

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

*DRAFT VARIATION TO THE TERRITORY PLAN
FOR
SYMONSTON SECTION 1 BLOCK 4*

**REPORT NO.33 OF THE STANDING COMMITTEE ON PLANNING,
DEVELOPMENT AND INFRASTRUCTURE**

NOVEMBER 1994

STANDING COMMITTEE ON PLANNING, DEVELOPMENT AND INFRASTRUCTURE

On 27 March 1992 (at the commencement of the Second Assembly) the Legislative Assembly established a Standing Committee on Planning, Development and Infrastructure 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 relating to planning, land management, transport, economic development, commercial development, industrial and residential development, infrastructure and capital works, science and technology.

The Assembly also authorised the Committee to 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, if the Assembly is not sitting when the Committee completes 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*.

Committee Membership

Mr Wayne Berry (Chairman)

Mr Tony De Domenico (Deputy Chairman)

Mr Greg Cornwell

Ms Annette Ellis

Ms Helen Szuty

Secretary: Mr Rod Power

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 8 November 1994 the Minister for the Environment, Land and Planning, Mr Bill Wood MLA, referred the draft Variation and background papers relating to Symonston Section 1 Block 4 to the Committee. The purpose of the Variation is to vary the existing Land Use Policy from "Broadacre" to "Industrial 'd' (Advanced Technology Development and Manufacturing)" to enable an advanced technology manufacturing estate to be developed on the site.

Consideration by the Committee

3. The Committee was briefed on the draft Variation on 18 and 25 November 1994. The Committee heard from officials of the ACT Planning Authority; the Economic Development Division of the Chief Minister's Department, and the Wildlife and Conservation Unit of the ACT Parks and Conservation Service.

4. Also, the Committee contacted each of the four respondents to the draft Variation, inviting each person or organisation to amplify their views. The Canberra Region Advanced Technology Manufacturing Association (CRATMA) advised the Committee that:

By establishing an estate and encouraging Advanced Technology Manufacturers to cluster in such an estate, the ACT Government will foster growth in this important industry area and assist in growing the future wealth and employment opportunities for the region.

5. The Queanbeyan City Council provided a submission to the Committee which noted that the proposed development would cover approximately 20 hectares of a possible 48 hectares and that:

these areas are not inconsequential when compared to [an] equivalently zoned area in Queanbeyan which has an approximate area of six hectares, and a total industrial area for Queanbeyan of approximately 150 hectares.

Queanbeyan City Council basically objects to the draft variation because the ... documentation fails to properly consider the economic impacts of the variation on Queanbeyan.

6. The Committee heard from a representative of Queanbeyan City Council (Mr Carswell, Senior Town Planner) on 25 November 1994.

7. The Committee carefully questioned ACT officials on this matter of concern to Queanbeyan City Council. The Committee concludes that the project should not be delayed on this score.

8. The Committee was advised by ACT planning officials that it was proposed to develop the area in three stages, with the second and third stages being dependent on the outcome of an environmental survey to be undertaken during December/January 1994/1995. This survey will determine the presence of the Eastern Lined Earless Dragon. It was the view of the Conservator of Wildlife and the Heritage Council of the ACT that decisions on the design and development of stages 2 and 3 should be taken following assessment of the results of the survey.

9. The draft Variation accepts this point, noting that:

any decision to proceed with the design or development within areas of native grasses will be dependent on the outcome of the environmental survey for Eastern Lined Earless Dragon (*Tympanocryptis lineata pinguicolla*).

10. The committee received advice from the Economic Development Division that the first stage of the development was viable even if the later stages did not proceed.

11. In summing up the key points arising out of this draft Variation, a majority of the Committee considered that an economic demand for the proposed type of land use clearly exists; that water control measures in relation to Jerrabomberra Creek are satisfactory; that no endangered species have been identified in the area proposed for stage 1 of the development; that traffic issues will be further investigated in conjunction with the NCPA as part of preparing a detailed Development Control Plan; and that the ACT Government has identified \$3 million in the 1994/1995 Budget for the establishment of the estate. On these grounds, the Committee supports the proposal.

Recommendation

12. *That the committee (a) endorse the Variation for Symonston Section 1 Block 4 and (b) that in view of the potential significance of parts of the site for the conservation of the rare earless dragon, the committee requests the Minister for the Environment, Land and Planning not to proceed to develop Stages 2 and 3 until this committee has been provided with a report on the results of the December/January 1994/95 environmental survey.*

13. Ms Szuty advised Members of the committee that she would dissent from part (a) of the above recommendation. Ms Szuty's dissent is attached to this report.

Postscript

14. The *Land (Planning and Environment) Act 1991* requires the ACT Executive to have regard to the recommendations of the Standing Committee on Planning, Development and Infrastructure before approving any draft Variation to the Territory Plan.

15. 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.

16. 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..

Wayne Berry MLA
Chairman

25 November 1994

DISSENTING REPORT

I hereby dissent from Part A of the recommendation by the Standing Committee on Planning, Development and Infrastructure on the Draft Variation for Symonston Section 1 Block 4.

I believe that the Committee has reached a decision on the Draft Variation at too early a stage for all of the parameters relating to this Draft Variation to be taken into full and effective consideration.

The Variation proposes to vary the existing land use policy for Block 4 from "Broadacre" to Industrial "d" (Advanced Technology Development and Manufacturing) to enable an advanced technology manufacturing estate to be developed on the site. Development of the site is proposed to proceed in three stages, stages 2 and 3 being dependent on the outcome of surveys to be undertaken in December 1994 and January 1995 to assess the potential habitat for the uncommon in the ACT and nationally vulnerable Eastern Lined Earless Dragon (*Tympanocryptis Lineata Pinguicolla*).

In the Draft Variation for public comment in August 1994 it is stated that:

"Variation to the Plan would permit development of a substantial portion of the site for an advanced technology manufacturing estate having approximately 25 sites ranging from 3000m² to 8000m². The ultimate number of sites will be dependent on the outcome of the environmental survey to be undertaken during December/January 1994/95. It is anticipated that a minimum of nine sites are capable of being developed as they are outside the areas identified for further survey."

The ACT Government has committed \$3 million to the development of infrastructure for the site according to a demand for an advanced technology manufacturing estate identified by the Canberra Region Advance Technology Manufacturing Association (CRATMA) and supported by a consultant's report. The Planning, Development and Infrastructure Committee was informed that the Coopers and Lybrand report entitled *"The Demand for Advanced Technology Manufacturing Sites in the ACT from Companies Outside the ACT"* was regarded by Government as a "Commercial-in-Confidence" report and would not be made available to members of the Committee.

The submission and representations to the Planning, Development and Infrastructure Committee by the Queanbeyan City Council indicated that an equivalently zoned area in Queanbeyan of approximately 6 hectares has generated no interest in its use for advanced technology manufacturing since 1988. The Queanbeyan City Council formally objected to this Draft Variation on the grounds that the economic impact on Queanbeyan had not been assessed. The Council has offered to participate in such an assessment should the ACT Government agree.

It can be argued that the economic implications of decisions such as the establishment of an advanced technology manufacturing estate have not been assessed in the past, however, I believe it is no reason for not addressing the issue now, given that the Territory Plan itself refers to the Sub-Regional Planning Context.

"However, there are very strong physical, social and economic linkages between the ACT and the nearby areas of NSW, particularly with the City of Queanbeyan, which is an integral part of the Canberra metropolitan area."

The National Capital Planning Authority has indicated that the appropriate upgrading of road infrastructure is heavily dependent on whether a decision is made to proceed with stages 2 and 3 of the site. Current thinking indicates that the

development of two intersections will be needed opposite stages 2 and 3 and that should only stage 1 proceed, and only one intersection be developed, public safety concerns will need to be addressed. To quote Annexe E of the Draft Variation papers, in a letter by the Acting Executive Director, Planning and Development Control, National Capital Planning Authority to the Chief Territory Planner, dated 22/9/94 -

"Site access and egress was the subject of earlier discussions between our authorities and you will recall my recent concern over reference, in the ACT Planning Authority's advertisement, to the provision of possibly only one access point. From a public safety standpoint, I consider that two points of access may be necessary. It is acknowledged that final determination of the locations of access points to the site will need to await the completion of further studies, particularly into ecological aspects, as well as the emergence of a Development Control Plan for agreement by the National Capital Planning Authority."

As is usual in the preparation of Draft Variations to the Territory Plan, an implementation plan specifying requirements for the development of the site was not provided to the Planning, Development and Infrastructure Committee for examination and scrutiny.

In the Draft Variation for public comment in August 1994 it is stated that:

"The implementation plan is intended to form the basis of a Development Control Plan required to be agreed by the NCPA before the development of the estate may proceed."

Although the Director of the neighbouring Canberra South Motor Park was consulted about this proposed Draft Variation to the Territory Plan, long term residents of the motor park were not and have not been consulted.

In its submission the Royal Australian Planning Institute stated "*our comments concern the strategic context and suitability of Section 4 Symonston, and raise questions about the possibility of more appropriate locations*". Further the Institute states:

"The Institute is concerned about the apparent absence of a strategic planning context for the draft variation. Although the draft variation refers to the consideration of alternative sites there is no information on the details of any locational or strategic assessment, nor any evidence as to why Symonston was preferred (other than to meet CRATMA's personal requirements). The distribution of employment is a critical factor in securing the efficient development of the city.

In fact the draft variation identifies a number of problems with Symonston. It is stated that the proposed estate should not be seen as an extension of Fyshwick - therefore a proposed location with a direct interface with Fyshwick appears strange. Possible environmental problems are mentioned and yet environmental surveys are not scheduled until December/January 1994/95.

Although Section 4 Symonston has never previously been considered as a location of an employment node, Gungahlin Town Centre has. Recent ACTPA documents stress the importance of employment at Gungahlin Town Centre, and in the absence of a Commonwealth Government office development programme, reference is made for the need for new types of

employment activity. An advanced technology manufacturing estate could therefore be considered as an ideal use for Gungahlin Town Centre.

Although the Institute does not deny the importance of economic development, it is our view that such activity should occur in locations which best meet the needs of the city rather than that which best meets the needs of a single interest group. On this basis it may be preferable to defer the current proposal until such time as a proper and rigorous strategic analysis is undertaken of alternative locations."

For the reasons stated above I am not able to support the proposed Draft Variation for Symonston Section 1 Block 4. I believe that a better informed decision about the future of the site could be made in 1995 when an effective assessment of all of the above mentioned parameters and variables has been undertaken.



Helen Szuty MLA

28 November, 1994