

**REDEVELOPMENT OF THE
AUSTRALIAN INSTITUTE OF SPORT AT
BRUCE, AUSTRALIAN CAPITAL TERRITORY**

**Submission to
Parliamentary Standing Committee on Public Works**

National Capital Authority

May 2003

1. INTRODUCTION

The National Capital Authority has prepared this submission in response to the Parliamentary Standing Committee on Public Works inquiry into the proposed redevelopment of the Australian Institute of Sport (AIS) at Bruce, ACT and the redevelopment of its Rowing Centre (Block 6 Section 111) at Yarralumla, ACT.

This submission provides the relevant background information on the Authority's role in planning and development in the ACT and the Authority's involvement in the sites and their development. It sets out the provisions of the National Capital Plan applicable to the subject sites and outlines the Authority's current position regarding the assessment of the proposals.

2. LEGISLATIVE BACKGROUND

The National Capital Planning Authority was established in 1989 as part of the introduction of self-government in the ACT, with a view to securing the Federal Government's continuing interest in the planning and development of Canberra as Australia's National Capital. The name of the Authority was changed to National Capital Authority (NCA) on 4 June 1996.

The functions of the NCA are set out in the *Australian Capital Territory (Planning and Land Management) Act 1988* ("the Act"). One of the functions of the Authority under the Act is to prepare and administer a National Capital Plan (the Plan). Section 9 of the ACT sets out the object of the Plan as follows:

Object of Plan

- 9. The object of the Plan is to ensure that Canberra and the Territory are planned and developed in accordance with their national significance.*

The Plan is required to set the general policies to be implemented throughout the Territory. In particular, the policies of land use (including the range and nature of permitted land use) [Section 10(2)(b)].

In addition, the Act makes provision for the Plan to identify "Designated Areas" which are areas exhibiting special characteristics of the National Capital. [Section 10(1)]. Within Designated Areas the National Capital Authority is the responsible planning authority and all "works" require the approval of the Authority in writing [Section 12(1)(b)].

The Act also enables the Plan to set out "Special Requirements" for the development of any area (not being a Designated Area), being requirements that are desirable in the interests of the National Capital. [Section 10(2)(d)].

The Act, at Section 11(2), outlines the effect of the National Capital Plan on the Commonwealth agencies as follows:

Effect of Plan

11. (2) *The Commonwealth, a Commonwealth authority, the Territory or a Territory authority shall not do any act that is inconsistent with the Plan.*

A National Capital Plan has been prepared in accordance with the Act and is being administered by the Authority. Provisions of the Plan relevant to the proposed redevelopment at the Australian Institute of Sport, Bruce and its Rowing Centre at Yarralumla are set out below.

3. RELEVANT NATIONAL CAPITAL PLAN PROVISIONS

Introduction

The AIS site at Bruce is Territory Land and is not included within the Designated Areas of the National Capital Plan (Refer to Location Plan at **Attachment A**). The Plan has special provisions requiring the preparation of a Development Control Plan to be approved by the Authority. Such a Development Control Plan was approved on 11 August 1997. Development proposals are subject to approval by the ACT Government pursuant to Section 230 of the ACT *Land (Planning and Environment) Act 1991*.

The AIS Rowing Centre at Yarralumla is located within The Central National Area a Designated Area of the National Capital Plan (Refer to Location Plan at **Attachment A**). Works approval is required from the Authority for all works. The Authority granted works approval on 6 March 2003 to extensions to the AIS Rowing Centre at Yarralumla.

Australian Institute of Sport, Bruce

3.1 Land Use Policies

The General Policy Plan for Metropolitan Canberra under the National Capital Plan identifies the Australian Institute of Sport at Bruce as being within the land use category of "**Urban Areas**". The range and nature of uses, both existing and proposed, are consistent with the range of uses allowed under the policies for "Urban Areas".

The National Capital Plan sets out Special Requirements for National Land located outside the Designated Areas to ensure that the Commonwealth's development of such land achieves a quality that reflects Canberra's significance as the National Capital.

Although, the AIS is on Territory Land, it is still a National institution located outside the Designated Areas and therefore the same Special Requirements for National Land apply to this site.

3.2 Special Requirements for Australian Institute of Sport

The Special Requirements of the National Capital Plan state:

"It is in the interests of the National Capital that all National Land achieve a quality of development which reflects Canberra's significance as the national capital, and that proposals be assessed in relation to the provisions of both the Territory Plan and the National Capital Plan."

Accordingly the Plan requires -

"Development, including subdivision and leasing proposals, of all National Land not included in a Designated Area of this Plan, is to conform to Development Control Plans agreed by the Authority. Development Control Plans are to reflect the relevant provisions of the Territory Plan, and meet the following requirements:

- (i) Adverse environmental impacts from on-site development, on adjacent land and development, shall be identified and redressed to the extent practicable.*
- (ii) Adequate provision should be made where appropriate for visitors to site.*
- (iii) Functional relationships between uses within and external to the site shall be provided for.*
- (iv) Consistency in the external design and site layout of buildings and landscaping shall be sought.*
- (v) Satisfactory arrangements shall be made for parking accommodation and vehicular access and egress. Traffic impacts of development shall be taken into account."*

3.3 Development Control Plan

A Development Control Plan (DCP) was approved by the Authority for the site in 11 August 1997 (**Attachment B**). Any development is to conform to that DCP. The Authority notes that some of the proposed locations of new facilities vary from those specified within the current DCP.

The Authority understands that the AIS are in the process of updating their Master Plan. The DCP would need to be updated in light of any changes to the Master Plan. The Authority, in reviewing the DCP, would consult with both the AIS and the ACT Planning and Land Management Group (PALM) and would seek to ensure that the National Capital interest in the facility was maintained.

As the AIS at Bruce is on Territory Land outside Designated Areas of the National Capital Plan, development approval is required from PALM. PALM would need to ensure that the proposal is consistent with the Territory Plan and also the Authority's approved Development Control Plan.

3.4 Gungahlin Drive Extension

In late December 2002 the National Capital Authority considered reports from consultants on the proposed Gungahlin Drive Extension including a comparative assessment of the alignment in the vicinity of the AIS.

The Authority resolved to seek its Ministers approval for Draft Amendment 41 of the National Capital Plan which confirmed the alignment of the Gungahlin Drive Extension to the east of the AIS (**Attachment C**). The Minister approved the Amendment on 3 March 2003 and notification of the approval appeared in the Commonwealth of Australia Special Gazette on 4 March 2003.

The Amendment was tabled in both Houses of Parliament. Senator Brown in the Senate has notified his intention to move for a disallowance of Amendment 41. The matter was set down to be debated on 14 May 2003, however. The disallowance motion was deferred until the last sitting day of the winter session (26 June 2003). If the notion is deferred again the matter cannot be resolved until September 2003 at the earliest.

Australian Institute of Sport, Rowing Centre, Yarralumla

3.5 Land Use Policies

The General Policy Plan for Metropolitan Canberra under the National Capital Plan identifies the Australian Institute of Sport Rowing Centre at Yarralumla as being within the land use category of "**National Capital Open Space – Lake Burley Griffin and Foreshores**".

The subject site is within the Designated Areas of the National Capital Plan (the Plan) and falls within the Land Use Category of **Development Node** in the Plan. The use of the site by the AIS for a rowing centre is consistent with the policies for Development Node in the National Capital Plan.

3.6 Works Approval

The Authority granted works approval on 6 March 2003 to the extensions to the AIS Rowing Centre on Block 6 Section 111 Yarralumla (**Attachment D**).

4. ASSESSMENT OF PROPOSAL

The Authority understands that the preferred strategy may alter the precise siting of particular facilities included in the works that are the subject of the Committee's Inquiry. On the basis of the consultation held to date the Authority does not anticipate any undue difficulties in resolving these issues.

The proposal for redevelopment and additional facilities at the Australian Institute of Sport, Bruce is supported by the National Capital Authority. The existing Development Control Plan for the site will need to be reviewed and updated in consultation with the AIS and PALM to reflect current Master Planning by the AIS and the Authority has advised the AIS that it is willing to undertake such a review of the DCP to facilitate the implementation of the AIS proposed development programs.

The Authority supports the proposed redevelopment of the AIS Rowing Centre at Yarralumla and has granted works approval to it.