

**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

*DRAFT VARIATION TO THE TERRITORY PLAN: HOLT SECTION 98 BLOCK 5
(BELCONNEN GOLF COURSE)*

**REPORT NO.14 OF THE STANDING COMMITTEE ON PLANNING,
DEVELOPMENT AND INFRASTRUCTURE**

JULY 1993

STANDING COMMITTEE ON PLANNING, DEVELOPMENT AND INFRASTRUCTURE

Resolution of Appointment

'The following general purpose standing committees be established to inquire into and report on matters referred to it by the Assembly or matters that are considered by the committee to be of concern to the community...

'a Standing Committee on Planning, Development and Infrastructure to examine matters related to planning, land management, transport, economic development, commercial development, industrial and residential development, infrastructure and capital works, science and technology.'

'if the Assembly is not sitting when the Standing Committee on Planning, Development and Infrastructure has completed consideration of a report on draft Plan variations referred pursuant to Section 25 of the Land (Planning and Environment) Act 1991 or draft Plans of Management referred pursuant to Section 204 of the Land (Planning and Environment) Act 1991, the Committee may send its report to the Speaker, or in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing and circulation.'

Minutes of Proceedings, Second Assembly, 27 March 1992

Committee Membership

Mr David Lamont (Presiding Member)
Mr Trevor Kaine (Deputy Presiding Member)
Mr Tony De Domenico
Ms Annette Ellis
Ms Helen Szuty

Secretary: Mr Rod Power

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(BELCONNEN GOLF COURSE)**

Background

1. Sections 25 and 26 of the Land (Planning and Environment) Act 1991 require the Executive to refer draft variations to the Territory Plan to an appropriate committee of the Legislative Assembly for report, and for the Executive to then have regard to the committee's recommendations before approving any variation. The Standing Committee on Planning, Development and Infrastructure is the appropriate committee to consider such draft variations.

2. On 31 May 1993 the Minister for Environment, Land and Planning referred the draft variations for Holt Section 98 Block 5 (Belconnen Golf Course) to the Standing Committee on Planning, Development and Infrastructure for inquiry and report.

3. The purpose of the draft variation is to change the existing land use policy to include Residential Use over part of the golf course site. The existing land use policy for the site is Recreation Facility (Restricted Access Open Space).

Action by the Committee

4. The draft variation for Holt Section 98 Block 5 (Belconnen Golf Course) was considered by the Committee at its meeting on Friday 11 June 1993. The Committee resolved to hold a public hearing on the draft variation and to place advertisements in the local press inviting public comment. The advertisement appeared in the *Canberra Times* on Wednesday 16 June 1993, the *Chronicle* on Tuesday 22 June 1993 and the *Valley View* on Wednesday 23 June 1993.

5. The Committee instructed the secretary to contact each of the persons who made a submission to the ACT Planning Authority on the draft variation for the Belconnen Golf Course. Seventeen submissions were received by the Planning Authority and were made publicly available in the normal course of the Authority's consultation process. The Committee examined these submissions in the course of its inquiry.

6. At its meeting on Friday 18 June 1993 the Committee was briefed on the draft variation by the Chief Planner and by officials of the Land Division of the Department of the Environment, Land and Planning. The Committee requested the officials to provide further documentation on several aspects of the proposal, and also to appear at the forthcoming public hearing so that their evidence could be placed on the public record.

7. On Wednesday 23 June 1993 the Committee made an on-site inspection of the proposed development. The Committee wishes to thank the management of the Belconnen Golf Club for its assistance during the inspection.

8. A number of individuals and organisations contacted the Committee in response to the press advertisements. At the public hearing on Friday 25 June 1993, the following persons appeared:

- Mr K Minto (for the West Belconnen Residents Action Group and the Conservation Council of the South-East Region and Canberra (Inc.))
- Dr C Watson (for the Belconnen Community Council)
- Mr G Handley (for the Belconnen Community Council)
- Mr B Brocklebank (member, Belconnen Golf Club)
- Messrs. B Hill and B Howarth (for the Belconnen Action Group)
- Mr M Lawrence (member, Belconnen Golf Club)
- Messrs. R Bell (for Ron Bell & Associates), J Dawson (landscape architect and golf course consultant), D Maiuto (of Oxtal Architectural, consultant to Bell & Associates) and G Mosely (of Graham Mosely Planning)
- Messrs. K Rudd (President, Belconnen Golf Club), B Fitzroy (Secretary-Manager, Belconnen Golf Club) and N Wilson (Director, Belconnen Golf Centre)
- Messrs. P O'Brien (Acting Assistant Secretary, ACT Planning Authority), P Harris (Acting Manager of the Community Relations Section, ACT Planning Authority), P Guild (First Assistant Secretary, Land Division, Department of the Environment, Land and Planning) and M Pearson (Land Division, Department of the Environment, Land and Planning).

9. The Committee accepted a number of documents tabled by persons appearing at the public hearing. Proceedings of the public hearing were recorded by *Hansard* and will be available in corrected form in the near future.

10. The Committee was concerned about one aspect of the public hearing. Some of the witnesses raised unsubstantiated allegations of impropriety about the conduct of the draft variation process, such as comment along the lines of 'the whole thing should be viewed with suspicion' and 'there are questions yet to be answered...'. The Committee is resolute in requiring that such allegations be substantiated at the time they are made. If evidence for the allegations is not forthcoming, then the Committee will treat them with the disdain they deserve - as was done on this occasion.

11. The Committee met again to formally consider the draft variation on Friday 16 July 1993.

Recommendation

12. The Committee has examined the draft variation to the Territory Plan for Holt Section 98 Block 5 (Belconnen Golf Course) and makes the following recommendations.

13. The Committee endorses the proposed variation but, in doing so, recommends that:

(a) the Government require the following matters to be part of the development conditions, with all resultant costs to be borne by the proponent:

- a roundabout (traffic calming device) to be constructed at the intersection of Spofforth Street and Messenger Street; and
- a roundabout to be constructed at the intersection of Stockdill Drive and Drake-Brockman Drive;

(b) the building height of the proposed development be limited to two storeys (in accordance with the proponent's clearly stated intention at the public hearing);

(c) the Government monitor any traffic problems arising at the intersection of Spofforth Street and Southern Cross Drive, at Drake-Brockman Drive and Kingsford Smith Drive, and at Kingsford Smith Drive and Belconnen Way; and

(d) the Government negotiate with the proponent to reach an agreement on how any additional cost deriving from the long-term maintenance of the proposed street furniture is to be met.

14. In making the last recommendation (above), the Committee acknowledges the value of a variety of street furniture (such as is proposed in this development) but is of the opinion that any long term additional cost associated with such street furniture should be borne by the residents.

15. The Committee notes the following undertakings made by the proponent during the public hearing:

- that construction of the new nine holes will be substantially concluded prior to the construction of residential dwellings
- that tree plantings on the edges of the new fairways will be graded in maturity, in order to facilitate the use of the new holes by golfers
- that driving range facilities will be available throughout the construction period
- that adequate traffic safety standards will be maintained during all stages of construction, and that pedestrians and golfers have right of way at all times
- that Belconnen Golf Course will continue to be a public golf course

- that the proponent will confirm in writing (to the Belconnen Golf Club) its future as a tenant of the club house or as an owner of the entire course in the longer term
 - that the proponent will provide paving of the barbecue area, provide covered pergolas and upgrade kitchen facilities in the club house, and
 - that building covenants will be developed for individual owners and builders so as to ensure a high quality integration of urban design and landscape setting.
16. The Committee takes special note of the proponent's intention to achieve new innovations in subdivision and urban design, attain high energy efficiency ratings, ensure high quality landscaping and generally facilitate a high quality development to meet the needs of a diverse group of residents.

Postscript

17. The *Land (Planning and Environment) Act 1991* requires the ACT Executive to have regard to the recommendations of this Committee before approving any draft variation to the Territory Plan.
18. A variation, together with the background papers and other documents, must be tabled in the Legislative Assembly within five sitting days of approval by the Executive. A further five sitting days is then provided for any Member of the Assembly to move that the variation be rejected in whole or in part. Any such motion must be dealt with by the Assembly within five sitting days.
19. If a variation is not rejected by the Assembly, the ACT Planning Authority will publish a notice in the *Gazette* specifying the date of commencement of the variation.

David Lamont MLA
 Presiding Member
 16 July 1993