

20<sup>th</sup> June 2008

Mick Gentleman,  
Chair,  
Standing Committee on Planning and Environment,  
ACT Legislative Assembly,  
GPO Box 1020,  
Canberra,  
ACT 2601

Dear Mr Gentleman,

Submission concerning Draft Variation 281 - North Weston

The following is a submission relating to the Planning and Environment Committee's consideration of Draft Variation 281 Molonglo and North Weston.

The submission concerns the effect of the current development proposals on the Canberra Sikh Association (CSA). These proposals, as they stand, are unjust and show a lack of foresight.

The Story So Far

In a joint submission to ACTPLA in November 2007, the CSA, the Baha'i, Orana School, and the Weston Creek Community Council asked for wide buffer zones to be provided at the interface between the existing Broadacre land users and the new residential areas, in order to conserve the amenity and functionality of the existing leases. The Planning and Environment Committee has a copy of this joint submission.

As a result of public consultation, the Government has now made some changes to the original Draft Variation. These changes were explained to the community at a public meeting in Weston on Wednesday 4<sup>th</sup> May 2008.

These changes create a small buffer zone (no more than 30 meters) between the CSA land and the new houses. However the CSA has stated that this buffer zone is not large enough, and that the number and closeness of the proposed houses will have a significant impact on CSA activities.

An Unjust Situation

The proposals presented to the public meeting on 4<sup>th</sup> May appear to be quite unjust for the following reasons.

The CSA originally applied for planning approval to build their temple and community centre at Mawson. Their application was refused in 2001, following a decision that the activities of the CSA are not appropriate to a residential area. This decision resulted from objections by the local residents, and some involvement of the Administrative Appeals Tribunal. The Government subsequently provided the land at North Weston to the CSA, so that it could conduct religious and cultural activities in an area reserved for use by community organisations or as open space, without disturbing neighbouring residents. This land was specially excised

from an existing forestry lease as a result of negotiations between ACT Government departments. At the time that the CSA purchased the North Weston land there was no suggestion that the adjacent land use would be changed to residential.

I recall that the Government recognised a similar situation in 2005 when it provided land in Kambah to the New Creation Ministry, an organisation that conducts noisy ceremonies.

Now, in total contradiction to the 2001 decision, the Government plans to build medium density housing in very close proximity to the CSA community centre and temple. This u-turn in planning principles is completely unjust and unethical in this particular case.

The current proposals also disregard the principle of fairness, that when the Government changes land use zoning it should take reasonable care not to damage the interests of the pre-existing landholders.

A just solution in this case requires that the activities of the CSA should not be inhibited in any way, now or in the future, by the changed land zoning. Therefore the Government should accommodate the wishes of the CSA in regard to wide buffer zones in the area between the CSA Centre and the Bahai Centre, and between the CSA Centre and the Cotter Road. The area that should not be built on is hatched in red on the attached plan. The sale of some of this land to the Bahai would be helpful.

I recall that a dispute based on the same planning principle between Canberra Airport and the Village Building Company has been resolved in court in favour of the airport.

I also note that the proposed houses to the north of the CSA land will be sited only 30 metres from a future eight-lane highway, which will not be pleasant or healthy for the occupants.

The buffer zones around CSA and Baha'i will create a precinct within which the existing landholders will be able to continue their cultural and religious activities without adversely affecting the quality of life of the residents in the new subdivisions, and vice versa. If the precinct is not created, the proposed housing will have a significant adverse impact on the CSA and on future residents. Any statement to the contrary is not realistic, and denies common experience.

#### A Lack of Foresight

The Government's proposals in relation to the CSA also show a lack of foresight regarding the development of the cultural and tourism life of the ACT. The Government needs to look beyond the next five years, and to look forward for at least 50 years.

An appropriate unbuilt precinct around the Sikh and Bahai centres would allow these communities to grow and prosper at their own pace, and enable the growth of significant cultural and tourism activities over the years, as has occurred in other centres belonging to these groups. This is more important for the long-term interests of the ACT community than the immediate release of a few building blocks on this land, for the sole reason that the land is close to existing infrastructure, allowing quick development.

Such foresight will provide space that will enable the Baha'i and Sikh communities to reach their full potential, with the probability of significant economic and cultural

benefits to the ACT community as a whole. We can see many examples of a lack of foresight in planning in the 1950s that inhibit development in the ACT only fifty years later. If foresight is not applied at North Weston, the potential economic, cultural and community benefits will be lost forever.

Australia increasingly looks to India in its skilled migration programmes. There is also considerable interest in Indian culture in the Australian community. Culture and tourism are of growing economic importance in the ACT. Foresight in this case is about recognising these trends and planning to make the most of them.

If the Government does not apply some foresight to these matters it is failing in its duty to future generations of Canberrans.

### Conclusion

I hope that you agree that these points have some merit. I am sure that they reflect the views of the Canberra Sikh Association. I also hope that the Committee will recommend adjustments to the proposals in Draft Variation 281, to create a cultural precinct in the area between the CSA Centre and the Bahai Centre, and between the CSA and Bahai Centres and the Cotter Road. This precinct will protect the legitimate rights of the Canberra Sikh Association, and will recognise its potential cultural and economic importance to the ACT.

Yours Sincerely,

John Leech.

Attachment: Plan showing area in question, with suggested buffer zones.

c.c. The Canberra Sikh Association  
The Weston Creek Community Council