

DRAFT SECOND READING SPEECH

HON. PETER GUTWEIN MP

Parliament Square Planning Permit Amendment Bill 2015

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Madam Speaker

This Bill concerns the *parliament square* redevelopment that, as members would be aware, is under construction on the site adjacent Parliament House.

The planning and design for this project dates back to 2009 and the developer has committed significant time and resources to developing the project. The developer's commitment to the project has been clearly demonstrated, involving two planning applications in the design planning stage, numerous amendments to respond to public and authority concerns and a number of years of appeals and court action.

In December 2012, following the lengthy delays in the planning approval process, the *Parliament Square Planning Permit Act 2012* was passed. This Act validated the planning permit, which had been issued by the Sullivans Cove Waterfront Authority and allowed the project to proceed without further appeal or disruption. The commencement of works followed completion of the sale of the site to the developer, Citta Property Group Pty Ltd, on 15 December 2014.

In the time since the commencement of the 2012 Act, the developer has demolished the buildings on the southern side of the site, commenced construction of the new office tower and started works associated with restoration of the retained heritage buildings on Davey Street and Salamanca Place.

The lengthy period between when the planning permit was obtained and the commencement of works, has provided the developer with ample opportunity to consider and refine the planned development. As part of this process, the developer has continued to assess details of the design which were not fully resolved at the time of submission for approval and has identified a number of possible enhancements to the development.

However, the 2012 Act, which this Bill seeks to amend, is limited by the way it was drafted to apply only to the single planning permit issued by the Sullivans Cove Waterfront Authority in 2010 and minor amendments to that permit permitted under section 8 of the 2012 Act. The 2012 Act, by its limitation to the defined planning permit, includes no provision for any further planning permits to be issued in relation to the development. The Government understands

that the enhancements recently identified by the developer are relatively minor in the context of the already approved development, however, they are outside the scope of the 2012 Act and beyond its provision for assessment of what is defined as minor.

Madam Speaker, the developer's plans involve further activation of the space in a way that will provide numerous opportunities for Tasmanians and visitors to enjoy the new area. The plans include further retail space, greater activation of the outdoor space, further connection of the Salamanca and waterfront areas with the CBD and will create an overall improved area at *parliament square*. In addition, the developer intends to provide a fully integrated connection between Parliament House and the new development that will increase the functionality and security of Parliament and better meet the Parliament's operational requirements.

Under the existing 2012 Act there is no clear mechanism for considering, and potentially incorporating, further planning permits. For this reason, in order to allow consideration of a proposed variation to the planning permit, while removing any doubt that the protections provided by the 2012 Act continue to apply, it has become necessary for the Government to put forward this amending Bill.

This Bill seeks to include provision in the *Parliament Square Planning Permit Act 2012* for the developer to apply to, and the Hobart City Council to issue, further related planning permits to carry out those alterations to the *parliament square* project that cannot be dealt with under section 8 of the 2012 Act. The provisions of this Bill maintain the opportunity for public scrutiny and review of any such planning permit application through the Hobart City Council. Therefore, it is the Government's intention with this Bill, that any application to the Hobart City Council, for a further planning permit, is to be subject to the *Land Use Planning Approvals Act 1993*.

The 2012 Act provides that the Minister for Planning is the planning authority for the purposes of minor amendments under section 56 of the *Land Use Planning Approvals Act 1993* (LUPA). That provision is for approval of minor amendments to the development only. The Bill retains that provision consistent with the 2012 Act with regards to any further permit. This provision is retained for consistency and to avoid confusion should any minor amendment be sought in the future.

For consistency with the 2012 Act, the Bill also retains the position in the 2012 Act, whereby the Minister for Planning is authorised to give any approval, consent or permission that is required by any further permit.

Madam Speaker, it may well be that the developer wishes to develop a part of the site that the Government does not have a need to involve itself in the planning process. In the event that this is the case, the Bill includes a provision for that part of the land or adjoining land to be excluded from the operation of the 2012 Act with regard to the Minister for Planning considering applications for minor amendments and giving any approval, consent or permission that is required by any further permit. In these circumstances, the Hobart City Council would perform this role.

Madam Speaker,

The amendments incorporated in this Bill will enable the developer to maximise the opportunity that the *parliament square* precinct offers for the people of Tasmania and those who visit. The proposed enhancements will not only improve the experience for those visiting and working at the *parliament square* site; they will create jobs and opportunity for the broader community.

Madam Speaker, this amendment will ensure that sensible variations or improvements to the development can be proposed and considered by the Hobart City Council and the Government. Where these are appropriate from a planning perspective and considered by the Government to improve the outcome, this Bill will enable them to be incorporated into the final development, while maintaining the protections afforded by the 2012 Act, as intended.

I commend this Bill to the House.