LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ENVIRONMENT AND PLANNING

(Reference: Inquiry into DPA-11 - Belconnen Section 65 Block 42)

Members:

MS J CLAY (Chair)
MS F CARRICK (Deputy Chair)
MS Y BERRY
MR P CAIN

PROOF TRANSCRIPT OF EVIDENCE

CANBERRA

THURSDAY, 5 NOVEMBER 2026

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Acting secretary to the committee:
Mr A Walker (Ph: 620 50199)

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

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Amended 20 May 2013

The committee met at 9.00 am

QUIGGIN, MR PETER, PSM KC, Personal capacity

THE CHAIR: Good morning and welcome to this public hearing of the Standing Committee on Environment and Planning for our inquiry into DPA-11, Belconnen, section 65, block 42. Today we will hear from Peter Quiggin, the Belconnen Alliance for Highrise Apartments, the Belconnen Community Council, the University of Canberra, and the ACT government.

The committee wishes to acknowledge the traditional custodians of the land we are meeting on, the Ngunnawal people. We wish to acknowledge and respect their continuing culture and the contribution they make to the life of the city and the region, and we would like to acknowledge and welcome any other Aboriginal and Torres Strait Islander people who may be attending today's event or who may be watching from elsewhere.

This is a legal proceeding of the Assembly and it has the same standing as proceedings of the Assembly itself. Today's evidence attracts parliamentary privilege. You must tell the truth. Giving false or misleading evidence is a serious matter and may be regarded as contempt of the Assembly. For our community witnesses, we are always happy for you to say, "It's my view," or to stop and ask for guidance if you need to. It is not intended to be a difficult thing to comply with. We are recording and transcribing with Hansard and we will publish. We are also broadcasting and web-streaming today. If you take a question on notice, it would be great if you could say, "I'll take that question on notice." That helps our secretariat track down the answers.

We welcome our first witness, Mr Peter Quiggin. Peter, we already have your submission. That is an excellent submission. Have you brought an opening statement that you would like to table?

Mr Quiggin: I have a short one, and perhaps I could read that.

THE CHAIR: That would be great.

Mr Quiggin: I have lived in Belconnen for around 55 years. I should say that I do not have any links to the Belconnen Community Council, but I support the comments they have made in their submission. My awareness of community-zoned plans started with the Arcadia House relocation attempt, where the government was basically saying that only one site in Cook was a suitable site zoned for community use in the whole of North Canberra for that facility. They suggested two sites in Cook, but one was actually urban open space.

There are two distinct things that I want to put forward. The first is that the land should be used for community facilities, not for housing, and the second is that the University of Canberra should not be able to profit from changing the permissible use of the land. The main points in relation to the use of the land for community facilities are that there is a need for more land zoned for community facilities in the Belconnen area, and that I strongly agree with the Belconnen Community Council's submission that the land occupied by the University of Canberra, the hospital or the housing project should not

be counted as being available for community purposes.

My main points in relation to the UC not profiting from changing the permissible use of the land include that, according to the UC's submission, the UC has controlled the block for over a decade and does not appear to have done anything with it. According to the UC's submission, they received the land in 2011 as part of the National Rental Affordability Scheme, but it seemed to stop being used for affordable student housing within a few years—probably 2014—and it is therefore questionable how the site contributed to rent affordability in Belconnen. If the UC do not wish to use the site for the purposes of the lease, they should hand it back to the ACT government. If any compensation is paid, it should not exceed the amount that the UC paid when they obtained the lease. While the UC's submission says that it is a market-value lease and not a concessional lease, they do not disclose the market value that was paid, although it is fairly clear that it was gifted, even though it was valued at $9 million.

In 2015, the University of Canberra agreed with the ACT Auditor-General's recommendation, which said:

> If it is not to be used for student accommodation or educational purposes as planned and changes to the use require a change in lease whereby the property value exceeds that provided by it in support NRAS ($9.0 million) it would be equitable for an appropriate adjustment to be made to the ACT Government.

I note that the University of Canberra agreed with that recommendation. As this appears to be the case, the University of Canberra should honour that agreement and make an appropriate adjustment, which I would suggest is the current market value of the land. I think a proper evaluation of the best future use of the land should be undertaken, and, as part of that, consideration should be given to locating Arcadia House on the site. That is all I wanted to say as an opening statement.

THE CHAIR: Peter, that was excellent. Thank you very much for that. I am also interested in the transfer of benefits that is operating in this proposal. We saw that site was valued at $9 million in the Auditor-General's report, and the UC then reported it as part of their surplus that year. Can you see what financial benefit would flow to the territory? If this proposal were up for another developer—for Geocon or someone else—do you think you could actually see what public benefit and what territory benefit would come from this proposal?

Mr Quiggin: Not from this proposal. It appears to me, from the information that I have seen—and I should say I have only been able to see publicly available information—that the proposal appears to basically be to build a block of flats with some sort of use of the ground floor. Obviously, there is some benefit in having additional housing, but I do not think that is a particular one. The other thing I would note is that I do not think the site is a natural part of the University of Canberra site. They have described that it could be a gateway to it. I do not know if the committee has been there, but Arscott House—

THE CHAIR: I have. I am in Macquarie. I grew up in Weetangera. I know the area. It is on the edge.

Mr Quiggin: Yes. It is separated from the UC by a four-lane road, which is busy enough. When it was built, it had an underpass, but obviously at some point that was not sufficient, so they put in a traffic light and a pedestrian crossing as well.

MR CAIN: I drove there this morning.

Mr Quiggin: The natural boundary of the UC is the far side of the road. It has been unused by the UC for a decade. To suggest that it is the gateway to the UC is risible, basically. I do not see any benefit to the ACT government if it is sold to somebody who then develops it, other than that very general benefit of more housing.

THE CHAIR: And perhaps, in this instance, not even sold. We will get further details from the minister on the exact transaction at the time, but it sounds like it was a $9 million benefit that was transferred at zero cost.

Mr Quiggin: From the Auditor-General's report, it appears clear that it was given to the UC so that the UC could then use it as, effectively, security for money or loans with which they would then be able to build the NRAS properties, the National Rental Affordability Scheme properties, somewhere. I note that, when they took it over, the UC never actually ran Arscott House. It was run by, I think, some sort of students association.

THE CHAIR: Yes.

Mr Quiggin: When the UC took over, it had around 90 per cent occupancy. This is in the Auditor-General's report. Within four years of the University of Canberra being the landlord, it was unprofitable to the extent that the students association abandoned it to the UC, who then said they would try to find another provider. That was their evidence. At the time, the Auditor-General reported that what the UC were saying was that they were looking for someone to run it, and at that point they did not indicate they were not going to continue Arscott House, as it was.

THE CHAIR: The University of Canberra is trying to make a case that changing the zoning has social benefits. Do you think that social impact assessment justifies the loss of community facility land or do you think that is just an argument made in support of rezoning?

Mr Quiggin: I haven't read that, but I do not think that changing it from community purposes to residential has a community benefit.

THE CHAIR: As one of our community members, are you concerned about the long-term implications? We are hearing quite a lot about what will happen with the next development on this site, but a zoning decision is something that you make for the next 50 or 100 years or in perpetuity.

Mr Quiggin: The Belconnen Community Council made the comment that, once these changes are made or once things leave community usage, they basically never come back. Certainly, if an apartment block, for example, were built there, it is almost impossible to see how that would ever come back to community use.

THE CHAIR: Some of the community-zoned land in the Belconnen town centre being cited as lots of community land includes land at Radford College, the UC hospital and quite a lot of sites that are quite heavily used. Do you imagine that the community considers that is part of their community land? Do you think it is open to government to ask Radford or the UC, "Hey, we need a community facility on your site, because you're on community-zoned land?" or does that mean that we actually have less community-zoned land there and we need to protect the empty sites that we have?

Mr Quiggin: I should declare a conflict of interest in that my children went to Radford, my grandchildren are going there, and I was, in fact, on the board for many years at Radford. I just make that comment.

THE CHAIR: I also went to the school there.

Mr Quiggin: I just made that comment so that people are aware. I do not think it affects the answer I give. I was quite surprised that particularly the University of Canberra land was seen as community land available for Belconnen residents. The University of Canberra obviously draws in students from all over Canberra. I am also a graduate from there. They also bring in students from around New South Wales and, obviously, overseas students as well. To see that as something that is for the Belconnen community is a fair stretch. I was quite surprised at the number of places listed that were seen as community facilities. I would probably have expected community facilities to be things like the library. Regarding Arcadia House, if it were there, it would probably be a community facility. I was quite surprised to see that particularly the University of Canberra and the North Canberra Hospital were seen as community facilities.

THE CHAIR: It is interesting that you mentioned Arcadia House. A number of people have suggested that the government is, in fact, running out of community-zoned land. Two of the things that have come up in this inquiry are: "We need somewhere to put Arcadia House, and the recent process for government did not even identify this site as one that would be suitable" and "We will need a primary and high school—possibly a vertical high school—at some point in a town centre of 16,000 people in the next 40 years." Do you think there is a bit of a lost opportunity if this site is not considered for some of those other purposes?

Mr Quiggin: Definitely. I was involved in the consultation on the suggestion to move Arcadia House to Cook. In fact, at that time, I looked into what possible land there was and had some communication with some of the government members in that electorate about the land that was available. I should say they were very responsive to that. What was raised was whether land at the University of Canberra was available. As you would know, there are vast tracts of paddocks there at the moment, but we were told that there was no available land at the University of Canberra. Going back to my point, nobody would have seen that block of land as being part of the University of Canberra, so it probably was not raised in the consultation in that context. The government produced a list of all of the land in Canberra available for community facilities. There were almost no large blocks. The fact that the Cook block was seen as the largest one is rather telling, I think.

MS CARRICK: You said that giving the land back to the ACT government should be explored. To me, community facility land is very precious. The government, however,

has a densification agenda, with infill of 70 per cent and putting people close to where the amenities are. That site has had homes on it over the years—student accommodation—so, given the government's agenda of 70 per cent infill and putting people close to where the amenities are and where people want to be, why wouldn't this site, given the amount of land around it, be used for this 70 per cent infill policy?

Mr Quiggin: That is a matter for the government. My view is that there is a lot of land available in the Belconnen town centre for high-rise development, and a lot of it has been going on. What there is not is available land for community purposes. There seems to be much more of a shortage of that than land that could otherwise be used for housing.

MS CARRICK: What sort of community facilities do you think Belconnen is short on, compared to any other part of Canberra?

Mr Quiggin: I am not sure whether there are specific ones at the moment. What the Arcadia House consultation made clear was that that was a fairly essential service for the whole of the ACT. I do not think it is a Belconnen-specific facility, but the government appears to have been unable to find anywhere to move that after it was basically removed from the North Canberra site. I do not know whether the capital health service controls who goes on that site, but a service like that cannot find a place to go. I read in various submissions that a childcare centre in that part of Belconnen had to move—I am not sure why—and they were unable to find any suitable site. I think the problem is that there are very limited sites, and, as Ms Clay mentioned, once this is built on, it is gone forever. It is not something where you could say, "We'll build a block of flats, but, within 10 years we'll come back and say, 'Actually, we need this particular thing.'"

Part of my submission was that there should be a complete review to find what you are asking about, which is: what is the optimum use for this land that is now vacant? It is an opportunity that has come up, possibly unexpectedly—I do not know. They are not making more land available, so, unless land suddenly becomes available through some other thing, which seems doubtful, this is pretty much the only large block of land that could possibly be used for community purposes in the whole of Canberra, from the list we were provided by the government, or certainly in Belconnen. Where I live in Cook, I look across to Whitlam and Denman Prospect. There is still a vast amount of land out there that could be used for housing development.

MS CARRICK: That is right. They do not have a lot of community stuff in Molonglo.

Mr Quiggin: No. In one of the other newer suburbs, there was, in fact, a proposal to rezone some of the community land for some other purpose. I did not see the full details of it. It was on one of the maps that I saw. It seems that it is almost a blind spot for the government—to use a term—to cover the bureaucracy and make sure sufficient community land is available.

MS CARRICK: It is true. I agree: it is a blind spot. And we definitely need community land, so how we balance the 70 per cent infill policy and the provision of community facilities is always a struggle.

Mr Quiggin: Yes. I should say that I do not necessarily agree with the 70 per cent infill

policy. If the basic policy is that we should have 70 per cent infill, so we put houses on everything that we can find—which is sort of what is being described—that does not seem like a very well thought through policy. I can see we need to have more dense suburbs, dual occupancies and those sorts of things, but saying we will put more and more people in by removing open land or community land does not seem all that sensible to me.

MS CARRICK: I agree.

MR CAIN: If you were doing our job this afternoon with the minister and his officials, what would you like to ask them?

Mr Quiggin: There are basically two themes that I would put forward. One is that the land should be used for community purposes, and I suppose my questions to the minister would be: what land do you have available for community purposes, and what is your long-term plan in relation to community facilities? They are the two things that I think are missing. Another is the view about the UC profiting from the land. The land was basically given to the UC. And it was not only given to them; it was basically given to them to prop them up financially rather than to make use of the land. Arscott House was already there and operating, so it was basically a transfer to give them $9 million that they could then put on their books. On what basis do they feel that the University of Canberra has a moral entitlement to profit from land when they were given an operating facility that was 90 per cent full, and within four years they closed it down and have done nothing with the site since then, apart from land-bank it.

MR CAIN: The $9 million that you mentioned was the valuation at the time. Is that your understanding?

Mr Quiggin: That is my understanding from the Auditor-General's report. The University of Canberra, when they were given the property, then showed that as income in that year, which enabled them to have a surplus of $10 million.

MR CAIN: It sounds like it was a gift if they just credited it. Also, as has been touched on, you said it would be an appropriate site for Arcadia House. Is that your preferred use for the site or are you just putting that out there?

Mr Quiggin: I am just putting that out there. We, the Cook community, were told there is nowhere in the whole of Canberra except Cook oval for this. This appears to be a site. I do not have a particular preference about that.

MR CAIN: Regarding Arcadia House, did you present this view during the actual submissions on the site? I know there were public forums and things.

Mr Quiggin: Nobody knew about this site. Well, I cannot say that. When I asked government representatives about what sites were available, this site was never listed.

MR CAIN: We have a very dated Belconnen Town Centre Master Plan. Also, there is the issue of the growing needs for school-aged children to have a local school. SDN Bluebell was the childcare centre—a not-for-profit as well. Their lease was ending and there was no appetite for extending it. That is why they relocated at Gold Creek. What

do you think is lacking in the government's vision? We will pick Belconnen town centre. What is lacking in that these things are happening? For example, SDN moved out—they fortunately found a place—and there is no apparent plan for a primary school in an area of growing population. Children are living in these apartments. There are family apartments. What do you think is lacking in the government's vision?

Mr Quiggin: That is probably beyond my knowledge. I have looked into the fairly specific things about Arcadia House. Something like the Belconnen Community Council would be better to answer that.

MR CAIN: Thank you.

MS BERRY: I also know the site quite well, being a Belconnen resident. I live in West Belconnen. Perhaps the issue with the site is that it wasn't a government-owned site. Taking into account and then putting aside the gifting of it, when they were suggesting a site for Arcadia it was about government-owned community-zoned land, not this one, and that is why it was not considered at the time. That does not mean it could not be; it is just that, when they were thinking about Arcadia, they were referring to government-owned community facility zoned land. The question on what the site could be used for if it were community facility zoned, whether it is owned by the UC or the ACT government, that is not an issue for you; it is just that it could be used for community housing and public housing?

Mr Quiggin: If that is within the scope of—

MS BERRY: Community facilities.

Mr Quiggin: Yes.

MS BERRY: It is a catch-all phrase for things that benefit the community. In your conversations with Cook people and people in Belconnen, a concern that they have raised about the site is that it should not be used for student accommodation?

Mr Quiggin: No. I have not had any discussions with anyone about this site. My discussions with the Cook community, as part of the Cook community, were in relation to Cook Primary. I do not in any way represent the Cook community.

MS BERRY: If it were student accommodation, that would be acceptable?

Mr Quiggin: That is what it has been, and I think that would be acceptable. If they rebuilt an Arscott House sort of thing, that would seem to be a useful—

MS BERRY: Maybe not Arscott House. It was a bit of a—at the end.

Mr Quiggin: Whatever.

MS BERRY: It is important to understand that people are okay. It is not a green space issue; it is about using it for the use that was intended.

Mr Quiggin: Again, this is my view. It is not a very useful green space. It is right next

to John Knight Park.

MS BERRY: Wedged between.

Mr Quiggin: There is plenty of space. I would look for it to be used for a building of some sort.

MS BERRY: I do not have any other questions.

MS CARRICK: I thought it was good advice to ask about what land they have available for community services and what plan the government have for community facility land. If the government were to do proper planning, they would look at what land we need for community facilities and social infrastructure and what land we need for housing, and all the different parts of life that land is used for. Do you think that the zoning can be changed if there were a plan that set out all our needs—that zoning could be changed to a current plan?

Mr Quiggin: Assuming you have a plan—and you may have an area set aside for something and it is still vacant or it becomes available. It would be worth reviewing that. I am not quite sure what the question is.

MS CARRICK: The land is currently zoned, like all land in Canberra, and we are constantly getting major plan amendments to the Territory Plan to change zoning all across Canberra. Do you think it is appropriate that we change the zoning where appropriate?

Mr Quiggin: Yes. I think there just needs to be close investigation of each one—what is its current zoning and what are the benefits of that compared to the new zoning? I suppose my two caveats would be: firstly, I would be very cautious wherever zoning is to change open land or public use land et cetera to housing, particularly high-rise housing; and, secondly, the UC should not profit from this. I think the other difficulty is organisations getting open land or land that is used for community purposes under some sort of concessional basis and then large profits are made out of that being turned into housing.

MS CARRICK: Often the government will tell us that commercial-zoned land can be used for community purposes. When we scream blue murder that we want some community-zoned land, they say, "You can put community facilities in commercial-zoned land." Given that commercial-zoned land can have community facilities as well, what is the problem with turning it into commercial-zoned land and still having the opportunity to put community facilities there?

Mr Quiggin: You would need to buy it, and the government appears to be unwilling to buy land—I mean, if it were available for commercial purposes, its value would be what it could be sold at for commercial purposes, which would be a lot more than what it could be sold at for community purposes. There is a direct cost to the ACT taxpayers if they are trying to obtain commercial land for community purposes.

MS CARRICK: It does not really work, because an owner of commercial land will try to get the highest and best use out of it, and community uses do not tend to give highest

and best use. It is a bit of an anomaly to say that—

Mr Quiggin: If there were vacant commercial land that the ACT owns and they then put a facility on it, I do not have an issue with that, but I think the idea that you could say, "That could be used for those purposes, so therefore we'll zone it as that and then sell it as that"—once it is sold, the value is obviously substantially more than it was for community purposes.

MS CARRICK: Thank you.

MR CAIN: This is just a comment, I guess, but I am happy for your thoughts. If the rezoning happens or the variation is approved, what would stop the UC selling it for development?

Mr Quiggin: I assume that is the purpose.

MR CAIN: We will ask later.

Mr Quiggin: Unless they are moving into real estate development, although I noticed it was the housing thing, which I've never really understood—the project they are doing. But I would have thought they would either do that or have some sort of joint venture with a developer.

MR CAIN: They are doing a lot, obviously, at the campus site every night. I do not have any further questions.

THE CHAIR: Peter, thank you so much for coming in. Your submission was excellent and your evidence has been very helpful. Is there anything we did not ask you that you want to tell us?

Mr Quiggin: No. I do not think so. I would just like to thank the committee for the opportunity to both make a submission and appear today.

THE CHAIR: Thank you.

Hearing suspended from 9.33 to 9.49 am.

BRACK, ASSOCIATE PROFESSOR CRIS, Belconnen Alliance for Highrise Apartments
DROVER, MR TREVOR, Belconnen Alliance for Highrise Apartments

THE CHAIR: Welcome to our next witnesses from Belconnen Alliance of Highrise Apartments. In what capacity are you appearing today.

Prof Brack: I am Associate Professor Cris Brack. I am appearing on behalf of the Belconnen Alliance of Highrise Apartments. I am also on the executive committee for the Dusk and Republic precinct in that area.

Mr Drover: I am Trevor Drover. I am appearing for BAHA as well, and I am the Chair of Altitude Apartments in Belconnen.

THE CHAIR: As witnesses, you are protected by parliamentary privilege and you are bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. Feel free to stop and ask for guidance at any point. We are really happy to provide it. We are not taking opening statements. We have got a really short session, and we will probably just run down the line with five minutes each.

We have a lot of people in Belconnen town centre, and we are heading towards 16,000 over the next few decades. Have we got enough community facilities and community land there available for our current residents and for our future residents?

Prof Brack: I think the short answer is no. We think that the original town plan underestimated how fast we were growing, and possibly the land was reserved on that basis. We do not think we have enough where Belconnen is going. We certainly don't want to lose any of that potential land.

THE CHAIR: What sorts of needs do you see now and into the future for community facilities in that area? What do you think we need that we don't yet have?

Mr Drover: Primarily you need a primary school in there. That is the only free block of community land left in Belconnen town centre. The population was estimated in the 2016 Belconnen town centre plan to be 8,500 by 2031. We reckon it is going to be at least 16,000 and possibly more. As I said, there is no primary school in the area. The closest one is Florey, which is about 2.6 k's away.

THE CHAIR: That is right. We had government commitment for a feasibility study, which is underway, but we have not yet seen it. We have also heard from other witnesses that we do need community facility land, but some of the other needs could be a primary school, a high school, Arcadia House, noting that government recently was not able to find a suitable community facility-zoned area, and then just community and recreational facilities. Do you think there is an opportunity cost then if this land is rezoned away from being community facility land?

Prof Brack: Definitely.

Mr Drover: Definitely.

THE CHAIR: You have talked about suspending the sale of land in the Belconnen town centre until holistic plans are prepared. I suspect the government would say the 2016 Belconnen town centre master plan is a holistic plan. What would you say to that?

Prof Brack: It is a terrible underestimate of the needs for the area. It is obvious already that just the total population is much greater than anticipated in that plan. We also think the demographics of the place have changed quite dramatically since that plan. We are looking forward to the census results. We think the number of younger families with school-aged children has increased dramatically since 2016 and since the expectation in that 2016—

THE CHAIR: I think you will be right. Certainly our information has been that that area was seen for single adults and built for it. It is in actual fact home to many, many families with children, which is partly why we needed more facilities for kids in that area.

Prof Brack: Yes. It is just my expectation. Walking around my precinct, you see a lot more there now than you might have expected, certainly in 2016. It did not exist then—my precinct.

THE CHAIR: This rezoning would reduce our community use land in the town centre by eight per cent. Do you think that is a significant concern?

Prof Brack: Yes. We do not have enough to start with, so a loss of another eight per cent—it is pretty much the only vacant land left. It isn't just eight per cent; it is 100 per cent of the free land.

THE CHAIR: We have also heard a lot of concerns that the University of Canberra got the land for free, and it was valued at $9 million by the Auditor-General. It appeared in UC's surplus statement that year as a $9 million asset, and UC would now potentially be rezoning it for commercial purposes.

Prof Brack: Yes.

THE CHAIR: Is there a concern about public benefits from this decision and where those public benefits should go, whether those public benefits should go to the territory or whether they go elsewhere?

Prof Brack: I think there was some disgruntlement over the University of Canberra appearing to make a huge profit out of that. Yes, I think there is some concern about that.

MS CARRICK: What is your definition of community facilities? When I talk about community facilities, I have a different view of it to the government. I think they all talk about aged care, child care, Arcadia House and that sort of stuff. I talk about art centres, indoor sports stadiums, aquatic centres. I think there is a little bit of confusion about what a community facility actually is in the first place.

When I look at Belconnen, in commercial lands, there will be statistics about the amount

of community facility-zoned land, but there are community facilities on commercially zoned land—for example, the Belconnen basketball stadium, the arts centre. I am just not 100 per cent sure that using that metric of Belconnen needing more community—when we look at community facility-zoned land and do not include community facilities that are on commercially zoned land, if that makes sense, because the arts centre is not going anywhere and nor is the basketball stadium, because that is Basketball ACT. That is their whole purpose. They are not going to sell it. That metric that Belconnen Community Council uses about "We have got less community-zoned land than anybody else per capita"—how does that gel with commercially zoned that has actually got community facilities on it?

Prof Brack: I don't know how the council worked out the percentage, but I assume you have used horses for courses and made everyone do the same thing. So how much in the other suburbs do they have commercial land that is also used for community? I don't know how they did that balancing act. I think you are right; things like the arts centre are a community resource. I personally would have counted that as a community place. Community places are where the community can get together; that is right. It is not just the private commercial stuff. When we lost the Bluebell childcare centre, that got punted out of the area because they needed more room to build more residences. I would have counted that as a loss of a community asset. I don't know if it was zoned as commercial, but I certainly would have counted that as a loss of a community asset.

MR CAIN: It was not-for-profit.

MS CARRICK: It is all very blue and commercial.

Prof Brack: Yes. I don't know what definition was used in that eight per cent, but I do know that the block we are looking at is something that has potential to do a whole range of things, and it is one of the few things that is left where we have that expansion of potential.

MS CARRICK: With the 70 per cent land infill policy and the government wanting people to live close to where they want to be and where there is amenity—the densification agenda—given that there are community facilities around that aren't on community facility-zoned land, how do you see the densification agenda going for Belconnen? And why wouldn't this land be used for housing given that it had always been housing, whether it be student accommodation or whatever? Primarily in the past it has had homes. Why wouldn't it be used for the infill policy?

Mr Drover: I think that the infill policy was more aimed at the residential side of things—single houses, building additional accommodation on those lands. There is currently I reckon about 4,000 apartments that are either being built or have been scheduled to be built in the next four years in the town centre anyway. You cannot get more infill than that.

MS CARRICK: You can in Woden. It is higher. We are going to be 19,000 people by 2065 in a smaller area.

Mr Drover: In a very small area.

MS CARRICK: And less facilities.

Mr Drover: Yes. There are no playing fields. We have got Margaret Timpson Park, which is a minuscule thing. That is all we have got in the area.

Prof Brack: The infill in Belconnen has primarily been done recently and in the near future upon surface-level car parks. Basically every surface-level car park gets turned into a high-rise building. That is just another thing.

MS CARRICK: That is across Canberra. Every surface car park is on its way out.

Prof Brack: But we are putting towers up on ours, so that is the big difference.

MR CAIN: I know the census is coming out and we will have some numbers. Have you got an estimate of the numbers or the percentage of preschool-aged children or primary school-aged children? Have you got any idea at all? Or are we just going to see the numbers, obviously?

Mr Drover: The problem with Belconnen is we have got a high population, but in the last census 8.7 per cent were children zero to 14, compared to 18.7 for the rest of Canberra. I believe that could be the case of we have got a smaller family population there because people do not have a school to go to, but, as Cris has noted, because of the cost of housing, we are getting more and more families moving into apartments.

MR CAIN: Have you been engaged on the proposal for the establishment of a primary school somewhere in the centre?

Mr Drover: Sorry?

MR CAIN: Have you been engaged by the government in terms of—

Mr Drover: No.

MR CAIN: I think your point is well made about how we have got a very dated master town centre plan. Again, we do not have an update to that. In fact we do not even have, in my opinion, an evaluation of that 10-year-old plan. What is on your wish list, as members of a growing, densifying residential town centre? You have mentioned the miniscule Margaret Timpson Park. Would that be something you feel, as an example, deserves to be expanded over the hole that has been there for quite a while?

Mr Drover: That would be a really good idea.

MR CAIN: Does that sound like a good idea to you?

Mr Drover: Yes, that is a great idea.

Prof Brack: That has been a point the BAHA have been pushing for a number of years, yes.

MR CAIN: I am aware of that as well.

Prof Brack: That increase in that little bit of green space in the town centre and the absence of schools are the two big community things we push for.

MR CAIN: You are here for BAHA. What would be your top five priorities for what happens in the town centre within the next 10 and ongoing years?

Prof Brack: Well, they are the two top. What are our next three?

MR CAIN: Just repeat and clarify, if you don't mind—the two top are?

Prof Brack: Schools. A school within walkable distance and the expansion of the Margaret Timpson green space.

MR CAIN: Anything else come to mind? Or they just stand out?

Mr Drover: The Lake Ginninderra foreshore is a mess really. Unfortunately, it is in private hands, so there is not much the government can really do about that.

MR CAIN: Just as a final point of observation—I invite your comments—obviously we are starting to see Emu Bank, the area there opposite the town centre. We have got the Sly Fox Market turning out. They have done it twice now. Are we seeing the residential community in the town centre are starting to say, "Here are the sorts of things we like seeing, and hence we'd rather they didn't disappear on us"?

Mr Drover: Yes.

Prof Brack: Yes. Sly Fox Market is going really well, and I know the residents really appreciate it. It is very popular. The residents are getting involved and coming out again, not just being isolated in their little towers.

MR CAIN: To me, it is certainly one way that the community is letting its expectations be known, by such actions, which is not a protest, but it is an indication of, "Wow, what we can make of the space available." Certainly I think any of us would encourage the community to let their views be known through such things.

MS BERRY: The 8,000 residents, is that 8,000 people or 8,000 units, homes, in your submission? Sorry—it is not a trick question.

Mr Drover: From memory, Belconnen town centre has got I think about 8,000—currently—

MS BERRY: We will know soon enough through the census, but I was just curious because I had heard that vacancy rates are still pretty high across residential in the ACT.

Mr Drover: Down south, but not in Belconnen town centre.

Prof Brack: Not in Belconnen. We have very low vacancies.

MS BERRY: That is what I wanted to clarify with you. That is good. Of course they

want to live in—

Prof Brack: It must be residences, because my one precinct has got 1,100 residences, apartments, in the precinct.

MS BERRY: We will find out when the census comes out anyway. On the site beside Lake Ginninderra college it is currently zoned community facilities, so it is not a green space issue for you, it is what facility could be built there. The development application change would make it into something different, but if it was for community or public housing or some other use, that would be fine by your association?

Mr Drover: No.

MS BERRY: No?

Mr Drover: No, not for more housing.

MS BERRY: Not even for public and community housing or youth housing?

Mr Drover: Because it takes away the opportunity to put a school in there.

MS BERRY: From your perspective, it is just a primary school—that's it, no question.

Mr Drover: It is the only place you really could put one in the town centre. Basically, there is nowhere else conceivable you could do it.

Prof Brack: The new buildings do have substantial areas of accessible housing, social housing. The new tower going up near the markets is 75 per cent social and affordable housing. We think you can do that rather than just having a dedicated social housing block. We think there are other priorities for that block of land. We would prefer it to go to a school or something like that rather than just more residences, even if there is 15, 30 per cent affordable housing in that new residential block.

Mr Drover: You have got public housing in your block, don't you?

Prof Brack: I don't know what it's called. We have—

MS BERRY: It is everywhere. People don't know about it.

Prof Brack: They are called different things. We have what is called the summer housing in one of three or four floors where they have disabled people living in them. All the blocks have various types of assisted living, social, affordable or whatever.

MS CARRICK: I was just wondering is there an underpass under Coulter Drive?

Prof Brack: There is, yes. There is a pedestrian crossing, and there is an underpass as well.

MS CARRICK: That is in the line up to the Florey shops and the school.

Prof Brack: Florey shops, sorry? That is on the other side.

MS CARRICK: Florey school.

MR CAIN: You mean primary school, which is next to the shops.

MS CARRICK: Anyway, there is an underpass that is there.

MR CAIN: Yes. It is quite a wander.

Prof Brack: There is an underpass that goes just up from the block of land we were just talking about under into U Can, so there is an underpass there. Is that the underpass?

MS CARRICK: No. Coulter Drive on the way to Florey.

Prof Brack: On the other side. Actually, there is an underpass over that side as well, yes.

MR CAIN: I will certainly encourage you to keep submitting, keep speaking, because you are representing a significantly growing part of Belconnen's population, and thank you for your submission.

Prof Brack: Thank you.

THE CHAIR: Is there anything that we didn't ask you about that you really wanted to make sure that we got to?

Prof Brack: I think not for this inquiry. We have a whole bunch of other things on dedensification and what have you, but that is a different inquiry.

THE CHAIR: Thank you so much for coming in. That has been really helpful. We have not had any questions on notice.

Hearing suspended from 10.10 am to 10.25 am.

BUTLER, MR LACHLAN, Chair, Belconnen Community Council
STROH, MR KEIRAN, Secretary, Belconnen Community Council

THE CHAIR: I welcome our next witnesses, from Belconnen Community Council. As witnesses, you are protected by parliamentary privilege, and you are bound by its obligations. You must tell the truth. Giving false or misleading evidence is a serious matter and may be considered contempt of the Assembly.

We are not having opening statements. We have quite short hearings, and you have given us two excellent submissions, so we might jump straight into questions. I will kick things off. You have some concerns about the metrics and evidence that have been presented in the social impact assessment. All the community facilities in the Belconnen town centre are used by town centre residents and people from other parts of Belconnen. Do you think that the wellbeing of the whole Belconnen area will be diminished if the particular site we are looking at, Arscott House, is rezoned from community to commercial?

Mr Butler: Definitely, that is a real risk, considering the problems identified by the government earlier this year, with the Arcadia House consultation, and talking about the limited community-zoned land available in the district. When we are looking at rezoning one of the biggest spots of community-zoned land in the town centre of the biggest district and which will have the greatest increase in population over the next 40 years, that is a real concern. We really need to think about what those community needs are and how they are actually going to be met.

Mr Stroh: The proponent's consultants, in response to our concerns about the SIA, flagged some commercial-type sites which have uses for community. Looking at that list of sites—skate parks, CISAC—those are not things that are exclusively used by town centre residents. I think it would be fair to assume that communities would be diminished—potentially, depending on plans, for the whole of Belconnen.

THE CHAIR: Some of those sites are not necessarily fixed and long-term sites, either, are they? The CISAC site, for instance, right now is a great recreational facility, but there is no guarantee that it will remain a great recreational facility in 20 or 30 years.

Mr Butler: I think that is an excellent example, because that one is zoned commercially. If they did want to change it and put apartments there—cash out and make a bunch of cash by putting apartments there—they do not have to go through this rezoning process. There is no nest of call-in powers for DAs anymore, so that one is at risk, and there is not much that members here, and in the Assembly, can do to stop that happening.

THE CHAIR: We have heard, in the submissions and from witnesses already today, concern that there is not a lot of vacant community facility land in the town centre or in Belconnen in general. Does Belconnen Community Council see that concern as well?

Mr Butler: The examples that we have seen in the last 12 months alone prove that, whether it is the Arcadia House consultation or whether it is the Bluebell childcare centre, which relocated out of Belconnen because they could not find a spot to relocate to in the town centre. The City and Environment Directorate did an assessment of what community, recreational and social needs the district needs, and there is a gap now and

there is a gap in the future.

THE CHAIR: We have had a few witnesses talk about the difficulty in finding a site for Arcadia House, the need that Belco town centre will have, probably, for a primary and a high school—they might be vertical ones—and community facility land in general. Do you think that there is an opportunity cost in this site?

Mr Butler: There is definitely an opportunity cost. In our submission to this inquiry, we put a list of all the community-zoned land in the town centre and what is being used on each site. This is the only vacant one. It is the third largest site in the town centre. We think there is a massive opportunity cost if it is rezoned before we actually know how we are going to deliver all these community needs.

It is interesting that the Territory Planning Authority goes, "Oh, it's fine. We're doing studies to figure out what we need." I would say, "We probably should do the studies first and then rezone, not rezone and just hope for the best, after the fact."

THE CHAIR: We have also heard concern about the transfer of a public benefit and where that goes. Arscott House was gifted, I understand, to University of Canberra at a value of $9 million. It appeared in their books as a $9 million line item. It was part of their surplus that year. UC is now seeking to rezone that for what looks to be commercial purposes. Do you see a concern in transferring a territory benefit in that matter?

Mr Stroh: My understanding is that, at around the time of that transfer, the University of Canberra agreed that if the future use of that site were to change, it would make an in-kind or a respective payment back to the territory. It could be the lease; who knows? Territorians gave an institution of the territory that site, which potentially could be used to generate profits for the institution, but it does not benefit the people of the territory.

MS CARRICK: With the current district strategies that replaced our master plans, I do not think that the master plans have much currency anymore, since we have moved to the new Territory Plan, guiding documents et cetera. Do you think that the current district strategies provide a good town plan for your needs in Belconnen?

Mr Butler: No. We have been coming out and saying, since the district strategies came out, that the current district strategies are not fit for purpose. They are very vague. It is mainly just a long list of studies and things to look into, and things to consider. I do not think you can look at that and think, "In 20 years time, that's what Belconnen's going to look like."

MS CARRICK: What is your view about how they identify the land use? We talk about integrated transport and land use planning. Do they do an assessment of the needs for your district—and Belconnen town centre, because it services Belconnen—and identify the land to match those needs?

Mr Butler: No. It is mainly just a list of things to look into in the future, rather than actually doing that assessment.

MS CARRICK: Would you advocate for bringing back the master plans?

Mr Butler: I think all things should be considered. It will be interesting to see what the next lot of district strategies look like. This was the first run. They seem a bit thrown together at the end—lots of big reform. I could see the next run of district strategies being a lot higher quality, but I think that is yet to be seen.

MS CARRICK: Do you know when that will happen? Have we heard when the next one—

Mr Butler: I think they can happen every five years.

MS CARRICK: Okay; that will be about 2028, I guess. 2023 was the date of the planning reform. When you have a lot of kids in an area, you need schools. How far do you reckon kids should be walking to get to school?

Mr Butler: Keiran, you have a child. What do you reckon?

Mr Stroh: I walked for a kilometre to primary school, as a child. I did not have to navigate an amazing network of vehicles in the town centre. Certainly, if I lived in the town centre, I would not expect that my children would be walking to Florey Primary School, for example. I probably cannot put a number on it for you.

MS CARRICK: Less than 2.6 kilometres, anyway, because Florey was 2.6 kilometres—less than that.

MR CAIN: That is a fair walk.

Mr Stroh: It is certainly a point well made. We have encouraged density in the town centre. Families should be taking advantage of that, particularly young couples or people who will have children. Those children need to go to school. We should have a school in the town centre, and Belconnen Community Council has advocated for that for a number of years.

MS CARRICK: That comes back to the planning. There is no planning for where schools should go to meet the population growth that is happening in the town centres.

Mr Butler: From my understanding, that sort of planning work does occur, within the Education Directorate. That is probably a question better asked of them. I think that, in this case, specifically, the Territory Planning Authority says, "We don't consider that. The Education Directorate considers where schools go. That's a non-issue for us." There are so many things in their comments that are pretty much like, "That's a different part. We don't have to consider this aspect," or "We're doing a study on this, so we can rezone it." Education is an interesting one, because they pretty much just say, "Education Directorate does this research. It's fine. Rezone."

MS CARRICK: Yes, it is like how the directorates and the planning directorate work together to ensure that the planning meets the needs of the directorates. I guess the directorates have to inform the planning directorate about what their needs are.

MR CAIN: I am probably a bit surprised. Ms Carrick touched on the need for an

updated master town plan. We have a 10-year-old one that has not really been evaluated properly. Even though we may have an enhanced district strategy, do you still think there is a need for a dedicated Belconnen town centre master plan?

Mr Butler: I think it depends on what the next district strategy looks like, because it is very vague. It is not very prescriptive in what a district strategy looks like. The next run of district strategies could be a lot more detailed and touch on a lot of the things that the master plan did. If it stays at this very high level, just recommending studies that should be done and vague timelines, we probably should consider the planning for the town centre.

I think it is challenging—Fiona touched on it earlier—in that master plans do not really exist in the planning system anymore, but the SLA still talks about and creates master plans. There is a lot of community confusion when they hear, "Town centres don't get master plans anymore; the planning system doesn't do it," and the SLA come out and say, "Here's our master plan."

MR CAIN: Do you think you there should be a concession, saying, "We won't worry about master plans now for the planning of our city"? Do you think there is still a role for dedicated town centre master plans, subject to what the district strategies have? I am not sure that even the most ambitious district strategy could actually encompass the uniqueness of a town centre with significant retail, and now, as we are seeing, both in Woden and in Belconnen, significant densification.

Mr Butler: I think the district strategy could be better than a town centre master plan, in the way that looking at the district holistically can tie in connections between the rest of Belconnen and the town centre and really cater for that—if you are being really optimistic and assume that it will be really good. However, if it is just the repeat of what we are seeing now, I think people will want another master plan.

MR CAIN: That might be something that the committee reflects upon. Obviously, you have mentioned this particular site, the third largest CFZ. Thank you for pointing out some government cleverness and maybe categorisation of things that happened to elevate percentages, in terms of, effectively, the usage. What do you think is the best use for that site? I am thinking about the town centre now, because it is very much part of the town centre, in most views. What else do you think could be enhanced or developed in the town centre? I am exploring your views on the expansion, or not, of Margaret Timpson Park.

Mr Butler: I would not want to be too prescriptive as to what we think should be on that site. There has not really been a conversation about what should be on the site. We have just been told what is happening. It is interesting that Purdon and UC put together some funny numbers on the availability of community-zoned land in the ACT, including a 1,600-dwelling development across the road, where UC sold land for that to occur. I think it comes down to the fact that, if we know what needs the Belconnen town centre has, we can start planning the land use and start allocating spots for it. At the moment, it's a matter of saying, "We'll rezone it and then figure out where everything's going to fit later." That is where we think the problem is.

MR CAIN: And Margaret Timpson Park?

Mr Butler: I think Margaret Timpson Park has been debated to death.

MR CAIN: You will have a view, though. What is your view?

Mr Butler: It will be interesting to see what comes out with the community housing provider. For us, if no community housing provider is interested, we cannot just have this perpetual hole in the ground in the town centre. We want to see this move pretty quickly. They eventually called it "Belconnen Precinct on Emu Bank". The SLA took four or five years to sell that. We do not want to see that happen in this case. If they are not expanding Margaret Timpson Park, we do need sites to put green space, community facilities, third places for all these people that live in apartments to go out and actually spend time in.

MS BERRY: There are a couple of reports that everybody is waiting for—the feasibility on the primary school work and the census, so that we know what is happening and who is living in Belconnen. It is pretty constrained as a place now, because it is pretty set up now, as to what is going to happen, and there is only that site left. There is the Eastern Valley Oval side, which I know nobody wants to touch for anything, other than a floodway or whatever it is. There are some other commercial sites in this town centre. Are those being looked at?? We know community facilities, as you talked about with the pool, and CISAC, can be built on commercial sites.

Mr Butler: As you point out, you can build community use stuff on commercial-zoned facilities. For us, in the last 12 months, we have seen Bluebell daycare move. We have seen the Kaleen indoor sports centre close. We have seen all the stuff happening with Big Splash. At the moment, particularly, people are quite frustrated to see stuff go one way and not the other.

MS BERRY: It is very difficult when they are privately owned and a private owner, or whatever, makes a decision to do something else, which is their prerogative, but it is not a prerogative that everybody agrees with. When it all seems to have been condensed into a couple of years, it is really frustrating for everybody in the ACT; I get that. I know that it is also frustrating for people to wait for reports, when they have strong views about things, but understanding the data really compels the government to make a decision about what they do with things, as long as it does not take too long.

Mr Butler: I think people can appreciate that private owners can do what they want, within, obviously, the rules as to what they can do with their sites. For this one, they say, "The rules are set and UC's asking for them to be changed." They call it mixed use, but it is pretty much just housing, with a very token community use aspect and undefined ground floor usage. People can appreciate what you are saying about the privately owned stuff, but when the Assembly, the minister and the government have the chance to have a say, they want to see the say be on the community's side, not the developer's side.

MS BERRY: With the community facility zoning that we have been talking about, that is a pretty broad description for a range of different purposes. As long as that land was used for community facilities of some sort, that would be something that the community council would be fairly relaxed about?

Mr Butler: Yes. Even with Big Splash, obviously, a lot of people really want the slides to be protected. There is a cohort that want the pools to be protected. A lot of people just think, "We want a recreational facility of some sort." It might be a pool, and it might not be water slides, but they want to see something. It could be massive tennis courts or some sort of recreational sporting facility. It is not the specific use case that people get quite fired up about; it is just losing that entire category. You do not really get it back.

MS BERRY: Yes, I agree.

THE CHAIR: Is there anything that we did not get to that you want to tell us about?

Mr Butler: The key point is technical specifications. With this one, I will not rehash too much of what is in our submission, but the defence is that there is a technical specification that says 3,000 square metres of community space will be built. But technical specifications are guidance; they are not required. They can be changed by the Chief Planner without public consultation, without the involvement of this Assembly. This committee could recommend that it be approved and the minister approves it; then UC next year goes, "Actually, it's kind of hard. Can we change that?" The Chief Planner can change that, with no public consultation.

Purdon and UC's submission is quite interesting, because they talk about, "The technical specifications will save the day." But if you look at the master plan that they put out for Big Splash last year, also by Purdon, also done by Cox, I am looking at what appears to be a six-storey hotel with a 25-metre pool on the ground floor, on a site where it says that a hotel should be secondary in use on that site. If the technical specifications are really being followed for the Big Splash master plan put out last year, it is hard for people to have faith that, "This site would be different." Do you have any comments, Keiran?

Mr Stroh: Only a very general one, on the higher policy regarding densification across Canberra. We have had some really great work done. Missing middle reforms look exciting. We have Ginninderra East. We were told this week by the SLA that land will be released in 2030. We have people coming. The Ginninderry development is still being built. It would be an awful shame basically to lose forever a really good site in the town centre to some more apartments with something on the ground floor. There are a range of options—with an ageing population, social or aged-care type facilities, or primary schools. We are getting apartments and townhouses elsewhere. I think the Belconnen community would be disheartened to learn that a territory institution is adding to that, rather than creating community good.

THE CHAIR: Thank you so much for your time today, and for your evidence.

HOWARTH, MR HUGH, Director Property, Development and Commercial, University of Canberra
MOORE, MS MICHELLE, Chief Operating Officer, University of Canberra

THE CHAIR: Welcome, our witnesses from the University of Canberra. For the *Hansard* record, starting with you, Hugh, can you state your full name, your role and the organisation you are here to represent.

Mr Howarth: Hugh Howarth, Director of Campus Estate effectively. I am representing the University of Canberra.

Ms Moore: Michelle Moore, Chief Operating Officer for the University of Canberra.

THE CHAIR: As witnesses you are protected by parliamentary privilege and you are bound by its obligations. Witnesses must tell the truth. Giving false or misleading evidence will be considered a serious matter and may be treated as contempt of the Assembly. Please feel free to stop and ask for guidance if you would like to. We have not been doing opening statements. We have got your submission, and we are happy to table any further material that you have brought. We might jump straight into questions if that is okay.

According to the 2021 UC master plan, under "Campus housing" it says:

> Consider the former Arscott House site for purpose built short-term accommodation, enabling students and their families, conference attendees and partners to more deeply engage in the campus experience.

The direction for the land in 2021 seems to be different from what you are proposing in the major plan you have put up at the moment. Is what you have shown in the major plan amendment right now what you see as the future for that site?

Ms Moore: I think what we are asking for is a rezoning so that we can understand what might be the best use going forward, Ms Clay, because we need to understand what the options are before we put a plan on the table.

THE CHAIR: If UC was successful in getting this land rezoned, what would UC use this land for?

Ms Moore: We would have to work through the scenarios based on what the zoning would allow and what the needs are in comparison to the whole of our campus.

THE CHAIR: That is a challenging position for the community I think and potentially for the authority at ACT government to say, "We're going to rezone a site that is currently community facility-zoned land. We're going rezone it into something else, and we have no idea or guarantee about what will go there." What would you say to people who are concerned about that decision-making process?

Ms Moore: It is an education facility zone, as I understand it, now, including—

THE CHAIR: Community facility-zoned land at the moment I think.

Mr Howarth: Yes, with an overlay from the Crown lease for educational purposes, which includes student accommodation. To answer your question, the intent is to continue to use the site for an educational purpose. What that actually looks like we are not completely sure of. The broader master plan talked about a partnership development on that site. It talked about activating ground floor, a component of retail. It talked about a component of accommodation. In addition, the actual campus master plan more broadly allocates uses on our campus, and what we are trying to avoid is duplicating uses across those two sites—something like student accommodation, for example. We are trying to avoid a fragmented approach to student accommodation, so that is the planning we would need to work through once we knew the zoning conditions. In addition, we were not really completely sure about the 3,000 square metres, and that was something that was introduced in consultation with the Territory Planning Authority. All of this will have an impact on what is probably feasible and achievable on that site.

THE CHAIR: The 3,000 square metres, which is the community facility portion that you would imagine would be in there, as opposed to the entire site currently being community facility—where did that number come from? And what guarantee would there be that the community would get something that they considered to be a community facility out of that?

Mr Howarth: The basic analysis of the site and yielding what the architects thought what would fit on the site, and it was a percentage of that yield. In terms of use, things were discussed around childcare facilities, other educational establishments—a broad base of community facilities—or it could be elements of affordable housing, social housing and other pieces like that.

THE CHAIR: It was based on the development needs for the site, not based on the community needs for community facility land and space? It was not based on any kind of assessment of what Belconnen town—

Mr Howarth: I think there was a level of assessment. It was based on a percentage of the use of the site, trying to balance the site with different uses, 3,000 being a fairly large number.

THE CHAIR: Given that there are no clear plans about what—if UC got this rezoning, you do not have fixed plans yet on what you would do with it. Why do you need to rezone it? Why can't you just come up with your plans, and maybe your plans for development there might fit into the current zoning? Why do you need to get a rezoning decision now when you are not even certain what you want to do with the land?

Mr Howarth: This was seen as a gateway step. There were multiple steps, and the first step was to test the appetite, so we approached the territory government with a view about what we would like to do with the site and had these discussions, and we understood the process would be to then look at potentially a rezoning. That was probably the most straightforward approach. This has actually been looked at for probably over 10 years in terms of what to do with the Arscott House site. We were following the process that we understood, which would include community consultation. We did our prior community consultation. Then we were interested to see

what came back from that. We modified our plans a little bit, and then the Territory Planning team did their consultation, so we were interested to see what the result of that would be.

THE CHAIR: I'm interested, if this has been under consideration by UC for 10 years—that's 2015, 2016. The site was given for free to University of Canberra in 2011. Have I got this right? It was valued at the time as $9 million. That valuation appeared on UC's books as a positive revenue stream, part of your surplus for that year, and then within four years University of Canberra decided that they did not actually want to use the land for student accommodation; they wanted to redevelop it. Is that the decision-making process?

Ms Moore: I think the student accommodation part became part of consolidating our student accommodation onto campus. That is from a safety perspective. It is also from an amenity perspective. Between 2011 and 2018 we added about 1,200 or 1,300 beds on campus, in excess of the Arscott House site, so we actually met that increase in beds in a way that our campus master plan actually supported concentration of student accommodation onsite.

THE CHAIR: I think it is great that you built enough student accommodation to meet your needs elsewhere. That is excellent. Did University of Canberra consider giving the site back to government because University of Canberra got it for free from government and then did not need it for the purpose for which it was granted anymore?

Ms Moore: I cannot speak to that.

Mr Howarth: I cannot speak to that. I am not aware.

THE CHAIR: We have certainly had a number of witnesses suggest that. We have had a number of witnesses suggest that University of Canberra agreed with the Auditor-General's findings about a decade ago. I think it was in 2015—

Ms Moore: 2015.

THE CHAIR: —that the Auditor-General suggested that if the site was not going to be used for that purpose, it should be handed back to the territory free of charge. I understand that University of Canberra at the time said that that sounded reasonable and that they agreed with that. Have I got any of that information wrong? By all means, please correct me if I have.

Ms Moore: My reading of the Auditor-General's report was also that if the land was going to be used for another purpose, the university would recompense or would remit any funding that was required legally back to the ACT government as part of that. That's what the Auditor-General's report said.

THE CHAIR: If this zoning decision goes ahead and is approved, will the University of Canberra remit the value back to the territory? And what is the assessment of that value that you would send back to the territory?

Ms Moore: My understanding is that there would be a number of stage gates post this.

There is the lease variation. The underlying lease would need to be varied, and then the development application would have to go through. All along that way I think, in terms of an uplift related to an underlying lease change, that would potentially trigger obligations on behalf of the university.

THE CHAIR: Are you talking about remitting the full value of the site back to the territory? Or are you talking about paying the ordinary LVC charge that any commercial developer would have to pay?

Mr Howarth: We have always modelled around the LVC, but to your point around the Auditor-General's report, it referred to profit. We are yet to crystallise what that profit would be and whether the value of the site—my interpretation was profit above the value of the site at the time of acquisition, which was put at $9 million, I believe.

THE CHAIR: Nine million.

Mr Howarth: Whereas current LVC will probably have a different methodology for calculation but I imagine will still capture the full value.

THE CHAIR: Current LVC is typically 75 per cent of the uplift value, and that is applied to all developers. What I'm interested in is what came out in that Auditor-General's report and what a number of witnesses have said is that is what happens when developers who have bought the land uplift the value. What about the $9 million you started with? What is the site worth at today's terms? I don't know what it is. Are there discussions going on? Will UC remit the value of the land as it is today back to ACT government?

Ms Moore: I don't think we're there yet, no.

Mr Howarth: That's not a conversation we have had.

Ms Moore: No.

THE CHAIR: There are no contractual obligations, no conversations about that with the territory? This decision would be made ahead of any commitments of that nature?

Ms Moore: Not that I am aware of.

MS CARRICK: You said that this land has got an educational overlay, and you are an educational institution with lots of different aspects to your business: aged care, hospitals and all sorts of things. Given that the community is growing in the town centre with the towers and they talk about having a primary school, why couldn't this land be used for that purpose and work with the ACT government to put a primary school on that land? Associated with it, there is the policy of not-for-profit child care due to Bluebell having nowhere to go.

Mr Howarth: It is certainly a very good question and one I would encourage the committee to address to the Education Department as well. The university earmarked a large parcel of land on our campus for a primary school and other educational partners, which was bigger than the Arscott House site and more aligned with what we

understand to be the siting policies around schools. We have been working with government on that land and would encourage the committee to reach out to Education about the findings of that feasibility.

MS CARRICK: It is great to have a primary school on the University of Canberra site, but given all the population density will be in the towers in the town centre and the Arscott site is closer to the town centre so that it is closer to walk, if that site is appropriate for a primary school, why wouldn't that be used, as opposed to a site on University of Canberra where it is a longer walk for the children to get to?

Ms Moore: I think the commentary, if appropriate, is my understanding of the siting guidelines for primary schools within that—

THE CHAIR: We are getting an evacuation tone. We will suspend the hearings.

Short suspension.

MS CARRICK: It was brought up this morning that once land is zoned to commercial zone it becomes more expensive because you can hire some best use in commercial zones and you can make a lot of money out of it. Given the community is so concerned about the community facilities, how would you propose to ensure that there are community facilities if you zone it commercially?

Mr Howarth: My view at this stage is that we still have to go through a Crown lease variation or modification, and those conditions could be instilled in the Crown lease in terms of the obligation around community facilities.

MS CARRICK: But that does not always happen. Things go through without the Crown lease being definitive, and often things are just pushed down the track. They might say in the Crown lease, "Community facilities to be determined later," and they will not be so specific in a Crown lease. It is a risk. I am just saying that for the community it is a risk if you zone it commercial land.

Mr Howarth: I think, as a side piece, it was also discussed that there is nothing happening with the land at the moment, and part of this arrangement is to try and get traction on a balanced development on that side and effectively find a bankable, fundable or viable development that works on the site. I think that is the other part of the future DA and the future Crown leases. It is to make sure whatever is delivered is actually viable and can be delivered for the community, as opposed to the land remaining vacant.

MS CARRICK: If the UC does not need the land and it has been sitting vacant—Ms Clay brought it up in her question. If the UC does not need it and it is not part of their master plan, why isn't it given back to the ACT government to use for the town centre for their needs?

Ms Moore: We are always talking to the government about the use of our land. The plan that we went through was, "Let's see what this land could be used for." We have undertaken this piece of work with the territory planners to make sure that we are being really clear about what this land could be. I do not think we have shut the door on

anything.

MS CARRICK: Did they suggest that you give it back to them because they could put a school on it and a child care not-for-profit?

Ms Moore: Not that I am aware.

Mr Howarth: They as in?

MS CARRICK: The planners.

Mr Howarth: Our planners? We engaged—

MS CARRICK: No, the ACT government planners.

Mr Howarth: No.

MS CARRICK: Did they ever suggest to you that perhaps you could hand it back, given—

Mr Howarth: Not the Territory Plan team. No, that was not raised during this. I understood from their consultation report that the question was asked around Education, whether Education had an interest to purchase it. I believe that report said Education did not have an interest to purchase it, if I understand that correctly.

MR CAIN: What is your plan A for the site if the rezoning happens? If you do not have a specific answer to provide, I will move on to some other questions.

Ms Moore: I think Ms Clay asked a similar question, Mr Cain. For me, it is about what the best use is of that site right now, and we would have to work through the scenarios. We do not have a specific plan.

MR CAIN: You do not have a specific plan?

Ms Moore: No.

MR CAIN: You have engaged Purdon to provide a submission, and there is a fair bit of work here. You do not a plan for the site if it is rezoned?

Mr Howarth: We have a broad master plan ambition for that site, and we engaged Purdon to start a process which involved consultation to inform what we do next.

MR CAIN: Do you need more student accommodation?

Ms Moore: No.

MR CAIN: When you say that the site will be used for educational purposes—I think that is the phrase you used—what educational purpose? It is not going to be student accommodation. It is not going to be a school because you have got that in the master plan on the site. What would the education purpose be? What are the top five possible

educational purposes that the site would be used for?

Mr Howarth: That is a challenging question to answer.

MR CAIN: It is a rather obvious question, isn't it?

Ms Moore: It depends how you define "educational purpose". It is a bit like the conversation you had earlier around community facilities. For me, educational purposes can be things like—

MR CAIN: Is that for you or for UC?

Ms Moore: Work-integrated learning, placements—those things are also educational purposes. That is part of the aged care precinct, and the healthcare facilities on the rest of our campus have an educational purpose because they allow us to undertake work-integrated learning and placements with those partners.

MR CAIN: There have been some ideas thrown about that the land should be returned to the ACT government. Have you done an analysis of the book value cost to the UC if that occurred?

Ms Moore: I can tell you that it sits on our books now at $1.85 million, this piece of land.

MR CAIN: At $1.85 million, from $9 million a little while ago.

Ms Moore: Because that $9 million would have been with the building.

Mr Howarth: Yes.

MR CAIN: Did you say $1.85 million?

Mr Howarth: That is the underlying land value, as we understand it.

MR CAIN: Is that equivalent to its UV for rates purposes? Is that the same number?

Ms Moore: I would have to take that on notice, Mr Cain.

MR CAIN: I would appreciate that. Thank you. You do not need more student accommodation. I guess part of your range of possibilities is not to return the land. That is not within the possibilities that you are contemplating. It wouldn't be, would it, because you got—I am assuming that is a no.

Ms Moore: I think it would always be in the possibilities of what we would do.

MR CAIN: Have you done a range of scenario analysis that would show what either capital gain the UC would make or ongoing revenue gain the UC would make with various development proposals?

Mr Howarth: Nothing definitive. A high level of indication numbers over the years

about different uses as people have approached us, but nothing—

MR CAIN: What do they look like?

Mr Howarth: I think all of the scenarios have been difficult because the sites have been so constrained that no-one has really been able to identify the actual massing or what could be delivered. They are typically just reduced to what people believe the underlying land value might be for a party, but it has not yielded very attractive returns in terms of—nothing to date has been fantastic in terms of financial outcomes.

MR CAIN: Are you able to comment at all on the UC's financial situation and the broader plans of managing its revenue versus expenses and its capital investments?

Ms Moore: I can talk about where we are sitting this year. We are aiming to deliver pretty much a balanced result this year. From a series of losses, the university has implemented strong financial—

MR CAIN: On the expense and revenue side?

Ms Moore: Yes. A balanced result, which I think is a significant improvement from where the university was. Across the forward projections, I do not manage the finances of the university, but what I can say is the work that we are doing is around what the asset replacement looks like and what the capital program looks like across the forward years, and we do that on a risk-based approach.

MR CAIN: You said that you intend to use the land for educational purposes, and it already has that, in its current zoning, so why support a rezoning?

Mr Howarth: It does not have the flexibility under its current zoning.

MR CAIN: What is missing that you would be contemplating?

Mr Howarth: Broader uses.

MR CAIN: Like what?

Mr Howarth: Housing, and that was in the application.

MR CAIN: What sort of housing?

Mr Howarth: We have looked at affordable housing. We have looked at worker housing and other types of housing that would complement the campus and contribute to our educational outcomes.

MR CAIN: How would housing, even if it was affordable housing, contribute to an educational outcome?

Mr Howarth: Most of this is enabling, or a lot of it can be enabling. There are also elements of these things that we have looked at around research into different typologies, affordable housing and bits and pieces.

MR CAIN: Enabling of what?

Mr Howarth: Enabling activation of our campus, making it easier for people to find the university more accessible.

MR CAIN: But not student accommodation?

Ms Moore: No.

Mr Howarth: Probably a different type of student accommodation, in the sense that student accommodation is not typically targeting a broad base. It is normally a traditional student. There is a gap there in non-traditional student cultures.

Ms Moore: Adult learners.

MR CAIN: Earlier, you said that you do not need more student accommodation, but now it seems that you are contemplating that you would perhaps have it as student accommodation?

Mr Howarth: More diverse housing, I think, is the point that we would look at.

MR CAIN: Not student accommodation?

Ms Moore: Not short-term student accommodation.

Mr Howarth: Not the typical version of student accommodation, no.

MR CAIN: What would that look like? What would non-typical student accommodation look like?

Mr Howarth: It is more of a residential setting designed for families who are looking for something.

MR CAIN: You are just looking at ordinary residential housing?

Mr Howarth: That is one option, yes.

MR CAIN: And it is something that you are contemplating as part of the plan for the land?

Mr Howarth: Yes.

Ms Moore: One of the options.

MS BERRY: The submissions that we have been hearing so far are pretty opposed to that. You have been here; you have heard them. Obviously, the government will make a decision around this, and the committee will make recommendations based on these hearings. Does UC then go back to the drawing board, or do you have other potential plans in place for this site? Obviously, there is the feasibility work that Education is

doing around a potential primary school site. This site is a little bit small, I think—

Ms Moore: Yes.

MS BERRY: for a primary school or high school, but there are other sites on UC campus.

Ms Moore: Yes.

MS BERRY: You probably cannot talk about this; it is hypothetical. With what you could do, if you have to go back to the drawing board regarding what would be possible on that site, people have talked about Arcadia House.

Ms Moore: I think it is about the term "educational facilities", including student accommodation, and what that means. Yes, we would go back and look at scenarios, the same as we do across all of our campus, and in line with the campus master plan.

MS BERRY: I do not really have any more questions. I have looked at the submissions. I think there is a bit more that we have to find out from other people.

MS CARRICK: Have you identified a site on the main UC campus for a primary school?

Mr Howarth: Yes, we have.

MS CARRICK: Is it close to the town centre? Is it in good walking distance?

Mr Howarth: It is close to the core of the campus, close to the centre of our campus, but it is aligned with the rapid transport network and others that make it attractive, in terms of getting to and from the site.

THE CHAIR: Government have said that we need a primary school and they are doing that feaso, which was meant to be out in 2025-26, and we are waiting for it. It is great to hear that a plan is on the table. Have you had any conversations with government about a high school down there, noting that children age, with the passage of time, and kids who go to a primary school will also need to go to a high school?

Mr Howarth: I have not.

Ms Moore: I have not.

THE CHAIR: The government has not initiated that conversation with you at all?

Ms Moore: Not with me.

Mr Howarth: Not with me directly, no.

MS CARRICK: Can you put it closer to the town centre, so that it is closer for the children to walk there?

Mr Howarth: The broader question is: can the university look at revising the master plan? Yes, we will refresh our master plan, and this is where the consultation will come into it. We will have a look at what the community wants, what the university needs and, if we need to amend things, we will amend things. At this stage, it is located, as I said, in the centre. It does have some synergies, being in the centre. We can link it with the library. We can link it with retail services. It is close to security—

Ms Moore: Ovals.

Mr Howarth: central parking and ovals, which is largely how we arrived at the location that is proposed now. These things are subject to time and change.

MS CARRICK: Does it have not-for-profit child care attached to it?

Mr Howarth: Again, we already have two childcare facilities on our campus. Part of the planning is to look, long term, at what that looks like, and whether there are options to integrate that with other educational partners, such as primary schools, high schools and things like that. The intent is that we are focused on—that was discussed as well—a compact vertical model of education and education partners. That is probably where we are massing these locations. Integrated with early learning would be a good thing for the university and the community, we think.

THE CHAIR: Is there anything that we did not ask that you wanted to make sure that we knew, and that is not in your submission?

MR CAIN: Or that you did not want us to ask.

Mr Howarth: Who organised the fire alarm?

Ms Moore: Ms Clay, I want to reiterate that we really do consider the community in our planning. When you look across the facilities that are on UC, we are trying to make sure that our campus is a community asset. We are inviting more and more people onto campus. We had close to 8,000 people at open day, which was three times as many as we had a couple of years before. We had wood chopping. We had a great community vibe. For us, that is really important, because we do see our role in Belconnen to be that of a steward of how we actually bring people on. How do we use our ovals? Our ovals are there for the use of the community—our health hub, the hospital.

We want this to be considered by the community as its asset, as well as in terms of being able to come off campus. I think the vice-chancellor has been really clear about wanting people on our campus. We were really happy to come here today and make sure that it was really clear that, as a university, we do consider the community that we are in. We appreciate the vibrancy of the community and the growth in Belconnen, and how we can support that growth.

There have been some great conversations about what actually constitutes a community facility. I thought that was a great conversation, and it certainly gave me food for thought about how we consider what is a community facility. I thought it was important that other contributors think about what a community facility looks like, because UC is really there as a community facility, and that's absolutely what the vice-chancellor and

the rest of the executive are making sure that we are considering.

THE CHAIR: Thank you for your time today. We did have one question taken on notice, I believe.

Ms Moore: Yes, the question from Mr Cain.

THE CHAIR: Our secretary will help you with that, so that we can get that answer. We would appreciate receiving that answer within five days of your receipt of the uncorrected proof *Hansard*. We will now suspend the proceedings until 12:30.

Proceedings suspended from 11.31 am to 12.30 pm.

STEEL, MR CHRIS, Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage, and Minister for Sport and Recreation
BENNETT, MR JAMES, Executive Branch Manager, Building, Design and Development Branch, City and Environment Directorate
KAUCZ, MS ALIX, Executive Branch Manager, Statutory Assessments Branch, City and Environment Directorate

THE CHAIR: I welcome Mr Chris Steel MLA, the Minister for Planning and Sustainable Development, and officials from the City and Environment Directorate. As witnesses, you are protected by parliamentary privilege, and you are bound by its obligations. Witnesses must tell the truth. Giving false or misleading evidence is a serious matter and may be considered contempt of the Assembly.

We are not having opening statements, so we will proceed straight to questions. Minister, we had a good session with UC, immediately prior to this. We were discussing the terms on which UC acquired the lease in the first place. Can you tell me the date and the type of lease that UC has for this site? Is it a market value lease?

Ms Kaucz: Yes, it is a market value lease, and it was granted to UC on 21 December 2011.

THE CHAIR: As a market value lease, government would have had a value for the lease at the time?

Ms Kaucz: It went through a direct sale process, and it was a nil value that was allocated through the direct sale process.

THE CHAIR: UC paid nil for it; but, as a market value lease, did government conduct any kind of assessment to determine the value of the site before issuing that zero-dollar lease?

Ms Kaucz: I can find that out for you.

THE CHAIR: Can you take that on notice?

Ms Kaucz: Yes.

THE CHAIR: Thank you. We would like to know what process government went through to determine the value of that zero-dollar lease and what the value of the site was put at. If government went through a costing evaluation for what the site was worth and it came to something other than zero, we would also like to know what that value of the site was.

The site appeared on the UC books as being worth $9 million, and it was reported in their annual report as $9 million worth of asset. They have told us that, at the moment, they have it listed as being worth $1.85 million. The territory authority is considering a matter to rezone that site. Does the territory authority or government have any information about what that site is worth at the moment?

Ms Kaucz: No, we do not have the valuation of that site at the moment.

THE CHAIR: Is that information that the territory authority or government would have in order to make a decision about rezoning the site? Would the decision-makers—I am assuming it is the authority—wish to know the value of the site before deciding to rezone it?

Ms Kaucz: It is not standard to find out the value of a site. It is about looking at the uses that are being proposed, what benefits they will have, and the changes to the Territory Plan. It would be uncommon to find out that information about the site.

THE CHAIR: Not the usual process. Take on notice finding out whether you do have that information and, if you do, provide it; if you do not have that information, obviously, you do not need to provide it.

Mr Bennett: The value of the site is not a consideration under the statutory major plan amendment process. It is not something that we consider in making a strategic planning land use decision.

THE CHAIR: We have had a number of concerned community members. They are concerned about a number of aspects of this rezoning. Amongst their concerns is the fact that UC received the land for free, for a certain purpose, which was for student housing. UC is now seeking to rezone it for other purposes. I will come to that in a moment. People are concerned that UC is now profiting from a free gift from the territory. If this site were rezoned for UC and UC redeveloped it, how would the territory get a return from that transfer of the gift? Where would the money go?

Mr Bennett: That would come through the lease variation process. While the Territory Plan may change, to allow for different uses on the site, the lease will also need to be varied. At the moment the lease is limited to educational establishment, with some other words following that. In order to take up the opportunities of a zoning change, the lease will need to be varied, and a lease variation charge may apply to the uplift that occurs through that lease variation.

THE CHAIR: That LVC process is a standard one that applies to all developers, and it is often applied at 75 per cent of the uplift value. In this particular case, would UC be charged 75 per cent of the uplift value, and would the uplift value be taken from zero dollars, which is what UC paid for it, or would the uplift value be taken from today's market value?

Mr Bennett: The lease variation charge is calculated by the statutory formula in the Planning Act. That has a formula for how you calculate before value and after value. It will be calculated in accordance with the statutory process. There is no special process for different sites. That would be a before-value/after-value calculation. The way that the lease variation charge is applied is that the charge is 75 per cent of the uplift value.

THE CHAIR: You are more familiar with this instrument than I am. Is the before value going to be today's market value of the site or is the before value going to be the zero dollars that UC paid for it?

Mr Bennett: No, it is the before value at the time that you are seeking the lease variation.

What someone paid for something in the past is a relevant consideration in that, but it is not the determining factor of what the before value is.

THE CHAIR: If all of that happened—obviously, those things have not happened yet—the actual effect would be that UC would have received a site free of charge, they would get to redevelop it, and they would only pay 75 per cent of the value of the site, plus the uplift, and they would have all of that first bit of value that they were given for free; they would still have that for free. Is that the actual impact of how that natural reading would flow?

Mr Bennett: Potentially, that is how that would play out. The before value is not calculated by some historical number. It is calculated at the time that the lease variation is sought. If that before value is higher than a historical amount, it would be the current before value.

THE CHAIR: What is the public interest justification for an arrangement like that, where UC, as a property developer, has received a free gift for a certain purpose and is then redeveloping the land for a different purpose? What is the public interest justification for that?

Ms Kaucz: In answer to the original question about UC getting the site for zero dollars, it led to a contribution from the ACT government to the National Rental Affordability Scheme that was happening at the time, by delivering the housing that was on the site. That was calculated, and I suppose the net value was deemed to be zero.

THE CHAIR: When the Auditor-General looked at this, did the Auditor-General decide that UC had actually made that full contribution to the NRAS scheme?

Ms Kaucz: I am not sure.

THE CHAIR: There was an audit into this matter by the Auditor-General in 2015. Could you take on notice whether the Auditor-General determined that UC had fully met its obligations or not?

Ms Kaucz: Okay.

THE CHAIR: Thank you; that would be great. We have also had a lot of community concern about the loss of community facility zoned land in Belconnen. We have had a number of people put up pretty good cases, frankly, that government is struggling to find community-zoned land. Government found it difficult to find a site for Arcadia House. That needs community-zoned land. We have heard from UC that there may be plans for a primary school. UC tell us that they have never had any conversations with ACT government about a high school. It is great to hear that there are plans coming on for the primary school, but there does not seem to be any consideration of a high school. There are a lot of community usage requirements for an area this big, and which is growing so rapidly. How are you confident, when it comes to giving away the largest remaining community-zoned site in the heart of Belconnen, given all of those concerns?

Mr Bennett: The provision of appropriate community facility land has been a key consideration of the Territory Planning Authority in this application. We have looked

at the historical use of this site. When the building was first built, it was originally built and used as a hostel; then, when it came into ownership by the UC, it was used as residential student accommodation. We have looked at the history of the site and how that particular block has contributed. We have also looked at the forward plans that the UC has put forward in their master plan for this site.

A very key consideration of the authority has been the desire to secure an appropriate community facility provision from this site, and that is reflected in a Territory Plan assessment outcome that is included, and there is a supporting technical specification that is included there as well. The authority considers that, with the historical use of this site and the proposed use, the provision that requires community facilities to be provided and a minimum technical specification would improve, overall, the provision of community facilities on this site, as part of the Belconnen district.

THE CHAIR: Has the authority made an assessment of all of the community-zoned land in Belconnen CBD, or is the authority simply looking at this block?

Mr Bennett: We are looking at the Belconnen town centre more broadly, through a separate piece of work, where we are looking at the provision of social and community facility sites across the Belconnen town centre. This particular site does not sit within the strict boundary of the Belconnen town centre. It sits just outside that. As you are aware, there is the social and community facilities audit that we have done as well, and that has played a key part in the considerations about what suitable contribution this site can make to the broader community facility provision across the district.

THE CHAIR: Have you seen how many community witnesses consider this to be eight per cent of the town centre's community land, whereas the authority seems to be considering this as 0.24 per cent of the entire community land in the whole, greater district? Do you understand how the community considers this to be part of our town centre, so it is quite a big proportion of it?

Mr Bennett: We appreciate that it is very close to the town centre. In terms of that strict boundary, it is adjacent to the town centre; it is not within the town centre boundary. The authority agrees that this is a key site and that it needs to provide a suitable community facility contribution to the district and to the town centre users as well. That is why a Territory Plan assessment outcome is included, and that is supported by a technical specification as well.

THE CHAIR: Some of the sites that are considered by the authority as community sites are sites like Radford College. Do you imagine that Radford College would be happy to locate Arcadia House or a community recreation facility on their grounds?

Mr Steel: I want to remind everyone that this is a proponent-initiated amendment. The Territory Planning Authority explicitly addressed the issue around the percentage of community facilities land in the consultation report attached to the MPA. That is on page 9 of the consultation report. The authority has acknowledged concerns regarding the methodology used by the proponent who is putting forward this major plan amendment.

THE CHAIR: I will restate the question.

Mr Steel: It is not the TPA that is saying 0.24 per cent. That is what I am saying. It is the proponent; I want to be clear about that.

THE CHAIR: Does the authority consider that this is a significant proportion of the community-zoned land for Belconnen town centre?

Mr Bennett: This site is not in the town centre.

THE CHAIR: The authority is only considering this site as part of the Belconnen greater district and is not considering the impact of losing community-zoned land as a town centre issue? It is only considering it as a Belconnen greater district issue?

Mr Bennett: Just in terms of the methodology. I want to be clear that it is not in the boundary. We have absolutely considered the appropriate provision of community facilities for the people of Belconnen, including those who live in the town centre and those in the broader district, because it is technically outside that boundary. That is why we have included a requirement that this makes an appropriate contribution to the provision of community facilities. We have set a minimum technical specification to support that. We agree that this site needs to provide ongoing community facility provision for the Belconnen community.

THE CHAIR: A smaller proportion around 3,000 square metres. Is that the—

Mr Bennett: That is. Going back to the historical use of the site, that is a significant increase from what has previously operated there, which in its most recent history was as a private student accommodation facility.

THE CHAIR: I have one more question. We asked UC what they wanted. They are seeking a rezoning, and we asked them why they need a rezoning and what they want to do with the land, and they were not really able to answer that question. They said they had not decided yet. Not to verbal them, but there are lots of different ideas and they had not actually decided. Does the authority typically rezone land when there is actually no need to rezone the land, because the person who holds it in current zoning may not need a rezoning? It seems unusual to me to need to seek a rezoning if you do not even know that what you want to do would require rezoning.

Mr Bennett: I cannot answer that on behalf of the UC, but the Territory Planning Authority has received a proponent-initiated major plan amendment, and that major plan amendment has a supporting report and an indicative master plan for the site. That is what the authority has assessed this application on: the information provided by the proponent through the proponent-initiated pathway. We have assessed the information that they have given to us, and, regarding the indicative site master plan that they have put forward and the range of uses that are proposed in that, this change would facilitate the proposed master plan that they have put forward for this site to the authority under the proponent-initiated process.

THE CHAIR: Thank you. I might get you to take this on notice. Can you provide on notice what you consider the boundary of the Belconnen town centre to be? I have just been reminded that the 2016 Belconnen Town Centre Master Plan has this site as part

of the town centre, so there is obviously a bit of disagreement across different government planning processes as to whether this is or is not in the town centre. If you can provide on notice—

Mr Bennett: I can tell you now that it is in the commercial zones policy in the Territory Plan and in the description of the town centre boundaries in the act.

THE CHAIR: Has it changed since the 2016 master plan?

Mr Bennett: I do not know the explicit boundary there. The master plan for Belconnen may have had a different boundary, but, in terms of the statutory boundaries that we are talking about, those are set out in the act and also the commercial zones policy in the Territory Plan.

MS CARRICK: It appears that the land is surplus to the needs of the UC, and it is very close. Whether it is inside or outside of the boundaries for the town centre, it is very close. Did the government ever consider asking the UC to hand the land back so that it could be used for the purposes of the town centre as opposed to the purposes of the UC?

Mr Bennett: This is a privately leased block, and the lessee of that block has the right to use it as they wish. I am not aware that the government has asked the UC to sell that land back to the government.

MS CARRICK: Given it is only on their books at $1.85 million, it would be a bargain to pay them the book value that they have. It is an opportunity to ask for the land back. There is no harm in asking, because they could not identify what they really wanted it for. I did not ask the question directly, but I assume they want to develop the site as a revenue stream—that is, a revenue stream to the UC. But, for the book value of the land, there are opportunities for the government to provide something for Belconnen town centre. I guess it comes back to the planning. The last batch of master plans are 10 years old now. Do you intend to do a new batch of master plans or have a bit more detail in the district strategies, which actually set out land use, so that block of land could be identified for a community need for the town centre, as opposed to a revenue stream for the UC?

Mr Bennett: In the context of the Belconnen town centre, the directorate is undertaking detailed planning and technical studies that support the future planning for the Belconnen town centre, and that is looking at implementing the Belconnen District Strategy. That work will consider the provision of community and social facilities across the town centre. The plan is to release that work mid-2027 for community consultation. But that detailed planning work to implement the district strategy is being undertaken at the moment.

Mr Wright: The supporting documentation from the authority has talked about the outcomes from the community needs assessment infrastructure audit from December 2025 for the Belconnen district and the specific needs that have been identified in that piece of work that are being considered as part of the future planning for the Belconnen town centre.

MS CARRICK: Given that community land is pretty precious to hang onto, if you

have facilities on commercial land, as opposed to community facility land, they are at risk of development. People get worried that a site that is, for example, on commercial land is at risk. Have you ever considered rezoning places like CISAC, the Belconnen Arts Centre or the basketball stadium to be community facility land so that they are protected by the zoning of community facility land?

Mr Bennett: I do not believe that has been actively considered. The facilities on those sites have been developed within those zones. I do not think there is any active work to look at rezoning those particular sites.

MS CARRICK: The UC say that they are planning a primary school. The community is very keen for a primary school for the town centre because the population is growing. What conversations have you had with the UC about an appropriate site for a primary school?

Mr Bennett: I do not believe that we have had any explicit conversations with the UC about the site for a primary school. That would be led by the Education Directorate. The Education Directorate are doing a lot of work to understand future school needs across the Belconnen district, including in the Belconnen town centre and potential future demand in the Belconnen town centre. There is a range of budget initiative funded projects to do early planning work around that. There is the potential for new development in the Ginninderra East former CSIRO site to provide for the need for future school facilities as well. Work is being led by the Education Directorate to plan for those future needs.

MS CARRICK: You do not want children to have to walk too far. Florey is 2.6 kilometres further. For little kids, that is a long walk each way. How does the Education Directorate dial into the Planning Directorate? There is a whole heap of needs, not only for schools. There are a lot of needs, so how do you work it out if each directorate is doing their own thing?

Mr Bennett: We work very closely with the Education Directorate about the future need for school sites and the availability of land for those school sites. I believe that the Education Directorate answered, in response to an Assembly resolution last year, that they are undertaking assessments for the future need of a new school in the Belconnen town centre. Currently, there is enrolment capacity at primary and early childhood sites in suburbs adjacent to the Belconnen town centre, but that is something that they are actively looking at and planning for. When the Education Directorate identify the need for a new school site, they will work closely with the Planning Authority to identify and potentially rezone, if required, appropriate parcels of land for that purpose.

MS CARRICK: Thank you.

MR CAIN: Are you aware of when the feasibility study into the primary school will be completed? You can take it on notice. I know it is not your direction.

Mr Steel: We can take it on notice. I know it is for the Education Directorate. It is important to note page 8 of the consultation report, which explicitly deals with the Education Directorate's response to the consultation on the draft plan amendment, where the Education Directorate advised the TPA that they are not seeking to acquire

the site for the purposes of developing a primary school.

MR CAIN: How much engagement is the directorate having with the study into whether a primary school is feasible? City Services is running this.

Mr Bennett: That work will be led by the Education Directorate to identify whether there is demand for a future primary school site in the Belconnen town centre or whether that demand is appropriately met through schools in suburbs in the Belconnen district and, potentially, new school sites or upgrades to the capacity of existing school sites. That work will be led by the Education Directorate. At the point in time where they identify particular land use needs, they will engage with the Territory Planning Authority in that process.

MR CAIN: There is no conversation now with the Planning Authority about that, except to be notified of developments? What kind of engagement are you having?

Mr Bennett: We engage regularly with them on that. I am not aware of any explicit conversation about that for now. As the minister mentioned, the response and the feedback from the Education Directorate is summarised in the consultation report, and that is the current status of those conversations.

MR CAIN: We heard a figure from BAHA, the Belconnen Alliance of Highrise Apartments, that the last census identified that 8.7 per cent of the people who live in the centre were under 14—nought to 14. The recent census will highlight any change in that. For the planning, though, particularly for a site that is zoned educational, does that factor into your calculations of whether this zoning change should be approved?

Mr Bennett: It is a question for Education and their school planning and the available sites that they might need. There is no proposal for a school on this particular site, and the Education Directorate have not advised that they would be looking at this particular site for a future school.

MR CAIN: We heard earlier that the educational purpose of the land will be preserved. Is that something from a planning point of view that you want to see to absolutely ensure that it is kept for an educational purpose?

Mr Bennett: The proponent has sought to amend the zoning of the site from community facility zoned land with a lease that currently has a purpose clause that is limited to educational establishment. If they were successful in having the land rezoned, it would open up a range of other uses that they could prepare for, and they would need to undertake a lease variation. The authority has been keen to lock in the provision of community facilities on that site. That is where we have focused our work. The assessment requirements under the proposed EPA require future provision of community facilities on that site. Under the current zoning, there is a range of uses that they could put that site to. There is one described in the lease, but there is a range of other uses that they could put that site to, and there is the ability to apply through the Territory Plan to vary that lease to access the available uses within the zone.

MR CAIN: When is the update to the district strategies due to be completed and published?

Mr Bennett: Are you referring to what I said before about implementing the district strategies?

MR CAIN: The district strategy plans—yes.

Mr Bennett: The directorate is doing work on detailed planning and technical studies of the Belconnen town centre, and we expect that work to be released around mid next year for community consultation.

MR CAIN: Is it anticipated that the level of detail would be the equivalent of, effectively, a master plan for the town centre or much broader than that?

Mr Bennett: It will look at how the current district strategy is reflecting the previous Belconnen master plan—the delivery of that and the uptake of the opportunities that were put forward in the previous version of the Territory Plan, whether they have been realised, in what way they have been realised, and what future planning needs to deliver for the town centre. That would be looking at a range of issues, especially around the provision of social and community facilities across the town centre, and particular work will be undertaken and put forward around that.

MR CAIN: What can you draw attention to in the original master plan, from over 10 years ago, that obviously needs significant revision, or are we just going to see a slightly amended version of that?

Mr Bennett: The work that is being undertaken is looking at some of the change areas that are identified in the district strategies and what opportunities relate to those sites which are identified in the district strategy.

MR CAIN: So consultation mid next year for planned finalisation by when?

Mr Bennett: I might need to take on notice exactly what the timeline for that work is and what will be put out, but we expect that work to be completed for a conversation next year. Regarding the exact form of that, I will need to check with the particular—

MR CAIN: Feel free to provide a fairly detailed timeline of all stages of the review of the district strategies and things that you have pulled out of the previous master plan, and obviously the very different nature of the town centre.

Mr Steel: The government has to undertake a review of district strategies—well, it may undertake to review the district strategies every five years under the Planning Act, which will occur. Obviously, they have been in place for only a relatively short period of time. That would likely occur after the Planning Strategy is developed and consulted on with the community. The government has not determined to actually go out and consult on changes to the Territory Plan in Belconnen. We are undertaking some work on looking at the implementation of the district strategies, but we actually have not determined that we would go out for consultation with the community on any particular proposal at this time.

MR CAIN: Thank you.

MS BERRY: I want to confirm: regarding the current site about which the University of Canberra have applied for a Territory Plan variation, is it that right that they leased the site from the government for their student housing? I should have asked the UC when they were here. It was initially student housing—right?

Mr Bennett: They have a market value lease over that site, which has a lease purpose clause of educational establishment and the ability to use that for student accommodation.

Mr Steel: It was used in various ways for student accommodation. At one point, it was licensed to the UC students association, which operated Arscott House for a period of a few years before it was handed back to UC. I think that was in 2014. I think the proponent's supporting report has a timeline in it with some of that information. It was used for that purpose previously. I understand the proponent is putting forward in their landscape plan, the master plan for the site, that they want to use the site for some sort of residential purpose, as well as having a community purpose.

MS BERRY: Yes. That is what I saw.

Mr Steel: There would be some form of residential component—

MS BERRY: Which is what the site was used—

Mr Steel: Which is what it was used for before, for students, but a broader residential use would be the potential use.

MS BERRY: I think that is what people are worried about. Well, some have particular views—that its use is for community benefit for the Belconnen town centre and the ACT. Do you have some examples of reasons on other sites where the authority has said, "No—that master plan is not within the best interests," or whatever, "and we do not agree to the rezoning"?

Mr Bennett: Under the statutory process, when a proponent comes along with a proponent-initiated amendment, there is a two-step process. They make an application to the Territory Planning Authority. We undertake an initial assessment about whether that application is broadly consistent with the Planning Strategy, the district strategies and any sort of detailed directions that the government has for this area, and then we decide whether to accept that application. Accepting the application does not mean that the government necessarily endorses all parts of it but thinks that it is worthy to take through the process to be assessed and considered. We put that out to entities for feedback and comment, and we put it out for public consultation. When all of that information comes back, the Authority considers that application and decides whether to progress it, revise it or not revise it, and then progress it to the minister, who then has to refer it to the committee for an inquiry.

There are times when people make applications to us for change, and also in the pre-lodgement conversations that we have with people about particular change ideas, where we give them an indication about whether the application could be considered under the process. Generally, that needs to align with the broader strategic planning

framework for the city, as set out in the Planning Strategy and the district strategies. They will need to demonstrate consistency, or not being inconsistent, with those documents.

MS BERRY: Is that other individuals or organisations that put applications in?

Mr Bennett: Yes. Any private lessee has the ability to seek a major plan amendment. That application process provides that scrutiny about whether we can say no right up-front—that this is beyond the realms of what we would consider for that site, or this can be considered in some form and we can put it through the statutory assessment process.

MS BERRY: Can the authority then require an overlay, like, "This site has a current overlay of educational purposes" or whatever?

Mr Bennett: The proponent is entitled to make the application. The authority is not obliged to progress that in exactly the form that the proponent puts forward. While the proponent makes the application and provides the initial supporting report for that application, it is then the authority who can add or detract some requirements or obligations from that plan amendment. There are some changes that are outlined in here about what the proponent put forward and where the Territory Planning Authority has made some variations from that supporting report. This is where we can look at things that might limit the overall negative impacts from a proposed change that a proponent might put forward so that we can manage and mitigate those impacts. The authority can then put that forward into the assessment process consideration.

MS BERRY: One of the things that we have heard from witnesses that they are worried about is that it will be sold on to someone else for development if it is successful in getting its Territory Plan zone changed. Can the government do anything to stop that from happening?

Mr Bennett: No, but what we can do is make sure that the site is appropriately zoned with the appropriate Territory Plan provisions that would control how any future development application is assessed. In this particular example, the change from community facility zone to CZ2 opens up a range of opportunities, but we have also included mandatory requirements that they need to provide an appropriate community facility provision on this site. That obligation will transfer with any future lessee if they were to sell it, and every future development application on the site would be assessed against that requirement, which would be put into the Territory Plan.

MS BERRY: And that is why in their plan it has community facilities on the site?

Mr Bennett: Yes, and we have picked up through the draft plan amendment process a requirement that they have to provide an appropriate community facility. Then, in our technical specification guidance, we have put a 3,000 square metre requirement in there for them which reflects the indicative master plan provision that they have put forward.

MS BERRY: Is there a formula for how much space for community facilities on a site like that would be required? Or is it just, "We think about this much is right"?

Mr Bennett: We have assessed a range of factors there. We have also looked at the

master plan proposal that they put forward, which identifies a particular building of a particular size. That is the indicative facility that we have put forward in the technical specification. But then in the Territory Plan requirement, there is an assessment outcome that says, "You must provide an appropriate facility that is contributing to the supply of community facilities to the district." That assessment outcome has to be met. There might be some slight variance of what that size might be, but 3,000 is put in there as a reasonable estimate of that number, and that reflects the balanced master plan proposal that they have put forward.

MS BERRY: Could the Planning Authority tighten that community facilities part even more and put a requirement for a particular community facility? It is such a broad reference.

Mr Bennett: Yes, we could do that. There is a range of options that could be considered there about being more explicit about the types of uses or more explicit about the size of the facility that needs to be provided.

MS BERRY: Would there be other reasons, besides the ones that you have described, that they meet the territory's broader strategy going forward? Would there be reasons outside of that where the Authority would go, "This does not actually tick all the boxes that we need it to"?

Mr Bennett: As the Territory Planning Authority, we need to assess these applications under the process that is set out in the planning legislation. Our obligation is to follow the statutory process.

THE CHAIR: I might pick up on that 3,000 square metres. Would that be a requirement in the technical specifications? The technical specifications are not actually mandatory, are they? So could we see a situation where if there is a requirement under tech specs for 3,000 square metres and the site has been sold on, the new leaseholder would not actually provide 3,000 square metres of community facility?

Mr Bennett: That is correct. The technical specifications are not mandatory. But the mandatory requirement here is an assessment outcome that is put into the Belconnen district policy that says, "This site needs to make a suitable contribution to the long-term provision of community and social facilities in the broader Belconnen area." That is the assessment outcome. It is hard to see a way that a future development application could include no community facilities, because it would be making no contribution to long-term provision.

We have put a reference point into the tech specs, based on the master plan proposal that they have put forward, that describes an appropriate-sized facility. That would be a reference point for the assessment of that provision. But any future application could deliver more, and that would be needing to meet this definition of suitable contribution. They would need to provide evidence in a development application as to why that would be a suitable contribution as part of the district and work through that methodology about available space per square metre per capita.

THE CHAIR: In the consultation report, you said the authority considers broader strategic planning advice, including population growth, distribution of facilities and

accessibility of services across the Belconnen district. What was the broader consultation advice that you considered in this case? What was the evidence that you took into account?

Mr Bennett: In relation to the whole DPA?

THE CHAIR: Yes.

Mr Bennett: The consultation with government entities is set out in the report. We have also reviewed the application against the planning strategy and the district strategies and have engaged closely with those other parts of government who have a potential interest in community facilities and education facilities to understand their view on this application.

THE CHAIR: In reducing from 10,000 square metres of community space to 3,000 square metres, what population figures were you taking into account?

Mr Bennett: We looked at the previous use of this site as largely being a site that has provided different types of residential accommodation over its recent history. While that has been in various forms, this has largely been student residential accommodation. We have sought to ensure that any future development of the site includes improved provision of social and community facilities that are actually available to the community. We think that, compared to what has been there and what will be there in the future, this will be an improvement of social and community facilities on the site.

THE CHAIR: Sure—and, if you fill in a hole in the ground, you have something better than the hole in the ground. That is great. Were you considering the future projected population? Is there a written document in which you made this consideration?

Mr Bennett: Page 9 of the consultation report sets out the authority's consideration of that and references the community facility needs assessment and the social infrastructure audit. That is in the context of future population growth and potential gaps in provision of community and social infrastructure facilities in the Belconnen district.

THE CHAIR: And just humour me: what was the population figure that was being used there?

Mr Bennett: I do not have that in front of me, but that would be set out in the audit report.

THE CHAIR: Where would I find that? I am trying to find out whether you are using the population now or using the population that you have already projected will be there?

Mr Bennett: Our assessment of potential needs is a forward-looking assessment out to 2051 and considers population growth out to 2051.

THE CHAIR: So it is based on the population as at 2051 that you have projected?

Mr Bennett: The sorts of needs for the Belconnen district as they evolve over time. That is what is outlined in the infrastructure audit. It has a range of things that are outlined.

THE CHAIR: In reducing 7,000 square metres, what population figure have you based that determination on? Is that a question that can be answered? I am trying to make it as simple as possible. You have determined we can do with 7,000 less square metres. How many people are you looking at when you say we can get rid of 7,000 square metres?

Mr Bennett: I think our answer to that is that we have been keen to promote this as we are getting 3,000 more square metres of dedicated social and community facility space, because that is currently not—

THE CHAIR: Because there is nothing there now?

Mr Bennett: There is nothing there now, but there was not anything like that provided in the previous use of the site, which was largely used for student residential accommodation. People have lived on this site for its history and, while it had a particular zoning, we have sought to make sure that the future use of the site has dedicated community facilities on it.

Mr Steel: For the community and recreational needs, the infrastructure audit report looks at projected population by district in 2026, 2031, 2036, 2041, 2046 and 2051 and the changes in between.

THE CHAIR: Thank you, Minister. Auditor-General Maxine Cooper in 2016 said, "If Arscott House was no longer to be used for student accommodation and the university made a profit from it, it should make an appropriate adjustment to the ACT government." When she said that, the site was valued at $9 million. Did the government respond to that recommendation from the Auditor-General back in 2016?

Mr Steel: We will take that on notice.

THE CHAIR: Excellent. That is great that you have taken that on notice. Can you tell me what the government's position is as of today to that recommendation from the Auditor-General?

Mr Steel: Again, I will take that on notice.

THE CHAIR: Excellent.

Mr Steel: The government responds to Auditor-General's reports.

MS BERRY: I think that the $9 million was because it had infrastructure on the site. I think that is what UC said.

THE CHAIR: It did at the time at which they got it. Yes, it did. That is right.

MS CARRICK: We have an outcomes-based planning framework now. How did you

assess the outcomes for the community and the public interest?

MR CAIN: Of what?

MS CARRICK: It is an outcomes-based plan. We are supposed to be assessing things. We are supposed to be getting good outcomes. It is an outcomes-based framework. How did you ensure that we got good outcomes for the community and it is all in the public interest?

Mr Steel: Firstly, I have not made a decision on the application yet. So I have not considered the Planning Act provisions in relation to this. I would refer you to those specific provisions of the Planning Act which are relevant in this case. Introducing terms which are not necessarily reflected in the Planning Act, like public interest, is not necessarily helpful in the discussion around the assessment of these applications. They are made against the requirements of the Planning Act. Public interest has been used in the previous Planning Act on certain decisions, but there is a very specific set of provisions in the Planning Act when making decisions.

MS CARRICK: Shouldn't it be that all the outcomes are made in the public interest, holistically?

Mr Steel: Let me find the section. I will run through it. I do not know whether you want to comment more broadly on that.

Mr Bennett: I think in the broader context, the public interest is reflected in that the act is there. The objects of the Planning Act talk about providing for the future planning needs of the city. It is reflected in the Planning Strategy and it is reflected in the district strategies about how the planning system needs to provide those range of options for housing, for community facilities, for recreation and planning for the environment. All of those broader factors are reflected in the act and the strategic planning framework. We assess applications to change the Territory Plan against that planning framework—the legislative process and the statutory planning documents being the Planning Strategy and the district strategy. We have been very keen through this MPA process to lock in the appropriate provision of social and community facilities on this site in the future.

We have an assessment outcome that is included in the Territory Plan. That means that the proponent of a future development application that will be assessed against this provision will need to demonstrate that any new development proposal provides an adequate provision of community and social facilities for the broader Belconnen area. That outcome will need to be met in any DA, and that is supported by a technical specification that says a reference point of about 3,000 square metres. That has been locked in, but any future development application will need to be assessed against that requirement and need to deliver that requirement in order for it to be approved. There has been a particular proposal put forward to support the Territory Plan change, but there will be a subsequent detailed development application that will need to be supported and demonstrate how it meets that provision.

Mr Steel: Sorry; apologies—just jumping in. Section 75 is the relevant section. It goes to consideration of documents given to the minister under section 67, which includes

the draft plan amendment itself and the supporting documentation, any recommendation made by the Assembly committee, the Planning Strategy and the district strategy and then: "The Minister may only approve a draft major plan amendment if the draft amendment is not inconsistent with the Planning Strategy or the relevant district strategy."

MR CAIN: Have you or any part of government that you are aware of done a business case as to the revenue collected if this DPA is approved and what the revenue would be from rates, land tax and other charges for various development scenarios?

Mr Bennett: No, we have not. That is not a consideration under the Planning Act major plan amendment process.

MR CAIN: Have you decided, if this DPA is approved, as part of your consideration of the DPA, what would be your preferred development?

Mr Bennett: We have assessed this application on the basis of the indicative master plan proposal that is put forward by the proponent. But this enables a range of uses, and they will need to consider what the appropriate mix of uses is for a future development.

MR CAIN: Is this the UC master plan? Is that what you are referring to there?

Mr Bennett: The documentation that was attached to the proponent-initiated amendment which they have put forward and the indicative master plan proposed that they have included. That has formed the basis of the assessment of this application that has been put forward.

MR CAIN: What else is forming the basis of your assessment? For example, we have a dated master plan for Belconnen and we have district strategies. What are you weighing? From the government's own strategies, announcements and priorities, what else are you considering as to whether this should be approved?

Mr Bennett: We are not considering anything else. The assessment against the statutory requirements is outlined in the DPA document, the supporting report and the consultation report.

MR CAIN: But you are not in a tunnel here of the UC proposal and that is all you look at. What else are you considering and what weight would you give those things in deciding this DPA?

Mr Bennett: We consider the Planning Strategy, the relevant Belconnen district strategy—

MR CAIN: Which is being reviewed or is out for consultation next year.

Mr Bennett: There is an existing Belconnen district strategy. It identifies a range of things. For the town centre, it also identifies the range of change areas. What we were talking about before was planning and technical studies to understand what options there might be for those change areas identified in the district strategy. There are no proposals that are arising from those necessarily. There is work being undertaken to

explore opportunities for those change areas. That is what we were talking about with the outcomes of that work being put out mid next year. What we have to consider when a proponent makes a proponent-initiated amendment is very clear in the Planning Act. We can only consider those things. We cannot consider things outside the statutory process.

MR CAIN: You can't?

Mr Bennett: No.

MR CAIN: But you engage with other directorates. You have obviously got educational interest in this.

Mr Bennett: That referral to relevant entities is part of the statutory process that is outlined in the act.

MR CAIN: What is the feedback from Treasury as to the bottom-line figure for them as to how much revenue they would like to see from this land?

Mr Bennett: We do not consult with Treasury as part of the major plan amendment process, and the value of land is not a consideration in the Planning Act for strategic land use change.

MR CAIN: What about the revenue the land would generate?

Mr Bennett: It is not a consideration about how land should be zoned as part of the strategic planning process.

Mr Steel: Community needs are relevant, because they are referenced quite a bit in the district strategies. I would just draw your attention to page 10 of the consultation report around the specific things that the ACT Community, Recreation and Sports Facilities Needs Assessment and Social Infrastructure Audit Final Report mentioned for the district of Belconnen: specifically, the gaps in the provision of community and social infrastructure relating to community accessible meeting rooms based in libraries and/or community centres; community centres, youth and senior citizen centres—best practice is to provide multi-use multi-purpose centres; expansion of library spaces and community arts centres; and formal and informal sports spaces, including courts and BMX/skate parks. Those are needs that obviously the Territory Planning Authority would take into account in assessing what is being proposed. I guess it is a question of whether what they are proposing consistent with some of those needs, and that might be taken into account.

MR CAIN: As you consider approving this DPA or otherwise, do you turn your mind to what the land will be used for as a possible use under the varied plan, and what is your preferred use for the land?

Mr Bennett: Yes, and I would say in this particular instance that is what has been put forward by the proponent as part of their indicative master plan.

MR CAIN: But what is the thing that they have put forward that you are referring to now?

Mr Bennett: The master plan document that is attached to the background papers, which we have published on the Planning website with the DPA documents. On the list of needs that the minister has just read out about social and community infrastructure needs in the Belconnen area, I think it is important to make the point that community accessible meeting rooms and community centres are two identified needs, and the particular master plan proposal that is put forward and the community centre that is provided in that has the ability to meet that need should those organisations wish to pursue those conversations with the lessee.

MS CARRICK: You say that the needs are community centres, meeting rooms and what have you, but is this an appropriate site for that? It is not in the town centre. If you want to have meeting rooms and community centres, you want to consider where you place your community centres and that they are appropriately sited, not just because a developer-led proposal comes forward and says, "We will put one here." Is there any consideration of whether that is the best site for the community to have a community centre?

Mr Bennett: This site has the ability to provide that provision should it be taken up. But we would not specify that the particular organisations need to set up their services in that building. There is a range of other sites in the town centre and work going on to look at where other sites may need to be provided as well.

MS CARRICK: I think there is a bit of confusion. You mention community facilities and social infrastructure. What is a community facility compared to social infrastructure? We use a whole heap of different language for this. If this is community facilities, does that mean it could be social infrastructure? What is the difference? What are we going to get there?

Mr Bennett: There is a range of definitions which are provided in different parts of the planning system. But we are talking here about facilities that are available to community groups to use in various forms.

MS CARRICK: So a community facility could be anything?

Mr Bennett: Under the community facility zone definition, there is a range of things that could be delivered there.

MS CARRICK: So it could be aged care or it could be child care or it could be—

Mr Steel: That is under the current zoning without the zoning change. They could deliver an aged-care facility through a development application tomorrow, if they wished, on this site—which, if it were not approved, they may consider; I am not sure.

THE CHAIR: Thank you for your time today and thank you for your evidence. We thank our witnesses. We thank Broadcasting and Hansard—thank you, as always. If anyone wants to lodge a question on notice, please lodge it as soon as possible and no later than five business days. Thank you.

The committee adjourned at 1.30 pm.