

**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

DRAFT VARIATIONS TO THE TERRITORY PLAN

- **Gungahlin (Harcourt Hill) Joint Venture Development**
 - **Griffith Section 84 Blocks 4,5,6,7**
 - **West Belconnen**
 - **Braddon Section 22 Blocks 6,7,8,9**

**REPORT NO.8 OF THE STANDING COMMITTEE ON PLANNING,
DEVELOPMENT AND INFRASTRUCTURE**

December 1992

Terms of Reference –

On 27 March 1992 the Legislative Assembly passed a motion to establish...

'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'.

The motion also provided that:

'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.'

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

REPORT NO. 8 – STANDING COMMITTEE ON PLANNING, DEVELOPMENT AND INFRASTRUCTURE

DRAFT VARIATIONS TO THE TERRITORY PLAN

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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 Assembly for report, and for the Executive to then have regard to the Committee's recommendations before approving any Variation.

On 24 November 1992 the Minister for Environment, Land and Planning referred the draft Variation and background papers relating to West Belconnen and to the proposed Gungahlin (Harcourt Hill) Joint Venture Development to the Committee for inquiry and report. On 30 November 1992 the same Minister referred the draft Variation and background papers relating to Griffith Section 84 Blocks 4,5,6,7 (Hunters Tavern/Regency Motel/Captain Cook Hotel) and to Braddon Section 22 Blocks 6,7,8,9 to the Committee for inquiry and report.

The Committee was briefed on West Belconnen by representatives of the ACT Planning Authority on 27 November 1992. On 3 December 1992 the Committee inspected the site of the Gungahlin (Harcourt Hill) Joint Venture Development and also the West Belconnen site. On 4 December 1992 the draft Variations were considered by the Committee.

The Committee was briefed by representatives of the ACT Planning Authority, the Lands Division of the Department of Environment, Land and Planning, and the ACT Housing Trust. In considering the Griffith draft Variation, the Committee heard representatives of the Parish of St. John the Baptist in Canberra (Rev. Father Morozow); in considering the Braddon draft Variation, the Committee heard Mr J Dickson. In addition, representatives of the developers of the Harcourt Hill, Griffith and Braddon proposals were available to answer members' questions.

RECOMMENDATIONS

The Committee has examined the draft Variations and makes the following recommendations :

1. Gungahlin (Harcourt Hill) Joint Venture Development

The Committee endorses the Variation as proposed.

2. Griffith Section 84 Blocks 4,5,6,7

The Committee endorses the Variation with the recommendation that the development proposal be restricted to two storeys on McMillan Street.

3. West Belconnen

The Committee endorses the Variation as proposed. An additional comment by some members of the Committee (not a majority) is that Areas A₁ and A₂ should not have been withdrawn from the development proposal. The Committee notes that Ms Szuty will table a dissenting report in relation to this draft Variation.

4. Braddon Section 22 Blocks 6,7,8,9

The Committee endorses the Variation as proposed. The Committee draws attention to the fact that some objectors, while supporting development in this area, have concerns about aspects of the original design and siting requirements applying to the proposal.

David Lamont
Presiding Member
4 December 1992

DISSENTING REPORT

8 December 1992

I hereby dissent from the Standing Committee on Planning, Development and Infrastructure's Report No. 8, December 1992, with regard to West Belconnen.

The terms of reference of this Standing Committee require the Committee to examine matters related to planning, land management, transport, economic development, commercial development, industrial and residential development, infrastructure and capital works, science and technology. The proposed West Belconnen development incorporates the majority of the above in its development which is expected to meet the needs of some 9,000 residents of the ACT.

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 Assembly for report and for the Executive to then have regard to the Committee's recommendations before approving any variation.

West Belconnen is no ordinary variation to the Territory Plan. Since its inception, the proposed development of West Belconnen has attracted much controversy and indeed during the election campaign

areas A1, A2 and D were removed from the proposal. The original Environmental Impact Statement was considered to be so inadequate as to require another Environmental Impact Statement to be undertaken. The final Environmental Impact Statement, dated August 1992 and tabled by the Minister for the Environment, Land and Planning on November 24, 1992, along with significant background papers has been available for members of the Planning Committee and the general community to peruse for less than two weeks. In the Report on Public Consultation concerning the draft variation, it is noted that 241 responses were received, 46 expressing support for the variation, and 189 indicating they were critical or opposed the variation. I believe that the Planning, Development and Infrastructure Committee has not had time to consider their concerns and to establish beyond reasonable doubt that the variation should proceed.

The Standing Committee on Planning, Development and Infrastructure has had every opportunity to defer consideration of this variation until Members had become familiar with the material provided by the ACT Planning Authority and to further consider the involvement of the wider community through an inquiry process. As I have referred to earlier, this is no ordinary draft variation.

We live among the most highly educated community in Australia, people who have high expectations of the standard of work that they expect their elected MLAs to deliver. By endorsing this Variation at this time, the Standing Committee on Planning, Development and Infrastructure has chosen to ignore the views of many people who were concerned enough about the impact of this draft variation to put forward their views to the ACT Planning Authority for consideration.

I do not believe it is the role of the Assembly's Standing Committee on Planning, Development and Infrastructure to "rubber stamp" the variations that we are presented with for consideration. I believe in the case of the West Belconnen variation that that has indeed occurred.

Helen Szuty MLA

8 December 1992