



Mick Gentleman MLA

Member for Brindabella

Manager of Government Business
Minister for Police and Emergency Services
Minister for the Environment and Heritage
Minister for Planning and Land Management
Minister for Urban Renewal

Obj 18/04195

Mr Tom Duncan
Clerk
ACT Legislative Assembly
London Circuit
CANBERRA ACT 2601

Dear Mr Duncan *Tom*

Thank you for your letter of 14 February 2018 regarding petition No. 3-18 lodged by Mr Hanson MLA on behalf of certain Australian Capital Territory residents.

I understand the petition brings to the attention of the Assembly the ACT Surveyor-General's notice that the public car park adjacent to blocks 23 and 24 of section 31 O'Malley is to be closed and in relation to portions of land proposed to form block 25 which was to be sold under the Indicative Land Release Program.

The petition notes three key items and I note the following in relation to those items.

1. Extend the closing date for submissions related to the closure of the car park on Pindari Street

On 5 January 2018, the ACT Surveyor General publicly notified the intention to close the car park on Pindari Crescent following an application from the Suburban Land Agency. A website link to the notice was emailed to those who had previously registered for project updates.

The period for making public comment on this proposal was 10 days longer than the statutory requirement, closing 14 February 2018, to allow for more detailed community consideration of the proposal. Environment Planning and Sustainable Development Directorate (EPSDD) is now undertaking further investigation and analysis particularly in relation to matters raised by the community, and the sale is on hold while this occurs. The community will be able to make further comment for consideration by EPSDD during this period of investigation and analysis.

2. Withdraw Block 25, Section 31 O'Malley from sale on the Indicative Land Release Program

The Government has placed the release of Block 25, Section 31 O'Malley on hold to undertake further investigation into the issues raised by the community, particularly in relation to the potential traffic and parking impacts. The project website has been updated to reflect this development.

EPSDD will provide the community the opportunity to provide input and to comment on draft reports.

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3. The Environment Planning and Sustainable Development Directorate undertake consultation and provide justification for sale of this site as a community facility.

The ACT Government views community engagement as an important step towards ensuring that the Government's initiatives and decisions are supported by the best possible evidence and align with community expectations.

A key principle of community engagement is that the Government should make sure that the community has an opportunity to be involved in the Government's decision making. The Government's approach to releasing O'Malley has been consistent with this principle.

Accordingly I can advise that the Government has responded to the community by putting the proposed release on hold to undertake further investigation into the issues raised, particularly in relation to the potential parking impacts. The Environment, Planning and Sustainable Development Directorate will undertake that the community has an opportunity to provide input into further investigations and to comment on draft reports.

I also note, the EPSDD has also made efforts to communicate and engage with the local community on the proposed release of the site including:

- May 2017 – publication of the *Indicative Land Release Program 2017-18 to 2020-21*, which outlined the proposed O'Malley release;
- 18 September 2017 – a letter to surrounding residents notifying them of site investigations and the proposed release;
- 6 November 2017 – a further letter to surrounding residents establishing a mailing list and providing contact details for a project officer and an offer to respond to any questions;
- five project update emails between November 2017 and January 2018;
- 18 December 2017 – an invitation session held, with the date suggested by the residents;
- 5 January 2018 to 14 February 2018 – the Surveyor-General notified an intention to close the car park as part of amalgamating the site into a single block, with a request for public comment (the public comment period was 10 days longer than the statutory requirements to allow for community consideration of the proposal); and
- 7 February 2018 – a presentation at the Woden Valley Community Council meeting.

It is worth noting that Block 23, Section 31 O'Malley has been zoned for use by community facilities (CFZ) within the ACT Territory Plan since the early planning of O'Malley, with the adjacent car park also established to support the use. Following community concerns raised in 2012, the Territory Plan Variation 302 added restrictions to the O'Malley Precinct Code which prohibits the development of residential aged care and supportive housing on the site.

The decision to include the site in the *Indicative Land Release Program 2017-18 to 2020-21* follows analysis of community needs and demand for community facilities in the area, particularly as the O'Malley area has developed from initial plans. The further decision to amalgamate the blocks and the car park servicing it, into one block is to provide the opportunity for the site to be looked at holistically.

In terms of the need for preserving the trees, I note that the Environment, Planning and Sustainable Development Directorate has made an existing tree investigation for the site publicly available on the planning website: <https://www.planning.act.gov.au/omalley>.

This tree investigation indicates that there are a number of healthy trees which have the potential to make a contribution to the landscape. The retention of trees on-site will form part of any Development Application process for the site, and this will be subject to independent statutory review by the Conservator of Flora and Fauna. This is part of the overall framework that provides a mechanism for balancing development with environmental values.

I note the community interest in this proposal and I hope that this information provides the community some certainty that the Government is listening and seeking to investigate and address their concerns.

Yours sincerely



Mick Gentleman MLA
Minister for Planning and Land Management

12/4/18