



## Mick Gentleman MLA

MINISTER FOR PLANNING  
MINISTER FOR ROADS AND PARKING  
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS  
MINISTER FOR CHILDREN AND YOUNG PEOPLE  
MINISTER FOR AGEING

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MEMBER FOR BRINDABELLA

Mr Tom Duncan  
Clerk  
Legislative Assembly for the Australian Capital Territory  
London Circuit  
CANBERRA ACT 2601

Dear Mr Duncan

Thank you for your letter of 17 February 2015 about Petition No 1-15 lodged by Mr Doszpot, MLA on behalf of 187 Australian Capital Territory residents.

I understand the petition brings to the attention of the Assembly that the Omnibus Draft Variation proposes to change the zoning of two vacant blocks in Jerrabomberra Avenue, Narrabundah, Section 34 Block 12 & 13.

The blocks are part of a Commercial CZ6 –Leisure and Accommodation zone that abuts Jerrabomberra Avenue to the south of Goyder Street. This policy permits a range of entertainment, recreation, leisure and tourist facilities to cater for tourists to the ACT as well as to provide entertainment opportunities to both visitors and residents of the ACT and surrounding region.

The area was considered a gateway to south Canberra as Jerrabomberra Avenue provided direct highway access. Blocks of land were developed in the area that provided services such as motels and clubs, including the Harmonie German Club. The passing traffic supported the commercial accommodation that was established in the area. The Inner South Veterinary Centre has also established its operations in the area.

When the Monaro Highway was built in the 1980's, and subsequently provided the main route between Canberra and Cooma, the level of passing inter-state traffic declined and the viability and location of the commercial accommodation as an inter-state stopover changed. Subsequently, requests to change the land use policy were received from the land owners and were supported.

### ACT LEGISLATIVE ASSEMBLY

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Residential use has been added to the list of permissible uses on three blocks through planning changes in 1991 and 2008 and the sites have been redeveloped to include residential dwellings. This included two sites opposite the Harmonie German Club and the veterinary centre on the other side of Jerrabomberra Avenue, as well as Block 1 Section 34, which is to the north of the veterinary centre. Both the Harmonie German Club and the veterinary centre have continued to operate following these changes.

When the zoning for Block 1 Section 34 was varied in 2008 a noise study was carried out which considered noise created by traffic using the adjacent roads as well as that from the Boomanalla Oval. Residential accommodation was considered a suitable use for the site and the outcomes from the acoustic study were used to guide the construction of the dwellings.

Commercial operations such as the Harmonie German Club and the Spanish Club are places where people play, socialise and get together. At the same time as providing opportunities for night-time entertainment, such areas provide opportunities for residential development. The ACT Government is mindful of the potential social tension involving noise. Accordingly, the ACT Government is currently considering various options to address the issue, such as through regulation reform, creation of an entertainment of live music precinct that would ensure any residents who purchase in new developments are fully aware, education and communication. As such we will be considering how this may be successfully utilised for this area, to limit any future potential impacts on business in the area.

An acoustic study has recently been commissioned which will provide current advice on noise issues in the area. As part of this report noise surveys are being carried out. This report will help guide the development of the site and would form part of the background documentation that would be released with a draft Territory Plan variation.


The Government understands that residents and the Harmonie German Club and Inner South Veterinary Clinic are concerned about the future of these two sites. There has been pre-Territory Plan variation consultation undertaken about adding residential use to Blocks 12 and 13. This has included one drop-in information session and two public meetings, one of which was held at the Harmonie German Club on 4 August 2014.

Because of the continuing interest about the future use of this land I believe that there needs to be ongoing consultation with the community about its intended use. Given the involvement of the Old Narrabundah Community Council in the consultation to date the future consultation on the community's concern about noise will be organised through the Council.

When a draft Territory Plan variation is released for public comment the community will have a further opportunity to provide further input on the proposed changes.

It is also worth noting that The Territory Plan and development application process requires the newest development to demonstrate that appropriate noise attenuation measures are in place through a noise management plan, reflecting that the ACT, in effect, has an 'agent of change' principle in place through existing regulation.

Yours sincerely



Mick Gentleman MLA  
Minister for Planning

15 May 2015