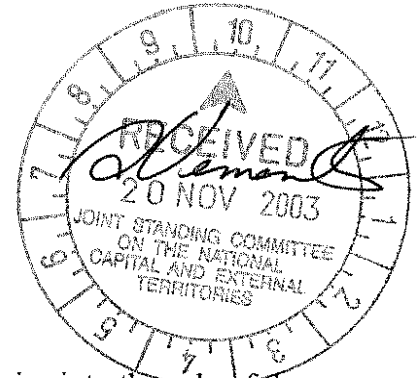




Chief Executive

Senator Ross Lightfoot  
 Chairman of the Joint Committee on the  
 National Capital and External Territories  
 Parliament House  
 CANBERRA ACT 2600



Dear Senator Lightfoot

On 15 August 2003 I addressed the Committee in relation to the inquiry into the role of the National Capital Authority (NCA). I undertook to provide further information requested by Members of the Committee, and this letter meets that undertaking. I have no objection to the information being made public.

In relation to broad planning issues, the Committee asked the ACT to provide a map highlighting the National and Designated Land that the ACT considers should not be so classified. The map is at **Attachment A**. The ACT Government considers that all currently designated land that is not National Land (that is, the land hatched but not coloured on the attached map) should not be classified as 'designated land'. A more appropriate mechanism to protect any issues of national significance on this land would be for the National Capital Plan to specify appropriate special requirements.

The Committee asked about the paperwork that passed between ACT and Commonwealth Ministers in relation to the ACT's suggestion for each jurisdiction to be represented on their respective planning bodies. This paperwork comprises three documents:

- Letter dated 25 November 2002 from Mr Simon Corbell MLA (Minister for Planning) to the Hon Wilson Tuckey MP (Minister for Regional Services, Territories and Local Government) asking for Minister Tuckey's response to the suggestion that a representative of the NCA be placed on the ACT Planning and Land Authority (ACTPLA), together with reciprocal ACT Government representation on the NCA Board [**Attachment B**];
- Letter dated 6 March 2003 from the Hon Wilson Tuckey MP to Mr Simon Corbell MLA rejecting the above suggestion (with an attachment comprising a letter dated 5 February 2003 from the ACT Chief Minister, Mr Jon Stanhope MLA, to Minister Tuckey) [**Attachment C**];
- Letter dated 2 April 2003 from Mr Simon Corbell MLA to the Hon Wilson Minister Tuckey MP seeking further discussions on ACT representation on the NCA [**Attachment D**].

In relation to the extent to which the NCA will be involved in decisions by the ACT in relation to implementing post-Bushfire planning measures, I advise that, where a post-Bushfire planning measure involves a *change to land use policy* in the National Capital Plan (eg any change from non-urban uses to urban in areas such as Stromlo), the NCA needs to agree to go forward with an

amendment to the National Capital Plan. However, *to change the management regime* will probably not require an amendment to the National Capital Plan in most instances.

This means that any substantive change to the current land use policies would require a great deal of cooperation from the NCA, including potentially shepherding an amendment to the National Capital Plan through the Commonwealth Parliament.

The NCA is jointly working with ACTPLA on a study of the Stromlo/Molonglo area with the aim to identify whether changes to the National Capital Plan area warranted. ACTPLA is reliant on the NCA to achieve any changes. There is no way ACTPLA can force an issue with the legislation as it stands, because only the NCA can propose amendments to the National Capital Plan and there is no provision for appeals if an amendment is proposed with which ACTPLA does not agree.

In relation to planning issues on specific sites, the Committee asked for information about land at Tuggeranong adjacent to Centrelink and land at Yarralumla on the shore of Lake Burley Griffin (the current Water Police site).

The land at Tuggeranong adjacent to Centrelink is Blocks 4 and 5 Section 13, Greenway. These Blocks were degazetted as National Land on 6 November 2002 and therefore are now Territory Land. ACTPLA is now the approving body.

The current Water Police site at Yarralumla is National Land administered by the Commonwealth Department of Finance and Administration (DOFA). It is located in a designated area and is subject to planning control by the NCA. The ACT has no legal jurisdiction over this site while it remains as National Land.

The NCA publicly outlined the status of the land in a letter to the *Canberra Times* on 29 August 2003. The NCA letter is attached for the Committee's information [**Attachment E**]. The letter shows the extent to which DOFA can become involved in Canberra's planning by the use of lease conditions on land that the Commonwealth sells.

In relation to the Gungahlin Drive extension, the Committee asked about the correspondence that passed between the ACT Government and the NCA in relation to the latter's decision in favour of the eastern route. The Committee also asked for details of the ACT Government's public consultation process since October 2001, when the current Government was elected. Finally, the ACT was asked about the cost of delays caused by NCA processes.

The formal paperwork in the ACT's possession that relates to the NCA's decision on the Gungahlin Drive Extension (GDE) since October 2001 comprises eight documents:

- Letter dated 22 November 2001 from Ms Annabelle Pegrum (Chief Executive, NCA) to Mr Lincoln Hawkins (then Executive Director, ACTPLA) outlining measures that the NCA requires the ACT Government to take in relation to the GDE [**Attachment F**];
- Letter dated 18 January 2002 from Mr Hawkins to Ms Pegrum outlining the actions being taken by ACT Government authorities in relation to the route of the GDE [**Attachment G**];

- Letter dated 20 February 2002 from Ms Pegrum to Mr Hawkins outlining issues to be finalised by the ACT Government [**Attachment H**];
- Letter dated 2 April 2002 from Ms Pegrum to Mr Hawkins requesting advice on the ACT Government's assessment of the impact of the western route on the Australian Institute of Sport [**Attachment I**];
- Letter dated 9 July 2002 from Ms Pegrum to Mr Hawkins asking about the ACT Government's Environmental Health Assessment of the western route [**Attachment J**];
- Letter dated 5 November 2002 from Ms Pegrum to Mr Hawkins informing the ACT Government that the NCA had engaged consultants "to undertake a comparative evaluation of the impacts of the western and eastern options" for the GDE, to be completed by "the end of December 2002" [**Attachment K**];
- NCA media release dated 23 December 2002 announcing the NCA's decision to adopt the eastern alignment for the GDE [**Attachment L**];
- Letter dated 24 December 2002 from Mr Ted Schultheis (Acting Director, NCA) to Mr Hawkins informing the ACT Government that the NCA was referring Draft Amendment 41 (the eastern route for the GDE) to Minister Tuckey with the recommendation "that he approve the Amendment without change" [**Attachment M**].

The Roads area of the ACT Department of Urban Services extensively consulted the community in relation to the Government's preference for a western route for the GDE. The consultation continued into 2003 following the NCA's decision in favour of the eastern alignment. The consultation involved representatives of the Australian Institute of Sport, the local Aboriginal community, the Aranda Residents' Group and Save the Ridge Group. A report on the consultations prepared by the Roads area of the ACT Department of Urban Services is provided at **Attachment N**—its key findings in relation to the consultation process are that:

"Outcomes of the latest consultations have been noted and addressed wherever appropriate in the concept design and the final report... The Australian Institute of Sport has outstanding concerns regarding issues associated with road noise... air quality, pavement design and the construction program. These matters will be the subject of on-going discussions between [the Institute] and Roads ACT during subsequent detailed stages of the project. [The Institute] supports revised traffic arrangements associated with Masterman Street, as well as proposals for artwork and new property boundaries".

The direct cost to the ACT of delays caused by NCA processes on the GDE is estimated at \$750,000. Additional costs to the ACT Government have been incurred by the delays in commencing the procurement process for the next stages of the project. The delays have put the project back by some five months.

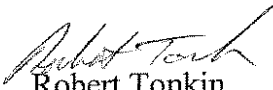
The estimate of \$750,000 is calculated on the basis of the following. Since October 2001 the ACT Government had already spent approximately \$1.2 million in progressing planning for the western alignment. As this work covered the full corridor from the Barton Highway to the Glenloch Interchange, it was not all attributable to the NCA's decision in favour of the eastern alignment. However, at least \$0.5 million was spent on planning for the Bruce Precinct—and

this work was made redundant by the NCA's decision on 23 December 2002. Then, following the NCA announcement of 23 December 2002, the ACT Government commissioned a series of further studies in relation to determining the final alignment for the GDE (eastern route). The studies cost \$250,000 and took place between January and March 2003.

The Committee asked for information about the cost to the ACT Government of complying with the requirements of the National Capital Plan and the NCA. The ACT has advised the Commonwealth Grants Commission that it costs \$34.759m pa to meet the requirements of the National Capital Plan and the NCA in relation to matters that can be considered State Government type of activity. The ACT is not reimbursed by the Commonwealth Grants Commission for this cost. Details of the NCA-related cost imposts are shown in the shaded right-hand column of the Table in **Attachment O**, with supporting information outlined in the pages after the Table in the same Attachment.

The ACT Government would be pleased to further assist the Committee if more information is desired. The contact officer in my Department is Greg Ellis (phone: 6205-0207).

Yours sincerely



Robert Tonkin  
Chief Executive  
Chief Minister's Department  
ACT Government

7/11/2003



Simon Corbell MLA

MINISTER FOR EDUCATION, YOUTH AND FAMILY SERVICES  
MINISTER FOR PLANNING MINISTER FOR INDUSTRIAL  
RELATIONS

MEMBER FOR MOLONGLO

Attachment B  
COPY

The Hon Wilson Tuckey MP  
Minister for Regional Services,  
Territories and Local Government  
Parliament House  
Canberra ACT 2600

Original Sent by Minister's Office

29/11/02

Dear Mr Tuckey

The ACT Government has introduced legislation into the Legislative Assembly that establishes a new governance framework for planning and land management in the ACT.

The *Planning and Land Bill 2002* establishes the ACT Planning and Land Authority, Planning and Land Council and Land Development Agency. The *Planning and Land (Consequential Amendments) Bill 2002* puts into effect a range of changes to transfer responsibility for planning and land management functions to the Planning and Land Authority.

The Authority, to be headed by a Chief Planning Executive, is to be advised by an expert Planning and Land Council. The Council will consist of up to seven appointees with expert qualifications and experience covering a range of disciplines relevant to the functions of the new planning and land body. The Planning and Land Council's role will be to provide independent, highly informed advice to both the Minister and the Authority on matters that are outlined in the attached draft Planning and Land Regulations.

The purpose of my writing to you is to seek your views on the National Capital Authority being represented on the ACT Planning and Land Council. I believe that such a move, together with reciprocal ACT Government representation on the NCA Board, will enhance the working relationship between the ACT and National planning bodies.

I would be pleased to discuss these matters with you further.

Yours sincerely

Simon Corbell MLA  
Minister for Planning

25-11-02

ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601

Phone (02) 6205 0000 Fax (02) 6205 0535



**PLANNING AND LAND BILL 2002**

**DRAFT OUTLINE - REQUIREMENTS FOR PLANNING AND LAND REGULATIONS**

**Section 10 – Asking the council’s advice**

The Planning and Land Council would provide expert advice to the Authority and to the Minister in respect of strategic planning policy matters.

The Planning and Land Authority is to ask the Council’s advice when establishing or reviewing strategic planning documents that provide for the future physical development or use of an area of the ACT.

Examples of matters to be prescribed for the purposes of section 10(1) of the *Planning and Land Act 2002* include:

- draft variations to the Territory Plan.
- The strategic spatial plan for Canberra (preparation and review).
- Neighbourhood Plans (preparation and review).
- Master Plans (preparation and review).
- Annual Urban Development Program and the land release programs (preparation and review).
- Applications to remove the concessional status of leases

In addition, proposals - that is, development applications and direct grants of leases – which are to be referred to the Council include applications:

- that the Minister has made a decision to determine under section 229A of the Land Act; or
- that require an environmental impact statement or a public environment report; or
- for multi-unit residential developments in residential areas (above three stories and/or 50 units); or
- for development in excess of 7,000 square metres; or
- for development of buildings or structures of a height of 28 metres or higher; or
- that raise a significant issue of policy or considerable community concern.

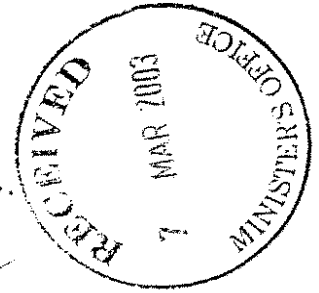
**The following matters would not be included:**

- draft variations to the Territory Plan in relation to defined land;
- proposals that have been considered previously by the Council; or
- proposals that implement policy that has been considered previously by the Council.



The Hon Wilson Tuckey MP  
Minister for Regional Services, Territories and Local Government

PLY Tuckey  
- for resp - x p -



11/3

- 6 MAR 2003

Mr Simon Corbell MLA  
Minister for Planning  
GPO Box 1020  
CANBERRA ACT 2601

Dear Minister

Thank you for your letter of 25 November 2002 concerning the ACT's new governance framework for planning and land management in the Territory. I appreciate you keeping me informed of developments such as this where the Commonwealth may have an interest. I regret the delay in replying.

I have considered your suggestion of reciprocal membership of the National Capital Authority (NCA) and the new ACT Planning and Land Council. While such an arrangement may have the potential to enhance cooperation and consultation between our two governments on planning issues, in my view it would present a conflict of interest for the individuals holding membership of both bodies. I do not believe that it is appropriate to have an ACT Government representative participate in discussions and decisions on matters such as a draft amendment to the National Capital Plan, particularly where that draft amendment may be the result of an ACT Government proposal. I have also been advised that an amendment to the *Australian Capital Territory (Planning and Land Management) Act 1988* would be required to give effect to your proposal, which goes beyond the intended role of the Authority and its members. Furthermore, the five positions on the Authority have been filled until mid-2004. Any additional appointments would be in breach of the *Australian Capital Territory (Planning and Land Management) Act 1988*.

Having said this, I agree that it is important for our two governments to cooperate and consult on planning issues. I remain committed to achieving this objective, as does the NCA. In addition to its statutory obligations under the *Australian Capital Territory (Planning and Land Management) Act 1988* to consult the Territory Government, I understand that the Authority meets routinely with your planning agency to discuss matters of mutual interest. I know that there have been a number of occasions where members of the ACT Government have been invited to Authority meetings to present and discuss specific issues. I trust the same opportunities will be afforded to Authority officers in your new arrangements.

Canberra:  
Parliament House  
Canberra ACT 2600  
Tel: (02) 6277 7060  
Fax: (02) 6273 7112

Perth:  
38<sup>th</sup> Fl "Exchange Plaza"  
2 The Esplanade  
Perth WA 6000  
(GPO Box B58  
Perth WA 6338)  
Tel: (08) 9325 4077  
Fax: (08) 9221 3325

Mid-West:  
25 Chapman Road  
Geraldton WA 6530  
(PO Box 1781  
Geraldton WA 6530)  
Tel: (08) 9964 2195  
Fax: (08) 9921 7990

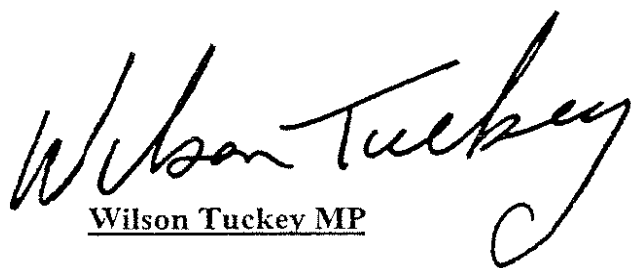
Great Southern:  
Shop 5 The Link Shopping Centre  
St Erville Way  
Albany WA 6330  
(PO Box 5077  
Albany WA 6332)  
Tel: (08) 9842 6228  
Fax: (08) 9842 6006

I note also, that the Authority has from time to time established (non-statutory) advisory panels on particular matters and encouraged ACT Government participation on these panels; for example, the Marketing and Events Advisory Panel and the Griffin Legacy Advisory Panel. Such panels provide good opportunities for mutual representation.

I am disappointed that the same level of cooperation has not been shown by the ACT Chief Minister in relation to policing issues at the site of the Aboriginal Tent Embassy. I enclose his recent correspondence regarding this issue for your information.

Thank you again for raising these matters with me and I wish you well with your new planning arrangements.

Yours sincerely



Wilson Tuckey MP





RECEIVED PLS  
12 FEB 2003 10:03:02 a.m.

# Jon Stanhope MLA

CHIEF MINISTER

ATTORNEY GENERAL MINISTER FOR HEALTH MINISTER FOR COMMUNITY AFFAIRS MINISTER FOR WOMEN

MEMBER FOR GINNINDERRA

RECEIVED BY MINISTER  
17 FEB 2003  
REG. SERVICES  
TERRITORIES & LOCAL  
GOVERNMENT (CANBERRA)

Mr Wilson Tuckey MP  
Minister for Regional Services  
Territories and Local Government  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Dear Minister

As you know, the site of the Aboriginal Tent embassy is unleased land belonging to and occupied by the Commonwealth. Pursuant to the section 6(g) of the *Australian Capital Territory (Planning and Land Management) Act 1988* the National Capital Authority (NCA) is responsible for managing the site on behalf of the Commonwealth with the approval of the Minister. I am aware that the legal advice was provided to the NCA in July 2001 by the Office of the Australian Government Solicitor confirming this and setting out relevant governing provisions.

In recent discussions with the Chief Police Officer for the ACT, Mr John Murray APM, he raised that the National Capital Authority (NCA) has become increasingly reliant upon the services of Australian Federal Police ACT Policing to perform regulatory functions at the site, including the removal of unauthorised structures.

Section 3A of the *Trespass on Commonwealth Lands Ordinance 1932* (the *Ordinance*), allows you to appoint inspectors to perform these types of regulatory functions. As there are currently no inspectors, there is an expectation for ACT Policing to divert officers from their community policing duties to intervene in situations that are more properly handled at the regulatory level. This reliance on police intervention has potential to inflame situations arising at the Embassy site, to incite further breaches of the peace and to unnecessarily involve police in politically sensitive matters. In addition, this role directly conflicts with ACT Policing's commitment to reconciliation and may damage important relationships between police and the indigenous community in Canberra.

As the NCA is responsible for managing the Aboriginal Tent Embassy site on behalf of the Commonwealth it seems most appropriate that persons employed by the NCA are appointed as inspectors to perform regulatory functions under the *Ordinance*. ACT Policing

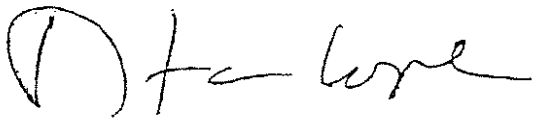
ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601  
Phone (02) 6205 0104 Fax (02) 6205 0433

advises that its officers, with the assistance of its Indigenous Community Liaison Officers, will continue to stand by if requested to ensure there is no breach of the peace.

Your early advice on this matter is appreciated.

Yours sincerely

A handwritten signature in black ink, appearing to read "Jon Stanhope". The signature is fluid and cursive, with a large initial "J" and "S".

Jon Stanhope MLA  
Chief Minister

- 5 FEB 2003



# Simon Corbell MLA

MINISTER FOR PLANNING MINISTER FOR HEALTH

MEMBER FOR MOLONGLO

The Hon Wilson Tuckey MP  
Minister for Regional Services,  
Territories and Local Government  
Parliament House  
Canberra ACT 2600

Original Sent by Minister's Office

02/04/03

Dear Mr Tuckey

Thank you for your letter of 6 March 2003 about the Commonwealth's position in relation to my proposal for reciprocal National Capital Authority and ACT Planning and Land Council membership.

I appreciate the legislative issues that currently preclude ACT representation on the NCA. However this proposal presents significant opportunities for the Commonwealth and Territory Governments to work more cooperatively on matters affecting the ACT. I believe that we have an opportunity to ensure that planning and development matters are considered at the highest level within both jurisdictions to ensure the best outcomes for the National Capital.

Whilst I acknowledge that there may be matters that could present a conflict of interest, these could be worked through within the Authority and Council. In the longer term, the benefits of reciprocal representation would certainly outweigh any such issues.

If you agree, perhaps we can discuss a way forward, including the necessary legislative changes to enable ACT representation on the NCA. Given that the NCA positions are filled until next year, there is time for our Governments to work together over the next twelve months to achieve what I believe would be an extremely beneficial outcome.

I would be pleased to discuss this with you further.

Yours sincerely

Simon Corbell MLA  
Minister for Planning

2.4.03

ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601  
Phone (02) 6205 0000 Fax (02) 6205 0535

# NCA not responsible for Water Police facility

REGARDING the sale and future use of the Water Police site at Yarralumla (CT Letters, August 27), the land occupied by the Water Police facility at Yarralumla Bay is "national land" administered by the Department of Finance and Administration. The National Capital Authority is not responsible for the Commonwealth property divestment program. The responsibility for the sale of this property rested with DoFA.

The site is within the Central National Area and consequently is subject to planning control by the National Capital Authority in accordance with the provisions of the National Capital Plan (the Plan).

The Authority considers

that the continued occupation of the site by the Water Police is an appropriate and necessary use. The lease issued by DoFA at the time of the sale restricts the use of the site to Community Protection Facility. The Authority advised DoFA that the lease was consistent with the Plan. The Authority is not prepared to consider any variation of the lease (proposed by the lessee through DoFA) that would jeopardise the continued presence of the Water Police on the site.

If the Water Police decide to relocate at some time in the future any lease variation proposed would need to be consistent with the Plan. The Authority has received no indication from the Water

Police that they have any intention of relocating.

DAVID WRIGHT  
Director (National Capital Plan), National Capital Authority

## Irony abounds

AH, WHAT a delicious irony. Here we have a politician, Minister Tony Abbott, lying about "Australians for Honest politics".

GEOFF COHEN  
Holt

## A new portfolio

JOHN HOWARD should change the name of Tony Abbot's portfolio to "Minister

for Dirty Tricks". And if he needs a new press secretary, Piers Ackerman, the *Daily Telegraph's* star columnist would be ideally suited.

NICK HARVEY  
Mudgee

## Branch line needs watching

I GET the feeling that the NSW Government's decision to cancel rail passenger services between Canberra and Sydney is going to result in something more permanent.

In fact I think they would like to close the branch line from Joppa Junction altogether, but they can't be-

cause they also want to hit the rail network to Tarago order to dump Sydney's rubbish into the huge hole in ground which used to be Woodlawn mine (the government's contempt for the bush knows no bound-

The Victorian Government is going in the opposite direction by re-opening the Bairnsdale and Ballarat Ararat lines which have been closed by the previous government.

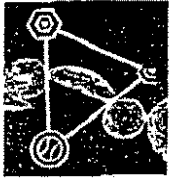
For both practical and heritage reasons, any move to close the Joppa Junction/Canberra branch line should be resisted.

JOHN SALISBURY  
Higg

### YOUR LETTER

● Keep it under 250 words. ● References to Canberra Times reports should include date and page No. ● Letters may be edited. ● Give phone number, full home address. ● Send from the message field, not as an attached file. Fax: 6280 2282. Mail: 'Letters to the Editor', The Canberra Times, PO Box 713

Attachment F

National Capital  
AUTHORITY

Mr Lincoln Hawkins  
Executive Director  
ACT Planning and Land Management  
GPO Box 1908  
CANBERRA ACT 2601

Dear Lincoln

### National Capital Plan Draft Amendment 41 – Gungahlin Drive Extension

The public exhibition period for Draft Amendment 41 closed on 7 September 2001. The Authority received and considered a number of submissions, including advice of support from PALM, but did not make a submission to the Minister before Federal Parliament was prorogued and the Government went into caretaker mode.

It is understood that the new ACT Government opposes the eastern alignment given effect through gazettal of Draft Variation 138 in September 2001 and supports the "Community Option" passing to the west of the AIS.

The Authority will not seek to finalise Draft Amendment 41 until the ACT Government makes its intentions clear. In the event that a further Draft Variation to the Territory Plan may propose to delete the eastern alignment and to instead adopt an alignment to the west of the AIS, the Authority would need to be satisfied by PALM on a number of specific matters.

Firstly, there would be a need to demonstrate that the western alignment would have less environment impact than the eastern alignment. This would appear to necessitate a preliminary assessment of the western option.

Secondly, the Authority would need to be assured that through a process of consultation with the AIS, any impacts on its current or likely future operations, including parking, had been identified and addressed to the reasonable satisfaction of the Institute

Thirdly the Authority would appreciate advice on the strategy the ACT Government is pursuing for upgrading public transport options to Gungahlin. Many of the submissions received by the Authority raised concerns about the problems of travel into and out of Gungahlin being resolved primarily by roads designed to meet private transport demands rather than by providing a balance between private vehicle use and public transport services. In this connection, it is noted that the National Capital Plan at Chapter 6 "Transport" states:

*"Efficient operation of the national and arterial roads systems also requires that an effective public transport and priority system be established. It is*

*important that the provision of public transport and the implementation of related policies by the ACT Government keeps pace with residential, commercial and industrial development needs. These policies should aim to minimise consumption of energy and to enhance the physical environment of the Territory".*

Fourthly there is the matter of the connection of Gungahlin Drive Extension to Caswell Drive and Belconnen Way. While it is acknowledged that these issues are common to both the eastern and western options for Gungahlin Drive Extension, it is noted that redressing potential noise impacts on Aranda residents and maintaining safe access to and from the suburb may impact adversely on the Inner Hills both to the north and south of Belconnen Way. These issues were the subject of a letter from the Authority dated 31 August 2001 (copy enclosed).

Should the new ACT Government decide to accept the (gazetted) eastern route for Gungahlin Drive Extension, the third and fourth points set out above will still need to be responded to. Also, the Authority would need additional information for the section of the eastern option passing to the east and along the southern boundary of the AIS. In particular the Authority would wish to know if this section contains any rare or endangered species or whether it comprises a habitat necessary for the survival of any endangered species.

A meeting with PALM staff to discuss the above issues would be appreciated when the future direction of the ACT Government is clarified and any necessary additional studies have been effected. To arrange a meeting or for additional information, your officers should contact John Bolton on 6271 2816 or Ted Schultheis on 6271 2840.

Yours sincerely



**Annabelle Pegrum**  
Chief Executive

22 November 2001



Attachment A

01/1687

59

OFFICER : Paul Isaks  
PHONE : 02 - 62071720  
FAX : 02 62072587  
EMAIL : paul.isaks@act.gov.au  
FILE : 01/10602

Ms Annabelle Pegrum  
Chief Executive  
National Capital Authority  
GPO Box 373  
CANBERRA ACT 2601

Dear Ms Pegrum

**National Capital Plan Draft Amendment No. 41  
- Gungahlin Drive Extension**

Thank you for your letter of 22 November 2001 regarding the status of Draft Amendment No. 41 and the new ACT Government's preference for an alignment for the future Gungahlin Drive extension to the west of the Australian Institute of Sport.

The Department of Urban Services has issued a brief to selected consultants on the engineering feasibility study and associated environmental studies to evaluate the options for a western alignment and to establish a clearer picture of the likely cost of the future arterial road. PALM will be involved in these studies through participation in the study management group. I expect that the studies will be completed early in April 2002, after which a decision will be taken on a preferred alignment for the road.

A draft Variation to the Territory Plan will then be prepared, together with a Preliminary Assessment documenting the environmental impacts associated with a western alignment. These have largely been identified in the *John Dedman Parkway Preliminary Assessment* which was released for public comment in October 1997. The additional studies will focus on noise, grasslands and visual effects associated with a western alignment.

I note your concern about the potential effects on the Australian Institute of Sport (AIS). The ACT Government has commenced discussions with the AIS with a view to addressing any issues which might arise as a result of a change to a western alignment.

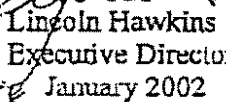
I note also your concern about planning for public transport and the issues you have raised will be addressed. In fact, the ACT Government intends undertaking a public transport options study later this year. It is worth noting that the future Gungahlin Drive extension will provide a transport corridor between City and Gungahlin which will provide for cycling and public transport facilities, both on- and off-road, as well as for private vehicles.

Regarding the alignment of Caswell Drive, the Department of Urban Services has commissioned studies on duplication of Caswell Drive and the intersection requirements at Belconnen Way/Caswell Drive. These studies have also assessed an alternative alignment approximately 200m east of the existing Caswell Drive alignment from south of Aranda to Belconnen Way. These studies have now been finalised and will provide the basis for discussions with your officers in resolving the alignment for Caswell Drive and any further work which is necessary to achieve a suitable outcome.

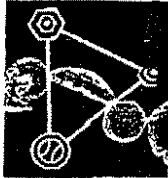
I expect that the Urban Services Department will also contact your officers in the near future with a view to establishing a strategic steering committee for the work.

Thank you for bringing me up to date on the National Capital Authority's position on Draft Amendment No. 41.

Yours sincerely

  
Lincoln Hawkins  
Executive Director  
18 January 2002



National Capital  
AUTHORITY

Attachment H

Mr Lincoln Hawkins  
Executive Director  
Planning and Land Management  
GPO Box 1908  
CANBERRA ACT 2601

Dear Lincoln

### Draft Amendment 41 – Gungahlin Drive Extension

Thank you for your letter of 18 January 2002 advising me of the consideration being given to the matters raised in my letter of 22 November 2001 on Draft Amendment 41.

I note that the Department of Urban Services is investigating aspects of the proposal aimed at adopting the western alignment for the Gungahlin Drive Extension at Bruce. As advised in my letter of 22 November 2001, the Authority will not seek to finalise Draft Amendment 41 until the intentions of the ACT Government are clear. In this regard the Authority will await your advice following the environmental study to establish if a lesser environmental impact from that alignment can be demonstrated. It is also reiterated that the potential impacts on the current and future operations of the AIS resulting from a western alignment of Gungahlin Drive Extension will need to be satisfactorily resolved with the Australian Sports Commission.

I also note the steps being undertaken regarding the duplication of Caswell Drive and the intersection requirements at Belconnen Way. You should be aware there was strong opposition in public submissions received to Draft Amendment 41 for any significant incursions of the duplicated Caswell Drive into the Black Mountain Reserve.

The relocation of Gungahlin Drive alignment to accommodate any shift in the location of the Caswell Drive intersection will give rise to further impact in the O'Connor/Bruce Ridge Reserve that will also need to be addressed. At this stage the Authority would expect the solution to remain within the existing Caswell Drive Reserve except for minor variations.

The initiative of undertaking a public transport options study should provide valuable information for the development of an effective public transport system connecting Gungahlin to the City. Such a system needs to be established in parallel with the continued efficient operation of the arterial road system.

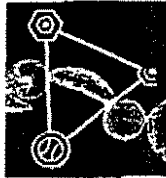
For further enquiries regarding Draft Amendment 41 and related matters please contact David Wright who is now the Director, National Capital Plan. David can be contacted on 6271 2840.

Yours sincerely



**Annabelle Pegrum**  
Chief Executive  
20 February 2002

National Capital  
AUTHORITY



Mr Lincoln Hawkins  
Executive Director  
Planning and Land Management  
GPO Box 1908  
CANBERRA ACT 2601

Dear Mr Hawkins

### Gungahlin Drive Extension

I refer to my letter to you dated 20 February 2002. In that letter I noted that the Department of Urban Services is undertaking investigations in relation to options being considered by the Territory Government for a possible western alignment of the Gungahlin Drive Extension.

The Authority has received formal representations by the Australian Sports Commissions (ASC) raising concerns about the potential impact on the Australian Institute of Sport of a western route for the proposed road. These concerns are based on the effects on the performance of athletes training and visiting the facility that could arise from construction activity and pollution impacts of a major arterial road operating on the western side of the Institute. They are also concerned that the overall operation and long term planning for the development of the Institute may be compromised.

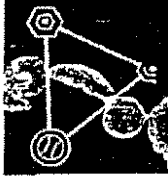
I understand that these concerns have been raised by AIS with PALM and have been outlined in submissions by the Institute when previous proposals concerning a possible western alignment of Gungahlin Drive Extension were being considered. A submission has been received by the Authority from the Australian Sports Commission in relation to Draft Amendment 41 that reflects this position.

Accordingly I would appreciate your advice on the assessment of impacts that have been identified by the Institute.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Annabelle Pegrum'.

**Annabelle Pegrum**  
Chief Executive  
2 April 2002

National Capital  
AUTHORITY

Mr Lincoln Hawkins  
 Executive Director  
 Planning and Land Management Group  
 ACT Department of Urban Services  
 GPO Box 1908  
 CANBERRA ACT 2601

Dear Mr Hawkins

**GUNGAHLIN DRIVE EXTENSION**

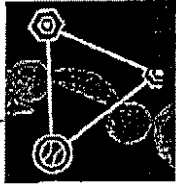
I refer to my letter to you dated 2 April 2002 regarding the above matter. In that letter I sought advice on the assessment of impacts that have been raised by the Australian Institute of Sport in the event that Gungahlin Drive Extension was constructed to the west of the Institute.

At our meeting on 20 June 2002 you briefed me on the announcement that day of the preference of the ACT Government for a western alignment of the road. The package of information you provided in relation to the announcement included advice regarding studies that had been carried out to date. You indicated that a further study was to be undertaken by agreement between the ACT Government and the Australian Sports Commission on an Environmental Health Assessment and that it was the intention for such a study to be commissioned by 8 July 2002 for completion within 1 month.

I would appreciate your advice as to the current status of that Environmental Health Assessment Study.

Yours sincerely

**Annabelle Pegrum**  
 Chief Executive  
 9 July 2002

National Capital  
AUTHORITY

*Building the National Capital in the hearts of all Australians*

Mr Lincoln Hawkins  
Executive Director  
ACT Planning and Land Management  
Department of Urban Services  
GPO Box 1908  
CANBERRA ACT 2601

Dear Mr Hawkins

On 16 October 2002 the Authority considered the announcement of the ACT Government on 2 October 2002 that it would be pursuing detailed design of the western alignment of the Gungahlin Drive Extension in the vicinity of the Australian Institute of Sport at Bruce.

In considering this announcement the Authority also considered correspondence from the Australian Sports Commission that identified a number of unresolved issues and expressed concerns with the decision of the ACT Government following the release of the Fitch Report.

The Authority decided that to be able to conclude its consideration of Draft Amendment 41 (Gungahlin Drive Extension) it would be necessary to undertake a comparative evaluation of the impacts of the western and eastern options. A comparative evaluation had not been provided with the findings of the DUS study for the western alignment proposal.

The study will also appraise the assumptions underlying the location, nature and scale of the Gungahlin Drive Extension, as now proposed by the ACT Government to intrude into the Black Mountain Nature Reserve. This is to determine if the Authority would agree to prepare a Draft Amendment of the National Capital Plan that would permit intrusion of the road into the Reserve.

The Authority has engaged consultants Young Consulting Engineering Pty Ltd to undertake the analysis for these two aspects of the Gungahlin Drive Extension. The Authority has also requested the consultants to provide advice on the wider issue of the arterial road system that is proposed to serve Gungahlin and the northern areas of Canberra. This is to be by way of a review of the work carried out for the previous Gungahlin External Travel Study and its outcomes as reflected in the National Capital Plan.

To ensure the conclusions are based on the best information available, Young Consulting Engineers Pty Ltd is being supported in its analysis by Professor John Black, Emeritus Professor of Transport Engineering at the University of New South Wales. Professor Black's input will be able to draw on a comprehensive knowledge of transport issues in Canberra, including the issues related to achieving a balanced transport outcome to serve the needs of the northern metropolitan areas of Canberra.

The Authority has required the consultants' work to be concluded by the end of December 2002 to enable a decision on this issue to be reached as soon as possible thereafter.

The Authority is able to consider an application for works approval for that section of the road where it is not dependent on the outcomes of the additional investigations being undertaken.

The letter received from PALM dated 29 October 2002 forwarded a copy of a draft Preliminary Assessment for the proposed western alignment of the Gungahlin Drive Extension for comment. The decision to release the Preliminary Assessment for public comment ahead of the Authority's work being completed is of course entirely at the discretion of the ACT Government. However, I note that the usual practice is for a Draft Amendment of the National Capital Plan and a Draft Territory Plan Variation on a particular matter to proceed concurrently.

Thank you for your briefings on this matter to date.

Yours sincerely



**Annabelle Pegrum**  
**Chief Executive**

5 November 2002

**Davis, Pia**

**From:** Sheppard, Duncan  
**Sent:** Monday, 23 December 2002 15:55  
**To:** Hawkins, Lincoln; Davidson, Gordon; Gill, Tony; King, Ashley; McNulty, Hamish; Benson, Tim; Maloney, Katherine  
**Subject:** NCA media release - from website

National Capital Authority supports eastern alignment for Gungahlin Drive Extension

December 23 2002

**The National Capital Authority had adopted the eastern alignment adjacent to the AIS for the proposed Gungahlin Drive Extension (GDE) linking central Canberra with Gungahlin.**

In October 2002, the National Capital Authority commissioned an independent assessment, by Young Consulting Engineers Pty Ltd, on the planning merits of the GDE's eastern and western alignments, to determine the best planning and transport solution. Transport planning expert Professor John Black was engaged to complete a peer review of the comparative study.

The consultant's brief was to inform the National Capital Authority on the relative impacts of the western and eastern alignments as it passes the Australian Institute of Sport (AIS) at Bruce. The study also investigated options for the GDE as it passes Aranda, to minimise intrusion into Black Mountain Nature Reserve.

The consultant's assessment was completed, as requested, before the end of the 2002 calendar year, to ensure delay for the overall GDE project. The Authority supports the ACT Government's position that the GDE will require some intrusion into Black Mountain Nature Reserve.

The consultant's report concluded:

'The comparative assessment showed that the eastern alignment of GDE has significantly less impact on the operations and further planning of the AIS. These impacts would be important for the continuing success of the AIS as an internationally renowned sporting facility. It is also preferred as it has less overall environmental impact'.

Transport planning expert, Professor John Black, who conducted a peer review of the assessment report said: 'Analyses of the impacts of the proposed road and its scale on the physical and social environments convincingly demonstrates that costs are lower and impacts less with an eastern alignment around the AIS'.

The National Capital Authority has now considered previous studies, submissions, and the consultant's findings. It has agreed that the best planning and transport solution for Canberra is for the GDE to be built along the eastern alignment.

"Importantly, the eastern alignment is clearly necessary in the national interest in relation to the AIS," said the Chief Executive of the National Capital Authority, Ms Annabelle Pegrum.

The National Capital Authority accepted the consultant's advice that a new road of parkway design (four-lanes) was necessary based on future population projections and transport modes for Gungahlin.

The consultant's comparative analysis showed a clear preference for the eastern alignment over the west as it passed the AIS at Bruce.

Their study revealed the eastern option was preferred due to:

13/01/2003

- minimal impact on future AIS master planning compared to the west;
- less noise impact for AIS residences and Kaleen residents than the west;
- less impact on AIS precinct access and through traffic than the west;
- minimal impact on services (water supply, telecommunications, power) compared to the west;
- no impact on AIS car parking (2200 spaces lost by western option);
- reduced construction time and noise during construction;
- predominant winds dispersing vehicle emissions away from the AIS;
- reduced road gradient;
- significantly less impact of excavation cuttings compared to west (200,000 cubic metres less to be excavated and 350,000 cubic metres less to be removed from site);
- an estimated \$10m less in construction costs;
- less impact on fauna and flora near the AIS.

The study found little difference regarding the impact on cultural heritage for the eastern and western options.

The consultant's independent assessment identified that the eastern alignment would be 220 metres longer (approximately eight seconds driving time at 80 kilometres per hour), and will have greater noise impact in the nature reserve areas of O'Connor Ridge. Otherwise they found no advantages for the western alignment.

At the meeting of the National Capital Authority convened yesterday, Sunday 22 December, it was noted that:

- the consultants agreed with the ACT Government's assessment that the GDE was necessary as a four-lane parkway;
- the consultant's comparative assessment showed the eastern alignment of the GDE has significantly less impact on the operations and further planning of the AIS as an internationally renowned sporting facility. It was also preferred as it had less overall environmental impact;
- the consultants agreed with the ACT Government's assessment that the GDE would require some intrusion into Black Mountain Nature Reserve. An alternative design proposal from the consultants suggesting Caswell Drive be retained as a 'local collector street' could be considered as an alternative.

The National Capital Authority agreed to refer Draft Amendment (DA41) of the National Capital Plan to the Minister for Regional Services, Territories and Local Government the Hon Wilson Tuckey for approval without change. This confirms the alignment of the GDE to the east of the AIS and deletes the link road connection across the O'Connor Ridge to Barry Drive.

To determine the final boundary of the road intrusion into the Black Mountain Nature Reserve near Aranda, the Authority has agreed to prepare a new Draft Amendment (DA 46) of the National Capital Plan for public consultation as a priority.

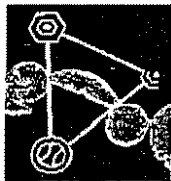
'The weight of evidence provided in this comparative analysis supports the eastern GDE alignment and a minor intrusion into the Black Mountain Nature Reserve. It is clear that the eastern alignment will produce the best outcome for the future continued success of the AIS as a significant national institution in Canberra, and for the people of Australia,' Ms Pegrum said.

The Chairman of the National Capital Authority, Air Marshal David Evans, has declared that he is a resident of Aranda and would not be a party to any final determinations in DA 46 on the GDE as it passes Aranda.

**Media contact:**

Jeremy Lasek (0401 711 943) or Bronwyn Kenny (0419 255 026) at the National Capital Authority



National Capital  
AUTHORITY

Attachment M

Mr Lincoln Hawkins  
Executive Director  
ACT Planning and Land Management  
Department of Urban Services  
GPO Box 1908  
CANBERRA ACT 2601

Dear Mr Hawkins

### National Capital Plan Draft Amendment 41

I refer to the decision of the Authority on Draft Amendment 41 Gungahlin Drive Extension that was advised to you during your meeting with Annabelle Pegrum at the Authority on 23 December 2002. Ms Pegrum has asked that I write on her behalf as she is currently on leave.

The decision was that the Authority, following consideration of its consultants' reports, will now refer DA 41 to the Minister recommending that he approve the Amendment without change. This confirms the alignment of the Gungahlin Drive Extension to the east of the Australian Institute of Sport and deletes the link road connection across the O'Connor Ridge to Barry Drive.

In consulting PALM on DA 41, prior to the gazettal of Territory Plan Variation No. 138, it is noted that PALM did not object to the proposal. However, before referring the matter to the Minister, including a Report on Consultations on this matter, the current views of PALM are sought so that these may be included in that report.

It is also confirmed that the Authority resolved to prepare a Draft Amendment 46 to the National Capital Plan in relation to an alteration to the boundary of Black Mountain Nature Reserve to a minor extent to allow further consideration and development of a design solution for Gungahlin Drive Extension as it passes the suburb of Aranda. In preparing the DA 46 it is proposed to consult closely with PALM on the detail of that proposal towards release of the Draft Amendment as a matter of priority.

Yours sincerely

Ted Schultheis  
A/Director  
National Capital Plan  
24 December 2002

GUNGAHLIN DRIVE EXTENSION  
ARANDA PRECINCT - COMPARISON OF OPTIONS (Further Studies)

In December 2002, the National Capital Authority (NCA) announced the results of its review of the November 2002 PA (western alignment) and the 1997 PA (eastern alignment).

The NCA report concluded that a new option for Caswell Drive would be preferable to the option discussed in PA 2002. This revised option (referred to as Option 2 in the current report) relocated the main GDE corridor further east into Black Mountain Reserve, and provided for a separated access for local vehicles to and from Caswell Drive via Belconnen Way.

A Preliminary Assessment Report published by Roads ACT in November 2002 presented a detailed environmental assessment for Option 1 above and provides a general background report for consideration of the other three Options.

A number of additional studies have been commissioned by Roads ACT since December 2002 in relation to noise, traffic, visual impact and construction costs to evaluate the Options in this Precinct. A separate report (GDE Eastern Alignment AIS Precinct, April 2003) discusses the proposed eastern route around the AIS and its associated environmental impacts. This report has been prepared by the same project team and should be read in conjunction with the Aranda report.

**3. PROJECT NEED AND JUSTIFICATION**

The project need and justification for the overall GDE Project has been endorsed by the ACT Government and was outlined in PA 2002 (refer Appendix 1 – results of the SMEC Traffic Report) and PA 1997. This recognises an important role that the GDE will play as a link in the metropolitan road network system for Canberra.

The current Aranda Precinct Options evaluation adopts assumptions about projected traffic volumes and vehicle mix adopted for the PA 2002 report.

**4. STAKEHOLDER CONSULTATIONS**

Roads ACT undertook extensive consultation with the ACT community and identified stakeholders throughout the development of the GDE Project (western alignment) during 2002, and a number of written submissions were received by PALM regarding the Western Alignment PA.

Consultations with representatives of the local Aboriginal community have been undertaken, including on-site inspections of known and potential heritage sites.

Since determination of the PA and the NCA Report in December 2002, Roads ACT has continued consultations with a number of stakeholders including the Aranda Residents Group (ARG) and various government agencies. Roads ACT have also kept the Save The Ridge group (STR) informed on the additional work which was being undertaken.

Roads ACT provided a copy of the draft report, associated plans and technical assessment to the ARG for comment and a detailed response has been received.

Outcomes of the latest consultations have been noted and addressed wherever appropriate in the concept design and the final report, although it has not always been possible to fully reconcile the views of all stakeholders.

It is recommended that an on-going consultation be maintained throughout the subsequent detailed design and construction stages of the project.

The new alignment as identified in this study has a total length of approximately 2.9 km and extends from Ch 2844 to Ch 5715.

The proposed alignment described in this report represents the ultimate development of a four-lane (+) divided arterial road as currently planned. No future extensions of this road system are envisaged under the current Territory Plan for this section of the overall GDE project

## **1.4 Stakeholder Consultation**

Roads ACT undertook extensive consultation with the ACT community and identified stakeholders throughout the development of the GDE Project (western alignment) during 2002, and a number of written submissions were received by PALM regarding the Western Alignment PA.

Consultations with representatives of the local Aboriginal community have been undertaken, including on-site inspections of known and potential heritage sites.

Since determination of the PA and the NCA Report in December 2002, Roads ACT has continued consultations with a number of stakeholders including the Australian Sports Commission (ASC) and a number of government agencies.

A copy of the draft report on the Eastern Alignment was provided to The Save the Ridge Group (STR) and a written submission on this draft has been received.

Written submissions from the ASC and STR are included at **Attachments 9 and 10**.

Outcomes of the latest consultations have been noted and addressed wherever appropriate in the concept design and the final report, although it has not always been possible to fully reconcile the views of all stakeholders.

The ASC has outstanding concerns regarding issues associated with road noise (especially the impact of a two-coat seal proposed for Stage 1), air quality, pavement design and the construction program. These matters will be the subject of on-going discussions between ASC and Roads ACT during subsequent detailed stages of the project. ASC supports revised traffic arrangements associated with Masterman Street, as well as proposals for artwork and new property boundaries.

The fundamental objection of STR to location of the Eastern Alignment cannot be met in relation to construction of the Eastern Alignment, but every effort has been made to minimise the environmental impacts associated with this route.

All issues raised by Territory Government agencies have been addressed in terms of the concept design and final reporting for the current project.

Continued stakeholder consultations are recommended during the subsequent detailed design stage and construction stage of the project to address outstanding issues.

The current PA reviews the proposal on this basis and is focused in greater detail on specific environmental issues related to the location and design of the road within the corridor as it is now determined.

1.3.2 Community Consultation Process

Roads ACT has undertaken extensive consultation with the ACT community and identified stakeholders throughout the development of this project.

As a result of this consultation a number of significant changes have been made to both the route alignment and detailed engineering and landscape design that would affect the final road project. Details of these changes are listed in Section 1.5 below.

Initial information sessions were planned and undertaken to assess community attitudes to the proposed western alignment of the extension. At each of these sessions participants were provided with feedback forms, which they could return to Roads ACT.

These sessions were held in the following locations:

Gungahlin	17 July 2002
Aranda	22 July 2002
Kaleen	24 July 2002
Bruce	27 July 2002

Orima Research compiled comments from 336 respondents and the findings are available in their report "Gungahlin Drive Extension - Community Discussions" (Attachment 3 refers).

Another important phase was a series of targeted stakeholder group meetings. Thirty-two stakeholder groups were invited to participate in these meetings with twenty of the groups accepting the invitation.

The purpose of these meetings was to identify the important issues of support and/or concern to the community so that the design of the route could be confirmed or refined. The meetings were undertaken for the following locations:

Gungahlin	8 August 2002
Bruce	10 August 2002
Aranda	12 August 2002
Kaleen	15 August 2002

Dr Alastair Crombie of Alastair Crombie & Associates facilitated these meetings. The details of the meetings along with the major key issues have been compiled into the report "Gungahlin Drive Extension - Stakeholder Group Consultations" (refer Attachment 4).

The Government undertook to provide feedback in September 2002 on issues raised at the meetings. As a result of extensive comment provided by the community the Government agreed to a number of refinements to the GDE Project route. The amount of comment and the time required to detail these refinements resulted in the feedback sessions being delayed until October 2002.

PTO

A large display comprising engineering drawings, landscape drawings, maps and photomontages was arranged by Roads ACT in the following locations:

Aranda	15 October 2002
Gungahlin	16 October 2002
Kaleen	17 October 2002
Bruce	19 October 2002

Approximately 250 residents attended the sessions with the Aranda meeting attracting by far the most interest. Departmental officials were available at these meetings to answer questions and to explain the refinements.

The Department Of Urban Services (DUS) has also established a project web site ([www.act.gov.au/gde](http://www.act.gov.au/gde)). This web site contains details of the project with links to a number of reports as well as maps, project description and further contact details. It is intended that the web site would continue to be maintained and updated for the life of the Project.

Three information brochures have been produced. The first was released in June at the launch of the Government-preferred western alignment. The second was a brochure that was delivered to all residences on the north side of Canberra informing them of not only the project details but also the dates, times and locations of the four public information sessions for July 2002.

The third brochure provided information on the refinements to the route. This brochure was made available to all participants at the October feedback sessions.

Consultations with representatives of the local Aboriginal community have been undertaken, including on-site during inspections of known and potential heritage sites.

### 1.3.3 Current Status

This PA would be notified for public comment during late November and early December 2002. Following a review of comments and technical assessment, the Minister would decide whether the assessment is acceptable (with or without conditions) or whether further assessment is required.

If the PA is considered acceptable, it would then be the basis for lodgement of a Development Application for the project by Roads ACT.

A separate submission would be made by Roads ACT to Environment Australia for consideration of the project under Commonwealth EPBC legislation because of potential impact on native vegetation.

A concurrent independent review of all recent planning and environmental studies is also being undertaken by the National Capital Authority for completion in December 2002, and review by the Commonwealth Government. The findings of this review would determine whether the National Capital Plan would be amended to enable the GDE Project (western alignment) to proceed. Any amendment to the NCP would be done concurrently with a Variation to the Territory Plan although the approval processes and approval jurisdictions are separate. The final adoption of the GDE Project route relies on National Capital Authority and Commonwealth Government approval.

Current Allowances  
(as per 1999 Review)

Claims - 2004 Review  
(2004-05 to 2008-09)

Category	Allowance for	Total (annual) \$m	NCA related cost imposts	Category	Allowance for	Total (annual) \$m	NCA related cost imposts
<b>Territorial Allowances</b>				<b>Territorial Allowances</b>			
Regulatory and Other Services	Planning and Land Management and cost of the Leasehold system.	3.400	(1.000)	General Public Services	Planning and Land Management.	27.987	(27.987)
Administration of Justice	Commonwealth related civil and criminal cases.	0.200		General Public Services	Cost of the Leasehold system.	3.600	
Culture and Recreation	Above average level of open space and sportsgrounds.	1.385		Administration of Justice	Commonwealth related civil and criminal cases.	-0.200	
Urban Transit	Low revenue from urban transit due to free parking on national land.	1.500		National Parks and Wildlife Services	Planning and managing national parks within NCA planning framework	0.500	(0.500)
Public Safety and Emergency Services	Insufficient number of volunteer firefighters	0.615		Culture and Recreation	Above average level of open space and sportsgrounds.	5.800	
Education	Cost of schooling temporary residents.	4.000		Urban Transit	Low revenue from urban transit due to free parking on national land.	2.100	
				Public Safety and Emergency Services	Insufficient number of volunteer firefighters	3.300	
				Education	Cost of schooling temporary residents.	4.000	
				Services to Industry - Primary industry	NCA and Designated Land Area impacts on ACT forestry	0.572	(0.572)
				Tourism	Loss of revenue and additional costs of NCA requirements.	5.700	(5.700)
				Roads	Commonwealth related excessive width and inadequate design costs.	6.400	
				Housing	Commonwealth legacy unfunded maintenance liability	13.000	
<b>Total</b>		<b>11.100</b>	<b>(1.000)</b>	<b>Total</b>		<b>72.759</b>	<b>(34.759)</b>

- Costs for foregone development opportunities \$26.500m
- Planning Costs \$1.170m
- Development Costs \$0.317m

- Annual planning and management costs for Canberra Nature Parkland attributable to the NCA \$0.500m

- Restrictions on silviculture \$0.130m
- Control of weeds & feral animals \$0.160m
- Increased safety management \$0.010m
- Revenue losses due to delays/loss of harvesting \$0.272m

- Liaison with NCA \$2.500m
- Compliance Costs \$2.000m
- Canberra 400 construction costs \$0.500m
- Canberra 400 Bond \$0.200m
- Limitations on billboards \$0.500m

## **BACKGROUND**

### **General Public Services – Planning and Land Management** **(\$27.987m p.a.)**

- The ACT faces immense challenges in undertaking planning and land development as a result of National Capital planning requirements. Costs in relation to these constraints fall into the categories of additional planning costs and forgone opportunities.

#### ***Planning and Development Costs (\$1.487m p.a.)***

- The additional planning and development costs claim relates to the additional layers of administrative and time management required to meet the needs of the ACT urban planning and development processes, in particular the costs of meeting National Capital Authority (NCA) requirements and the National Capital Plan (NCP).
- A detailed review of the activities undertaken by the ACT in conjunction with *Ernst & Young* highlights that the additional costs associated with the NCA and NCP in regard to:
  - planning, totals \$1.170m per annum; and
  - development, totals \$0.317m.
- These costs are not only reflective of the amount of direct contact and consultation with the NCA on these matters, but also the significant resources allocated to policy development and implementation in relation to the requirements of the NCP.

#### ***Costs for Forgone Development Opportunities (\$26.500m p.a.)***

- The ACT is significantly constrained in relation to its planning and land development activities due to the continued involvement of the Commonwealth in relation to detailed planning.
- These costs include revenue losses arising from the constraints of the NCP, the Commonwealth's land release practices and the additional infrastructure costs arising from the continual need to develop 'greenfield' sites, rather than land closer to the city.
- The NCA's decision not to permit the development of 'South Belconnen' areas has locked the ACT into developing Gungahlin at significant additional infrastructure cost, ahead of what would have occurred if sustainable planning had taken place.
- Over the last 5 years, based on normalised land sales, the ACT has effectively foregone net revenue of approximately \$132.5m (the difference between \$190m in land sales had 'South Belconnen' been developed and \$57.6m based on the Gungahlin development), or \$26.5m per annum, as a result of the National Capital requirements imposed on it.
- It is evident that the Territory incurs average revenue losses of approximately \$26.5m per annum as a result of complying with National Capital land development requirements. This excludes any costs associated with infrastructure and lack of utilisation of current assets.

### **National Parks and Wildlife Services**

**(\$0.500m p.a.)**

- The ACT recognises that all States face costs in relation to National Park planning services. However, the ACT considers it faces greater disabilities in relation to park management planning than other States due to its special circumstances resulting from:
  - its greater than average area of national park land (53% of the ACT) it has inherited as a direct consequence of Commonwealth planning policy;
  - the diverse nature of the protected lands that it is required to plan and manage including a range of environments including alpine areas, open woodlands and riverine ecosystems;
  - the continued influence and control of the Commonwealth through the requirements of the NCP and the need to obtain planning and works approvals from the NCA; and
  - the impact of a large population neighbouring its national parks.

- Some examples of additional planning requirements as a result of National Capital Influences include:
  - recognition of NCP requirements in formal management planning processes and works planning processes (Canberra Nature Park, Namadgi National Park, Murrumbidgee River Corridor);
  - fuel management planning and fire planning resulting from extensive urban interface with national park lands;
  - urban wildlife management policies, planning and strategy development (kangaroos, magpies);
  - recreation planning and trail management strategies (mountain bikes, horse riding etc);
  - community consultation conservation, visitor issues;
  - action plans for threatened species;
  - planning for works approvals;
  - spatial information management planning (boundary definition with residential neighbours);
  - land management planning with rural leaseholders (MRC);
  - telecommunication and utility access issues; and
  - catchment management planning.

### Primary Industry – Forestry

(\$0.572m p.a.)

- ACT Forests, the only forest operator in the ACT, faces major National Capital impacts on its operations. The forestry operations and systems inherited by the ACT from the Commonwealth means that:
  - there is far greater use of forest areas for recreational purposes by the population of the ACT and NSW who live close to commercial forests;
  - there are increased costs due to planning constraints imposed by the NCA; and
  - harvesting activities are delayed or abandoned due to residential or planning authority activities.
- ACT Forests does face significant urbanisation issues and costs as a result of the Commonwealth policies that created a commercial forest within the urban environment.
- This claim was developed in conjunction with *Ernst & Young*.

### Tourism

(\$5.700m p.a.)

- CTEC has certain regulatory and compliance obligations placed on the operations it conducts on Commonwealth land by the National Capital Authority.
- These costs are not faced by other States, and include:
  - compliance costs for major events held on national land or designated territory land;
  - additional construction and bond costs;
  - losses of revenues from the limitations placed on signage / billboards at major events; and
  - requirements to maintain and upgrade a variety of public amenities after tourism events have been held.