

**FACILITIES FOR THE MULTI USER DEPOT
AT HMAS HARMAN
AUSTRALIAN CAPITAL TERRITORY**

**Submission to
Parliamentary Standing Committee on Public Works**

National Capital Authority

May 2003

1. INTRODUCTION

The National Capital Authority has prepared this submission in response to the Parliamentary Standing Committee on Public Work's inquiry into the proposed facilities for the Multi-User Depot at HMAS Harman, Australian Capital Territory (ACT).

This submission provides the relevant background information on the Authority's role in planning and development in the ACT and the Authority's involvement in this particular site and its development. It sets out the provisions of the National Capital Plan applicable to the subject site and outlines the Authority's current position regarding the assessment of the proposal.

2. LEGISLATIVE BACKGROUND

The National Capital Planning Authority was established in 1989 as part of the introduction of self-government in the ACT, with a view to securing the Federal Government's continuing interest in the planning and development of Canberra as Australia's National Capital. The name of the Authority was changed to National Capital Authority (NCA) on 4 June 1996.

The functions of the NCA are set out in the *Australian Capital Territory (Planning and Land Management) Act 1988* ("the Act"). One of the functions of the Authority under the Act is to prepare and administer a National Capital Plan (the Plan). Section 9 of the Act sets out the object of the Plan as follows:

Object of Plan

9. *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 is required to set the general policies to be implemented throughout the Territory. In particular, the policies of land use (including the range and nature of permitted land use) [Section 10(2)(b)].

In addition, the Act makes provision for the Plan to identify "Designated Areas" which are areas exhibiting special characteristics of the National Capital. [Section 10(1)]. Within Designated Areas the National Capital Authority is the responsible planning authority and all "works" require the approval of the Authority in writing [Section 12(1)(b)].

The Act also enables the Plan to set out "Special Requirements" for the development of any area (not being a Designated Area), being requirements that are desirable in the interests of the National Capital [Section 10(2)(d)].

The Act, at Section 11(2), specifies the binding effect of the National Capital Plan on the Commonwealth agencies as follows:

Effect of Plan

11. (2) *The Commonwealth, a Commonwealth authority, the Territory or a Territory authority shall not do any act that is inconsistent with the Plan.*

The National Capital Plan has been prepared in accordance with the Act and is being administered by the Authority. Provisions of the Plan relevant to the proposed development at HMAS Harman are set out below.

3. RELEVANT NATIONAL CAPITAL PLAN PROVISIONS

Introduction

The HMAS Harman site (**Attachment A**) is National Land located outside the Designated Areas of the National Capital Plan. Therefore, ‘Special Requirements for Broadacre Areas’ under section 5.3.1 of the Plan apply to the site.

The site on the north flanks Canberra Avenue which is a designated Approach Route as defined under the National Capital Plan. Therefore, ‘Special Requirements for Approach Routes’ under section 2.4 of the Plan also apply to the site which require “*that development flanking Approach Routes to the city is of a type and quality complimentary to the role and status of the city.*”

The Special Requirements require a Development Control Plan (DCP) to be prepared and agreed to by the Authority which reflects the relevant provisions of the Territory Plan and the National Capital Plan.

3.1 Land Use Policies

The General Policy Plan for Metropolitan Canberra under the National Capital Plan (NCP) identifies the HMAS site at Harman being within the land use category of "**Broadacre Areas**". The range and nature of uses, both existing and proposed, fall within the definition of "**Defence Installation**" which is allowed under the term "Administrative and Utility Services" uses permitted within the Broadacre Areas.

3.2 Area Specific Policies

The site is within the area potentially affected by the operations of Canberra International Airport. Section 5.1 of the National Capital Plan states that “*Aircraft noise under airfield approaches is an unavoidable by-product of flying operations associated with airports. The Australian Noise Exposure Forecast (ANEF) system, expressed by noise contours centred on the airport, is a scientific measure of forecast noise exposure levels based on current and future projections of operational activities in the vicinity of runway approaches. The system can assist in planning and development decision making. Information about forecast noise exposure in relation to Canberra International Airport can be obtained from the Commonwealth agencies*

with responsibility for aircraft noise regulation (currently Airservices Australia and the Department of Transport and Regional Services. The Department and Canberra International Airport Pty Ltd both hold copies of the Airport Master Plan which includes detailed information about aircraft noise)."

In addition, protected airspace provisions in relation to Canberra International Airport [covered under *Airports (Protection of Airspace) Regulations 1996*] apply to development independently of the National Capital Plan. Detailed information regarding relevant airspace provisions can be obtained from the Department of Transport and Regional Services.

The site is close to Bonshaw radio station and is within the 2 km zone identified in the National Capital Plan which requires development to be referred to the Department of Defence. Given that the Department of Defence is the proponent, it is assumed that the Department has conducted all necessary internal liaison and that there is agreement within the Department that the proposal will have no affect on the operations of the radio station.

The National Capital Plan requires development proposals on National Land located outside Designated Areas to be referred to the Authority for assessment to ensure that they are not inconsistent with the provisions of the National Capital Plan.

3.3 Special Requirements for Broadacre Areas

Special Requirements for Broadacre Areas under section 5.3 of the Plan apply to the site which states:

"It is in the interests of the National Capital that all National Land achieve a quality of development which reflects Canberra's significance as the national capital, and that proposals be assessed in relation to the provisions of both the Territory Plan and the National Capital Plan."

Accordingly the Plan requires -

"Development, including subdivision and leasing proposals, of all National Land not included in a Designated Area of this Plan, is to conform to Development Control Plans agreed by the Authority. Development Control Plans are to reflect the relevant provisions of the Territory Plan, and meet the following requirements:

- (i) Adverse environmental impacts from on-site development, on adjacent land and development, shall be identified and redressed to the extent practicable.*
- (ii) Adequate provision should be made where appropriate for visitors to sites.*
- (iii) Functional relationships between uses within and external to the site shall be provided for.*
- (iv) Consistency in the external design and site layout of buildings and landscaping shall be sought.*

(v) Satisfactory arrangements shall be made for parking accommodation and vehicular access and egress. Traffic impacts of development shall be taken into account."

3.4 Special Requirements for Approach Routes

A small part of the subject site is within 200 metres of the centre line of Canberra Avenue (a designated Approach Route) and therefore is subject to the **Special Requirements for Approach Routes** under section 2.4 of the Plan. That section requires *"that development flanking Approach Routes to the city is of a type and quality complimentary to the role and status of the city."* However, none of the facilities proposed is within the 200 metres mentioned above, and therefore this requirement of the National Capital Plan does not apply.

3.5 Development Control Plan

A Development Control Plan (DCP) for the HMAS Harman site was approved by the National Capital Authority on the 15 May 1996. This DCP (No. 171/98/0996) at **Attachment B** outlines the controls on development relevant to this site. The proposal, as outlined in the Statement of Evidence submitted to the Committee, generally complies with the DCP, however full compliance is subject to more detailed advice being received as the designs for the proposed facilities are developed further.

4. ASSESSMENT OF PROPOSAL

An overall assessment of the proposal has been made based on the present level of information provided in the Statement of Evidence (forwarded to the Authority). On the basis of this assessment the National Capital Authority is pleased to advise that in the view of the Authority the proposed development at HMAS Harman is not inconsistent with the provision of the National Capital Plan. Accordingly, the Authority is pleased to advise of its support in principle for the proposed development.

Further assessment of the proposal to ensure compliance with the provisions of the Development Control Plan will be required at the detailed design stage, this requirement is acknowledged by the Department of Defence.

ATTACHMENT A

Location Plan

ATTACHMENT B

**Development Control Plan
No. 171/98/0996**