



Australian Government
National Capital Authority

Consultation Report

Works Approval No. 102498

Black Mountain Peninsular Rowing Club

January 2022

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Introduction

Under the *Australian Capital Territory (Planning and Land Management) Act 1988*, the National Capital Authority (NCA) prepares and administers the National Capital Plan (the Plan) to ensure Canberra and the Territory are planned and developed in accordance with their national significance.

The Plan sets out the broad planning framework for the Australian Capital Territory (ACT). Areas designated as having special characteristics of the National Capital are subject to detailed planning policies and guidelines.

Any buildings or structures, demolition, landscaping or excavation works in Designated Areas require the approval of the NCA. The NCA considers such proposals in the context of the relevant provisions of the Plan.

On 17 August 2021 the NCA received a Works Approval application from Black Mountain Rowing Club Incorporated for the development of a two storey rowing facility, signage and outdoor lighting located on Block 11 Section 67 Acton (Black Mountain Peninsula).

The works comprise:

- The ground floor of the facility accommodating boats and providing change facilities.
- The first floor providing, clubrooms, lunch facilities, gymnasium, and club offices.
- Proposed signage and outdoor lighting.

The proposal will enable Black Mountain Rowing Club to provide state of the art facilities to deliver rowing programs and associated activities and events to a wide range of community groups which have had limited access to this sport.

Public Consultation requirements

1.1 National Capital Plan

Under the Plan, requirements for public consultation apply to:

- Major developments proposed for Section 9 Barton;
- A landmark building to RL617 adjacent to Commonwealth Avenue (within the Constitution Avenue and Anzac Parade Precinct);
- Detailed plans for development at Academy Close, Campbell;
- High-impact telecommunications facilities;
- All residential proposals within the Deakin/Forrest Residential Area Precinct; and
- All residential and commercial development proposed for Section 5 Campbell.

1.2 Commitment to Community Engagement

The NCA's 'Commitment to Community Engagement' details how the NCA conducts consultation. The purpose is to achieve a greater level of consistency and transparency in the NCA's decision making process.

The 'Commitment to Community Engagement' describes the minimum requirements for consultation, and the process by which WA applications that are released for public consultation will be assessed.

Part 2.7 *Works Applications* and Attachment C *Protocol for Development Applications for Works Which Require Consultation* of the NCA's 'Commitment to Community Engagement' describes the consultation process for WA applications. The NCA will make an assessment of whether a proposal is consistent with the National Capital Plan and if it requires public consultation. An assessment is made in relation to adverse impacts on:

- public space and community amenity
- environment, heritage or landscape values
- amenity of the locality in terms of materials, finishes, scale, massing, design and quality
- consistency with an existing Heritage Management Plan.

When an application for works is lodged and consultation is required, consultation with the community and stakeholders will be undertaken by the applicant, the NCA or both. Where consultation is undertaken by the applicant, the NCA may choose to stipulate specific requirements that the applicant is required to implement.

The NCA may set aside the requirement to undertake full public consultation where:

- previous consultation has been undertaken on the proposal
- minor amendments to previously approved works are required
- the NCA determines no stakeholders will be affected
- proposals are given exemption, as outlined in Part 2.3 of the 'Commitment to Community Engagement'

Public consultation was undertaken on the application due to high community use and potential impacts on the amenity of the locality.

Summary of Public Consultation

2.1 The public consultation process

Public consultation was undertaken by the NCA between 19 June and 9 July 2021. Consultation took the form of:

- On Saturday 13 November 2021, publishing a public notice in The Canberra Times outlining the proposed works and inviting submissions to be made to the NCA in relation to the proposal ([Attachment A](#)).
- Between 13 November 2021 and 3 December 2021, publishing details of the proposal on the NCA's website.
- Between 13 November and 3 December 2021 placing one A1 size sign on the site at Black Mountain Peninsular ([Attachment A](#))
- On 15 November 2021 publicly notifying the consultation process on the proposal on the NCA's facebook page.
- On 12, 17 and 19 November 2021 the NCA wrote to Representative Aboriginal Organisations, Lake Burley Griffin Guardians and Lake Users Group respectively via email advising of the consultation process and inviting comments.

2.2 Submissions Received, Comments and Response

The NCA received a total four submissions on the proposal. Two submissions supported the proposal and two submissions raised concerns in regards to various elements of the proposal.

Each submission and the NCA response is provided at [Attachment B](#).

Conclusion

The NCA's consultation process was carried out in accordance with the Plan and the NCA's 'Commitment to Community Engagement'.

The NCA has assessed comments raised by submitters and have been taken into consideration as part of the assessment process.

The NCA is satisfied that key concerns have been addressed. The proposal is not inconsistent with the provisions of the National Capital Plan, and is supported by the NCA.

On 20 January 2022, the NCA approved the works application.

Attachment A

Signs on Site and The Canberra Times Public Notice

	<p><i>Building the National Capital in the hearts of all Australians</i></p> <p>HAVE YOUR SAY </p> <p>WORKS APPROVAL BLOCK 11 SECTION 67 ACTON – BLACK MOUNTAIN PENINSULA – COMMUNITY ROWING FACILITY</p> <p>SUBJECT SITE </p> <p>On 17 August 2021 the National Capital Authority (NCA) received a works approval application for the construction of a rowing facility on Block 11 Section 67 Acton (Black Mountain Peninsula).</p> <p>The plans and supporting documentation for the application can be viewed on the NCA's website.</p> <p>The NCA welcomes feedback on this application by COB Friday 3 December 2021. Submissions can be made via email to WAconsultation@nca.gov.au</p> <p>Please contact the NCA for further information on (02) 6271 2888 www.nca.gov.au</p>
	<p> Australian Government National Capital Authority</p> <p>WORKS APPROVAL Open for Public Consultation Block 11 Section 67 ACTON – Black Mountain Peninsula – Community Rowing Facility</p> <p>On 17 August 2021 the National Capital Authority (NCA) received a works approval application for the construction of a rowing facility on Block 11 Section 67 Acton (Black Mountain Peninsula).</p> <p>SUBJECT SITE </p> <p>The plans and supporting documentation for the application can be viewed on the NCA's website.</p> <p>The NCA welcomes feedback on this application by COB Friday 3 December 2021. Submissions can be made via email to WAconsultation@nca.gov.au.</p> <p>Please contact the NCA for further information on WAconsultation@nca.gov.au.</p> <p>.....</p> <p> nca.gov  nca_gov_au  @nca_media</p> <p>www.nca.gov.au</p>

Attachment B

Summary of submissions and NCA Response

The National Capital Authority (NCA) undertakes an open and transparent works approval application process. As part of this process the NCA prepares a Consultation Report for publication on the NCA website, which includes a summary of each submission, along with the name of each person making the submission. Names of submitters have been omitted where a submitter requested confidentiality.

Submission	Issue	NCA response
1. John Widdup – Pedal Power ACT Advocacy Group		
1.1	<p><i>The proposal has the entrance path from the car park to the rowing facility access ramp and stairs crossing an existing path that traverses the Black Mountain Peninsular. The crossing area of the two paths is designated 'shared area' and there is no change proposed to the existing path in that area.</i></p> <p><i>The existing path is regularly used by people riding bikes often travelling at relatively high speeds of 30 km/h and above.</i></p> <p><i>The proposed entrance ramp and stairs to the rowing facility and its side fences start/end right on the edge of the existing path. That is a hazard as any side obstruction to a path should be at least 500 mm clear of the edge of the path. Additionally people exiting the rowing facility are unlikely to be looking for people using the existing path as they leave the entrance ramp or stairs as they will be focused on the change in their path environment.</i></p> <p><i>The proposed design with nothing additional done in the 'shared area' is extremely hazardous for people walking along and proposed path from the car park to the</i></p>	<p>The proposed submitted design included a minimum setback of 1020mm from the shared path edge and proposed built elements on the subject blocks such as step edges, ramps and furniture such as kerbs, handrails. This is considered sufficient to generally ensure that anyone using the path would not be impacted by these elements, as well as users coming from the new building having places to rest/pause and look prior to crossing the path.</p> <p>The Black Mountain Peninsula provides a diversity of recreational activities and paths in the area are regularly crossed by users of the Open Space. The existing notion of the path as shared space is not restricted by the proposed access ramp to the rowing facility.</p>

Submission	Issue	NCA response
	<p><i>entrance ramp and stairs and people riding bikes along the path.</i></p> <p><i>We ask that you do not approve the proposed 'shared area', and require some improvements to reduce the hazards where the new and existing paths cross.</i></p> <p><i>As a minimum we request:</i></p> <p><i>The existing path be relocated so that it is some distance from the access ramp and stairs.</i></p> <p><i>The existing path be widened where it crossed to proposed path to give people riding on the existing path the opportunity to swerve safely as necessary to miss errant walkers on the new entrance path.</i></p> <p><i>The relocated path be given priority over the new entrance path where they cross with, as a minimum, a zebra crossing marked for the existing path or, preferably, a raised crossing for the entrance path users to designate to them that they are crossing a path that will have people riding bikes at high speeds thereon.</i></p>	

2. Jason Middleton

2.1

Reduction of public access to the shore of Black Mountain Peninsula for recreational activities such as freshwater fishing due to development of Block 11 in addition to 14 and 15 (and likely development of 12 and 13).

The proposed rowing club boatshed is wholly contained within the Block boundaries and the Block boundaries have been located to maintain access along the foreshore and facilitate associated functions of a rowing facility such as the boat ramp to the waters edge. The NCA considers the rowing club boatshed and boat ramp will not reduce the extent of public access to the Lake Burley Griffin foreshore at Black Mountain Peninsula.

Submission	Issue	NCA response
2.2	<i>Potential impact to users of the public boatramp and its associated free 2 hour carparking due to the likely need of the users of this rowing facility, gymnasium and circuit room to expand their limited carparking from the proposed development to surrounding areas of Black Mountain Peninsula.</i>	The proposed use as a rowing club boatshed and associated clubrooms is consistent with the intended use and creation of Blocks 11, 12 , 13 and 14, Section 67 of the Black Mountain Peninsula which by nature of the isolated blocks with handles, does not permit onsite parking. The existing Black Mountain Pensinsula parking provisions are a shared asset across the Black Mountain Peninsula area.
3 David Bagnall		
3.1	<i>This will be an iconic Canberra sports facility on land that was designed by the NCDC for rowing boathouses since the 1960's. This proposal is visionary and an excellent use of this lakeside venue. The NCA should endorse this excellent proposal, that will enhance sporting opportunities and the lakeside panorama.</i>	Support noted.
4. Dr Mary Quilty		
4.1	Support for proposed rowing facility opportunities for Learn to Row programs for adults, indigenous, Mens, Mums, and Special Needs and Masters Rowing groups. A comminty rowing facility would improve the physical, mental and emotional health of these demographis in even more ways. The plans show a ramp that will go from the car parking area to the facilitiy's upper floor. I commend this, the ramp will enable access to the entire facility by the disabled and very old. The proposed rowing facility has the potential to make an immensely beneficial activity more widely available to the community.	Support noted.

Submission	Issue	NCA response
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The proposed facility would encourage continual repeat visits to, and use of, Lake Burley Griffin by a broader cross section of the Canberra community.