpose of the DCP is to provide planning guidance for future development within the framework of the Plan.

Draft DCP 21/01 includes the following provisions:

- general planning and urban design objectives for development of the subject site
- requirements for building height and setback, and architectural quality in built form
- requirements for an enhanced landscape character along the Monaro Highway frontage
- requirements for vehicular access, parking and movement.

## 1.3 Outline of the process

The process for making a Development Control Plan is outlined below:



## 1.4 Public consultation

The NCA invites written comments on the draft DCP from community and stakeholders by close of business on Friday 12 February 2021. All responses received will be considered before a decision on the draft DCP is made by the NCA.

Due to public health restrictions in place as a result of COVID-19, the NCA will not be facilitating an open public information session. Interested stakeholders should contact the NCA via 02 6271 2888 or email [dcp@nca.gov.au](mailto:dcp@nca.gov.au) to discuss meeting options.

### How to access copies of the draft DCP

Go to: <https://www.nca.gov.au/draft-development-control-plans>

Hard copies are available on request by phoning 02 6271 2888 or emailing [dcp@nca.gov.au](mailto:dcp@nca.gov.au)

**Written comments can be made by**

Emailing your submission to:

[dcp@nca.gov.au](mailto:dcp@nca.gov.au)

Writing to:

Mr Andrew Smith  
Chief Planner  
National Capital Authority  
GPO Box 373  
Canberra ACT 2601

Delivering your submission by hand to:

National Capital Authority  
Treasury Building, Ground Floor  
King Edward Terrace  
Parkes ACT 2600  
between 9am and 5pm Monday to Friday

**Further information is available from:**

By phone (02) 6271 2888 or email [dcp@nca.gov.au](mailto:dcp@nca.gov.au).

**Permission to disclose name and address**

The NCA seeks an open and transparent consultation process. Following public consultation on the draft DCP, the NCA will prepare a Consultation Report which will be published on the NCA website. This report will include a summary of each submission with the name and suburb of each person making a submission. The NCA will not publish contact details (such as physical address, email or phone number).

If you have a concern about having your name published in the report or if you wish to make a confidential submission, you must make this clear when submitting your comments and say why you want your submission to be kept confidential. The NCA will consider requests for confidentiality but cannot make commitments in advance. If you have concerns about confidentiality, please contact the NCA to discuss before making a submission.

## Part two: Draft Development Control Plan 21/01

### 1.0 Preamble

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

Special Requirements state:

*‘Development...is to conform to Development Control Plans agreed by the National Capital Authority, which seek to enhance the surrounding predominantly rural character and landscape outside the urban areas. As the Approach Routes enter the built up areas, the emphasis will shift to a more formal character.’*

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

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

The Monaro Highway road reservation forms part of the Designated Areas of the Plan and therefore the National Capital Authority (NCA) is responsible for granting Works Approval within the road reservation.

### 2.0 Planning and urban design objectives

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

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

- a. enhance the character of the Monaro Highway as an Approach Route to the National Capital
- b. improve the landscape quality of the Monaro Highway frontage and enhance the visual quality and views to the Central National Area
- c. provide for a diverse range of employment opportunities, housing and dwelling typologies, gathering places and open spaces
- d. create a permeable network of streets, cycleways and pedestrian connections with a logical hierarchy and which promote a high level of pedestrian amenity
- e. utilise the existing features and buildings of the subject site, and create bold, playful, powerful and interesting urban forms to create a fine grain development
- f. integrate best practice social and environmental sustainability measures into all aspects of design

- g. establish capacity for the subject site to accommodate and attract a variety of people and demographics and uses to create a vibrant destination
- h. promote a physical, visual and ecological connection with the nearby wetlands and the wider city fabric.

### 3.0 General conditions of planning, design and development

#### 3.1 Land use

- a. Land use of the subject site shall be consistent with the land use of the National Capital Plan, and the land use of the Territory Plan.

#### 3.2 Building height

- a. The maximum height of any building or structure on the subject site must not exceed 25 metres above datum ground level.
- b. All building elements, including roof top plant and equipment and architectural features, must not exceed the 25 metre height limit.

#### 3.3 Building setbacks

- a. Buildings and major structures must be setback a minimum of 10 metres from the subject site boundary to the Monaro Highway.
- b. A composition of soft landscaping must be provided within the setback areas, and which meets the provisions of section 5.7 of this DCP.
- c. All other setbacks to the subject site boundaries, and within the subject site, shall be in accordance with the Territory Plan.

#### 3.4 Access, movement and parking

- a. No access to the subject site is permitted from the Monaro Highway.
- b. Development should enable connections to adjacent sites if and when these are developed as part of the broader East Lake development.
- c. Site layout and planning should support freedom of pedestrian and cyclist movement. Active transport modes should be physically separated from motorised transport where possible and designed to minimise conflict.
- d. Where physical separation of active transport and motorised modes of transport is not possible, road environments should be designed to facilitate shared access and movement.
- e. Pedestrian and cycle infrastructure must be designed to connect to the wider network of off-road paths in the surrounding area, including to the remainder of the Dairy Road Precinct and hereafter to destinations such as Jerrabomberra Wetlands.
- f. Car parking on the subject site is to be provided in accordance with relevant provisions of the Territory Plan, including in relation to design, location and rates.

#### 3.5 Building design

- a. Development is to achieve a high architectural design quality within a landscaped setting. Consideration must be given to the visual impact of proposed development, in particular when viewed from the Monaro Highway.
- b. Building forms, materials and finishes should be responsive to microclimate issues including solar access and wind. Use of sunscreen devices as articulation elements should be employed to achieve climate responsive façades.
- c. Buildings should generally be modulated to clearly express the grid of the building. Tactility, silhouette and human scale in relation to built form should be achieved with the design of buildings.



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

### 3.6 Sustainable development

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

### 3.7 Landscape

- a. A comprehensive landscape plan must be submitted with any application for development of the subject site. Landscaping for individual buildings should be complementary to the broader landscaping of the precinct.
- b. Planting between the highway and the development is to provide a continuous visual screen. This can be achieved by dense planting of trees and scrubs, with species to be selected for their suitability for site conditions and Canberra's climate. Tree species to be planted between the highway and development should be able to grow to 15 to 20 metres at maturity.
- c. Planting for the length of the subject site should occur prior to completion of any major new buildings adjacent to the Monaro Highway, and should include a significant proportion of mature specimens to give immediate visual impact.
- d. Established trees on the subject site should be retained where possible. Tree removal may be considered where:
  - a tree is in ill health or in decline;
  - a tree poses a threat to public safety;
  - a tree is restricting the growth of other vegetation;
  - necessary to comply with utility provider requirements and/or site remediation required under Auditor instruction (where this is required, tree removal must be compensated for by planting on other parts of the subject site);
  - the existing tree is exotic and will be replaced by a native tree; and/or
  - site and building design can be improved by the removal of trees.

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

- e. Landscape design must:
  - provide for areas of deep rooted planting which is integrated with the open spaces and public realm design of the subject site
  - minimise the visual impact of parking on the public domain by integrating parking layouts with street tree plantings and pavement design
  - provide a complementary hierarchy of streetscape elements that relates to the road hierarchy giving primacy to the main avenues, emphasising continuity along their length through avenues of appropriately scaled street trees

- use continuous street trees to define the pattern of major and minor streets
- include hard and soft landscape materials that are complementary to existing development on the subject site and contribute towards the creation of a vibrant precinct
- ensure that the form and size of street trees are proportionate to the width of streets and height of facing buildings
- support diversity through the planting of new species that integrates into Canberra's broader urban forest
- incorporate species which endure harsh environmental conditions, and have a deep rooting system that will not lift kerbs and paving
- provide for trees with adequate tree pits and be planted in correct soil conditions
- demonstrate consideration of required infrastructure and services, and integrate landscape design with infrastructure to the extent practicable
- ensure that selected species will not pose problems to the ecologically important Jerrabomberra Wetlands.

### 3.8 Fencing

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

### 3.9 Signage

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

### 3.10 Lighting

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

### 3.11 Service Areas

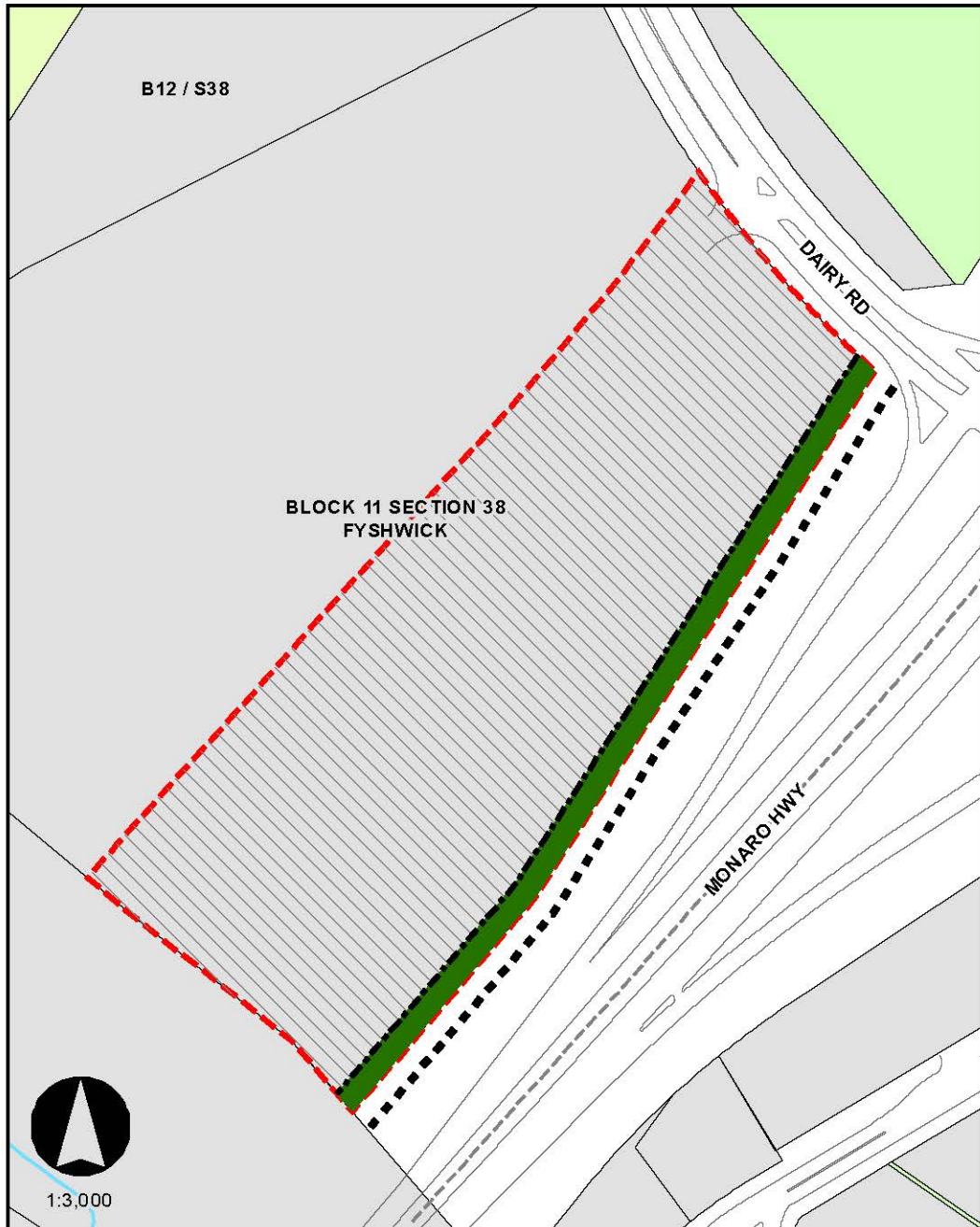
- a. Service areas, plant and equipment, storage areas and waste facilities should be located where they will not be visible from the Monaro Highway, or otherwise suitably screened
- b. If screens and fences are to be used, they must be designed as an integral part of the development, using colours,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






### 3.12 DCP Drawing

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

Appendix 1 – DCP drawing

DCP Drawing 21/01-01



-  Area Subject to DCP
-  Developable Area
-  Landscape Zone
-  10m Setback
-  No Access