

## **Planning and Development Act 2007—variations Nos 309 and 327 to the territory plan**

### **Papers and statement by minister**

**MR GENTLEMAN** (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing): For the information of members, I present the following papers:

Planning and Development Act, pursuant to subsection 79(1)—Approvals of Variations to the Territory Plan, together with background papers, a copy of the summaries and reports, and a copy of any direction or report required—

No 309—Turner Bus Layover—Turner section 25 part block 8, dated 28 July 2015.

No 327—Capital Metro—Light Rail Stage 1—Gungahlin to Civic, dated 27 July 2015.

In accordance with the provisions of the act, these variations are presented with the background papers and copies of the summaries and reports. I ask leave to make a statement in relation to the papers.

Leave granted.

**MR GENTLEMAN:** I would like to present government responses to the standing committee reports on variations to the territory plan. These responses and the standing committee reports pertain to variation 309, the Turner bus layover, and variation 327, capital metro light rail stage 1, Gungahlin to the city. On 23 October 2014 the Standing Committee on Planning, Environment and Territory and Municipal Services started an inquiry on variation 309.

On 9 June 2015 the standing committee completed their report on variation 309. The standing committee made five recommendations for variation 309, one of which was that I approve it. The other four recommendations generally relate to the landscaping of this area of Turner, surrounding the bus layover site, and the ancillary works related to the bus layover development and have been adequately addressed in the report on consultation and changes made to variation 309. The government response to the standing committee report on variation 309 satisfactorily addresses the committee's recommendation and I have tabled the government response for the information of members.

I now turn to the bus layover itself. Variation 309 signifies a vitally important part of Canberra's public transport infrastructure. The location chosen by the extensive background studies demonstrates that it is the most suitable and efficient site for a bus layover facility. Variation 309 amends the Turner map and code and permits public transport facility as an assessable use on part block 8 section 25 in Turner so a bus layover can be developed. Variation 309 also removes the public land overlay meaning that when the site is developed for a bus layover and it will be consistent with maintenance rules and guidelines.

Variation 309 received 46 submissions during the public consultation period. The main issues raised related to the loss of parkland in the context of city growth, alternative sites that should be considered, the proposed landscape plan that should be implemented, the current and future use of part block 8 section 25 Turner, the need for a long-term master plan for the area, the potential impact of the proposal on traffic and road safety and compliance with noise levels and impacts on property values.

Changes to variation 309 were made following public consultation to responses to those concerns raised. Prior to public consultation, draft variation 309 proposed to rezone the site from PRZ1 urban open space to TZ1 transport zone. However, public submissions indicated that if the proposed bus layover does not proceed then the land would no longer be available for urban open space uses. Accordingly, the draft variation was amended to retain PRZ urban open space zoning of the site. While “public transport facility” will be added to the Turner precinct map and code to allow development of a bus layover, the retention of its current zoning would allow the site to be returned to parkland if the layover was no longer required.

With the satisfactory responses and amendments made to variation 309 to address those issues raised, further assessment and support from the standing committee, I feel confident that the community’s concerns have been adequately addressed.

On 26 November last year the Standing Committee on Planning, Environment and Territory and Municipal Services started an inquiry on variation 327, capital metro stage 1, and they completed their report on 11 June this year. The standing committee did not form an agreed view on the draft variation as it stated in the report:

The members of the Committee hold differing views on the merits of the Capital Metro project as a whole.

I would like to point out that the variation itself does not give any approval to the light rail project—it establishes definitions for light rail and associated key infrastructure in the territory plan. This is intended to remove any potential ambiguity around the permissibility of light rail in the ACT. It also provides a clear assessment path for future light rail proposals. It is a shame that some members of the committee missed that point. It further explicitly stated that the draft variation should not be considered as an endorsement or a condemnation of the capital metro project itself. And, whilst no recommendations were made, the committee did show support for the introduction of the terms “light rail” and “light rail depot” to the territory plan.

In regard to the concerns of submitters to the draft variation, the standing committee believed that the concerns raised regarding the development of the light rail could be addressed and managed to the satisfaction of the submitters. Furthermore, the standing committee’s dissenting report from the chair, Ms Meegan Fitzharris MLA, and member Dr Chris Bourke MLA recommended that I, as the Minister for Planning, approve draft variation 327.

The government has now responded to the report and dissenting report, and I now have tabled the government responses to the report for variation 327. I would like to

take this opportunity to thank the members of the standing committee for their consideration of the report on these two important variations. Variation to the territory plan 327, capital metro light rail stage 1, introduces the terms, “light rail” and “light rail depot” to the territory plan. It rezones parcels of land on a number of blocks to “transport zone” to allow for undertaking light rail associated road works; it amends transport zone objective (b) to cover light rail to ensure that any light rail developments are consistent with the relevant zone objectives; and it rezones a small triangular area in block 1 section 42 Mitchell from hills, ridges and buffer zone to general industry zone to accommodate the proposed light rail depot. The nature reserve overlay over the site is also removed.

Draft variation 327 was released for public comment in August last year for six weeks and attracted 10 public submissions. The majority of submitters opposed the light rail proposal in its entirety. The development of light rail stage 1 from Gungahlin to Civic is a public transport initiative committed to by the ACT government and led by the Capital Metro Agency. Three submissions raised concerns about potential impacts of the proposed light rail stage 1 Gungahlin to Civic. These included concerns about the impacts on the Belconnen Dog Obedience Club, block 601 in Gungahlin; the National Archives of Australia, blocks 1 and 4 section 15 in Mitchell; and equestrian uses at Mitchell and EPIC.

DV327 does not include detailed design considerations for the proposed light rail development. In this regard I am confident potential impacts on surrounding uses are matters that will be examined and assessed at the environmental impact statement and development assessment stages of the proposal. These submissions have been referred to the Capital Metro Agency for consideration during these stages and as such no changes were made to the variation since the public consultation period.

As the Minister for Planning I have directed the Planning and Land Authority to adjust the proposed TSZ1 transport zone along the southern end of Flemington Road to ensure this major road reserve will be entirely included in the TSZ1 transport zone. Light rail is an important part of planning for an integrated transport network, and as the Minister for Planning it is my role to decide the planning merits of making light rail a permissible use in the territory plan. For this reason I have approved variation 327.

## **Planning and Development Act 2007—variation Nos 321, 331, 337 and 347 to the territory plan**

### **Papers and statement by minister**

**MR GENTLEMAN** (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing): For the information of members I present the following papers:

Planning and Development Act, pursuant to subsection 79(1)—Approvals of Variations to the Territory Plan, together with background papers, a copy of the summaries and reports, and a copy of any direction or report required—

No 321—Pialligo agricultural area—Changes to the Pialligo precinct map and code, dated 29 July 2015.