



Australian Government  
National Capital Authority

*The Australian Capital Territory  
(Planning and Land Management) Act 1988*

National Capital Plan

# Draft Amendment 70

## Section 87 and Part Sections 83 and 85

### Fyshwick and Appendix E

September 2009



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## INTRODUCTION

The National Capital Authority (NCA) is established under the *Australian Capital Territory (Planning and Land Management) Act 1988* (the Act). The current National Capital Plan (the Plan) came into effect on 21 January 1990. In accordance with the Act, the NCA is required to keep the Plan under constant review and to propose amendments to it where necessary.

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

The Plan identifies matters of national significance in the planning and development of Canberra and the Territory. These are:

- > 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 the environmental values and reflects national concerns with sustainability of Australia's urban areas.
- > Within the framework of this legislative object or goal, key objectives of the Plan are to:
  - > Emphasise the national significance of the main approach routes and avenues.
  - > Maintain and enhance the landscape character of Canberra and the Territory as the setting for the National Capital.
  - > Provide a plan offering flexibility and choice to enable the Territory Government to properly fulfil its functions.

The purpose of this Draft Amendment is to propose changes to both the General Policy Plan – Metropolitan Canberra and Appendix E - Water Quality Policies of the Plan. The two amendments are unrelated, however have been proposed as one to improve the efficiency of the National Capital Plan amendment process.

Draft Amendment 70 to the Plan (set out in Part 2 – National Capital Plan – Draft Amendment 70- Section 87 and Part Sections 83 and 85 Fyshwick and Appendix E of the National Capital Plan) has been prepared in accordance with Section 23 of the Act.

# PART 1 CONTEXT

## 1.1 BACKGROUND

### Section 87 and Part Sections 83 and 85 Fyshwick

The ACT Planning and Land Authority (ACTPLA) have requested an amendment to the Plan in relation to Section 87 and Part Sections 83 and 85 Fyshwick. The land is currently identified as being within the Broadacre Areas land use policy of the General Policy Plan – Metropolitan Canberra of the Plan. Under the Plan, industrial land uses are not permitted in Broadacre Areas (with the exception of the Harman industrial area).

Section 87 and Part Sections 83 and 85 Fyshwick are subject to Development Control Plan (DCP) No. 171/05/0002. The existing DCP recognises that in regard to the subject sections, *'future industrial land use development would require an amendment to the National Capital Plan and a variation to the Territory Plan.'*

The ACT Government's Land Development Agency (LDA) is intending to release Section 87 and Part Sections 83 and 85 Fyshwick for industrial land uses. The sites have been developed in anticipation of industrial land uses, and infrastructure such as roads, sewage, electricity and telecommunications exist on site.

An amendment to the Plan is required to permit industrial development.

It is proposed to amend the existing DCP to facilitate industrial land uses on Section 87 and Part Sections 83 and 85 Fyshwick. The NCA will undertake public consultation on the revised DCP at a later date to be advised.

### Appendix E of the National Capital Plan

ACTPLA have requested an amendment to the Plan in relation to Appendix E *Water Quality Policies* to facilitate National Water Initiative (NWI) stormwater and reticulation projects in the Australian Capital Territory (ACT).

Appendix E of the Plan identifies Water Use Designations for catchments across the ACT (Murrumbidgee River Corridor, Lake Burley Griffin Catchment, and Lower Molonglo River).

In 2007, the ACT Government received a National Water Commission grant to develop water harvesting and reticulation projects. The Territory and National Governments jointly announced the overall objective of achieving a 3GL/annum potable water saving target by 2015.

CSIRO (acting as consultant for the ACT Government), in their draft of the *Canberra Integrated Urban Waterways Feasibility Study – Stage 1*, have identified the most cost effective options as:

- Harvesting and reticulation of stormwater as a non-potable water supply; and
- Pumping of harvested water into underground aquifers during wet periods (where technically feasible) and extraction from those aquifers during dry periods.

Variation No. 296 *Amendments to Water Use and Catchment General Code* to the Territory Plan commenced on 17 April 2009. The purpose of this variation is to enable the implementation of a range of stormwater and reticulation projects under the auspices of the NWI. An amendment to the National Capital Plan is required to enable the NWI projects, and it is proposed that the National Capital Plan be amended to reflect the changes to the Territory Plan.

## 1.1.1 Environment

### Section 87 and Part Section 83 and 85 Fyshwick

Environment ACT investigated Sections 87 and Parts Section 83 and 85 Fyshwick as part of a Preliminary Assessment (PA) (January 2005) for Parts Block 2 Section 48, Block 1 Section 46, and Block 2 Section 47 Fyshwick.

No threatened species have been recorded for the site. In addition, it was found that the ecological issues associated with the development of parts Sections 46, 47 and 48 (incorporating Sections 83, 85 and 87) are of a minor nature and not considered to justify significant constraints on future development design that is to occur on the site.

### Appendix E of the National Capital Plan

The NWI represents the Australian Government's and State and Territory Government' (New South Wales, Victoria, Queensland, South Australia, the ACT, and Northern Territory) shared commitment to water reform in recognition of:

- The continuing national imperative to increase the productivity and efficiency of Australia's water use;
- The need to service rural and urban communities; and
- Ensuring the health of river and groundwater systems, including by establishing clear pathways to return all systems to environmentally sustainable levels of extraction.

An amendment to Appendix E of the Plan would recognise the intergovernmental commitment to water reform by facilitating projects aimed at increasing the effective use of water in the ACT.

Variation No. 296 *Amendments to Water Use and Catchment General Code* to the Territory Plan was endorsed by the Environment Protection Authority and the ACT Conservator of Flora and Fauna.

## 1.1.2 Heritage

### Section 87 and Parts Section 83 and 85 Fyshwick

A Cultural Heritage assessment was undertaken by Archaeological Heritage Surveys as part of the PA (January 2005) for Parts Section 46, 47 and 48.

Three European historical sites were recorded for the site. The PA identifies that two sites, an abandoned road alignment and remnant fencing, pose no constraints to development. The Cultural Heritage Assessment recommended that a section of the third site, the abandoned road alignment, be retained in recreational or open space within the proposed development for the greater Section 48 Fyshwick (of which Section 87, and Parts Section 83 and 85 are incorporated).

### Appendix E

ACTPLA have informed the NCA that during the progress of Variation No. 296 *Amendments to Water Use and Catchment General Code* to the Territory Plan, the ACT Heritage Council advised that there were no heritage issues associated with changes made by this variation.

## 1.2 EXPLANATORY STATEMENT

### 1.2.1 Purpose of the Draft Amendment

The purpose of this Draft Amendment is to propose amendments to both the General Policy Plan- Metropolitan Canberra and Appendix E of the Plan.

The first part of the Draft Amendment proposes to change the land use policy for Section 87 and Part Sections 83 and 85 Fyshwick from Broadacre Areas to Urban Areas under the General Policy Plan – Metropolitan Canberra of the Plan to permit industrial land uses.

The second part of the Draft Amendment proposes to amend Appendix E *Water Quality Policies* of the Plan, to add 'Irrigation' as a designated water use for Yarralumla Creek, Weston Creek and the Molonglo River; and add 'Drain' as a designated water use in the Murrumbidgee River Corridor catchment between Angle Crossing and the Molonglo River. This will facilitate proposed *National Water Initiative* (NWI) stormwater and reticulation projects in the ACT.

### 1.2.2 Site Description

#### Section 87 and Part Section 83 and 85 Fyshwick

Section 87 and Part Sections 83 and 85 are located within the Fyshwick industrial area, and adjacent to Canberra Avenue (refer **Figure 1.2.2**).

The provisions of Section 10 (1) of the Act provide for the Plan to specify areas of land that have the special characteristics of the National Capital to be Designated Areas. Planning and approval of development within the Designated Areas of the Plan is the responsibility of the NCA. The subject land is outside of Designated Areas, and therefore the approval of development on the land is the responsibility of the ACT Government.

#### Appendix E of the National Capital Plan

A site description is not applicable to the second part of the Draft Amendment.

### 1.2.3 Existing National Capital Plan Provisions

Section 87 and Part Sections 83 and 85 Fyshwick are identified as Broadacre Areas under the General Policy Plan- Metropolitan Canberra of the Plan (refer to Figure 1.2.3). Industrial land uses are not permitted in Broadacre Areas (except in relation to the Harman industrial area).

#### Appendix E of the National Capital Plan

Appendix E of the Plan identifies Water Use Designations for catchments across the ACT (Murrumbidgee River Corridor, Lake Burley Griffin (LBG) Catchment, and Lower Molonglo River). The existing water use designations are not conducive to the ACT NWI projects.

Figure 1.2.2 Area of Section 87 and part Sections 83 and 85 Fyshwick



Figure 1.2.3 Existing land use policy for Section 87 and part Sections 83 and 85

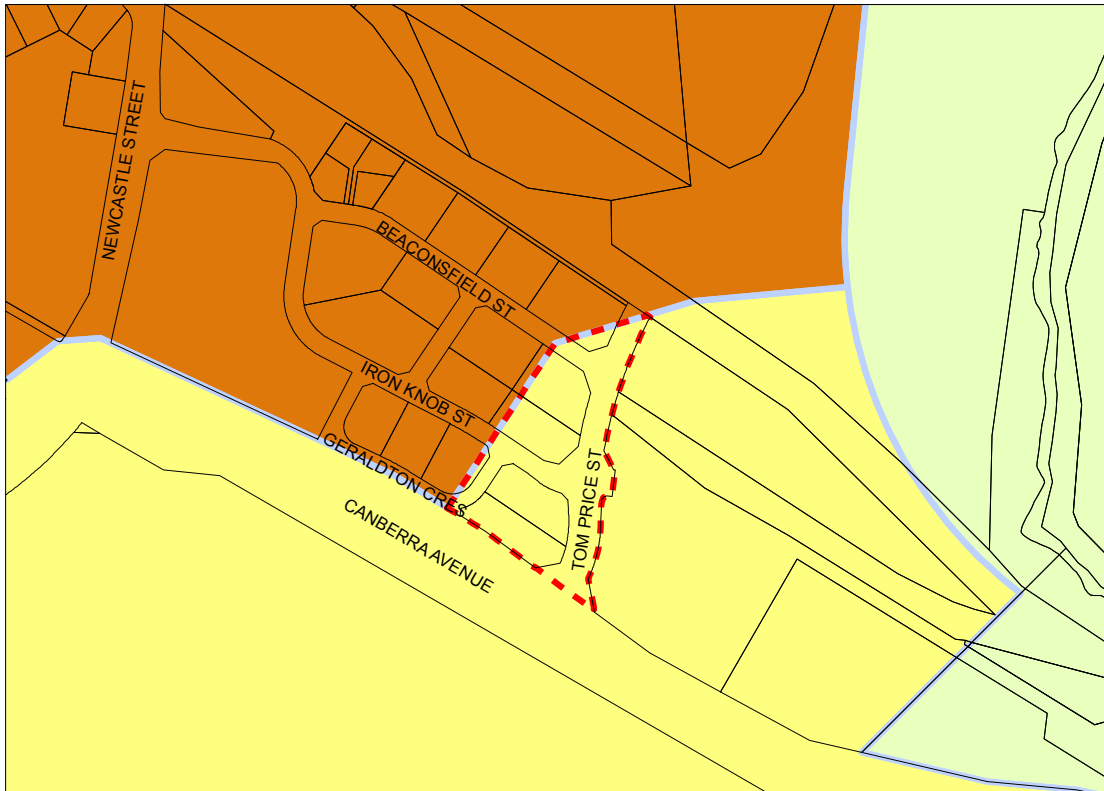
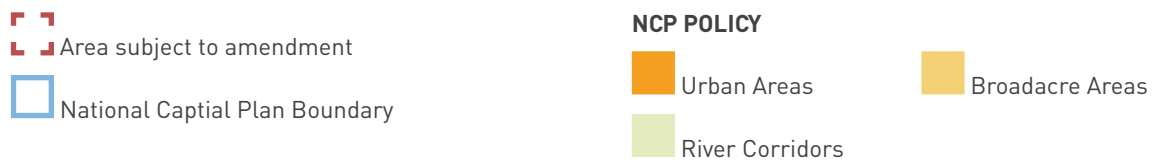


Figure 1.2.4 Proposed land use policy for Section 87 and part Sections 83 and 85



### 1.2.4 Effect of the Draft Amendment

The proposed change in land use policy will result in an Urban Areas land use policy being applied to Section 87 and part Sections 83 and 85 Fyshwick (refer Figure 1.2.4).

The NCA considers that an amendment to the Plan to enable industrial land uses to be developed on Section 87 and part Sections 83 and 85 Fyshwick is not inconsistent with the provisions of the Plan.

In particular, the policies for Urban Areas require that industrial development shall be located in the main industrial estates, which includes Fyshwick.

If Draft Amendment 70 is approved by the Commonwealth Minister for Home Affairs following public consultation and Parliamentary procedures prescribed in the Act it will facilitate proposed NWI projects in the ACT.

This would not be inconsistent with the principles and policies of the Plan.

### 1.3 DRAFT AMENDMENT PROCESS

The process for making an amendment to the Plan is outlined in Figure 1.3

Figure 1.3 Outline of the Draft Amendment Process



## 1.4 PUBLIC CONSULTATION PROCESS

The NCA welcomes written comments on Draft Amendment 70 Section 87 and Part Sections 83 and 85 Fyshwick and Appendix E to the Plan from interested individuals and organisations as part of the consultation process. All responses received will be considered before Draft Amendment 70 is submitted to the Federal Minister for Home Affairs in accordance with the provisions of the Act.

### Copies of Draft Amendment 70 are available from:

#### National Capital Authority

Ground Floor, Treasury Building  
King Edward Terrace  
PARKES ACT 2600  
*Between 8.30am and 5pm Monday to Friday*

#### National Capital Exhibition

Regatta Point  
Commonwealth Park  
*Between 9am and 5pm Monday to Friday, 10am and 4pm weekends*

#### The National Capital Authority website

[www.nationalcapital.gov.au](http://www.nationalcapital.gov.au)

### A public information sessions on Draft Amendment 70 will be held on:

Wednesday 30 September 2009 from 5:30pm to 7:30pm, at the National Capital Authority, King Edward Terrace, PARKES ACT 2600

### Comments on Draft Amendment 70:

Written submission on Draft Amendment 70 are invited in accordance with the provisions of the Act until close of business on Tuesday 20 October 2009 and should be forwarded to:

#### Mr Andrew Smith

A/G Executive Director  
National Capital Plan  
National Capital Authority  
GPO Box 373  
CANBERRA ACT 2601

*Or delivered by hand to the NCA office at:*

Ground Floor, Treasury Building  
King Edward Terrace  
PARKES ACT 2600

**Email: [draft.amendment@natcap.gov.au](mailto:draft.amendment@natcap.gov.au)**

Further information on Draft Amendment 70 is available from Ms Rebecca Sorensen on (02) 6271 2851, fax (02) 6273 4427 or email [draft.amendment@natcap.gov.au](mailto:draft.amendment@natcap.gov.au)

### Permission to disclose name and address

To maximise transparency in the consultation process the NCA seeks full approval by submitters to make public their submission. In accordance with the Information Privacy Principles under the Privacy Act 1998 regarding the handling of personal information, the NCA seeks agreement to publish the name and address of each submitter, or the principal submitter, with their submission in the Consultation Report and the Public Submissions Table to be made available on the NCA website.

When making a submission, please indicate whether you agree or disagree to your name being published together with the information being published.

# PART 2: NATIONAL CAPITAL PLAN DRAFT AMENDMENT 70

## NATIONAL CAPITAL PLAN

### Draft Amendment 70 – Section 87 and Part Sections 83 and 85 Fyshwick and Appendix E

The National Capital Plan is amended by the following:

## INTRODUCTION

### 1.1 PART ONE PRINCIPLES AND POLICIES

#### 1 General Policy Plan

a) Amend the existing Figure 1 the General Policy Plan with the following.



#### NCP POLICY

- Urban Areas
- Broadacre Areas
- River Corridors

## 2 Appendix E Water Quality Policies

b) Delete the existing 'Designation of Water Uses' table and substitute with the following 'Designation of Water Uses' table.

Catchment	Description	Use Designation
Murrumbidgee River Corridor	Angle Crossing to Molonglo River	DOM/3, IRRIG, STOCK, SWIM, BOAT, VIEW, AQUAHAB, MIGR, SAND, FISH, DRAIN
	Molonglo River to ACT Border	STOCK, BOAT, VIEW, AQUAHAB, MIGR, FISH, DISCH, DRAIN, SAND, IRRIG
Lake Burley Griffin (LBG) Catchment	Molonglo River from ACT Border to LBG	STOCK, IRRIG, SKI, VIEW, FISH, DISCH, DRAIN, SAND, AQUAHAB, IRRIG
	LBG – East Basin	BOAT, VIEW, AQUAHAB, FISH, DRAIN
	LBG – General Basin	BOAT, VIEW, FISH, DRAIN
	LBG – West Lake to Scrivener Dam	AQUAHAB, FISH, DRAIN, VIEW, BOAT, SWIM
	LBG Headwaters to Scrivener Dam (Catchment only)	DRAIN
Lower Molonglo River	Scrivener Dam to LMWQCC	BOAT, VIEW, FISH, DRAIN, AQUAHAB, IRRIG
	LMWQCC to Murrumbidgee R	VIEW, FISH, DISCH, DRAIN, AQUAHAB, IRRIG
	Yarralumla Ck	DRAIN, IRRIG
	Weston Ck	DRAIN, IRRIG

### 1.2 PART TWO ADMINISTRATION AND IMPLEMENTATION

c) Amend the Plan to recognise consequential changes of Draft Amendment 70 to page numbers, section titles and contents page.



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