



Mr Mick Gentleman MLA
Chair Standing Committee on Planning & Environment
ACT Legislative Assembly
GPO BOX 1020
CANBERRA ACT 2601

Dear Mr Gentleman

**Standing Committee on Planning and Environment: Draft Variation 281 -
Molonglo and North Weston**

Thankyou for the opportunity to present to the Standing Committee on Planning and Environment, regarding the draft variation to the Territory Plan No. 281 – Molonglo and North Weston (DV281).

During the presentation, the Committee requested certain additional material and information relating to DV281, specifically:

- The proposed number of dwellings in North Weston as a result of the changes to DV281 imposed by the draft amendment to the National Capital Plan No.63 (DA63);
- My letter to the National Capital Authority outlining my concerns regarding the nghenvIRONMENTAL report titled '*Review of Environmental Studies Undertaken to Inform the Preparation of National Capital Plan Draft Amendment 63 – Molonglo and North Weston*', which was used to largely inform recent amendments to DA63;
- The state of play with regard to the current arbitration between the rural lessees affected by DV281 and the ACT Government; and
- A hardcopy of the slideshow presentation given to the Committee on the 29 July 2008.

The change in the number of dwellings planned for North Weston has been considerably reduced since the publicly consulted version of DV281 in late 2007. Approximately 18ha of urban residential land has been lost from DV281 as a result of the changes imposed by DA63. The ACT Planning and Land Authority uses an approximation ratio of 15 dwellings/ha, which accounts for the provision of a mix of housing types. Using this ratio, the reduction in available land for housing will cause a loss of approximately 270 dwellings in the North Weston area.

As outlined in my presentation to the Committee on 29 July 2008, I have serious concerns regarding the validity of the nghenvironmental report, particularly its use for determining the boundaries of DA63. My letter to Mr Rohl, Managing Director, Planning & Urban Design, of the National Capital Authority is at Attachment A. Several of the report's specific errors and inaccuracies were remedied in the final report (indicated in parenthesis in my letter); however, the overarching deficiencies remained.

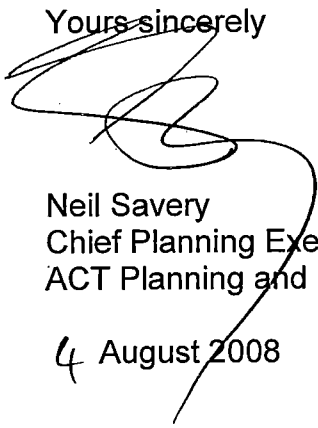
The arbitration process between the former rural lessees affected by DV281 and the ACT Planning and Land Authority is close to finalisation. As this is a private matter, however, the ACT Planning and Land Authority will not disclose the outcomes of that arbitration. If the other parties involved choose to do so that is ultimately a matter for them.

A hardcopy of the presentation I gave at the Committee hearing on 29 July 2008 is at Attachment B.

I note that the representatives of the Weston Creek Community Council (WCCC) made an offer to accompany the Committee for a site visit to North Weston. Should the Committee elect to make such a visit, I wish to advise you that I and/or other senior Authority representatives would also be available to accompany the Committee to ensure that a true representation of the draft variation planning proposal is given. The technical nature of the draft variation is such that it can be easily misinterpreted. For example, such an instance occurred in the WCCC's presentation to the Committee on the 29 where they indicated that ACTPLA is proposing six storey buildings on the perimeter of the CIT arboretum. This information is incorrect.

If the Committee requires any further material or information in order to prepare their report to the Minister for Planning, please contact Mr Paul Lewis (02 6207 1777)

Yours sincerely

A handwritten signature in black ink, appearing to be 'Neil Savery', written over a large, stylized, and somewhat illegible scribble.

Neil Savery
Chief Planning Executive
ACT Planning and Land Authority

4 August 2008



ATTACHMENT A

Mr Todd Rohl
Managing Director, Planning & Urban Design
National Capital Authority
GPO Box 373
CANBERRA ACT 2601

Dear Mr Rohl

DA63 – Review of environmental studies

I write to you in relation to the report by **ng**henvironmental titled *Review of environmental studies to inform the preparation of National Capital Plan draft amendment 63 – Molonglo and North Weston*, April 2008, which was commissioned principally to inform the National Capital Authority's (NCA) decision about the final form of DA63.

The latest version of the **ng**henvironmental report remains unacceptable and should not form the basis of any decisions about the nature and extent of future urban development in the lower Molonglo Valley. ACT Planning and Land Authority (ACTPLA) comments on the first draft have not been fully implemented in the second draft, and consequently, many grammatical, structural and technical issues remain. It is disappointing that the consultant chose to ignore our earlier comments, rather than contacting ACTPLA officers to discuss the relevant issues.

The report's main failings include the following.

- The relationship between the investigatory programme and the current planning process is poorly understood. The poor understanding is reflected in the report's recommendations.
- Most recommendations are poorly justified. The report also disengages completely from the sustainability perspective of Government (environment, economic and social), thus providing recommendations which are based upon a single perspective only.
- The report has not been informed by the independent report and the Minister's decision that the PA is an adequate assessment of the environmental implications of DV281; despite this being a requirement of the project brief.
- The language used, the interpretations made, and the information given is consistently biased toward the negative.

- The report relies upon old information (Biosis) that has been superseded with more detailed investigations (AMENDED IN FINAL REPORT).
- Numerous technical and statistical errors exist throughout the report (AMENDED IN FINAL REPORT).
- The report is incomplete in several sections (AMENDED IN FINAL REPORT).
- Several statements in the report conflict with each other, resulting in a very unclear reporting (AMENDED IN FINAL REPORT).

Attached to this letter is a track-changed version of the latest draft report. Attending to the comments and suggestions within would greatly enhance the value and clarity of the report. I would appreciate the consultant attending to these comments, and liaising with ACTPLA officers should this be required, prior to finalisation of the report.

I am also concerned that the consultant focused so much attention on the recommendations found in various environmental reports that informed the preparation of DV281 and the associated PA. Whilst this section of the report (Section 3.2) might be an interesting academic exercise, it does little to assist the reader in deciding whether DV281 and DA63 have adequately addressed the full range of issues associated with urban development: environmental, social and economic. Furthermore, this section is written and reported in such a manner that implicates the Authority as being negligent by not pursuing all consultants' recommendations.

As this section (Section 3.2) is of little value to the reader and in defining land use boundaries, and wrongly implicates the Authority as negligent in its non-compliance to all recommendations received by consultants, I am of the strong opinion that this section should be removed completely from the report. I would appreciate your comment on this suggestion particularly, prior to finalisation of the report.

Yours sincerely

Neil Savery
Chief Planning Executive

30 May 2008