



Australian Government
National Capital Authority

Consultation Report

Works Approval No 101075

Block 8 Section 24 City – New Acton
John Avery Gardens

Permanent Installation of ‘Pop Up’ Outlet

September 2018

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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 (NCP) 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.

BACKGROUND

On 21 October 2015, the NCA approved an application for the installation of a ‘pop-up’ style outlet on Block 8, Section 24 City, in the John Avery Gardens in New Acton. The NCA approved the proposal as a temporary structure for a period of 3 years. Subsequent approvals were granted for associated minor works, including the landscape pergola structure and signage.

On 14 August 2018, the NCA received a new application seeking to make the structure permanent. The use of the outlet facility and dimensions of the structure remain the same as previously approved.

Public Consultation requirements

1.1 National Capital Plan (NCP)

Under the NCP, 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 Works Approval (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 undertakes an assessment of whether a proposal is consistent with

the National Capital Plan and level of public consultation required. 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; and
- consistency with an existing Heritage Management Plan.

When an application for works is lodged and public consultation is required, consultation with the community and stakeholders will be undertaken by the applicant, the NCA or both. Where the applicant undertakes consultation, 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; and
- proposals are given exemption, as outlined in Part 2.3 of the 'Commitment to Community Engagement'.

In this instance, public consultation was undertaken due to community interest generated on the previous works approval application for the outlet in 2015.

Summary of Public Consultation

2.1 The public consultation process

The NCA undertook public consultation between 21 August and 11 September 2018. Consultation consisted of:

- the NCA published the proposal and plans on the NCA's website between 21 August and 11 September 2018, and
- The NCA wrote to residents in New Acton South and the Parlour Room (Hotel Acton).

2.2 Key issues raised in public submission and NCA response

The NCA received a total of nineteen submissions on the proposal. All the submissions expressed support to make the structure permanent.

No negative comments were received on the proposal. A number of positive themes raised in the submissions of support included:

1. The proposal has been well received by the local and larger Canberra community as it enriches the culture of the mixed use precinct and is unique.
2. The proposal (and business operating from the outlet) contributes positively to the amenity of New Acton and is of benefit to residents and visitors to the precinct.
3. The proposal supports the use of active transport/cycling (and Goodspeed as a small local business).
4. The NCA was congratulated in approving the original application as a trial which was a step/risk into the unknown.
5. Most residents opposed to the proposal three years ago now see the positive impact the outlet has in precinct.
6. The proposal is well designed and blends with the landscape.

Emails of acknowledgment were sent to submitters advising that their support was noted.

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 considered comments raised in the submissions as part of the assessment process.

On 21 September 2018 the NCA granted permanent approval for the outlet.