M2014/01750 Environment and

Sustainable Development

Objective File No 14/10179

То:	Minister for the Environment and Sustainable Development
From:	Director-General 27/5/14 Deputy Director-General, Planning 2.5.14 Executive Director, Planning Delivery
Subject:	Update on Discussions with Hindmarsh re: Section 66 Deakin

UNCLASSIFIED

Recommendation

That you note the update on discussions between the Environment and Sustainable Development Directorate (ESDD) and Hindmarsh regarding section 66 Deakin, for providing advice to the Chief Minister.

Critical Date:

In the normal course of business.

Background

The history of discussions between Hindmarsh, ESDD and your office regarding a potential rezoning of part section 66 Deakin to permit a retirement village was summarised in a previous information brief provided to your office on 5 December 2013 (Attachment A) to assist with a meeting with Hindmarsh.

ESDD held a meeting with Hindmarsh representatives on 14 January 2014 to discuss the eight items raised in the 2006 letter not supporting the proposal, with additional information requested by ESDD in the meeting to assist in determining the general suitability of the site for residential uses.

Written justification against the eight items raised in 2006 was provided to ESDD on 13 February 2014, with further responses on the general suitability of the site for residential use provided on 8 May 2014. ESDD are currently in the process of reviewing the additional information provided prior to providing a response to Hindmarsh.

Issues

Preliminary position

Whilst the ESDD is sympathetic to the need for sites for aged persons housing, Hindmarsh have not provided substantially new information sufficient for ESDD to change from earlier advice that the site is unsuitable.

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Site constraints

The eight items cited in the 2006 letter not supporting the proposed rezoning of the site note a number of physical constraints of the site including impacts from adjoining uses. Hindmarsh provided responses to the items on 14 February 2014 (<u>Attachment B</u>), noting that there are a number of design solutions that will ameliorate the potential impacts.

Suitability of the site

Further to the issues raised in the information brief prepared in 2013, there is also the fundamental issue of whether this site is suitable for a retirement village given the zonings in the area and distances to services. Additional information on the general suitability of the site for residential use was requested by ESDD to expand on the eight items raised previously.

Hindmarsh provided information on 8 May 2014 (<u>Attachment C</u>) noting the relative distances of the subject site to the nearest commercial centres, and comparing this to other vacant sites identified by EDD as suitable for land release for aged care development. Hindmarsh have also noted the undersupply of retirement accommodation in the Inner South of Canberra along with the increasing median age of the Canberra population in support of the proposal.

Financial Implications

There are no financial implications in relation to this matter. Preparation of draft variations to the Territory Plan, if the proposal progresses, are covered by base funding.

Internal Consultation

The additional information provided by Hindmarsh will be referred to the Social Infrastructure section of ESDD for advice on the demand for 'young' retiree retirement accommodation in the area. This will inform the consideration of the suitability of the site and whether to recommend to you that the proposal be progressed.

External Consultation

There has been no external consultation undertaken at this stage. If it is deemed appropriate to progress to a draft variation process, a scoping document will be circulated to all relevant agencies for input.

Benefits/Sensitivities

A preliminary review of the information provided by Hindmarsh to date has not identified particularly new justification against the previous reasons for not supporting the proposal. As noted however, there may be increasing requirements for additional retirement accommodation within the area as the Canberra population ages.

Media Implications

There are no media implications arising from this brief as this matter is an internal administrative issue. There was some community concern raised in 2005 in relation to the early stages of the proposal, so there may be some media interest if the proposal does progress to the draft variation stage.

Alix Kaucz

Territory Planning Section

Phone: 6205 0864

2014 May

Project/Action Officer:

Simon Hawke

AGREED/NOT AGREED/NOTED/DISCUSS

Simon Corbell MLA



UNCLASSIFIED

Objective File No: 13/22920	
Rec'd Minister's Office// 2 2 NOV	2013

To:	Minister for the Environment and Sustainable Development			
From:	Director-General Deputy Director-Ge Executive Director,		B-11-13	
Subject:	Proposed retiremen Meeting with	•	7 and 8 Section 66 Deakin rsh on 5 December 2013	

Recommendation

That you note the information contained in this meeting brief.

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, ACT Development Manager of the Hindmarsh Development Meeting with Group is scheduled for 5 December 2013.

Background

Section 66 comprises: Blocks 7 and 8 – leased land

Block 2 – unleased land occupied by a Telstra Telephone Exchange

Block 6 – National Land (Defence)

Other uses in the area include the Alfred Deakin and Woden schools, a medical day surgery and commercial office buildings.

The Crown lease

The Crown lease over Blocks 7 and 8 Section 66 Deakin was granted to Perier Pty Limited by the Commonwealth under the National Land Ordinance 1989 on 17 May 2004 for a term of 99 years (Attachment 1). The National land declaration was revoked on 24 August 2004 (Attachment 2). Blocks 7 and 8 were previously part of the site used for communications and Telstra facilities (Attachment 3). The site is "L" shaped and has an area of 2.541 ha.

The lease was transferred to Deakin 66 Pty Ltd on 14 August 2008. The lease permits the site to be used for the purpose of communications facility, store and any other uses ancillary thereto. The gross floor area is limited to a maximum of 500 square metres. Clause 3(b) of the Crown lease specifies "that the gross floor area of a Building erected on the Land shall not exceed 500 square metres".

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The Site

The site is undeveloped with some very small buildings to the northern end of the site. It is located towards the southern end of Kent Street, on the corner of Carruthers Street at the base of Red Hill Nature Park (Attachment 4).

The Territory Plan

Deakin Section 66 is currently zoned TSZ2 Services under the Territory Plan. Residential use, community use and retirement villages (currently proposed by Hindmarsh) are among the prohibited uses for the TSZ2 Services zone. Therefore, any proposal to construct a retirement village would require a variation to the Territory Plan. The objectives of the TSZ2 Services zone includes the use of the zone for municipal services such as water, sewage, energy, transport and waste disposal. These services usually have special location requirements and often require isolation from other activities, hence the separation from the main residential area of Deakin.

Rezoning for residential development adjacent to a services zone may not be desirable, given the potential for noise and environmental pollution or electromagnetic radiation issues from potential development on the TSZ2 Services zoned site.

Rezoning Proposal 2005

A request for a Territory Plan Variation (TPV) for Section 66 was received by the former ACT Planning and Land Authority in 2005. The proposed development was for a community of young, higher income, retirees (60+ years). A planning report was submitted to ACTPLA in 2006 but the proposed TPV was not supported by the then ACTPLA executive.

In summary, the reasons for not supporting the request were:

- The proposal would create an isolated pocket of residential land with an unsatisfactory interface to the adjoining Defence building;
- Limited frontage to Kent Street, steep embankments on the eastern and southern boundaries, average slope of 10% and cross fall of 18m from the highest point to the west and north-west are limitations on achievable development on the site, particularly for housing for older people.
- The mass of Defence building (24m high, 3-storeys, 110m long with no windows) gives no views past Defence building on the west. No visual relationship with the access from Kent Street.
- There is uncertainty about development intentions of adjoining lessees.
- The noise impact from the air conditioning plant from the Defence building is significant.
- Approximately 2,500m² waste fill on the site requires remedial work.
- Bush fire protection requires additional Asset Protection Zone within the lease boundary.

Development Application (DA200703505)

DA 200703505 to remove the gross floor area restriction from the Crown lease was lodged on 6 August 2007 and was approved under the *Land (Planning and Environment) Act 1991* subject to conditions on 23 November 2007. On 30 June 2008, the Change of Use Charge was determined at \$1.817 million but was not paid and therefore, the development application was not finalised.

As this application was determined under the *Land (Planning and Environment) Act 1991*, the approval is still valid and the approved lease variation could be registered, subject to payment of the change of use charge.

Supreme Court Decision - Block 5 Section 13 Greenway - March 2009

DA200703505 did not proceed pending the outcome of the Supreme Court case of Springrange v ACT Planning and Land Authority in relation to the Crown lease over the above Block. The case involved an interpretation of the definition of "building" and "gross floor area" and whether the specified gross floor area (gfa) in the Crown lease pertained to the overall gfa permitted to be constructed on the land or whether the limitation related to each individual building which was or could be constructed on the land. The Crown lease for this site includes the same definitions.

The lessee argued that the maximum gfa restriction was confined to the area of a building and that any number of buildings were permitted to be constructed on the land, provided that each building did not exceed the maximum gfa restriction specified in the lease.

The Supreme Court decision was that the gfa restriction in the lease referred to the combined gfa of all buildings on the land. The decision was based upon the fact that the Commonwealth granted leases which included the gfa of the buildings which existed on the land at the time of the sale. The Supreme Court also found that it was the intention of the Commonwealth that if, and when, the lessee wanted to develop or redevelop the land, they would be required to undertake a lease variation. The Supreme Court decision was subsequently upheld by the Court of Appeal.

This was a landmark decision having regard to the construction of leases generally granted by the Commonwealth. The outcome of this case had significant implications of the amount of change of use charge payable. The lease variation for Block 5 Section 13 Greenway (Block 5) also has not been finalised. Mr Mick Gentlemen, MLA has recently made representations to you on behalf of the lessee of Block 5 and this will be the subject of a separate brief.

Issues

The proposal is not permitted under the current zoning of the Territory Plan. Therefore, a Territory Plan Variation would be required. As noted above, a previous proposal to rezone the site was not supported by the former ACTPLA executive.

Should the Territory Plan be varied to permit the proposed development, a lease variation will be required.

Financial Implications

Any lease variation approved is subject to assessment and determination of Lease Variation Charge.

Internal Consultation

This brief was prepared by Lease Administration with advice from the Territory Plan team in the Planning Delivery Division.

External Consultation

External consultation was not required for the preparation of this brief.

Benefits/Sensitivities

There is a detailed history to this site as outlined in the background to this brief.

Media Implications

There has been no media in relation to this matter and a media release is not required.

Maggie Chapman Senior Manager Lease Administration Project/Action Officer:

Susan Messer

Manager

DA Leasing

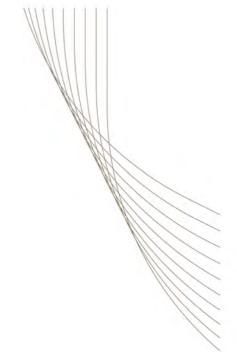
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28 April 2014

Simon Hawke & Alix Kaucz Dame Pattie Menzies House 16 Challis Street Dickson ACT 2602

Section 66 Deakin - Retirement Development as Suitable Use



Dear Simon and Alix,

In 2005, Hindmarsh approached the office of the Minister for Planning to request consideration for a Territory Plan Variation on a parcel of land known as Blocks 7 and 8 Section 66 Deakin. The site is zoned TSZ2: Services Zone. Hindmarsh is seeking to have the land rezoned to CF: Community Facility Zone to develop a retirement village.

Planning Minister Simon Corbell expressed some concern about the proposal during the initial approach by Hindmarsh in 2005. The Minister provided eight points for further consideration. These eight points were addressed in a letter to ACTPLA dated 13 February 2014. The content of the letter addressed the opportunities in design and engineering outcomes to overcome the points of concern.

On 3 March 2014, Hindmarsh met with ACTPLA representatives to discuss the content of the letter and the eight points to be addressed. ACTPLA requested additional information to demonstrate the suitability of the land for residential. For clarity, the zoning sought is Community Facility.

The following refers to the undisputed undersupply of retirement and aged-care accommodation in South Canberra, drawing on analysis provided by the ACT Government's Strategic Plan for Positive Ageing. This highlights the negligible provision of adequate land under the LDA's land release scheme for aged-care accommodation, and compares the subject site to the Territory's proposed land release program for similar uses. It is the opinion of the proponent that the subject site is of greater comparable value and suitability for the proposed Community Facility land use.

Retirement undersupply

The ACT Government's Strategic Plan for Positive Ageing 2010-2014 suggests that the ACT has one of the fastest-growing populations of people aged 60 years and over, and that this age group will make up over 20% of the population by 2030. 5% of persons 65 years and older live in a retirement village. The ACT currently has 1,667 existing retirement village units with a further 558 under development. Based on the current conservative penetration rates (5%) and the existing supply (1,667) there is currently an undersupply of approximately 400 units. This is expected to reach 1,500 by 2030.

75% of persons living in a retirement village will move from within a 5km radius. South Canberra is the district with the lowest number of retirement units (184) but is the district with the second largest retirement demographic of over 65s. The adjoining Woden district has the largest demographic of over 65s. Almost one quarter of the population of Deakin (24.6%) is aged 65 years and over. Section 66 Deakin is an opportunity to service the under supplied catchment areas of the two largest aged demographic areas in the Territory and provide residential options for the locals to age in place.

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According to the LDA's Land Release Program published June 2013, there is no suitably zoned and/or sized land scheduled to be released in South Canberra and Woden in the next 4 years. The recirculation of housing through new ownership in the established suburbs brings renewed vitality to these areas. Provision of desirable retirement housing stock within an ageing population community is key to the revitalisation of Canberra's inner suburbs.

	Deakin	Hughes	Curtin
Median Age	45 years (11 yrs over the Canberra median)	44 years (10 yrs over the Canberra median)	43 years (9 yrs over the Canberra median)
% population over 80	10% (2 nd in Canberra)	9% (3 rd in Canberra)	10% (2 nd in Canberra)

Site Location and Proximity to Amenity

Section 66 Deakin is centrally located to many amenities of significant functionality and benefit. Amenities include local and group centre shopping precincts, recreation facilities, and various health services in the Deakin health precinct. All services are within walking or very short driving distance.

Within a short drive there are a greater network of facilities available. The subject site is located within 2-3 kilometres of the Woden Town Centre, Canberra Hospital, Deakin Local Centre and recreational options at Federal and Royal Canberra Golf Courses.

In comparison, the LDA Land Release Program, published in June 2013, outlines only six "potential" sites that are suitable for retirement or aged care accommodation, being both Community zoned and of an adequate size to provide for a village. Of the six sites provided, none are provided in Canberra's inner south. Three are located in Tuggeranong, one in Weston Creek, one in Belconnen, and one in Gungahlin. There are therefore no foreseeable solutions to appropriately cater for the significant ageing population of South Canberra.

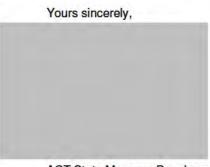
Referring to the diagrams provided in Appendix A and B, the level of amenity and service provided within 1km of the subject site is notably superior to the proposed LDA land release sites. It is the opinion of the proponent that the ACT Government's proposed retirement village sites are inferior in proximity to appropriate amenities for the target demographic and fail to address the needs of Canberra's inner south.

Conclusion

The proponent acknowledges there are issues to be managed through design development, however these do not present insurmountable obstacles to deliver a high-quality and much needed retirement village on the subject site. Furthermore, the proponent believes that if provided the opportunity by the Territory, it can appropriately address the perceived issues originally raised by the Planning Minister through a statutory process involving the scoping of and preparation of a Territory Plan Variation, complete with community consultation and comprehensive planning study.

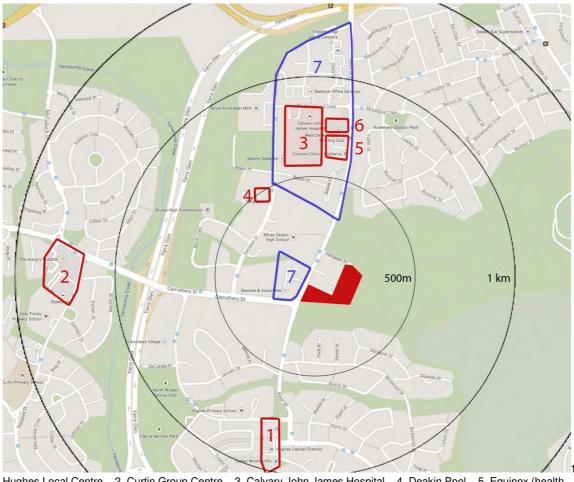
The Territory is failing to provide adequate accommodation choice for the inner south's rapidly ageing population. If sites such as this are dismissed on perceptions of adequacy without fully consideration through proper planning analysis, there is likely to be a loss of opportunity to cater for the future needs of Canberrans.

We look forward to further collaborative discussions with the Territory on this site.



ACT State Manager Development





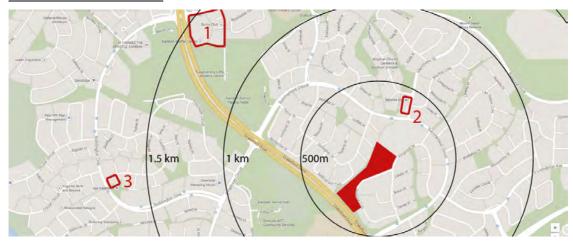
Appendix A - Section 66 Deakin Proximity to Amenity

Hughes Local Centre 2. Curtin Group Centre 3. Calvary John James Hospital 4. Deakin Pool 5. Equinox (health, services, café) 6. West Deakin Bowling Club 7. Deakin Health and Commercial precinct



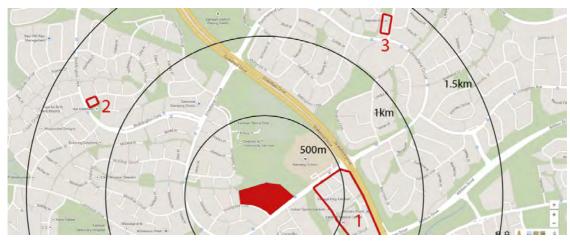
Appendix B - LDA Land Release Analysis

Block 1 Section 443 Kambah



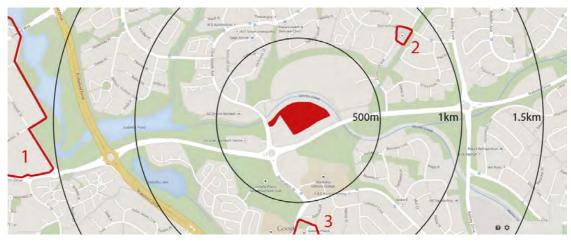
1. Kambah Group Centre 2. East Kambah Local Shops 3. West Kambah Local Shops

Block 1 Section 239 Kambah



1. Kambah Commercial and Health Precinct 2. West Kambah Local Shops 3. East Kambah Local Shops

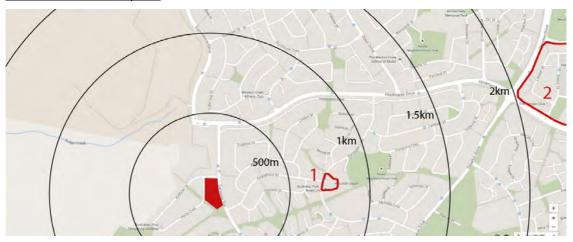
Block 5 Section 52 Monash



1. Tuggeranong Town Centre 2. Monash Local Shops 3. Isabella Plains Local Shops

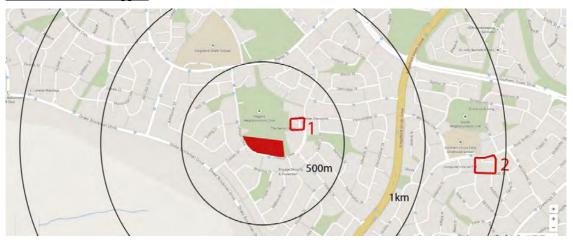


Block 1 Section 45 Chapman



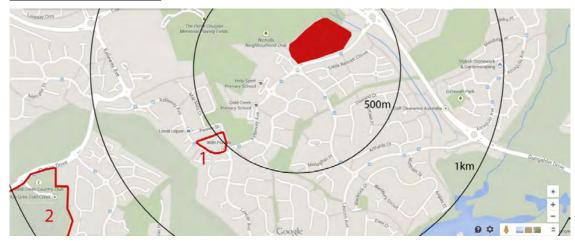
1. Rivett Local Shops 2. Weston Group Centre

Block 2 Section 11 Higgins



1. Higgins Local Shops 2. Scullin Local Shops

Block 20 Section 73 Nicholls



1. Nicholls Local Shops 2. Gold Creek Country Club Golf Course



13 February 2014

Simon Hawke & Alix Kaucz Dame Pattie Menzies House 16 Challis Street Dickson ACT 2602

Section 66 Deakin - Case for Territory Plan Variation

Dear Simon and Alix,



In 2005, Hindmarsh approached the office of the Minister for Planning to request consideration for a Territory Plan Variation on a parcel of land known as Blocks 7 and 8 Section 66 Deakin. The site is zoned TSZ2: Services Zone. Hindmarsh is seeking to have the land rezoned to CF: Community Facility Zone to develop a retirement village on the land.

Planning Minister Simon Corbell expressed some concern about the proposal during the initial approach by Hindmarsh in 2005. The Minister provided eight points for further consideration.

- 1. Interface with the existing Defence Telecommunications building;
- 2. Physical mass of any development proposal;
- 3. Steepness of the site and accessibility issues;
- 4. Access from Kent Street to the site, or perceivable lack thereof;
- 5. General mobility around the site;
- Acoustic impact to new residents from the Defence Telecommunications building and associated plant;
- 7. Bushfire mitigation. Asset protection zone to be provided within the lease boundary; and
- 8. Site contamination.

This report will address each of these points in brief with the intention of providing a more comprehensive report via a Territory Plan Variation process should the Minister accept the position to explore this further.

Points 1, 2, 3, 4, and 5 are all factors able to be resolved via a design response. The other points of concern can be addressed through a combination of design and engineering solutions.

Responses for Consideration

1. Interface with the existing Defence Telecommunications building

The setback interface between neighbouring buildings would be compliant under assessment against the Territory Plan for a proposed multi-unit residential project. The closest building is in excess of 20 metres from the Defence building and is well in excess of the mandated minimum setbacks outlined in the Territory Plan for multi-unit developments.

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Hindquarsh Development Australia Pty Limited as trustee for Hindmarsh Development Australia Unit Trust. AGN 86 439 287 894



The site of proposed development is significantly elevated above the Defence building, with large earth batters along the shared boundary. This significantly contributes to the diminished visual impact of the building when standing inside the subject site. The large setback combined with the differential in land elevation, results in a moderated interface to the neighbouring building.

As additional moderation to the interface, the proposal would include significant screening along the boundaries to the Defence building using landscape strategies. In preliminary review, combinations of ground vegetation, new trees with varying canopy heights for increased visual mass, and designed built structures have been investigated.

The interface issue cannot be discounted from a marketing perspective. The Defence building is in existence today and is does not appear that the current urban landscape will change significantly along the adjacent Kent Street. When selling any future approved dwelling on the subject site, the perceived impacts of this property will be well known by prospective buyers before they commit to a purchase. The proponent is confident that the benefits of residing in this location for retirees will far outweigh the perceived impact of adjacent structures.

2. Physical mass of any development proposal

The marketing prospect of the site lies in the tranquil bush character and the visual and physical connection to both Red Hill and to the Brindabella ranges. As such it is not in the proponent's marketable interest to significantly diminish this appeal

In any case, the mass and scale of the development would be subject to significant planning scrutiny through a Territory Plan Variation process that would include extensive community consultation around the proposal.

One concept proposal that is currently under consideration as a marketable and viable proposition includes three multi-unit buildings stepping up from Kent Street in buildings of 3 to 5-storeys in height. To the Red Hill interface, semi-detached villas are proposed at a lower scale and density. The currently estimated plot ratio is 50% with a built envelope significantly less.

3. Steepness of the site and accessibility issues

Preliminary design review shows that the natural topography of the site can be moderated to an accessible compliant grade through intuitive landscape design. It is in Hindmarsh's interest to achieve accessible compliance to successfully market and provide for its long-term customers that will reside on the property for many years. Any design response would be done so with the guidance, consultation and certification of an accredited accessibility consultant.

4. Access from Kent Street to the site, or perceivable lack thereof

The proposal could be flexible to deal with specific requirements and inputs from the Territory (ACTPLA and TAMS). It would be beneficial if the site was accessed from existing infrastructure in Hampden Court. The Hampden Court access is arguably a benefit to future residents, providing a quieter access point where traffic speed and volume is lower than Kent Street.

The interface to Kent Street is then proposed to be entirely soft landscaped. Any future design response would be undertaken collaboratively with the Territory and the project team including engineers from various appropriate disciplines.

5. General mobility around the site

Refer to point 3 above.



6. Acoustic impact to new residents from the Defence Telecommunications building and associated plant

The Planning Report produced by Purdon & Associates in 2005 included an acoustic assessment produced by Bassett Acoustics. Data loggers placed on site indicated that the point on the site most impacted by some minor noise emissions from the Defence building is at the northern most point of the site adjacent Hampden Court. The majority of other positions showed peak noise impact of 20 - 40% less. In context to the entire site, the northern most point is also the least desirable location for housing. Early design development focuses housing away from the areas of most impact.

It is acknowledged that acoustic reporting will need to analyse and mitigate current outputs. This is standard planning practice and again in the best interests of Hindmarsh to cater for potential buyers and the satisfaction and amenity of customers over the coming decades.

7. Bushfire mitigation. Asset protection zone to be provided within the lease boundary

The aforementioned Planning Report produced in 2005 included a bushfire risk assessment and mitigation report produced by Australian Bushfire Protection Planners. As part of the correspondence associated with the production of that report, a letter was issued by Environment ACT, Parks and Conservation Service, dated 8 August 2005, stating the following:

"The Parks and Conservation Service is able to provide in principle agreement to contributing to a 10m wide strip of land managed by the Parks and Conservation Service around Sections 7/66 and 8/66 Deakin towards the required fire protection for the proposed development. This in principle agreement is conditional on:

1. The developer of Sections 7/66 & 8/66 Deakin undertaking any required construction works to make the 10m wide strip of land managed by the Parks and Conservation Service an asset protection zone (area that can be slashed).

Subject to the above conditions, the Parks and Conservation Service gives in principle agreement to maintaining (slashing to maintain a grass height < 200mm during the fire season) the 10m width of the asset protection zone on the land it manages around Sections 7/66 & 8/66 Deakin."

Additional measures would be proposed to assist in the management of the asset protection zone via construction of an engineered watercourse to the northern boundary in lieu of the relocation of the existing overland storm water swale through the centre of the site. The 2005 report notes that this will increase the asset protection zone to exceed minimum requirements.

Hindmarsh acknowledge that the bushfire mitigation report will need to be updated in accordance with the current design proposal and revisions to planning guidelines. The detail provided in the 2005 report however demonstrates opportunity for mitigation measures and statutory compliance.

8. Site Contamination

Phase 1 and Phase 2 contamination reports have been completed by Coffey as part of the 2005 Report. It is acknowledged that there are minor areas of contamination on the site that would require mitigation in accordance with all statutory requirements and approvals. This is not dissimilar to many sites currently being developed by the Territory for residential sub-divisions such as Molonglo and Section 5 in Campbell. Hindmarsh is aware it must remediate the site before it is fit for retirement use.



Conclusion

The proponent acknowledges there are issues to be managed through design development, however these do not present insurmountable obstacles to deliver a viable retirement village on the subject site. It is an opportunity for the Territory, to allow the land owner to attempt to fully address any perceived issues or concerns through a statutory process involving the scoping of and preparation of a Territory Plan Variation complete with community consultation and comprehensive planning study.

The Territory is struggling to provide for its rapidly ageing population with appropriate and purpose built accommodation choices. If sites such as this are not at least considered fully from a planning perspective, there may be more lost opportunities to cater for the future needs of Canberrans.

We look forward to further collaborative discussions with the Territory on this site.

Yours sincerely,

Development Manager ACT



Objective File No 14/10179

Rec'd Minister's Office .../.../...

UNCLASSIFIED

То:	Minister for the Environment and Sustainable Development
From:	Director-General Deputy Director-General, Planning Executive Director, Planning Delivery
Subject:	Update on Discussions with Hindmarsh re: Section 66 Deakin

Recommendation

That you note the update on discussions between the Environment and Sustainable Development Directorate (ESDD) and Hindmarsh regarding section 66 Deakin, for providing advice to the Chief Minister.

Critical Date:

In the normal course of business.

Background

The history of discussions between Hindmarsh, ESDD and your office regarding a potential rezoning of part section 66 Deakin to permit a retirement village was summarised in a previous information brief provided to your office on 5 December 2013 (Attachment A) to assist with a meeting with Hindmarsh.

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Issues

Preliminary position

Whilst the ESDD is sympathetic to the need for sites for aged persons housing, Hindmarsh have not provided substantially new information sufficient for ESDD to change from earlier advice that the site is unsuitable.

Performance Assessment			
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Site constraints

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Suitability of the site

Further to the issues raised in the information brief prepared in 2013, there is also the fundamental issue of whether this site is suitable for a retirement village given the zonings in the area and distances to services. Additional information on the general suitability of the site for residential use was requested by ESDD to expand on the eight items raised previously.

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Financial Implications

There are no financial implications in relation to this matter. Preparation of draft variations to the Territory Plan, if the proposal progresses, are covered by base funding.

Internal Consultation

The additional information provided by Hindmarsh will be referred to the Social Infrastructure section of ESDD for advice on the demand for 'young' retiree retirement accommodation in the area. This will inform the consideration of the suitability of the site and whether to recommend to you that the proposal be progressed.

External Consultation

There has been no external consultation undertaken at this stage. If it is deemed appropriate to progress to a draft variation process, a scoping document will be circulated to all relevant agencies for input.

Benefits/Sensitivities

A preliminary review of the information provided by Hindmarsh to date has not identified particularly new justification against the previous reasons for not supporting the proposal. As noted however, there may be increasing requirements for additional retirement accommodation within the area as the Canberra population ages.

Media Implications

There are no media implications arising from this brief as this matter is an internal administrative issue. There was some community concern raised in 2005 in relation to the early stages of the proposal, so there may be some media interest if the proposal does progress to the draft variation stage.

Alix Kaucz	Project/Action Officer:	Simon Hawke
Territory Planning Section		
Phone: 6205 0864		
May 2014		
May 2014	AGREED/NOT AGREED/N	NOTED/DISCUSS
	Simon Corbell MLA	//

Woolfenden, Mitchell

ESDD Ministerials - Government Services From:

Sent: Tuesday, 13 May 2014 2:40 PM ESDD Ministerials - Planning Delivery To:

Cc: Crowe, Lindsay

14/10179 - MINISTERIAL CORRESPONDENCE - Briefing - Update on Section 66 -Subject:

Chief Minister

Attachments: Section 66 Deakin; 13_22920 - Ministerial-Briefing - Proposed development Section 66

> Deakin -- 27 November 2013.obr; 14_10179 - Ministerial - Briefing - Update

on Section 66 - Chief Minister.obr

Good afternoon

Please see the attached ministerial correspondence, due to GS COB 19 May 2014.

Kind regards

Rebecca Butchart | Ministerial Liaison Officer

Ph: (02) 6207 5804 | Email: rebecca.butchart@act.gov.au

Corporate | Environment and Sustainable Development | ACT Government

Dame Pattie Menzies House, Challis Street, DICKSON | GPO Box 1908, CANBERRA ACT 2601

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Ministerial Correspondence / Brief Request Form

Objective Number: 14/10179

Date due Ministerial Services: 19 May 2014

Date due Deputy Director-General: 20 May 2014

Date due Director-General: 21 May 2014

Date due MINISTER'S OFFICE: 23 May 2014

Priority: Normal

Critical Date:

Subject: Briefing - Update on Section 66 - Chief Minister

To:

☐ City Planning	Regulation and Service	ces		
☐ Policy	x Planning Delivery			
☐ Corporate	☐ Director-General ESD	☐ Director-General ESDD		
Response by:				
<u>x Minister</u>	x Chief Minister	☐ Director-General ESDD		
☐ Minister Chief of Staff	☐ Adviser	□Other:		
Action required:				
☐ Reply to correspondence	☐ Directorate Input	☐ Media Release / Media Alert (Produced in Consultation with		
x Information brief	☐ Dept Officer to attend	Communications) Speech / Speaking Notes (Produced in Consultation with Communications)		
☐ Information only / NFA	☐ Functions Brief (inc arrangements brief)	☐ Questions and Answers		
☐ Phone constituent	☐ Other			
Meeting / Event:				
Time:	Date:			
Location:	Event Contact/O	rganiser:		
Equipment:				
Further Information:				

Woolfenden, Mitchell

From: Cameron, Lesley

Sent: Friday, 9 May 2014 10:08 AM

To: Guest, Clare Subject: Section 66 Deakin

Clare,

Could you please request an update on the status of the proposal for this block? I know there is no active proposal, but apparently Hindmarsh have been communicating with ESDD regarding how to progress a TPV to allow their aged care development proposal to proceed. Hindmarsh claim they can address all the issues that resulted in the TPV not being supported. CMO would like to know the current status, where it stands, and what the next steps might be.

Thanks.

Lesley Cameron

Senior Adviser | Planning and Transport Policy | Office of Simon Corbell MLA Minister for the Environment and Sustainable Development p: 02 6205 0030 m: e: lesley.cameron@act.gov.au



Objective File No 14/26509

Rec'd Minister's Offi2e2. AP.R..2015

	UNCLASSIFIED			
То	Minister for Planning			
From	Director-General 21/4/15. Deputy Director-General, Planning and Sustainabilit Executive Director, Planning Delivery 17.4.15			
Subject Update on discussions with Hindmarsh regarding section 66 Deakin				
Critical Date	In the normal course of business.			
Critical Reason	This brief is in relation to ongoing discussions with a proponent regarding a future potential Territory Plan variation.			
Purpose 1. To:				
(provide you with an update on correspondence between Environment and Planning Directorate (EPD) and the developer Hindmarsh Group regarding their desire to rezone blocks 7 and 8 section 66 in Deakin for a residential or retirement village development; and			
	seek your endorsement to progress to the preparation of a scoping document for a planning report.			
November 201 section 66 Dea	indmarsh Group has been in talks with the ACT Government since 3 seeking support for a Territory Plan variation to rezone blocks 7 and 8 kin from TSZ2 Transport Services Zone to another zone appropriate for either etirement village development.			
esponding to t	viously advised, EPD wrote to Hindmarsh requesting additional information the previous concerns raised along with conceptual design responses how a residential or retirement village development could be suitably the site.			
	rief is to provide a progress update from the previous brief (<u>Attachment A</u>) and lvice on the next steps.			
esidential dev	narsh have provided conceptual sketches (<u>Attachment B</u>) showing how a elopment could be developed within the site while responding to the particular luding impacts from the existing defence building to the west.			

Performance Assessment				
DUE DATE:////	//			
SATISFACTORY UNSATISFA	ACTORY			
According to criteria specified in ACT Government Policy I	Performance Measures			
Signature	1.15			

- 6. The sketches show the potential relationship between a future development on the subject site and the existing defence building. There are a number of features to be noted:
 - i) While the defence building is shown as remaining taller than potential development on the subject blocks, there is potential through building orientation and screen planting to reduce the visual impact.
 - ii) The orientation could also reduce noise impacts from the air conditioning plant on the defence site to the dwellings, though impact to private open space areas has not been noted.
 - iii) The proposal shown is residential not aged care or retirement village. A residential development may be more appropriate for the site given the distance to shops and slope of the subject site and surrounding public areas.
- 7. The material provided still does not respond to a number of concerns raised previously, including:
 - i) consideration of the potential to rezone the entire TSZ2 area rather than individual blocks to ensure more appropriate adjoining uses in the future
 - ii) noise impacts from the existing air conditioning plant on outdoor spaces
 - iii) provision of suitable asset protection zones within the block for bushfire management
 - iv) management and remediation of waste fill within the block.
- 8. It is considered that the remaining issues could be addressed through the provision of a planning report. This would also assist EPD in determining whether to proceed to a Territory Plan variation. It is recommended that a scoping document be prepared, with input from agencies, outlining the information required by Hindmarsh for a planning report.

Financial Implications

9. There are no financial implications. Consideration of proposals for potential Territory Plan variations, and Territory Plan variations generally, are covered by base funding.

Directorate Consultation

10. There is no requirement to undertake consultation with agencies at this stage. If the proposal progresses to a planning report, EPD will consult with relevant agencies at that time.

External Consultation

11. There is no requirement to undertake consultation with the community and external stakeholders at this stage. If the proposal progresses to a planning report, EPD will consult with the community at that time.

Benefits/Sensitivities

12. As the proposal has been previously rejected for further consideration by the planning authority and then Minister responsible for planning, the additional material provided will need to be carefully considered on its merits prior to determining whether to advise the proponent to proceed with the process.

Media Implications

13. There are no media implications at this time as it is currently a matter for internal consideration only. If the matter proceeds to a planning report released for community consultation, talking points and a media release can be prepared as required.

Recommendation

That you:

note the progress of discussions with Hindmarsh regarding their proposal for section
 66 Deakin;

AGREED/NOT AGREED NOTED/PLEASE DISCUSS

note the indicative development sketches (<u>Attachment B</u>) provided by the proponent;
 and

AGREED/NOT AGREED/NOTED/PLEASE DISCUSS

 agree to EPD developing a scoping document advising Hindmarsh on the requirements for preparing a planning report.

Mick Gentleman MLA

32/4HKS

Minister's Comments TRANCS AUX, Coss PIECESS AT MEXE

Alix Kaucz

Manger, Territory Planning

Action Officer: Simon Hawke Section: Territory Planning Phone: 6205 0864

Phone: 6207 6436

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Rec'd Minister's Office .../.../...

UNCLASSIFIED

To:	Minister for Planning						
From:	Director-General Deputy Director-General, Planning and Sustainabilit Executive Director, Planning Delivery						
Subject:	Update on discussions with Hindmarsh regarding section 66 Deakin						
Critical Date	In the normal course of business.						
Critical Reason							
Directorate (EP	with an update on correspondence between Environment and Planning D) and the developer Hindmarsh Group regarding their desire to rezone blocks 66 in Deakin for a retirement village development; and						
To have you sign a letter to the Chief Minister (<u>Attachment A</u>) advising of how the request from Hindmarsh for development of the subject site is being progressed.							
seeking support	Group has contacted EPD, your office, and the office of the Chief Minister t for a Territory Plan variation to rezone blocks 7 and 8 section 66 Deakin from Services Zone to another zone appropriate for a retirement village						
rega variation. The C	ter wrote to you on 19 September 2014 outlining discussions with arding the lack of support to date from EPD for proceeding with a Territory Planchief Minister agreed for a meeting to be arranged between EPD and the up to discuss the concerns.						
officials and Hin proposal and co	e Chief Minister, a meeting was held on 24 September 2014 between EPD admarsh Group representatives including to discuss the encerns raised previously. restated his view that the concerns used, and was advised that the matter would be raised with the EPD Director						
	Performance Assessment DUE DATE:						
	·						

- 6. After further consideration, EPD is open to request that the Hindmarsh Group provide further information to support their request for the Territory Plan variation including the possibility of the Hindmarsh group purchasing blocks 2 and 6 section 66, which separate the subject blocks from Kent Street. The Hindmarsh Group would also need to demonstrate how the issues previously raised could be addressed through conceptual design responses. The outcome of these discussions was briefly discussed with you during the weekly EPD executive briefing meeting on 3 November 2014.
- 7. EPD is writing to the Hindmarsh Group requesting the additional material outlined in paragraph 6 above, including the request to consider additional measures such as purchasing the adjoining blocks, or at the least obtaining the support from the current lessees, to rezone the entire section from TSZ2 to the desired zoning to reduce the potential for future incompatible land uses. This would also permit the possible consolidation of the sites to enable a comprehensive development opportunity for the site, and also provide street frontage for the proposed development.
- This response notes that the provision of additional information would be to assist EPD in further considering the proposal, and does not constitute endorsement for the proposal or for the developer to commence preparing a planning report.

Financial Implications

9. There are no financial implications. Consideration of proposals for potential Territory Plan variations, and Territory Plan variations generally, are covered by base funding.

Directorate Consultation

10. There is no requirement to undertake consultation with agencies at this stage. If the proposal progresses to a planning report, EPD will consult with relevant agencies at that time.

External Consultation

11. There is no requirement to undertake consultation with the community and external stakeholders at this stage. If the proposal progresses to a planning report, EPD will consult with the community at that time.

Benefits/Sensitivities

12. As the proposal has been previously rejected for further consideration by the planning authority and Minister responsible for planning, the proponent will need to provide substantial additional supporting evidence to consider progressing to a planning report.

Media Implications

13. There are no media implications at this time as it is currently a matter for internal consideration only. If the matter proceeds to a planning report released for community consultation, talking points and a media release can be prepared as required.

Recommendation

That you:

note the progress of discussions with Hindmarsh regarding their proposal for section 66 Deakin; and

TED/PLEASE DISCUSS

sign the letter to the Chief Minister advising of the outcomes of the meeting between EPD and Hindmarsh.

AGREED/NOT AGREED/PLEASE DISCUSS

Mick Gentleman MLA

9111.74

Minister's Comments

Alix Kaucz

Manager, Territory Planning

Action Officer: Simon Hawke Section: Territory Planning

Phone 6205 0864

Phone 6207 6436

THANKS ARIX,

ans you please provide a BRIEF TO CM AS well



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Objective File No 14/26509

Rec'd Minister's Office .../.../...

UNCLASSIFIED

То:	Minister for Planning					
From:	Director-General Deputy Director-General, Planning and Sustainability Executive Director, Planning Delivery					
Subject:	Update on discussions with Hindmarsh regarding section 66 Deakin					
Critical Date	In the normal course of business.					
Critical Reason						
Directorate (EP	with an update on correspondence between Environment and Planning D) and the developer Hindmarsh Group regarding their desire to rezone blocks 66 in Deakin for a retirement village development; and					
	n a letter to the Chief Minister (<u>Attachment A</u>) advising of how the request n for development of the subject site is being progressed.					
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regation. The C	ter wrote to you on 19 September 2014 outlining discussions with a reding the lack of support to date from EPD for proceeding with a Territory Plan thief Minister agreed for a meeting to be arranged between EPD and the up to discuss the concerns.					
Issues Meeting outcomes As agreed by the Chief Minister, a meeting was held on 24 September 2014 between EPD officials and Hindmarsh Group representatives including to discuss the proposal and concerns raised previously. restated his view that the concerns could be addressed, and was advised that the matter would be raised with the EPD Director General for a formal response.						
	Performance Assessment DUE DATE:					
	NIGRATURE / /					

- 6. After further consideration, EPD is open to request that the Hindmarsh Group provide further information to support their request for the Territory Plan variation including the possibility of the Hindmarsh group purchasing blocks 2 and 6 section 66, which separate the subject blocks from Kent Street. The Hindmarsh Group would also need to demonstrate how the issues previously raised could be addressed through conceptual design responses. The outcome of these discussions was briefly discussed with you during the weekly EPD executive briefing meeting on 3 November 2014.
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12. As the proposal has been previously rejected for further consideration by the planning authority and Minister responsible for planning, the proponent will need to provide substantial additional supporting evidence to consider progressing to a planning report.

Media Implications

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Recommendation

That you:

• note the progress of discussions with Hindmarsh regarding their proposal for section 66 Deakin; and

NOTED/PLEASE DISCUSS

• sign the letter to the Chief Minister advising of the outcomes of the meeting between EPD and Hindmarsh.

AGREED/NOT AGREED/PLEASE DISCUSS

Mick Gentleman MLA//				
Minister's Comments				

Alix Kaucz Phone 6205 0864

Manager, Territory Planning

Action Officer: Simon Hawke Phone 6207 6436

Section: Territory Planning



Mick Gentleman MLA

MINISTER FOR PLANNING
MINISTER FOR COMMUNITY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS
MINISTER FOR CHILDREN AND YOUNG PEOPLE
MINISTER FOR AGEING

MEMBER FOR BRINDABELLA

Ms Katy Gallagher MLA Chief Minister Legislative Assembly GPO Box 1020 CANBERRA ACT 2601

Dear Chief Minister

I would like to take this opportunity to provide you with an update on the progress of discussions between the Environment and Planning Directorate (EPD) and the Hindmarsh Group regarding the potential to develop section 66 Deakin for a retirement village.

Senior officials from EPD met with and other representatives from the Hindmarsh Group on 24 September 2014 to discuss the concerns surrounding the proposal to rezone blocks 7 and 8 section 66. EPD agreed to consider the matter further and provide with formal written advice.

EPD is willing to consider a proposal that includes additional measures to improve the planning outcomes, such as incorporation of the Defence and Telstra sites (blocks separating the subject area from the street frontage) into the proposal through consolidation and/or rezoning of the sites. This would enable consideration to be given to rezoning the entire section from TSZ2 Transport Services Zone to an appropriate zoning to reduce the potential for future incompatible land uses and provide street frontage for the development. Conceptual design responses demonstrating how a retirement village could be suitably developed on the site, given the site constraints, would also assist in considering the proposal.

EPD is currently preparing a letter to outlining these matters to be addressed, and will consider any additional material provided by the Hindmarsh Group before providing me with further advice.





I note your continued interest in this matter and trust this information is of assistance.

Yours sincerely

Mick Gentleman MLA Minister for Planning November 2014





2-1 NOV 2014 HAND DELIVERED

Mick Gentleman MLA

MINISTER FOR PLANNING
MINISTER FOR COMMUNITY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS
MINISTER FOR CHILDREN AND YOUNG PEOPLE
MINISTER FOR AGEING

MEMBER FOR BRINDABELLA

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EPD is currently preparing a letter to outlining these matters to be addressed, and will consider any additional material provided by the Hindmarsh Group before providing me with further advice.

ACT LEGISLATIVE ASSEMBLY



I note your continued interest in this matter and trust this information is of assistance.

Yours sincerely

Mick Gentleman MLA Minister for Planning / 9 November 2014

Woolfenden, Mitchell

From: Finch, Neil

Sent: Tuesday, 30 June 2015 3:59 PM

To: McEvoy, Justin Subject: FW: Section 66 Deakin

Hi Justin,

As discussed, please could we have a holding reply to the email below.

Regards,

Neil Finch Acting Chief of Staff Minister Mick Gentleman

Tel: 6205-0116 Mobile:

From:

Sent: Wednesday, 17 June 2015 1:19 PM

To: Finch, Neil

Subject: Section 66 Deakin

Hi Neil,

I received a bounce from Adina and forward this to you in her absence.

Original email sent to Adina...

We have met a couple of times about the Woden Green estate works and a site that Hindmarsh own at Section 66 Deakin. I know that our has spoken directly with Mick on the latter and we have been expecting a response to a letter penned to ACTPLA (EPD) over a year ago.

We have requested that EPD, with the Minister's support, accept a submission to vary the Territory Plan for that site. EPD have advised that the matter has been with Minister Gentlemen for some months. Are you able to advise where the process is at and when EPD may receive a response such that we can continue considerations for that site?

Your time and response is very much appreciated.

Kind regards,



71 Constitution Ave, Campbell ACT 2612 Australia

www.hindmarsh.com.au

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Woolfenden, Mitchell Cairney, StephanieX From: Sent: Wednesday, 1 July 2015 5:08 PM **EPD Ministerials - Planning Delivery** To: Subject: 15/15019 - MINISTERIAL CORRESPONDENCE - Deakin section 33 - Hindmarsh Attachments: FW: Section 66 Deakin; 14_26509 - Ministerial-Update to proposed development Section 66 Deakin.obr; 14_10973 - Ministerial-Proposal for a retirement building - Blocks 7 and 8 Section 66 Deakin - Katy Gallagher ML_A.obr; 13_22920 - Ministerial-Briefing - Proposed development Section 66 Deakin - - 27 November 2013.obr; 15 15019 -Ministerial-Deakin section 33 - Hindmarsh.obr Good afternoon Please find attached ministerial 15/15019 due to government services 9 July 2015. NOTE: Letter makes reference to earlier correspondence (possibly 13/22920). The office has requested a holding reply to the proponent on this matter. Regards From: McEvoy, Justin Sent: Wednesday, 1 July 2015 5:02 PM To: EPD Ministerials - Government Services Cc: Butchart, Rebecca; Cairney, StephanieX Subject: MINISTERIAL CORRESPONDENCE - Deakin section 33 - Hindmarsh Ministerial Correspondence / Brief Request Form **Objective Number:** Date due Ministerial Services: 9 Jul Date due Deputy Director-General: 10 Jul Date due Director-General: 13 July Date due MINISTER'S OFFICE: 14 July 2015 Priority: Urgent / Normal Critical Date: Subject: MINISTERIAL CORRESPONDENCE - Deakin section 33 - Hindmarsh To: ■ Strategic □ Construction and Services Planning ☐ Sustainability and Climate Change ■ Director-General

Other

☐ Deputy Director-General

X Planning Delivery

■ Environment

Response by:		
X Minister	☐Chief Minister	☐ Director-General ESDD
☐ Minister Chief of Staff	☐ Adviser	☐Other:
Action required:		
X Reply to correspondence	☐ Directorate Input	☐ Media Alert / Media Release (in consultation with Communications)
☐ Information brief	☐ Dept Officer to attend	☐ Speech / Speaking Notes (in consultation with Communications)
☐ Information only / NFA	☐ Functions Brief (inc arrangements brief)	☐ Talking points (as dot points) (in consultation with Communications)
☐ Phone constituent	☐ Questions and Answers	☐ For appropriate action
		☐ Other
Meeting / Event:		
Time:	Date:	
Location:	Event Contact	t/Organiser:
Equipment:		
Further Information:		
NOTE: Letter makes reference has requested a holding repl	-	(possibly 13/22920). The office patter.



Ministerial Correspondence

MINISTER	ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
SUBJECT	MINISTERIAL CORRESPONDENCE - Ministerial — Proposal for a retirement building — Blocks 7 and 8 Section 66 Deakin
CORRESPONDENT	Katy Gallagher MLA
OBJECTIVE NUMBER	14/10973

-	Signature:	Date:
Director-General		2/6/14
Deputy Director-General	4	30-5.14
Executive Director	2	29.5.14
Manager		
Contact Officer: Alix Kaucz	Telephone No: 50	864

urther Action/Comment:	
gnature:	





Simon Corbell MLA

ATTORNEY-GENERAL

MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS

MEMBER FOR MOLONGLO

Ms Katy Gallagher MLA Chief Minister Legislative Assembly GPO Box 1020 CANBERRA ACT 2601

Dear Chief Minister

Thank you for your letter of 14 May 2014 requesting advice on the current status of discussions with Hindmarsh regarding the proposal for a retirement village on blocks 7 and 8 section 66 Deakin.

Representatives from Hindmarsh have met with officers from the Environment and Sustainable Development Directorate (ESDD) and provided material to support their request for a reconsideration of the decision in 2005 to not proceed with a variation to the Territory Plan over the subject blocks. Hindmarsh provided responses to eight items that were raised in 2005 as being reasons for not supporting the original proposal, advising that the detail could be resolved as design matters. It was suggested that consideration of the matters raised could be left for the planning report and/or at the development application stage. However in this instance the constraints of the site were deemed to be of such significance that they imposed substantial impediments on the provision of a suitable aged care facility. The additional material provided does not allay the concerns raised in 2005.

While there certainly is an identified need to ensure adequate provision of aged care facilities to accommodate the ageing population, there is as great a need to ensure the aged care facilities provided are in suitable locations and provide a suitable level of service for the community. I do not support this proposal for the reasons previously outlined by ESDD, and I do not believe that an aged care facility as proposed by Hindmarsh would be suitable in this location.

As such I do not support further consideration of a Territory Plan variation to progress the proposal at this time.

Yours sincerely

Simon Corbell MLA

Minister for the Environment and Sustainable Development

ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601 Phone: (02) 6205 0000 Fax: (02) 6205 0535 Email: corbell@act.gov.au Twitter: @SimonCorbell Facebook: www.facebook.com/simon.corbell







2 2 SEP 2014

Katy Gallagher MLA

CHIEF MINISTER

MINISTER FOR HEALTH
MINISTER FOR HIGHER EDUCATION
MINISTER FOR REGIONAL DEVELOPMENT

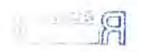
MEMBER FOR MOLONGLO

Mr Mick Gentleman MLA Minister for Planning ACT Legislative Assembly Dear Minister met with this morning to discuss a range of matters, including the Hindmarsh company's proposal to develop a retirement village in Deakin. advised that after he purchased the two blocks from the Commonwealth Government (blocks 7 and 8, section 66 Deakin, which he advised are Commonwealth leases) he initially approached the office of the Minister for Planning in 2005to request consideration of a Territory Plan (TP) variation. has raised his proposed development with me several times over the past year and I have received a number of briefing notes from the planning authority on this matter. The previous Minister for Planning Mr Corbell advised me in June 2014 that he did not support further consideration of a TP variation to rezone the land to community facility use. advised that he disputes the basis for not considering a TP variation and maintains that the constraints that have been put to his company by the planning authority can be overcome through appropriate design and siting of the facility on the two blocks. He does not understand the fundamental issues that the authority has based its advice not to proceed with a TP variation especially as he contends that the site is neither isolated nor is it far from facilities and services. I note from his correspondence to the planning authority earlier this year his company presented positive arguments about the central location of the section 66 Deakin - its location in close proximity to local shops, recreation facilities, health services as well as having a bus service to both Woden and the City and to the Canberra Hospital. I am uncertain as to the extent that the government can dictate whether such a facility can be developed in a particular location and have not seen compelling evidence that such a development cannot be achieved on the Deakin site. indicated that a planning study was undertaken by Purdons in 2005 in support of a TP variation which addressed the constraints put forward by the planning authority at the time. I have also agreed that a meeting be arranged between senior planning authority officials and



and his representatives in the next week so that all issues can be discussed.





I am hopeful that, at a minimum, this meeting will once and for all ensure that is fully appraised of the concerns of the Environment and Planning Directorate and the possible uses for the site.

Yours sincerely

Katy Gallagher MLA Chief Minister

1 9 SEP 2014





Simon Corbell MLA

ATTORNEY-GENERAL MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT MINISTER FOR POLICE AND EMERGENCY SERVICES MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS

MEMBER FOR MOLONGLO

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As such I do not support further consideration of a Territory Plan variation to progress the proposal at this time.

Simon Corbell MLA

10.6.14

Minister for the Environment and Sustainable Development

ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601 Phone: (02) 6205 0000 Fax: (02) 6205 0535 Email: corbell@act.gov.au Twitter: @SimonCorbell Facebook: www.facebook.com/simon.corbell



S COl Re



IMON RBELL'S				
MAY 2014	Katy Gallagher MLA	TO		
FFICE ceived	CHIEF MINISTER MINISTER FOR HEALTH MINISTER FOR REGIONAL DEVELOPME MINISTER FOR HIGHER EDUCATION	☐ Chief of Sta	icer	☐ Adviser ☐ EO ☑ DLO
Mr Simon Corbe Minister for the E Dear Minister	MEMBER FOR MOLONGLO II MLA Environment and Sustainable Development	PLEASE Reply Advise Noted File COMMENT	☐ For in	ge meeting formation to
	on 29 April 2014 and, among other this on his company's lease in Deakin (blocks 7 and absequently provided me with documentation whi	18, section 66 De	akin).	
	e also provided a copy of a brief that you receive			
Hindmarsh reque rezoning for resid facility. The Hindr	goes through the site issues and the reasons for est for a Territory Plan variation (in 2005). ESDD dential development immediately adjacent to a Demarsh letter to ESDD of 13 February 2014 respons by the directorate for not supporting a reque	was also concern efence telecommunds to the eight p	ied about a unications oints that we	
ssues to be man	pril 2014 to ESDD Hindmarsh noted "the propon- aged through design development, however thes er a high-quality and much needed retirement vil	se do not present	insurmounta	able

In order to understand the consideration of the Hindmarsh request for a Territory Plan variation can you please advise me of its current status, and your current thinking about the next steps. Given that the company considers that the points of concern can be addressed through design and engineering solutions I wonder if this does indeed present an opportunity to develop a retirement village to a particular sector of the market.

Yours sincerely

Katy Gallagher MLA Chief Minister

1 3 MAY 2014

CANBERRA

ACT LEGISLATIVE ASSEMBLY



MINISTER -	Minister for Planning Mick Gentleman MLA
SUBJECT	MINISTERIAL CORRESPONDENCE - Deakin section 33
CORRESPONDENT	Hindmarsh
OBJECTIVE NUMBER	15/15019

		Signature:	Date:
ام	Director General		15-7-15
7	Deputy Director-General		
	Executive Director		15.7.15
	Contact Officer: Alix Kaucz	Telephone No: 5086	54

Further Action/Comment:			
		•	
Signature:			





Mick Gentleman MLA

MINISTER FOR PLANNING

MINISTER FOR ROADS AND PARKING

MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS

MINISTER FOR CHILDREN AND YOUNG PEOPLE

MINISTER FOR AGEING

MEMBER FOR BRINDABELLA

Dear	
Thank you for your email of 17 June 2015 about consideration of your request for a Territory Plan variation over blocks in section 66 Deakin.	
The Environment and Planning Directorate (EPD) has been reviewing your request to consider a Territory Plan variation over the blocks leased by Hindmarsh Group. I have been briefed on the matter.	
I note that information regarding the potential impact of the proposed rezoning on the neighbouring TSZ2 – services zone blocks, including consideration of the possibility of rezoning the neighbouring blocks at the same time as blocks 7 and section 66 Deakin, has not been fully addressed. This information, including details of conversations with the adjoining lessees and tenants, would enable	

Once the additional material has been provided, EPD will consider the request further and provide advice to Hindmarsh Group in due course.

a fuller consideration of your response to the concerns raised previously. A request for the additional information, if not already received, will be

Thank you for raising this matter with me. I trust this information is of assistance.

Yours sincerely

provided by EPD.

Hindmarsh Group

Mick Gentleman MLA Minister for Planning 2/2*July 2015







Mick Gentleman MLA

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

MEMBER FOR BRINDABELLA

Hindmarsh Gro	oup	

Thank you for your email of 17 June 2015 about consideration of your request for a Territory Plan variation over blocks in section 66 Deakin.

The Environment and Planning Directorate (EPD) has been reviewing your request to consider a Territory Plan variation over the blocks leased by Hindmarsh Group. I have been briefed on the matter.

I note that information regarding the potential impact of the proposed rezoning on the neighbouring TSZ2 – services zone blocks, including consideration of the possibility of rezoning the neighbouring blocks at the same time as blocks 7 and 8 section 66 Deakin, has not been fully addressed. This information, including details of conversations with the adjoining lessees and tenants, would enable a fuller consideration of your response to the concerns raised previously. A request for the additional information, if not already received, will be provided by EPD.

Once the additional material has been provided, EPD will consider the request further and provide advice to Hindmarsh Group in due course.

Thank you for raising this matter with me. I trust this information is of assistance.

Yours sincerely

Dear

Mick Gentleman MLA Minister for Planning July 2015





Hindmarsh Group	
Dear	

Section 66 Deakin

The Environment and Planning Directorate (EPD) have reviewed the additional information provided in support of your proposal for a Territory Plan variation over blocks 7 and 8 section 66 Deakin.

While the information provided to date has responded to a number of the concerns raised previously, the outstanding matter of the zoning for the section has not been adequately addressed.

To assist EPD in considering the request for initiating a Territory Plan variation process over the subject site, please include additional information addressing the potential for including the adjoining blocks 2, 6 and 13 as well as Hampden Place road reserve into a rezoning proposal. Details of any conversations with adjoining lessees and tenants regarding this issue would also assist.

As advised previously, consideration of these sites would provide a more cohesive outcome and ensure incompatible uses are not co-located as part of any future development or redevelopment.

Jigh Corrigan
Executive Director
Planning Delivery

/ 9 August 2015



Objective Reference: A10985634

SUBJECT Section 66 Deakin- request for additional information

EXECUTIVE DIRECTOR

PURPOSE

To have you sign a letter (<u>Attachment A</u>) to Hindmarsh Group requesting additional information to assist consideration of their request to commence a Territory Plan variation over blocks 7 and 8 section 66 Deakin.

BACKGROUND

Hindmarsh are seeking to rezone blocks 7 and 8 section 66 from TSZ2 to a residential or community facilities zone to permit either residential use or aged care. EPD had sent a brief to Minister Gentleman advising that additional information had been provided by Hindmarsh to support their proposal. In response, Minister Gentleman has requested that additional information be sought regarding the potential to rezone the adjoining TSZ2 zoned blocks as well (Attachment B). The attached letter follows on from the Ministers request.

ISSUES

While Hindmarsh have responded to a number of the issues raised previously, they have not addressed the potential for creating incompatible zones within the section by rezoning blocks 7 and 8 for residential uses while the adjoining TSZ2 zones remain unchanged.

POTENTIAL MEDIA IMPLICATIONS

There are no potential media implications at this time. The proposal has not been released for public consultation and the proponents have not made the proposal public.

BUDGET IMPLICATIONS

There are no budget implications as Territory Plan variations are covered by base funding.

CONSULTATION STRATEGY

There is no requirement for consultation at this stage. A consultation strategy will be prepared if the proposal progresses to the planning report stage.

CRITICAL DATE

In the normal course of business.

RECOMMENDATIONS

That you sign the letter (Attachment A) to

from Hindmarsh Group.

Alix Kaucz Manager Territory Planning

August 2015

AGREED/NOT AGREED/NOTED/PLEASE DISCUSS

EXECUTIVE DIRECTOR

Date:

Contact Officer: Simon Hawke

Phone: x76436



Hindmarsh Group

Dear

Section 66 Deakin

The Environment and Planning Directorate (EPD) have reviewed the additional information provided in support of your proposal for a Territory Plan variation over blocks 7 and 8 section 66 Deakin.

While the information provided to date has responded to a number of the concerns raised previously, the outstanding matter of the zoning for the section has not been adequately addressed.

To assist EPD in considering the request for initiating a Territory Plan variation process over the subject site, please include additional information addressing the potential for including the adjoining blocks 2, 6 and 13 as well as Hampden Place road reserve into a rezoning proposal. Details of any conversations with adjoining lessees and tenants regarding this issue would also assist.

As advised previously, consideration of these sites would provide a more cohesive outcome and ensure incompatible uses are not co-located as part of any future development or redevelopment.

Yours sincerely

Jim Corrigan Executive Director Planning Delivery

August 2015



MINISTER	PLANNING – MICK GENTLEMAN MLA
SUBJECT	Update on discussions with Hindmarsh regarding section 66 Deakin
OBJECTIVE NUMBER	16/08451

Division	Planning Delivery	
Branch/Section	Territory Plan	
Contact Officer:	Alix Kaucz	Telephone No: 6205 0864

Further Action/Comment:	
Signature:	

Objective File No 16/08451

Rec'd Minister's Office 1. AUN. 2016

UNCLASSIFIED

То	Minister for Planning and Land Management	
From	Director-General Deputy Director-General Cleared electronically 31.05.2016 Executive Director, Planning Delivery 26/5	
Subject	Update on discussions with Hindmarsh regarding section 66 Deakin	
Critical Date	In the normal course of business	
Critical Reason	N/A	

Purpose

- 1. To:
 - provide you with an update on correspondence between Environment and Planning Directorate (EPD) and the developer Hindmarsh Group regarding their desire to rezone blocks 7 and 8 section 66 in Deakin for a residential or retirement village development; and
 - seek your agreement to advising the proponent to formally request the preparation of a scoping study to inform the requirements for a planning report.

Background

- 2. The Hindmarsh Group have been in talks with the ACT Government since
 November 2013 seeking support for a Territory Plan variation to rezone blocks 7 and 8 section
 66 Deakin from TSZ2 Transport Services Zone to another zone appropriate for either
 residential or retirement village development.
- 3. EPD wrote to Hindmarsh in August 2015 (<u>Attachment A</u>) requesting additional information regarding the potential to include adjoining TSZ2 zoned blocks in the proposal, to ensure that any future variation would not result in incompatible adjoining zonings.
- 4. Hindmarsh provided a letter on 20 April 2016 from the adjoining lessee, Telstra Corporation (Attachment B), providing in principle support for a Territory Plan variation over the entire section 66 for rezoning to permit residential and retirement village uses.

Issues

5. Achieving in principle support from the adjoining lessee for rezoning the whole section 66 has been the last of the significant issues previously raised by EPD that were seen as being critical to resolve before the proposal could be considered further. As this matter has now been addressed, EPD may now consider progressing the proposal to a scoping study.

Performa	ance Assessment
DUE DATE:///	DATE RECEIVED://
SATISFACTORY	UNSATISFACTORY
According to criteria specified in AC	T Government Policy Performance Measures
Signature	616115

- 6. While there are still several issues outstanding from earlier discussions, the remaining known issues generally relate to design and siting, bushfire protection and site remediation concerns, which are likely to be able to be resolved through the preparation of a planning report.
- 7. Progressing to the preparation of a scoping study will also enable any additional issues from agencies to be raised with the proponent for response through the planning report.

Financial Implications

8. There are no financial implications as Territory Plan variation processes are covered by base funding.

Directorate Consultation

9. If the proposal proceeds, a scoping study will be prepared and circulated to relevant directorates and other agencies to inform the issues that need to be addressed by the proponent in a planning report.

External Consultation

10. The proponent will be required to engage in consultation with affected lessees and surrounding residents as part of the planning report preparation.

Benefits/Sensitivities

11. The proponent consulted with surrounding residents in 2005 as part of the original planning report, with residents raising concerns directly with the then Minister for Planning. While there has been a considerable period of time elapsed since then, it is likely residents concerns will remain, and will again approach the Minister in response to proponent consultation.

Media Implications

12. There are no potential media implications at this time as the proposal has not yet been made public.

Recommendation

That you:

• note the information contained in this brief; and

NOTED/PLEASE DISCUSS

 agree to EPD advising the proponents to formally request the preparation of a scoping study to inform the requirements for a planning report in support of a Territory Plan variation to rezone section 66 Deakin to permit residential and retirement village uses.

AGREED/NOT AGREED/PLEASE DISCUSS

Mick Gentleman MLA 6.16.15

Minister's Comments

Alix Kaucz Manager, Territory Planning

Action Officer: Simon Hawke Section: Territory Planning

Phone:6205 0864

Phone: 6207 6436



Hindmarsh Group

Dear

Section 66 Deakin

The Environment and Planning Directorate (EPD) have reviewed the additional information provided in support of your proposal for a Territory Plan variation over blocks 7 and 8 section 66 Deakin.

While the information provided to date has responded to a number of the concerns raised previously, the outstanding matter of the zoning for the section has not been adequately addressed.

To assist EPD in considering the request for initiating a Territory Plan variation process over the subject site, please include additional information addressing the potential for including the adjoining blocks 2, 6 and 13 as well as Hampden Place road reserve into a rezoning proposal. Details of any conversations with adjoining lessees and tenants regarding this issue would also assist.

As advised previously, consideration of these sites would provide a more cohesive outcome and ensure incompatible uses are not co-located as part of any future development or redevelopment.

Varuer cincaraly

Executive Director Planning Delivery

19 August 2015

1 December 2015

Alix Kaucz Manager – Territory Plan Section Planning Delivery Branch Environment and Planning PO Box 158 Canberra ACT 2601

Sent via Email: alix.kaucz@act.gov.au

Dear Sir/ Madam

RE: Telstra Corporation Limited Telephone Exchange at Deakin - 107A Kent Street, Deakin ACT 2600

Telstra Corporation Limited (formerly Australian Telecommunications Commission) (Telstra) is the lessee of Blocks 2 and 6 Section 66 Deakin. Telstra has been approached by Hindmarsh, as neighbouring lessee of Blocks 7, 8 and 13 Section 66 Deakin, regarding the prospective planning future of the precinct.

Telstra understands that Hindmarsh has been in discussions with the Territory for an extended period with an aspiration to seek support from the Territory to prepare a Territory Plan Variation for its site.

We understand that the Territory may prefer to approach such a planning variation with due consideration for the broader precinct.

As Lessee of approximately half of Section 66, Telstra supports in principle a Territory Plan Variation on Section 66 in its entirety to provide for broader uses, including but not limited to residential and retirement.

If you have any further queries, please contact

Provider – Divestments, on direct line or via email at

, Telstra Service

Yours sincerely Telstra Corporation Limited

Telstra Property Email:

TELSTRA CORPORATION LIMITED (ABN 33 051 775 556) | LEVEL 10, 242 EXHIBITION STREET, MELBOURNE VIC 3000 | LETTER OF CONSENT - DEAKIN TE PAGE 1/1



Obie	ctive	Fi	le	Nο

Rec'd Minister's Office .../.../...

UNCLASSIFIED

-

Purpose

- 1. To:
 - provide you with an update on correspondence between Environment and Planning Directorate (EPD) and the developer Hindmarsh Group regarding their desire to rezone blocks 7 and 8 section 66 in Deakin for a residential or retirement village development; and
 - ii. seek your agreement to advising the proponent to formally request the preparation of a scoping study to inform the requirements for a planning report.

Background

- 2. The Hindmarsh Group have been in talks with the ACT Government since
 November 2013 seeking support for a Territory Plan variation to rezone blocks 7 and 8 section
 66 Deakin from TSZ2 Transport Services Zone to another zone appropriate for either
 residential or retirement village development.
- 3. EPD wrote to Hindmarsh in August 2015 (<u>Attachment A</u>) requesting additional information regarding the potential to include adjoining TSZ2 zoned blocks in the proposal, to ensure that any future variation would not result in incompatible adjoining zonings.
- 4. Hindmarsh provided a letter on 20 April 2016 from the adjoining lessee, Telstra Corporation (Attachment B), providing in principle support for a Territory Plan variation over the entire section 66 for rezoning to permit residential and retirement village uses.

Issues

5. Achieving in principle support from the adjoining lessee for rezoning the whole section 66 has been the last of the significant issues previously raised by EPD that were seen as being critical to resolve before the proposal could be considered further. As this matter has now been addressed, EPD may now consider progressing the proposal to a scoping study.

Performance Assessment			
DUE DATE://		DATE RECEIVED://	
SATISFACTORY		UNSATISFACTORY	
According to criteria specified in ACT Government Policy Performance Measures			
Signature / / /			

- 6. While there are still several issues outstanding from earlier discussions, the remaining known issues generally relate to design and siting, bushfire protection and site remediation concerns, which are likely to be able to be resolved through the preparation of a planning report.
- 7. Progressing to the preparation of a scoping study will also enable any additional issues from agencies to be raised with the proponent for response through the planning report.

Financial Implications

8. There are no financial implications as Territory Plan variation processes are covered by base funding.

Directorate Consultation

9. If the proposal proceeds, a scoping study will be prepared and circulated to relevant directorates and other agencies to inform the issues that need to be addressed by the proponent in a planning report.

External Consultation

10. The proponent will be required to engage in consultation with affected lessees and surrounding residents as part of the planning report preparation.

Benefits/Sensitivities

11. The proponent consulted with surrounding residents in 2005 as part of the original planning report, with residents raising concerns directly with the then Minister for Planning. While there has been a considerable period of time elapsed since then, it is likely residents concerns will remain, and will again approach the Minister in response to proponent consultation.

Media Implications

12. There are no potential media implications at this time as the proposal has not yet been made public.

Recommendation

That you:

- note the information contained in this brief; and
 - NOTED/PLEASE DISCUSS
- agree to EPD advising the proponents to formally request the preparation of a scoping study to inform the requirements for a planning report in support of a Territory Plan variation to rezone section 66 Deakin to permit residential and retirement village uses.

AGREED/NOT AGREED/PLEASE DISCUSS

	Mick Gentleman MLA//
Minister's Comments	

Alix Kaucz Phone:6205 0864

Manager, Territory Planning

Action Officer: Simon Hawke Phone: 6207 6436

Section: Territory Planning



12 September 2017

Mr Brett Phillips
A/g Deputy Director-General
EPSDD
GPO Box 158
Canberra City ACT 2601

Dear Brett

I am writing concerning the proposed housing development on Section 66, Deakin (On Kent Street, directly opposite Carruthers Street). Can you please advise whether your directorate supports or has endorsed the current consultation being undertaken by Purdon Associates on behalf of the Hindmarsh Group for this proposed development?

http://purdon.com.au/consultation/4-Section-66-Deakin

If so, isn't the proposal to place residences immediately adjacent and down slope of what appears to be an unstable, permeable and toxic tip site, potentially dangerous?

Given that the tip site is now within Red Hill Nature Reserve, would allowing residential development close to this tip site place an extra onus on the ACT Government to prevent leaching, runoff and dust contamination and to address other management issues?

If the ACT Government did grant a Variation to the Territory Plan and toxicity issues arose, would the ACT Government be responsible for decontaminating the site and/or compensating those living in the apartments proposed at the new development and pay for any medical treatment? Given that up to 500 apartments are proposed, this is a significant responsibility.

Are there plans to undertake a Master Plan for the Red Hill Nature Reserve precinct? Would this proposed development be informed by this Master Plan?

Illustrations of the proposed development showed the buildings going near the boundary of Section 66. Is it reasonable to assume that any bushfire protection would therefore be undertaken in Red Hill Nature Reserve? What would be your response to bushfire mitigation in the Reserve?

By way of background, I have been informed about the history of Deakin Dump and this points to the need for extreme caution:

 The original tip was established in the 1950s against a cliff of a dugout, clay quarry. Rubbish seems to be have placed directly on a sawdust base.



- Once the quarry face was back-filled, the tip material was then placed in an eroded creek gully termed a "Washaway Creek".
- During the tip's operation, fires within the tip were common while even decades after the tip's closure, subsurface smouldering continued.
- It seems highly unlikely that the tip is either stable or impermeable.
- It is unclear exactly what was dumped at the tip but it is clear that it includes a mix of household, backyard, building and industrial waste.
- Building waste deposited at the tip includes asbestos, which has moved to the current surface and has become exposed requiring mediation and capping (the exposure seems to be an ongoing issue).
- It is believed that waste from the Royal Australian Mint was dumped at the tip and this may include drums and loose material of highly toxic chemicals such as Chromium, polychlorinated biphenyls (PCBs), acids and inks.
- Household materials including pesticides and garden sprays are also thought to be contained in the tip.
- It is likely that hospital waste was also deposited at the Deakin Tip as, for a while, it and a tip along Flinders Way were the only operational tips in Canberra
- For many years the tip suffered from out-of-hours, unsupervised dumping where rubbish was scattered over the wider area rather than deposited at the active tip face.

The Canberra Times has a wealth of information including pertinent articles appearing on 5 Mar 1992, 4 Sep 1991, 8 Sep 1991, 31 Aug 1991, 20 Jan 1985, 17 April 1963, 3 feb 1970, 21 Dec 1967 and 20 Jan 1964.

Yours sincerely	
Red Hill Regenerators	

Woolfenden, Mitchell

From: Kaucz, Alix

Sent: Tuesday, 28 November 2017 9:34 AM

To: Sayers, Caroline

Subject: FW: REPSONSE BY DDG - DUE TO GS 6 OCTOBER 2017 - 17/27279 - Proposed

housing development on Section 66, Deakin (Kent Street) - - Red Hill

Regenerators [SEC=UNCLASSIFIED]

Attachments: 17_27279 - DDG Correspondence - Proposed housing development on Sectionobr

From: Kelly, Shauna

Sent: Tuesday, 28 November 2017 9:16 AM

To: Kaucz, Alix

Subject: FW: REPSONSE BY DDG - DUE TO GS 6 OCTOBER 2017 - 17/27279 - Proposed housing development on

Section 66, Deakin (Kent Street) - - Red Hill Regenerators [SEC=UNCLASSIFIED]

Hi Alix

Can you have a look at this one and take it on for a response? It sounds like it should be more a TP issue. Let me know and I'll let Gov Services know.

Thanks Shauna

Shauna Kelly | Executive Assistant to Dr Erin Brady - Deputy Director-General, Land Strategy & Environment

Phone 02 6207 1266 | shauna.kelly@act.gov.au

Environment, Planning and Sustainable Development Directorate | ACT Government

Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

EPSDD

From: Cilliers, George

Sent: Monday, 27 November 2017 6:02 PM

To: Kelly, Shauna

Subject: RE: REPSONSE BY DDG - DUE TO GS 6 OCTOBER 2017 - 17/27279 - Proposed housing development on

Section 66, Deakin (Kent Street) - - Red Hill Regenerators [SEC=UNCLASSIFIED]

Hi Shauna,

I've drafted a response, but it would need fact checking from Fleur/Alix's area. (I do not know where the planning report is up to and whether the information I provide is still current.) As this deals mainly with the TP variation process it may even be a consideration for Erin to sign instead of Geoffrey?

Regards George

From: Kelly, Shauna

Sent: Monday, 27 November 2017 11:53 AM **To:** Cilliers, George < George.Cilliers@act.gov.au>

Subject: FW: REPSONSE BY DDG - DUE TO GS 6 OCTOBER 2017 - 17/27279 - Proposed housing development on

Section 66, Deakin (Kent Street) - - Red Hill Regenerators

Hi George

Do you want me to send this to Rumana to draft?

Kind regards Shauna **Shauna Kelly** | Executive Assistant to Dr Erin Brady – Deputy Director-General, Land Strategy & Environment Phone 02 6205 9636 | shauna.kelly@act.gov.au

Environment, Planning and Sustainable Development Directorate | **ACT Government**

Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

EPSDD

From: Kelly, Shauna

Sent: Wednesday, 8 November 2017 5:09 PM

To: Cilliers, George

Subject: FW: REPSONSE BY DDG - DUE TO GS 6 OCTOBER 2017 - 17/27279 - Proposed housing development on

Section 66, Deakin (Kent Street) - - Red Hill Regenerators

Hi George

I think this has fallen through the cracks – let me know if I can send it to someone else to draft.

Thanks Shauna

Shauna Kelly | Executive Assistant to Brett Phillips – Executive Director, Planning Delivery

Phone 02 6205 9636 | shauna.kelly@act.gov.au

Planning Delivery Division | Environment, Planning and Sustainable Development Directorate | ACT Government

Level 1 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Kelly, Shauna

Sent: Friday, 3 November 2017 1:51 PM

To: Cilliers, George

Subject: FW: REPSONSE BY DDG - DUE TO GS 6 OCTOBER 2017 - 17/27279 - Proposed housing development on

Section 66, Deakin (Kent Street) - - Red Hill Regenerators

Hi George

How is this one going – do you want me to send it to someone else to draft?

Thanks Shauna

Shauna Kelly | Executive Assistant to Brett Phillips – Executive Director, Planning Delivery

Phone 02 6205 9636 | shauna.kelly@act.gov.au

Planning Delivery Division | Environment, Planning and Sustainable Development Directorate | ACT Government

Level 1 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Kelly, Shauna On Behalf Of Cilliers, George Sent: Wednesday, 11 October 2017 12:29 PM

To: Cilliers, George

Subject: FW: REPSONSE BY DDG - DUE TO GS 6 OCTOBER 2017 - 17/27279 - Proposed housing development on

Section 66, Deakin (Kent Street) - Red Hill Regenerators

Hi George

This DDG response is overdue, can you finalise please? It relates to Section 66 from Ross Kingsland.

Thanks Shauna

From: Kelly, Shauna On Behalf Of EPD Ministerials - Planning Delivery

Sent: Thursday, 28 September 2017 9:52 AM

To: Cilliers, George

Subject: FW: REPSONSE BY DDG - DU Section 66, Deakin (Kent Street) -		R 2017 - 17/27279 Regenerators	9 - Proposed housing development on	
Good morning George				
Please see below and provide a respone electronically so please reply via email.	•	hursday 5 Octob	er. This correspondence will be tracked	
Kind regards Shauna				
From: EPSD Government Services Sent: Thursday, 28 September 2017 9 To: EPD Ministerials - Planning Delivery Cc: Kelly, Shauna	y; Croke, Isabella		roposed housing development on Section	
Please find attached, request for respo	onse by DDG.			
Thanks Patti				
Deputy Director-G	General Correspo	ndence Requ	iest Form	
Objective Number: 17/27279				
Date due Government Services: 6	October 2017			
Date due Deputy Director-Genera	l: 9 October 2017			
Subject: Proposed housing develo		66, Deakin (Ker	nt Street) – Ross Kingsland – Red	
To: Planning Delivery (and Plan	ining Policy)	_		
☐ Strategic Planning		Planning Deli	<mark>very</mark>	
☐ Climate Change and Sustainability		☐ Environment		
☐ Director-General		☐ Deputy Direc	tor-General	
☐ Asbestos Taskforce ☐ Other				
Response by:				
☐ Minister	☐Chief Minister		☐ Deputy Director-General	
☐ Chief of Staff	☐ Adviser		☐Other:	
Action required:				
Reply to correspondence	☐ Directorate Ir	nput	☐ Questions and Answers	
☐ Information brief	☐ Dept Officer to	attend	☐ Media Alert / Media Release (in consultation with Communications)	
☐ Meeting brief	☐ Phone constitu	ent/report	☐ Speech / Speaking Notes	
☐ Meeting advice/caveat	☐ Information only / NFA		(in consultation with Communications) Talking points (as dot points)	
☐ Functions/Event brief	Other		(in consultation with Communications) For appropriate action	

Meeting / Function / Event:		
Time:	Date:	
Location:	Event Contact/Organiser:	
Further Information:		

Woolfenden, Mitchell

From: Magee, Alexandra

Sent: Sunday, 17 September 2017 4:13 PM

To: EPSD Government Services

Subject: FW: Kent Street, Deakin, Development [SEC=UNCLASSIFIED]

Attachments: Brett Phillips ltr Kent St 120917.pdf

Categories: Patti

Hi Stephen

Can you please assign this to the line area for a response by Gary Rake. I believe it would be a mix of Planning Delivery and also Planning Policy...

Thank you Alex

Alexandra Magee

Executive Officer to the Director-General

Environment, Planning and Sustainable Development Directorate | **ACT Government**Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

Phone: 02 6207 5174

From: Phillips, Brett

Sent: Tuesday, 12 September 2017 10:19 AM

To: Magee, Alexandra **Cc:** Round, Jessica

Subject: FW: Kent Street, Deakin, Development [SEC=UNCLASSIFIED]

Hi Alex

Could you forward this to relevant area for a response for Gary.

Cheers Brett

From:

Sent: Tuesday, 12 September 2017 9:50 AM

To: Phillips, Brett

Subject: Kent Street, Deakin, Development

Dear Brett

Please find attached a letter about a proposed housing development on Kent Street adjacent to the Red Hill Nature Reserve.

Can you please let me know that you've received this as I've just assumed that this is your email address.

Regards

Woolfenden, Mitchell		
From: Sent: To: Cc: Subject: Attachments: Follow Up Flag:	EPSD Government Services Thursday, 28 September 2017 9:41 AM EPD Ministerials - Planning Delivery; Croke, I Kelly, Shauna REPSONSE BY DDG - DUE TO GS 6 OCTO development on Section 66, Deakin (Kent Str Regenerators 17_27279 - DDG Correspondence - Proposed	BER 2017 - 17/27279 - Proposed housing eet) - Red Hill
Due By: Flag Status:	Friday, 6 October 2017 4:00 PM Flagged	
Please find attached, reque		
Thanks		
Patti		
Deputy [Director-General Correspondence Re	equest Form
Objective Number: 17/	27279	
Date due Government	Services: 6 October 2017	
Date due Deputy Direc	tor-General: 9 October 2017	
Hill Regenerators	sing development on Section 66, Deakin (I	Kent Street) – Ross Kingsland – Red
_	(and Planning Policy)	
☐ Strategic Planning	Planning I	Delivery
☐ Climate Change and Su	stainability 🗖 Environme	ent
☐ Director-General	☐ Deputy Di	rector-General
☐ Asbestos Taskforce	☐ Other	
Response by:		
☐ Minister	☐Chief Minister	Deputy Director-General
☐ Chief of Staff	☐ Adviser	☐Other:
Action required:		
Reply to correspond	ence 🔲 Directorate Input	Questions and Answers
☐ Information brief	Dept Officer to attend	☐ Media Alert / Media Release (in consultation with Communications)
Meeting brief	☐ Phone constituent/report	☐ Speech / Speaking Notes
☐ Meeting advice/cave	eat	(in consultation with Communications) Talking points (as dot points) (in consultation with Communications)
☐ Functions/Event brie	ef Other	☐ For appropriate action
Meeting / Function /	Event:	

Time:	Date:
Location:	Event Contact/Organiser:
Further Information:	





Red Hill Regenerators Inc

Dear

Proposed development on Section 66 Deakin

Thank you for your letter of 12 September 2017 to Mr Brett Phillips. I am responding on behalf of Mr Phillips, as directorate responsibility for this matter rests with me. I apologise for the delay in responding to you.

The Legislative Assembly passed a resolution on 25 October 2017 which has implications for the development proposal at Deakin section 66 on Kent Street and at the Federal Golf Club.

I can confirm that a scope for a planning report for the Deakin section 66 proposal was issued to the proponent in December 2016. It is a requirement of the scope for pre-consultation to be undertaken in relation to the proposal. It is also a requirement of the scope for the results of that consultation to be documented in the planning report. This is to ensure that the community and stakeholders are fully engaged with opportunity to comment on a proposal in its earliest stages.

Although the moratorium is in effect as a result of the Legislative Assembly resolution, the proponent for Deakin section 66 has commenced the pre-consultation phase in accordance with the scoping document. This is being conducted with the understanding that no planning decisions will be made until the integrated plan has been prepared in accordance with the resolution of the Legislative Assembly.

In the first instance I encourage the Red Hill Regenerators and any other stakeholder groups to raise their concerns directly with the proponent during this preconsultation stage.

I have requested that the Environment, Planning and Sustainable Development Directorate consider, in addition to the matters you have raised, options to engage with the community during the preparation of the integrated plan for the Red Hill Nature Reserve and surrounding residential areas.

Thank you for raising this matter. I trust this information is of assistance.

/ Ben Ponton

Director-General
Environment, Planning and Sustainable Development

20 December 2017



Obj#17/27279

Red Hill Regenerators In	С

Dear

Proposed development on Section 66 Deakin

Thank you for your letter of 12 September 2017 to Mr Brett Phillips. I am responding on behalf of Mr Phillips, as directorate responsibility for this matter rests with me. I apologise for the delay in responding to you.

The Legislative Assembly passed a resolution on 25 October 2017 which has implications for the development proposal at Deakin section 66 on Kent Street and at the Federal Golf Club.

I can confirm that a scope for a planning report for the Deakin section 66 proposal was issued to the proponent in December 2016. It is a requirement of the scope for pre-consultation to be undertaken in relation to the proposal. It is also a requirement of the scope for the results of that consultation to be documented in the planning report. This is to ensure that the community and stakeholders are fully engaged with opportunity to comment on a proposal in its earliest stages.

Although the moratorium is in effect as a result of the Legislative Assembly resolution, the proponent for Deakin section 66 has commenced the pre-consultation phase in accordance with the scoping document. This is being conducted with the understanding that no planning decisions will be made until the integrated plan has been prepared in accordance with the resolution of the Legislative Assembly.

In the first instance I encourage the Red Hill Regenerators and any other stakeholder groups to raise their concerns directly with the proponent during this preconsultation stage.

I have requested that the Environment, Planning and Sustainable Development Directorate consider, in addition to the matters you have raised, options to engage with the community during the preparation of the integrated plan for the Red Hill Nature Reserve and surrounding residential areas.

Thank you for raising this matter. I trust this information is of assistance.

Ben Ponton
Director-General
Environment, Planning and Sustainable Development

December 2017

Woolfenden, Mitchell

From: Marcantonio, Laura

Sent: Monday, 30 October 2017 2:45 PM

To: Ponton, Ben; Magee, Alexandra; Sayers, Caroline; Flanery, Fleur

Cc: Ives, Kieran; Croke, Isabella; Vest, Petra

Subject: Final Red Hill Motion - as amended [SEC=UNCLASSIFIED]

Hi all – extracted from Wednesday Minutes of proceedings (link https://www.parliament.act.gov.au/ data/assets/pdf file/0007/1121659/MOP036.pdf) – the final amended

Motion:

"That this Assembly:

(1) notes that:

- (a) the Federal Golf Club have flagged their intention to develop retirement living on a section of their existing lease;
- (b) the Federal Golf Club has attempted to redevelop the site on numerous occasions since 1998;
- (c) the Red Hill Open Space area, and the Red Hill Nature Reserve, contain the Federal Golf Club lease as well as a number of large open space blocks in Garran, Hughes and Deakin and some privately owned commercial crown leases in Deakin;
- (d) the Federal Golf Club lies within a bushfire prone area and the land has been assessed as being at high risk to life and property due to bushfires;

- (e) prior to a development application being lodged, the ACT Government established and ran a consultation phase which consisted of three private invitation only meetings;
- (f) a number of community groups have been involved in the Government-run Federal Golf Club Community Panel including:
 - (i) Conservation Council ACT Region;
 - (ii) Deakin Residents Association;
 - (iii) Friends of the Grassland ACT;
 - (iv) Garran and Hughes Residents Action Group;
 - (v) Hughes Residents Association;
 - (vi) Council on the Ageing; and
 - (vii) Red Hill Regenerators;
- (g) no overall planning and direction exists for the whole of the Red Hill Open Space area and developments are assessed on each development's individual merits and not on the benefits to the community as a whole;
- (h) while there is no overarching plan to development in the area, other development applications including at Hughes and Deakin are in the pipeline;
- (i) the Panel has been disbanded by the Government after only three meetings, and a number of issues remain unresolved according to the Community Panel;
- (j) neither the Panel, nor the wider community, have seen any final report summarising the issues and/or actions, and the community concerns raised through the panel process about the serious potential impact that will likely accompany piecemeal development at Red Hill including the current large Federal Golf Club development proposal, have been summarily dismissed by the Environment, Planning and Sustainable Development Directorate; and
- (k) while Panel members lobbied for a master plan for the area, in his presentation of a draft panel report at the meeting, the Deputy Director-General of the Environment, Planning and Sustainable Development Directorate stated that the master planning process "was established to respond to improving the economic and social drivers for the [commercial] centres" and was not the appropriate vehicle for the Red Hill Open Space area; and
- (2) calls on the ACT Government to:
 - (a) not proceed with separate Territory Plan Variations for residential development proposals for Section 66, Kent Street Deakin, the Federal Golf Course and other sites immediately adjacent to Red Hill Nature Reserve; and
 - (b) only proceed with a joint Territory Plan Variation for the sites after completion of an integrated plan for Red Hill Nature Reserve and surrounding residential areas that:
 - (i) includes a detailed environmental plan to protect Red Hill Nature Reserve from the impact of the proposed developments;
 - (ii) addresses the joint transport and amenity impacts of the proposed developments;
 - (iii) includes a detailed investigation of the old Deakin tip site and rules out development in any areas that may be contaminated and unsafe; and
 - (iv) limits development to proposals that have been developed in close consultation with the community and have a reasonable likelihood of majority community support."—

be agreed to—put and passed.

Cheers

Laura

Laura Marcantonio | Senior Manager - Government Services **Phone 02 6207 8263**

Engagement and Executive Support | Environment, Planning and Sustainable Development Directorate | **ACT Government**Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au | www.environment.act.gov.au | www.environment.act.gov.au |

@Environplan facebook.com/Environplan

Red Hill—development

MS LAWDER (Brindabella) (10.04): I move:

That this Assembly:

- (1) notes that:
 - (a) the Federal Golf Club have flagged their intention to develop retirement living on a section of their existing lease;
 - (b) the Federal Golf Club has attempted to redevelop the site on numerous occasions since 1998;
 - (c) the Red Hill Open Space area, and the Red Hill Nature Reserve, contain the Federal Golf Club lease as well as a number of large open space blocks in Garran, Hughes and Deakin and some privately owned commercial crown leases in Deakin;
 - (d) the Federal Golf Club lies within a bushfire prone area and the land has been assessed as being at high risk to life and property due to bushfires;
 - (e) prior to a development application being lodged, the ACT Government established and ran a consultation phase which consisted of three private invitation only meetings;
 - (f) a number of community groups have been involved in the Government-run Federal Golf Club Community Panel including:
 - (i) Conservation Council ACT Region;
 - (ii) Deakin Residents Association;
 - (iii) Friends of the Grassland ACT;
 - (iv) Garran and Hughes Residents Action Group;
 - (v) Hughes Residents Association;
 - (vi) Council on the Ageing; and
 - (vii) Red Hill Regenerators;

- (g) no overall planning and direction exists for the whole of the Red Hill Open Space area and developments are assessed on each development's individual merits and not on the benefits to the community as a whole;
- (h) while there is no overarching plan to development in the area, other development applications including at Hughes and Deakin are in the pipeline;
- (i) the Panel has been disbanded by the Government after only three meetings, and a number of issues remain unresolved according to the Community Panel;
- (j) neither the Panel, nor the wider community, have seen any final report summarising the issues and/or actions, and the community concerns raised through the panel process about the serious potential impact that will likely accompany piecemeal development at Red Hill including the current large Federal Golf Club development proposal, have been summarily dismissed by the Environment, Planning and Sustainable Development Directorate; and
- (k) while Panel members lobbied for a master plan for the area, in his presentation of a draft panel report at the meeting, the Deputy Director-General of the Environment, Planning and Sustainable Development Directorate stated that the master planning process "was established to respond to improving the economic and social drivers for the [commercial] centres" and was not the appropriate vehicle for the Red Hill Open Space area; and

(2) calls on the ACT Government to:

- (a) refer the overall planning of the Red Hill Open Space area and environs to the Standing Committee on Planning and Urban Renewal to:
 - (i) investigate the current planning approach to the area and review how a holistic and integrated strategy for development of Red Hill Open Space area would be of benefit to community;
 - (ii) make recommendations to any changes to the planning direction of the Red Hill Open Space area;
 - (iii) consider whether a masterplan or similar approach for the Red Hill Open Space area is appropriate;
 - (iv) take into account all implications of development within the Red Hill Open Space area, including road access and public transport options and opportunities;
 - (v) review the appropriateness of retaining existing green spaces in Hughes, Deakin and Garran:
 - (vi) consider how best to protect the Red Hill Nature Reserve;
 - (vii) consult widely with the community in a public forum to ensure that all relevant matters are considered; and

(viii) report back to the Assembly by June 2018; and

(b) suspend all development activity in the Red Hill environs until the Committee report and government response have been received and publicly available.

I am pleased to bring to the attention of the Assembly today the community concerns around a proposal at the Federal Golf Club. The Canberra Liberals hope that the ACT government will ensure that any development that is undertaken at the Federal Golf Club is of sound quality and respects the current built nature and the current environmental concerns around the area. Today I would like to talk on a couple of issues: why the Federal Golf Club is important from a planning perspective; what the current planning concerns and issues are; the involvement of community groups, including the Canberra Community Clubs group and the community panel process; how development applications are usually handled; why I have brought forward this motion today; and what I am calling on the government to do and why.

It is probably important to address the context of this by providing some background. Since 1998 the Federal Golf Club has been exploring ways that the golf club can diversify and ensure continued cash flow into the years ahead. In 1999 Territory Plan variation 94, which would have allowed development at the golf club, was disallowed by the Assembly as it was inconsistent with the Territory Plan because of the impact on formal and informal open space areas.

In 2007 the then planning minister, Mr Barr, promised to consider the proposal again as there were considerable financial concerns surrounding the Federal Golf Club and their ability to navigate their way through the prolonged drought. However, in 2011 Minister Barr rejected the proposal, stating that he had:

... formed this view after careful consideration of the advice and opinions of a range of government agencies, environmental and community groups.

In December 2014 the Federal Golf Club proposed a seniors living development on their Red Hill land. Most of us probably know the Federal Golf Club is positioned on the southern side of Red Hill. It is bounded by the suburbs of Garran and Hughes. It could be an important area for suburban infill, but it is in a bushfire zone.

Over the past 19 years the community and the Federal Golf Club have had their differences with regard to future development. This is not a secret. Concerns raised by community members have been many and varied. They include the fact that section 66 is a highly sensitive and significant area, located on the slopes of Red Hill, that the Red Hill area contains remnants of the significantly endangered red gum and yellow box woodland, that the proposed development could have a detrimental impact on recreational activities in the area and an impact on local amenities, including lack of road access.

While the Federal Golf Club have been calling to be allowed to develop their current lease so that they can further drought-proof their golf course, upgrade their clubhouse, which is a bit rusty and outdated, and provide financial security into the future, that

does not mean that community concerns are not equally important so that we can have certainty for all parties going forward. We do not want to have another 20-year period where every five years local community groups and the golf club are at loggerheads with each other over yet another proposal.

Many people have questioned the government's involvement in the current development proposal. It is no secret that because ClubsACT backed the Canberra Liberals at the last election this government has now refused to deal with ClubsACT. Mr Barr has publicly said he will not meet with ClubsACT. Mr Ramsay has publicly said he will not meet with ClubsACT. Instead, the government will only deal with the CFMEU-backed, Tradies-run Canberra Community Clubs.

In July 2017 the Federal Golf Club left ClubsACT and went to the CFMEU-backed Canberra Community Clubs group, and at that time Scott Elias, the general manager of the Federal Golf Club, said publicly:

The government will talk to them. As far as I'm aware the government won't talk to ClubsACT. It basically comes down to what's in the best interests of the club to get that development through ... We want to get it through this time and we will do everything we can.

Three weeks after the announcement of the defection of the Federal Golf Club to the CFMEU-backed Community Clubs group the government set up the one-off community panel for consultation on the proposal. This panel discussion was by invitation only, with even MLAs to attend only a very small part of those meetings.

Members of the panel included the Federal Golf Club, the developer, Mbark, the National Capital Authority, the ACT Government Architect, heritage representatives, the Conservation Council of the ACT, the Friends of Grasslands, the Red Hill Regenerators, three local residents groups, the Inner South Canberra Community Council, the Council on the Ageing and the Canberra Business Chamber.

This quite hastily put together, one-off community panel—when I say "one-off", Mr Barr was quoted as saying this was a one-off panel—locks people and MLAs out. It makes it seem like the outcome of the community panel—and I am referring to emails I have received from community groups here—is a fait accompli, that the consultation was a sham and that the government have already decided to back this development application.

In a briefing that I had from the directorate earlier this week I was told that all the community groups were happy, they thought it was the best proposal that had been put forward and they had received comments such as "as good as they have seen". The directorate, however, did not finish the sentences. The community groups provided me with their version of what was said at that panel meeting that, incidentally, I was locked out of. I was invited. I RSVPed. And when I turned up on the night I was unable to get in the locked door. It was quite unfortunate. It was quite unfortunate from many points, not least of which was that I could have perhaps gone to another event or, even better, stayed at home with my family instead of driving half

an hour to get there, spending half an hour knocking on the door and another half an hour to drive home. It was a complete waste of time.

Not one of the community councils that I have spoken to are happy with the outcome of the panel. Some of the comments I have received from community group members include:

There is a strong view by many of the community group members of the community panel that the direction of the panel being taken by EPSDD has degenerated to a point where the whole process is a farce that is blatantly supporting the FGC proposal.

This is another quote:

EPSDD has consistently protected FGC—

the Federal Golf Club—

and its developer from requests for meaningful information to be supplied on the ridiculous premise that all will be revealed later in the DA.

Community groups are confused by the intent of the panel. They thought they would have the opportunity to put forward their views and have feedback provided. They thought they would be able to ask questions and get answers. They thought they would be able to ask for data and have that data provided. This is not what has taken place. Some of those representatives of the community groups are here in the gallery today.

It does not take into account that what we need in this Red Hill open space is a holistic approach to planning in the area, not looking at the Federal Golf Club proposal in isolation, then looking at another proposal in Kent Street, Hughes, or Deakin. What we need to think of is a holistic approach that takes into account, for example, the significant environmental concerns of the area, not just one development application at a time. This piecemeal approach that is being taken to planning in the area could cause significant damage to the area. There are still concerns around access to the Federal Golf Club, in terms of car access and public transport, the need to upgrade Gowrie Drive and the increase in traffic flow and further congestion.

DAs are usually handled in a particular way. In this case it has been quite different because of this one-off panel that has been created by the government. There were only three meetings of this panel. Community representatives were willing and expecting to continue to meet when it was unceremoniously called to a halt by the government representative, who said that there was no need for further meetings, they had collected all of the residents' concerns and they would now be addressed in the development application.

Usually in an impact track development application an applicant lodges a development application, ACTPLA refers the DA to the entity and issues public notifications, ACTPLA requests further information if required, ACTPLA assesses

the DA against the Territory Plan, the environmental impact statement and relevant codes and ACTPLA makes its decision. This case has been very different.

What we need to see here is stability, to end years of protracted debate in the community. Many of the community panel members, perhaps the majority, asked about a master plan process for the Red Hill open space area. Whilst in the strictest sense of the definition of a master plan that may not be the best approach or the approach that the government will take, it does not mean that the concept of a more integrated and holistic plan should not take place for this area. We need a holistic approach to developing the Red Hill open space area that takes into account the implication of all or any development in the area, reviews and looks at the existing green space in the area and protects it, if that is what is required. Residents certainly believe that protection of the green space in their area is vital.

We need to consider the best way to protect the Red Hill nature reserve and, most importantly—and this is something that I have spoken about in this Assembly time and again in relation to planning matters—we need an open consultation process with the community, not one that truncates when the government feel they have collected enough information to enable them to move forward. We need something that is transparent and genuinely enables residents to feel that their views and their concerns have been heard.

The government, I am sure, will say that master plans are for group centres and key transport areas only. But it is the concept of a master plan that we are asking for here—whether you want to call it something different to a master plan—the concept of an integrated approach that looks at the entire area, not one DA at a time.

The motion that I have moved today can provide a path forward to give some certainty and transparency to the Red Hill community and for the Federal Golf Club. It is a forward-looking plan for all the Red Hill open space area, a long-term approach with a vision. That is why my motion today is calling on the ACT government to refer the overall planning of the Red Hill open space to the planning and urban renewal committee and to suspend all or any development activity in the Red Hill open space area until the committee report and the government response have been received and made available publicly.

In conclusion, I hope that the ACT government will ensure that any development that may be undertaken at the Federal Golf Club or, indeed, anywhere in that Red Hill open space area is of sound quality, respects the environmental impact of the area, takes into account other built structures in the area and, very, very importantly, consults openly and transparently with community members and ensures that their concerns are heard. I commend the motion to the Assembly.

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (10.18): The government will not be supporting Ms Lawder's motion as it stands. I have circulated an amendment in my name and I move that amendment now:

Omit paragraphs (1) and (2), substitute:

"(1) notes that:

- (a) the Federal Golf Club has publicly announced a proposal to redevelop part of the existing site for retirement housing;
- (b) the current proposal is still in a formative stage and the proponent has not lodged a development application, a request to vary the Territory Plan or a request to vary their existing lease;
- (c) the Environment, Planning and Sustainable Development Directorate convened a community panel to facilitate early engagement between the proponent and the community on issues raised by the proposal;
- (d) the community panel was chaired by a Deputy Director-General from the Directorate;
- (e) the community panel was always described as being conducted over three meetings and had the purpose of allowing voices to be heard, questions to be asked, and robust answers to those questions provided;
- (f) the Directorate endeavoured to ensure that all the right voices were heard by specifically inviting known stakeholder groups to participate, including resident groups, environmental groups and non-Government organisations, such as the Council on Ageing;
- (g) in the course of the community panel meetings, several community association representatives praised the proponents for the level of openness they were displaying in sharing information about their proposal, while a number of environmental groups identified the proposal as being the 'best' that has been developed over the years;
- (h) in finalising the community panel process, the panel chair asked panel members to help populate a list of questions that could be reported in a panel report;
- (i) a draft of the panel report was provided to members of the panel on 20 October 2017 for their consideration and review, with finalisation of the report to occur following the receipt of comments from panel members; and
- (j) panel members have also been given the opportunity to append a statement to the main report to ensure that their views are reported in their own words, accurately and in full;

(2) further notes that:

(a) the community panel process does not replace the need for formal statutory consultation at any further stage of the Territory Plan Variation, lease variation or development assessment process;

- (b) the *Planning and Development Act 2007* was recently amended to require mandatory referrals of any Territory Plan Variation to the Planning and Urban Renewal Committee for a decision on whether an inquiry will be held;
- (c) the Federal Golf Club site that is the subject of the proposal is already zoned 'Urban Area' under the National Capital Plan;
- (d) only the fringe areas of the Federal Golf Club lease are within bushfire prone areas and the specific area proposed for development is well away from the bushfire prone areas; and
- (e) all developments are assessed on their merits with consideration of a wide range of factors, including the cumulative impacts of this proposal and other publicly announced proposals in the area; and
- (3) calls on the ACT Government to:
 - (a) finalise and publicly release the community panel report by 16 November 2017;
 - (b) if the proponent proceeds to lodge a request for a Territory Plan Variation, lease variation or development application, assess these under the *Planning and Development Act* 2007, including the mandatory referral to the Planning and Urban Renewal Committee for all Territory Plan Variations;
 - (c) ensure that any Territory Plan Variation for Section 66, Kent Street Deakin, the Federal Golf Course and other sites adjacent to Red Hill Nature Reserve (whether in General Codes or Precinct Codes) carefully considers impacts on Red Hill Nature Reserve and surrounding residential areas to:
 - (i) protect Red Hill Nature Reserve from the impact of the proposed developments; and
 - (ii) assess and, where necessary, manage cumulative transport and amenity impacts of the proposed developments;
 - while still enabling opportunities for urban infill, housing affordability, social housing and ageing in place; and
 - (d) take steps to further promote development of proposals in close consultation with the community, using transparent and accountable mechanisms for issues to be raised, recorded and responded to.".

Speaking to Ms Lawder's motion and to my amendment, some of the comments in Ms Lawder's motion and, indeed, in her speech simply contain some inaccuracies that I would like to clarify. In response to the motion put forward, I would like to clarify the circumstances surrounding the proposed development at the Federal Golf Club and the community panel process.

The future development proposal for the site is still in a very formative stage. The proponent has not lodged a development application, nor has the proponent requested to vary the Territory Plan to vary the golf club lease. It is in its early days. The Environment, Planning and Sustainable Development Directorate offered to convene a community panel to facilitate community engagement about the proposal. This offer was willingly accepted by the proponent and a number of key stakeholder groups in the Red Hill area.

All too often I hear complaints that the community and stakeholder groups only have the opportunity to comment on development proposals at the formal statutory application stage. By this time many key decisions have been made. The intent of the community panel has been to provide key stakeholder groups with an opportunity to inform the development proposal rather than just respond to it.

The community panel process does not replace the formal consultation processes in any subsequent development applications, nor does it bind the panel participants or limit their opportunity to lodge public submissions on future development applications. In establishing the community panel, the directorates endeavour to bring all the right voices together by specifically inviting known stakeholder groups, including community councils, resident groups, environmental groups and non-government organisations such as the Council on the Ageing. Through the course of the panel process other organisations expressed interest and were welcomed to the panel. This included the Woden Valley Community Council.

Madam Speaker, the meetings were initiated by invitation. This was to ensure that key stakeholders' voices could be heard. However, the meetings were not closed. Observers did attend and were welcomed. The meeting notes have been progressively placed on the ACT government have your say website, once agreed by panel members.

The terms of reference, which were agreed by the panel, are also publicly available on the ACT government have your say website. This includes a commitment to a three-month panel period starting on 3 August 2017, with the three-month period equating to three meetings. This allowed sufficient time to ensure that all of the right voices were heard, that all the right questions were asked and that those questions were answered and the answers were robust.

The panel discussions were comprehensive and reflected a broad range of interests. It became evident that many panel members had more to say than the meeting times would allow. Accordingly, panel members were invited to lodge further comments after each meeting. These additional comments have been attached to the respective meeting notes and are also publicly available on the ACT government website.

I turn now to some key factual issues in Ms Lawder's motion. In relation to the motion's item (1)(c), there is no formally designated area called the "Red Hill open space area". The Federal Golf Club lease is not zoned open space or any similar term. It is included in the parks and recreational PRZ2 restricted access recreation zone under the Territory Plan. More importantly, the Federal Golf Club lease is zoned

urban area under the National Capital Plan. As you are aware, Madam Speaker, the Territory Plan cannot be inconsistent with the National Capital Plan.

In relation to the motion's paragraph (1)(d), I would like to clarify that only the fringe areas of the Federal Golf Club lease are within bushfire prone areas. The area proposed for development is not considered to be bushfire prone. The panel was advised at its third meeting that the ACT Emergency Services Agency has been separately consulted by the proponent in relation to fire and safety considerations for future development on the site.

In regard to motion item (1)(e), I would like to reiterate that the directorate convened the community panel as a pre-consultation process to ensure early sharing of information and identification of issues. In relation to motion item (1)(g), the ACT planning strategy promotes residential urban renewal and infill that will increase housing choice in established suburbs to meet the needs of ageing residents to remain within their community. This strategy is to be due to be reviewed and it is through this review process that the broader planning considerations are best considered.

In relation to motion item (1)(h), all development proposals are assessed on their planning merits, in accordance with the Planning and Development Act 2007. The community panel recommendations, together with the statutory Territory Plan variation process, provide ample opportunity for the full range of stakeholder interests, development options and potential impacts, including cumulative impacts, to be considered in relation to the Federal Golf Club site and surrounding areas. Madam Speaker, the development proposals in Hughes and Deakin will each be considered both on their merits as individual developments and as part of the broader planning strategy for Canberra to ensure that the cumulative impacts of these developments are considered.

In relation to motion item (1)(i), the panel process has been conducted in accordance with the agreed terms of reference. The panel was always intended to be conducted over three months, equating to three meetings. The panel has achieved its purpose and has collected a long list of issues for the club to consider. The panel outcomes will be published as a panel report once it has been reviewed by panel members. In regard to motion item (1)(j), I can confirm that panel members were given a preliminary draft report at the third meeting and were asked to help populate specific content. The draft report has been revised and was circulated to panel members on 20 October this year.

Motion item (1)(k) has been reported out of context. The deputy director-general was responding to comments made by panel members who oppose development on the site. He was citing the specific purpose of a master plan under the ACT planning system and indicated that it was unlikely to suit their stated purpose of preventing development on the Federal Golf Club. The deputy director-general stands by that comment.

In relation to motion item (2)(a), any future Territory Plan variation in relation to this proposal would be subject to referral to the Standing Committee on Planning and Urban Renewal. A specific inquiry is not necessary. As stated previously, the ACT planning strategy is due to be reviewed. It is through this review process that

broader planning considerations will be considered. The items raised in the panel discussions will inform future planning considerations.

Lastly, in regard to motion item (2)(b), I note that, based on the projects of concern raised by the community, this would prohibit development in an area bounded by Carruthers Street, Kent Street, Adelaide Avenue, Hopetoun Circuit and Gowrie Drive to the Federal Golf Club. It amounts to a moratorium on development and I consider this to be an inappropriate response to open and informative processes.

I reiterate that the community panel recommendations, together with the statutory Territory Plan variation processes, provide ample opportunity for the full range of stakeholder interests, development options and potential impacts—including cumulative impacts—to be considered in relation to the Federal Golf Club site and surrounding areas. I am very confident that the process used to inform the community about proposed changes to the Federal Golf Club strongly reflects the ACT government's commitment to community engagement. The community panel processes should not be cast aside due to a myopic view on how consultation and development can occur.

Innovation is an essential component of development, as reflected in my statement of planning intent. This means that across government new methods of engaging with the community are needed and the community panel process provides the opportunity for stakeholder and community input at the earliest stages of development proposals. Not all community panels will reach consensus, but that is no reason to reject them out of hand. The Federal Golf Club community panel has raised important planning considerations and it has asked the hard questions up-front. It has been publicly documented and I am satisfied that the panel has achieved one if its purposes.

I have a comment on Ms Lawder's comments in speaking to her motion this morning in regard to ClubsACT and its members and the government meeting with those members. I certainly met with the Vikings Group last week in relation to a meeting for Tuggeranong business owners. It is not that we have rejected meetings with them. In respect of Ms Lawder's comments about development applications, I note that Ms Lawder put out a media release this morning citing that the Labor government pushed through the golf club's controversial development plans.

I will state again, Madam Speaker, that there is no development application that has been lodged. So it is quite difficult for the government to push forward plans that have not been lodged. In relation to her comments about the community panel and being locked out of it, my understanding from our deputy director-general is that it was due to a staffing error. The club apologised to Ms Lawder and so did my deputy director-general. There was no intention to lock her out of the meeting at all.

In regard to the last point in Ms Lawder's press release, calling on the government to suspend all development until these integrity issues are resolved, there is no development application in process. So we cannot call on the government to suspend a development that is not in process. I seek agreement to my amendment to the motion.

MS LAWDER (Brindabella) (10.30): Madam Speaker, I wish to speak to the amendment. It is interesting that Mr Gentleman has talked about a myopic view in his speech to his amendment. I noted just yesterday an article in RiotACT from a former national capital development commissioner who spoke last night to the Deakin Residents Association. I will quote a couple of items in this particular article because I think they are very telling and very relevant to the discussion that we are having today about planning matters generally here in the ACT. Yesterday's article states:

A former National Capital Development Commissioner will tonight issue a wake-up call to the ACT's community councils and residents groups in a hard-hitting speech that accuses the Barr Government of corrupting due process and being incompetent.

This is from the former the NCDC commissioner, Madam Speaker. I will repeat that last bit:

... accuses the Barr Government of corrupting due process and being incompetent.

Last night the former NCDC commissioner said:

This is a situation that doesn't occur in the States—

The states of Australia—

where such matters—

planning matters—

are the responsibility of local councils in which their planning committees debate and make decisions on both the setting of planning regulations and the approval of development applications at public meetings.

A bit further on the article states that the Environment, Planning and Sustainable Development Directorate is not doing its job properly. That is what this article says:

It doesn't carry out necessary investigations into the community needs to be served, the likelihood of adverse environmental impacts, the compounding effects of multiple development approvals in residential and suburban shopping areas and provision of public transport and public parking availability.

That is what he was going to say last night. It sounds very similar to some of the items in the motion before us today. He said:

It doesn't carry out the necessary investigations into the community needs to be served ...

The former commissioner went to say:

... the directorate's planning section is chronically understaffed and can only process development applications, which it manages poorly.

He says that it "manages poorly". He continues:

It is unable to draw up master plans for the revival of the Woden Town Centre, nor for Civic, nor for Belconnen ...

This is what he was going to say last night. The article reports that the former commissioner at the meeting last night was going to:

... point to the machinations of the LDA, the use of commercial in confidence arrangements to hide information and the alleged gaming of land release programs to maximise profits as examples of it not following due process.

There is much more I could read, Madam Speaker, but I think it illustrates some of the points I was trying to make today. This points to many of the comments that I have received from community members, who have said, for example, "The direction the panel was being taken by EPSDD has degenerated to a point where the whole process is a farce that is blatantly supporting the FGC proposal." That is from a member of the community.

The proponent's assertion that they could not afford any delays at the panel meant that the department was trying to push this through as quickly as possible in the view of some community members and groups. For example, while I was not there at the meeting I was told that the deputy director-general said, "This one will go on for four or five meetings if we are working well."

Community members were surprised that their meetings were truncated at three. They thought they were working well and they were still awaiting responses from the department and the government on data and information that they had requested and that they had not yet received. They had every expectation that the panel would continue, not be stopped in what they believed was a way of pushing forward the proposal without due consideration of the community's view.

It is not to say that if the process had continued and they had been provided with the answers they may well have supported a lot of the proposal in the end. But they feel like they were led down the garden path and left there at the bottom of the garden with no way back. They were not given the information to find their way back. They were not given the information on where they were going in the first place. They were just left there, left hanging. It was not what they expected of this process of community consultation and a community panel.

People have said to me that they feel this process pointed towards a fait accompli that the proposal would be approved. They felt they were being used to try to achieve that goal. When that was not going to happen necessarily, the process was truncated. "Thanks so much; see you later; off you go," if you can get out through the locked door, of course.

Madam Speaker, we will not be supporting Mr Gentleman's amendment. I do not believe that there is trust in the community to let the general process go forward. They have lost the trust of community members. We will not be supporting Mr Gentleman's amendment.

Amendment negatived.

MS LE COUTEUR (Murrumbidgee) (10.37): I move:

Omit paragraph (2), substitute:

- "(2) calls on the ACT Government to:
 - (a) not proceed with separate Territory Plan Variations for residential development proposals for Section 66, Kent Street Deakin, the Federal Golf Course and other sites immediately adjacent to Red Hill Nature Reserve; and
 - (b) only proceed with a joint Territory Plan Variation for the sites after completion of an integrated plan for Red Hill Nature Reserve and surrounding residential areas that:
 - (i) includes a detailed environmental plan to protect Red Hill Nature Reserve from the impact of the proposed developments;
 - (ii) addresses the joint transport and amenity impacts of the proposed developments;
 - (iii) includes a detailed investigation of the old Deakin tip site and rules out development in any areas that may be contaminated and unsafe; and
 - (iv) limits development to proposals that have been developed in close consultation with the community and have a reasonable likelihood of majority community support.".

Members will note that I am only moving to replace the second paragraph, the "calls on the government". I am in substantive agreement with Ms Lawder that there is a significant problem in the environs of Red Hill and that we are trying to do something that will work for the community, ensure that our natural environment is protected, ensure that the traffic and amenity issues are properly considered, be a holistic look at developments in that area and ensure that the community impact of the many potential developments are considered instead of the current process, which seems to be one by one by one.

We basically appear to be talking about at least two developments at this time. There has been some discussion of the current plan for the federal golf course—I believe it is their eighth try. Last century I lived in Garran—that is how long it has been going on for. The current intention is for 125 homes with a new golf club, swimming pool and gym in the middle of the golf course. That includes plans to upgrade the Gowrie Drive access roads, and that is one of the most problematic parts of the whole plan.

There is also a proposal for the old Telstra site on Kent Street, on the border between Deakin and Hughes, for 550 residential units. Both plans abut the Red Hill nature reserve. Both plans have been touted before. They both require Territory Plan

variations. They both have so far not achieved a level of community support where the government and the proponents have thought there is any point in going a lot further. There are also a large number of urban open space blocks of land in Garran, Hughes and Deakin, all of which abut the Red Hill nature reserve. I point out that we are joined by four local residents for this debate—thank you very much. Residents are concerned that if everything is done on a piecemeal basis, who knows what plans there are for this space?

Ms Lawder made a number of comments about the community panel process and she has quoted from similar emails to those I have had. It was really weird; Ms Lawder and I were both invited in our roles as members of the planning committee to attend this. It seemed quite bizarre because we were to attend at the end and hear just a summary and we were not given a chance to talk to or hear what other people said. I could only see that our role was to stand up and say, "Yes, the community has been in the same room as the developers and thus that qualifies as consultation." I think probably a photograph would have done as much good as the role we were asked to play.

It actually got even worse. While we were meant to be invited to all of the panels, I am not aware that I got an invitation to the second. The third I was only invited to after I was part of an email chain which included people discussing the invitation and ACTPLA. I guess ACTPLA belatedly realised, "Oh, we haven't bothered inviting the MLAs." The community representatives were told to keep it in confidence, in good faith, which made it impossible, of course, for them to adequately represent the communities they are part of.

I obviously support the efforts of ACTPLA to better involve the community. I am not trying to be negative about the process; I am just saying that it was not adequate to do what it is trying to do. It is so bad that the six community group members of the panel—the Conservation Council, the Deakin Residents Association, the Friends of Grasslands, the Garran and Hughes Residents Action Group, the Hughes residents association, and the Red Hill Regenerators—were so concerned that they wrote a document including their views, which I understand was sent to the ACT government and all Murrumbidgee and Kurrajong MLAs.

A lot of what I have said is informed by that document. It states:

The Red Hill area is now faced with two very large residential developments which will have a wide range of environmental and social impacts on the open space area. There is every possibility that further damaging developments and activities will be proposed in the future. This is a recipe for disaster in this sensitive and significant landscape. If these proposals are dealt with on a case by case basis it will be planning by development rather than development through planning. For this situation to be avoided an overarching planning and management framework needs to be developed and implemented.

My amendment is an attempt to develop and implement that management framework, given the lack of support from ACTPLA to make it happen and given that it has not happened in the 30 years of this saga.

The Red Hill nature reserve is very important environmentally. It contains nationally significant remnant endangered yellow box and red gum grassy woodland. This comprises over 200 native plant species, a number of which are threatened and rare, as are a number of animal species which are supported by the woodland. It is also of national significance; it has been included in a nomination for inclusion on the National Heritage List. It is a critical part of the multifunction urban open space system. It has visual, cultural and ecological significance. It is being impacted adversely by a number of things: dumping of gravel, building spoil, dumping of trees and other vegetation, installation and maintenance of telecommunications infrastructure, creation and widening of fire trails, gas pipeline construction, planting of exotic and non-indigenous native species, maintenance of power lines and cables, removal of vegetation for flood prevention and fire suppression, and water supply infrastructure.

There has been significant piecemeal activity over this area which has resulted in significant damage to this area. This damage should stop. We understand that the Telstra site has the additional issue of two adjacent legacy rubbish tips containing toxic waste. Remember, it is next to the Telstra site. Telstra, as a telecommunications organisation, would have had PCBs as part of their waste, and there is every reason to believe that there is asbestos in this waste. It just seems crazy to consider developing on that.

As well as Red Hill being a very valuable nature reserve, it is part of the local amenity for the people who live in the suburb of Red Hill and the people who live in Deakin, Hughes and Garran. It is a significant part of their local amenity. The roads that will be affected by any development there are roads they go along on a daily basis. Kent Street is already dangerous and overcrowded. It will lead to more congestion on that road and in nearby suburbs.

As has been noted, the golf club is in a bushfire-prone area. Some of this land has been assessed as high bushfire risk. Providing safe access to this site will have a major impact on Red Hill. I assume that there has been discussion that the access would be through the nature reserve and not through urban areas.

Interestingly, the *Canberra Times* reported that the golf club has asked the government to waive or discount the lease variation charge that the proposal would otherwise attract. The *Canberra Times* reported that the proposal would bring in an \$18 million windfall for the club. This leads to considerable issues as to who should get the benefit of any lease variation and how this should be shared with the community as a whole, rather than a few hundred people who may be members of the Federal Golf Club.

The other important thing is that it is unlikely to be the last development on the golf club land. In my first term in the Assembly I had the privilege—possibly—as did Mr Coe, of considering a second Territory Plan variation for the golf club in Holt. They had already put residential in the middle of their golf course that got them some money and out of trouble for a period of time. However, it was not enough to solve all the problems, and they were back for a second go.

There is no reason to think that this will not happen at the Federal Golf Club if there is not finally some integrated planning done for not only the Federal Golf Club but, I would contend, all the golf clubs in Canberra. This is an ongoing problem. The issue is long-term, holistic planning. Despite what Mr Gentleman said in his speech, this does not seem to be what ACTPLA is currently doing.

On 20 September I asked Minister Gentleman about the two proposals:

Minister, what will you do to ensure the joint impacts are considered, not just separate impacts?

Mr Gentleman said:

The important thing here is that our Planning Directorate works with the engineers within the traffic section to ensure that the traffic engineers have input into the planning system, to make sure that the impact on our roads across the ACT and the impact on traffic in the ACT is regulated along with any approvals in Planning.

He did not say the cumulative impacts would be considered. You would have thought it was the job of a competent planning authority to look holistically at these issues. What ACTPLA is doing is simply not good enough.

I will move on to my calls on the government. The first call is not to proceed with separate Territory Plan variations for residential developments for section 66 Kent Street, the federal golf course and other sites immediately adjacent to Red Hill nature reserve. Importantly, please note that I am talking only about Territory Plan variations. Any development that only requires a development application—in other words, anything that is already consistent with the Territory Plan, such as normal extensions and knockdown rebuilds—would not be affected by this.

We should only proceed with a joint Territory Plan variation for these sites after the completion of an integrated plan for Red Hill nature reserve and surrounding residential areas that, firstly, includes a detailed environmental plan to protect Red Hill nature reserve from the impact of proposed developments. That is clearly essential. It is a nature reserve; if there is any point in having nature reserves we have to look at the impact of developments on them.

Secondly, the integrated plan should address the joint transport and amenity impacts of the proposed developments. The important point there is the word "joint". There is no point in looking one by one at developments and everyone saying, "Oh, it's only going to add an extra couple of cars. It doesn't make any difference." After you have enough extra couple of cars, it does make a difference.

Thirdly, the plan should include a detailed investigation of the old Deakin tip site and rule out development in any areas that may be contaminated and unsafe. That is clearly common sense—we do not develop on top of contaminated sites. Lastly, the plan should limit development to proposals that have been developed in close consultation with the community and have a reasonable likelihood of majority

community support. This is one of the keys to development in Canberra and everywhere else. There is no point in proposing developments where the community is actively opposed to them.

There is also no point in just doing lots of little things. If we go with the process I am talking about, I am asking ACTPLA to look at the whole area as an integrated plan. Let the community say, "Yes, clearly things have been talked about here for years. There will be some changes. Looking at the whole area, what is the best way to do this going forward?" There needs to be open consultation which includes the impact on the nature reserve, the local amenity and also the impacts and needs of a growing Canberra. The bottom line is that we need a holistic approach. If we do this well and ACTPLA works as a professional planning authority, there will be community approval because the community will be consulted. (*Time expired*.)

MR COE (Yerrabi—Leader of the Opposition) (10.52): I wish to address in particular some of the integrity issues that obviously surround this action by the government. It is no secret that there has been talk about development on this site for decades. And for decades—or at least the last 16 years—the ACT Labor government has been somewhat reluctant to do much about it. Yet in the last few months everything seems to have changed.

The environment is still there. The neighbouring houses are still there. The golf course is still there. There is only one variable at play here, and that is the allegiance of club groups that the Federal Golf Club now belongs to and, importantly, the follow-up action by the minister. At best this is controversial. At worst it is corruption. I would dearly love to know what assurances the Labor government, and in particular Minister Gentleman, gave to the Federal Golf Club in the event that they were to change their allegiance. In my opinion that is what it could appear to come down to.

It would be fascinating to know whether Mr Gentleman said, "If you change your allegiance away from the anti-government club group to the pro-government club group, we will see what we can do." It would be fascinating to know whether Minister Gentleman has been involved in any such negotiations. It seems that, as soon as that happened, the government rolled out the red carpet for this lease variation and possible Territory Plan variation.

The red carpet has been rolled out in a way that we have not seen before. We asked Minister Gentleman questions about this—about other times there has been a similar process put up for another development in Canberra—and he was unable to give a single example of ACTPLA pulling out all the stops to try to get this development up. The government are now tirelessly advocating for this development to get up, despite the fact that, for 16 years, they have been critical of this very proposal. What has changed to make the government change its tune? Of course, it is the change of allegiances—the change of membership in the Federal Golf Club to another club group.

In many ways, I do not actually begrudge the Federal Golf Club for making that move, especially if they were given an assurance by the minister that they would help them along the journey if they were to do that switch. It is quite a transactional approach: if

they change their club allegiance, the government will look favourably on their proposed development application. Perhaps they are doing what is best for their members by making that switch, given the potential promise or potential commitment that Mr Gentleman might have given.

It goes to the integrity of the government that this is how you get decisions made in Canberra. This is how you get a job done. It is by, in effect, joining Labor's fellow travellers. Things are not done on their merits—they are not done on the planning quality; they are not done on the environmental impact—they are done on whether you are a fellow traveller of the Labor movement.

Last year we heard a lot about sovereign risk—the government trying to concoct some argument about light rail. The sovereign risk in the ACT is linked to the dodgy deals that this government does in its pet projects for fellow travellers. We see it time and again. It is a shame that the Federal Golf Club has been embroiled in this integrity issue. Quite frankly, I do not think they necessarily went in with their eyes wide open about what they were potentially getting themselves into in terms of the mess that is Labor property deals. They may well have gone in with their eyes wide open in terms of a transactional approach, in trying to get a good outcome, but I very much doubt that they realised the links that could so easily be drawn to the many other scandals that have plagued this government in recent years with regard to property deals.

We of course know about the issues with the casino and the Glebe Park block. We know about the issues of the lakeside businesses and land. We know about the issues with the rural leases and the Dickson CFMEU land swap. We know about the issues with the Woden Tradies and their car park rort. We know about all these. Unfortunately, this Federal Golf Club deal could very well join that list. It should not be that the way to get development applications up, the way to get Territory Plan variations made, is to join the Labor cause. But, unfortunately, that is what it seems to have come to in the ACT. That is corruption. That is what it has come to in the ACT.

Mr Gentleman: On a point of order, Madam Assistant Speaker: Mr Coe has used the word "corruption" against me and the government a number of times during his speech. I ask that he withdraw that statement.

Mr Wall: On the point of order, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER (Ms Cody): Mr Wall.

Mr Wall: I believe Mr Coe has been very careful to name not one individual or member of this place in those corruption allegations but more specifically the government as a whole.

MADAM ASSISTANT SPEAKER: Mr Coe has not necessarily named any one person, an individual, in particular. However, I remind members in this place that we do have parliamentary standing orders that we must adhere to. If there are substantive matters to be raised then maybe there needs to be a separate motion. If there is actual information that needs to be taken to authorities then that also needs to be considered.

MR COE: Thank you, Madam Assistant Speaker. We will certainly take on board that advice as to whether a substantive motion is required on this matter. I have been very careful to point out that I believe the government is corrupt. Minister Gentleman did stand up and say that I had accused him of corruption. I did no such thing.

But I do have real concerns about the government at large. It is all too common a story in the ACT and with Labor governments around the country that have been in for too long. The complacency kicks in, the nepotism and cronyism is at full speed and the corruption follows. Unfortunately, that is quite possibly what has happened here with regard to this proposed development in or adjacent to Red Hill. I too call on the Assembly not to proceed with the government's course of action. I think their course of action is wrong. It is not best practice and is by no means something that we should establish as a precedent in the ACT.

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (11.02): I want to put on the record, firstly, in response to Mr Coe's spurious allegations, that I have had no conversations with the Federal Golf Club in regard to any associations they have with any groups at all. It is spurious to invent such an allegation as Mr Coe has. Mr Coe slurs both the community clubs and community groups with that allegation. He should be ashamed of himself. He should publicly withdraw that allegation against those community groups and clubs.

In regard to the amendment itself, I said pretty clearly in my speech on my amendment what we need to achieve in a planning sense. Planning should be separate to the Assembly process, as an independent planning authority. Any intervention by the Assembly does implicate the independence of that planning authority for the future.

MS LAWDER (Brindabella) (11.04): I have a table that came through in a freedom of information request about this area. The table says, "I found this briefing from 2013 and updated it." That was in 2015. If we go back many years, we see that in 1999 variation 94 was disallowed in the Assembly because of leasing issues, inconsistency with the principles of the Territory Plan and impacts on formal and informal open space area. In 2007 the government supported a process for a draft variation on the basis that the golf club had experienced financial difficulties relating to the maintenance of the golf club due to prolonged drought and the cost of water. The proposal did not differ greatly from previous proposals in the disallowed variation 94.

It goes on with various events over the years. In 2011 Minister Barr wrote to the NCA advising about diplomatic uses: "While that would be lower density than the residential redevelopment proposed by the Federal Golf Club, the issues still remain to be resolved. Access to the site is via an adjoining nature reserve. Bushfire issues, and the need for two points of emergency services access." There is quite detailed information on the applications over the years for residential development in the area. But the issues remain the same. I repeat: the issues remain the same.

We have seen the proposal that has been talked about through the community panel. As Mr Coe has said, there is some sympathy for the Federal Golf Club. It is not to say that their development is a bad proposal. No-one here is saying that. We are concerned about a holistic approach that looks at the environmental impacts; ensures that we maintain the environmental values; and makes sure that, if this particular proposal gets approved, the next one will ensure that we retain those environmental aspects, the amenity and the vehicular access and address the public transport concerns. It is not about one proposal; it is about looking at the area as a whole.

I will read a bit more from yesterday's RiotACT article by the former NCDC commissioner. It is illustrative of the issues that are besetting the planning environment at the moment. Mr Powell says:

What is needed is a planning organisation with a core of professional staff ... so as to be in a state of constant engagement with the local community, business and trade interests.

The community does not have the ultimate say; there are other interests at stake. Everyone must be consulted, everyone must have their views considered, and a very delicate path must be navigated to ensure that we have all of these considerations. Mr Powell, in this article, believes the directorate has in recent times adopted an inappropriate attitude of blindly adopting zoning changes determined by the LDA, which is likely to carry over to both the new Suburban Land Agency and the City Renewal Authority.

With respect to residents and community groups disagreeing with the government, residents and community groups are entitled to disagree with and to oppose the actions of government. It is called democracy. It was Mr Stanhope, former Chief Minister of the ACT, who made that point in an article referring to the Chief Minister's refusal to deal with the clubs industry body, ClubsACT. In this article Mr Stanhope said:

Mr Barr has shut the group out after it bankrolled a campaign against Labor at the last election.

Mr Stanhope continued:

Mr Barr's Trump-like response to Clubs ACT daring to oppose the government over the decision to give the casino poker machines does seem, at best, a tad petulant.

The fact that the Federal Golf Club have had to leave ClubsACT to get extra support from the government, in their view, reeks of a lack of integrity. This is about more than just planning at Red Hill; this is about government integrity at all levels of planning in the ACT.

We have heard this government refusing to meet with anyone that disagrees with them. Noone from the government went to the Master Builders Association's annual dinner, which was shining a spotlight on mental health for tradesmen. We have heard about their refusing to meet with ClubsACT and the greyhound industry. Mr Stanhope said: Residents and community organisations are entitled to disagree with and oppose the actions of government. It's called democracy.

This is something that appears sadly lacking in this government. You either agree with them or you are on the outer. You are in the tent or you have no hope whatsoever. That is what is happening with this government.

This brings us back to the motion and the amendment that we have been talking about today. The planning minister is so disinterested in this process that he has left the chamber. He is not even here to see the end of the discussion on a planning matter. He is not that interested.

I find myself in an interesting and somewhat uncomfortable position—a position I am not often in—and that is of agreeing with the Greens. I am sure Ms Le Couteur would agree with me that this is not something that happens very often. I am agreeing with the Greens today because there has been a lack of transparency and openness in the discussion with community groups. There has been a process which they believe is driven towards a particular outcome. They feel it has been a sham consultation. They believe it has had dodgy elements in terms of the consultation. It is pointing towards a predetermined outcome.

The reason we have this motion today is that community groups do not believe that it was genuine consultation; they do not believe that their views are being taken into account. They believe that what will happen is what was always going to happen. We will see in due course what happens with this particular proposal and with other proposals in the area. Residents who have been there for some time understand the importance of that area. I am sure all the people here in the chamber today have undertaken recreational activities in the Red Hill open space area. It is a fantastic area and has not only recreational but also key environmental value.

All sides of the chamber talk about urban renewal and the need for density; that is, the importance of greater density in some of our suburbs. The government certainly is not against development. We are not against development either. But there has to be a balance. The community groups do not believe that their views have been adequately taken into account. That is why I brought this motion today. That is why we will be supporting Ms Le Couteur's amendment.

We believe in consultation with the community. We believe that the community's views are important. We should not be undertaking these sham consultations with groups, trying to shut out a democratic process, with a government that is trying to shut out particular groups. That is not the way that we should be undertaking the governance of the ACT.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Woolfenden, Mitchell

From: Sayers, Caroline

Sent: Monday, 30 October 2017 2:58 PM

To: Marcantonio, Laura; Magee, Alexandra; Flanery, Fleur

Cc: Ives, Kieran; Croke, Isabella; Vest, Petra; Kaucz, Alix; McKeown, Helen; Moore, AlisonM

(ACTPLA)

Subject: RE: Final Red Hill Motion - as amended [SEC=UNCLASSIFIED]

Attachments: 17_29650 - Ministerial-Information Brief - Legislative Assembly motion a....obr

Hi Fleur,

In response to Ben's email below, a draft response is in the making (Attached).

We are just waiting for input from the Conservator of Flora and Fauna and Alison Moore's teams before sending it up the line to you. Hopefully tomorrow or Wednesday at the latest.

Thanks Caroline

From: Ponton, Ben

Sent: Monday, 30 October 2017 2:49 PM

To: Marcantonio, Laura <Laura.Marcantonio@act.gov.au>; Magee, Alexandra <Alexandra.Magee@act.gov.au>;

Sayers, Caroline <Caroline.Sayers@act.gov.au>; Flanery, Fleur <Fleur.Flanery@act.gov.au>; Brady, Erin

<Erin.Brady@act.gov.au>

Cc: Ives, Kieran <Kieran.Ives@act.gov.au>; Croke, Isabella <Isabella.Croke@act.gov.au>; Vest, Petra

<Petra.Vest@act.gov.au>

Subject: RE: Final Red Hill Motion - as amended [SEC=UNCLASSIFIED]

Thanks Laura.

HI Erin – one for us to discuss at our next catch up please. Thanks.

Cheers,

В

Ben Ponton | Director-General

Phone 6207 8359

Environment, Planning and Sustainable Development Directorate | ACT Government

Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602 | www.environment.act.gov.au

From: Marcantonio, Laura

Sent: Monday, 30 October 2017 2:45 PM

To: Ponton, Ben; Magee, Alexandra; Sayers, Caroline; Flanery, Fleur

Cc: Ives, Kieran; Croke, Isabella; Vest, Petra

Subject: Final Red Hill Motion - as amended [SEC=UNCLASSIFIED]

Hi all – extracted from Wednesday Minutes of proceedings (link

https://www.parliament.act.gov.au/ data/assets/pdf file/0007/1121659/MOP036.pdf) – the final amended Motion:

[&]quot;That this Assembly:

(1) notes that:

- (a) the Federal Golf Club have flagged their intention to develop retirement living on a section of their existing lease;
- (b) the Federal Golf Club has attempted to redevelop the site on numerous occasions since 1998;
- (c) the Red Hill Open Space area, and the Red Hill Nature Reserve, contain the Federal Golf Club lease as well as a number of large open space blocks in Garran, Hughes and Deakin and some privately owned commercial crown leases in Deakin;
- (d) the Federal Golf Club lies within a bushfire prone area and the land has been assessed as being at high risk to life and property due to bushfires;

- (e) prior to a development application being lodged, the ACT Government established and ran a consultation phase which consisted of three private invitation only meetings;
- (f) a number of community groups have been involved in the Government-run Federal Golf Club Community Panel including:
 - (i) Conservation Council ACT Region;
 - (ii) Deakin Residents Association;
 - (iii) Friends of the Grassland ACT;
 - (iv) Garran and Hughes Residents Action Group;
 - (v) Hughes Residents Association;
 - (vi) Council on the Ageing; and
 - (vii) Red Hill Regenerators;
- (g) no overall planning and direction exists for the whole of the Red Hill Open Space area and developments are assessed on each development's individual merits and not on the benefits to the community as a whole;
- (h) while there is no overarching plan to development in the area, other development applications including at Hughes and Deakin are in the pipeline;
- (i) the Panel has been disbanded by the Government after only three meetings, and a number of issues remain unresolved according to the Community Panel;
- (j) neither the Panel, nor the wider community, have seen any final report summarising the issues and/or actions, and the community concerns raised through the panel process about the serious potential impact that will likely accompany piecemeal development at Red Hill including the current large Federal Golf Club development proposal, have been summarily dismissed by the Environment, Planning and Sustainable Development Directorate; and
- (k) while Panel members lobbied for a master plan for the area, in his presentation of a draft panel report at the meeting, the Deputy Director-General of the Environment, Planning and Sustainable Development Directorate stated that the master planning process "was established to respond to improving the economic and social drivers for the [commercial] centres" and was not the appropriate vehicle for the Red Hill Open Space area; and
- (2) calls on the ACT Government to:
 - (a) not proceed with separate Territory Plan Variations for residential development proposals for Section 66, Kent Street Deakin, the Federal Golf Course and other sites immediately adjacent to Red Hill Nature Reserve; and
 - (b) only proceed with a joint Territory Plan Variation for the sites after completion of an integrated plan for Red Hill Nature Reserve and surrounding residential areas that:
 - (i) includes a detailed environmental plan to protect Red Hill Nature Reserve from the impact of the proposed developments;
 - (ii) addresses the joint transport and amenity impacts of the proposed developments;
 - (iii) includes a detailed investigation of the old Deakin tip site and rules out development in any areas that may be contaminated and unsafe; and
 - (iv) limits development to proposals that have been developed in close consultation with the community and have a reasonable likelihood of majority community support."—

be agreed to—put and passed.

Cheers

Laura

Laura Marcantonio | Senior Manager - Government Services **Phone 02 6207 8263**

Engagement and Executive Support | Environment, Planning and Sustainable Development Directorate | **ACT Government**Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au | www.environment.act.gov.au | www.environment.act.gov.au |

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Woolfenden, Mitchell

From: McKeown, Helen

Sent: Tuesday, 31 October 2017 9:57 AM

To: Sayers, Caroline

Subject: FW: 17/29650 - Ministerial-Information Brief - Legislative Assembly motion about

Territory Plan variations adjoining the Red hill Nature Park (qA690972)

[SEC=UNCLASSIFIED]

Attachments: 17_29650 - Ministerial-Information Brief - Legislative Assembly motion about Territory

Plan variations adjoining the Red hill Nature Park.obr

Importance: High

As discussed

----Original Message-----From: McKeown, Helen

Sent: Monday, 30 October 2017 4:12 PM

To: Lane, Annie <Annie.Lane@act.gov.au>; Iglesias, Daniel <Daniel.Iglesias@act.gov.au>

Subject: FW: 17/29650 - Ministerial-Information Brief - Legislative Assembly motion about Territory Plan variations

adjoining the Red hill Nature Park (qA690972) [SEC=UNCLASSIFIED]

Importance: High

Trish Bootes has amended the document and added some comments. I could see the comments when I open it as read only but not when I opened it in edit mode. I was going to add a comment that the study should also address impacts on the reserve from any upgrades required to Gowrie Drive that may be required to support the new development on the Federal Golf Course

Helen McKeown | Conservator Liaison

Phone 02 6207 2247 |

Environment | Environment and Planning | ACT Government Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

----Original Message-----From: Sayers, Caroline

Sent: Monday, 30 October 2017 12:58 PM

To: Moroney, Anne <Anne.Moroney@act.gov.au>; McKeown, Helen <Helen.McKeown@act.gov.au>

Cc: Kaucz, Alix <Alix.Kaucz@act.gov.au>

Subject: 17/29650 - Ministerial-Information Brief - Legislative Assembly motion about Territory Plan variations

adjoining the Red hill Nature Park (qA690972) [SEC=UNCLASSIFIED]

Importance: High

Hi Helen and Anne,

We have a motion in the Legislative Assembly basically calling for a moratorium on Territory Plan variations for land that adjoins the Canberra Nature Park at Red Hill.

This impacts on the proposed development at the Federal Golf Club (subject of a community panel facilitated by EPSDD) as well as at Deakin section 66 (scoping for a planning report issued in December 2016).

The motion calls for an integrated plan for the Canberra Nature Park at Red Hill and surrounding areas.

Firstly Anne,

Through the course of the community panel proceedings Gary Rake indicated there could be a study by EPSDD (provided the Minister agrees) of the cumulative impacts of multiple development proposals in the area (particularly in relation to traffic). Fleur mentioned that a site specific investigation could be undertaken as part of the review of the ACT Planning Strategy. Accordingly, there are a couple of paragraphs in the attached brief about how and when we may be able to do that investigation. Your comments would be greatly appreciated.

Secondly Helen,

We note that there is a plan of management for the Canberra Nature Park dated 1999. So we have also included a couple questions about the timing of a refresh for that plan, if any?

We are not wedded to these approaches as such, so happy to take advice from either or both of you on any alternatives.

Happy to discuss,

Thanks Caroline

Woolfenden, Mitchell

From: Marcantonio, Laura

Sent: Tuesday, 28 November 2017 2:45 PM

To: Sayers, Caroline

Cc: Wilden, Karen; EPSD Government Services

Subject: Advice re: timing of response to Assembly Resolution - Red Hill/Federal

[SEC=UNCLASSIFIED]

Hi Team,

I understand you are after some advice re: timing for response to the Federal Golf Course (Red Hill) Assembly Resolution. As the resolution does not specify timing for a response, it is open ended. In these cases, direction should be sought from the MO as to when they would like the action undertaken/response provided.

May I suggest it be flagged for discussion/direction at a weekly Minister's meeting.

Happy to discuss.

Cheers

Laura Marcantonio | Senior Manager - Government Services Phone 02 6207 8263

Engagement and Executive Support | Environment, Planning and Sustainable Development Directorate | **ACT Government**Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au |
www.planning.act.gov.au



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Woolfenden, Mitchell

From: Piper, Mayumi

Sent: Friday, 1 December 2017 11:06 AM

Sayers, Caroline To:

Cc: Kaucz, Alix; Moore, AlisonM (ACTPLA)

RE: 17/29650 - Ministerial-Information Brief - Legislative Assembly motion about Territory Subject:

Plan variations adjoining the Red hill Nature Park (qA690972) [SEC=UNCLASSIFIED]

Thanks Caroline. We actually had a WIN News media enquiry on this yesterday. They were doing a story based on Caroline Le Couteur's media release.

I spoke with Minister's media adviser and he said he would let me know if they would issue a media release. Whilst this media conversation continues please progress the brief and I'll let you know if I hear anything more.

If you could indicate this as a media implication in the brief, that would be great.

m

Mayumi Piper | Communications Manager - Planning

Phone 02 6205 3146 | 0402 780 981

Communications | Engagement and Executive Support

Environment, Planning and Sustainable Development Directorate | ACT Government

Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au | www.planning.act.gov.au

For EPSDD media enquiries please call 0401 766 218



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----Original Message----From: Sayers, Caroline

Sent: Friday, 1 December 2017 10:44 AM

To: Piper, Mayumi

Cc: Kaucz, Alix; Moore, AlisonM (ACTPLA)

Subject: 17/29650 - Ministerial-Information Brief - Legislative Assembly motion about Territory Plan variations adjoining the Red hill Nature Park (qA690972) [SEC=UNCLASSIFIED]

Importance: High

Hi Mayumi,

This file has come back down to me for significant review.

Fleur has requested we proceed to the next step and prepare the project outline for the preparation of the 'integrated plan' along with timelines and the like. apparently what we were intended to discuss at our meeting with Alison earlier this week.

I am not sure if this means that the press release is now off the agenda or not.

The intent had always been to put something out there quickly to stem the tide of objection letters. So if it were up to me, I'd still be suggesting the media release go ahead. I am wondering if you should liaise directly with Fleur on this point?

In the meantime, I will have a crack at working up a project outline and timeframes. I will need to run it all past Alison and Alix as well as the Parks and Conservation Service (to dovetail with their review of the Canberra Nature Park plan of management).

I will keep you in the loop.

Thanks for everything on this.

Caroline

Woolfenden, Mitchell

From: Flanery, Fleur

Sent: Friday, 1 December 2017 3:45 PM
To: Sendaba, Bethel; EPSDD DLO

Cc: Kaucz, Alix; Sayers, Caroline; Piper, Mayumi

Subject: RE: Section 66 standard response

Bethel

Thanks.

We're preparing Q &A's for the Red Hill matter ahead of the Min's response to the Assembly in the new year. We'll refresh this statement.

From: Sendaba, Bethel

Sent: Friday, 1 December 2017 3:26 PM

To: EPSDD DLO **Cc:** Flanery, Fleur

Subject: Section 66 standard response

Hi Emma,

In the context of the resolution the below standard response will need to be revised slightly? Can you ask the team.

I understand that the lessees of Section 66 Deakin are considering a proposal to rezone Section 66 Deakin to allow residential development. The process to vary the Territory Plan involves the preparation of a planning report that is required to include details of the community consultation undertaken by the proponent. Once the planning report is received by the Environment, Planning and Sustainable Development Directorate, the request is considered by relevant ACT Government agencies. If the request is supported, a variation to the Territory Plan is prepared, with the process including statutory community consultation. I encourage you to raise any concerns you may have at this stage directly with the proponent for the rezoning, i.e. Purdon Planning, by commenting on their webpage: http://www.purdon.com.au/consultation/4-Section-66-Deakin

If the rezoning application is successful, a subsequent development application may be subject to further prelodgement consultation. A subsequent development application will also be notified in accordance with the requirements of the Planning and Development Act 2007. Notification is typically for 15 days, and involves letters to adjacent property owners, an on-site notice, notification through the EPSDD website, and notification through the DA Finder app. The DA Finder App V2 can be found at:

https://www.planning.act.gov.au/development applications/da finder app

Thanks, Bethel

Woolfenden, Mitchell

From: Piper, Mayumi

Sent: Tuesday, 5 December 2017 12:58 PM

To: Sayers, Caroline Cc: Kaucz, Alix

Subject: RE: 17/29650 - Ministerial-Information Brief - Legislative Assembly resolution about

Territory Plan variations adjoining the Red Hill Nature Park (qA690972)

[SEC=UNCLASSIFIED]

Thanks Caroline. Looks good. I spoke with Min's office and it's ok not to include a media release with the brief. I think the media implications part of the brief explains it well.

I agreed with minister's media adviser that he will let me know if he wants a media release.

m

-----Original Message-----From: Sayers, Caroline

Sent: Tuesday, 5 December 2017 12:22 PM

To: Piper, Mayumi Cc: Kaucz, Alix

Subject: 17/29650 - Ministerial-Information Brief - Legislative Assembly resolution about Territory Plan variations

adjoining the Red Hill Nature Park (qA690972) [SEC=UNCLASSIFIED]

Importance: High

Hi Mayumi,

This one came back down to me to draft some Ministerial letters. I also did the Q&A as discussed with Alix.

The press release is now the only remaining item.

The file is with Fleur for sign off and sending up the line. I explained that we often let the press release make its own way up to join the file at Govt Services, so she may ask to review it beforehand.

Thanks Caroline

Woolfenden, Mitchell

From: Jurcevic, Suzanne

Sent: Tuesday, 5 December 2017 4:06 PM

To: Sayers, Caroline

Subject: RE: amendments to Red Hill project outline [SEC=UNCLASSIFIED]

Hi Caroline,

I've highlighted my suggested changes in red, based on the feedback from Fleur. She thought that the tasks were useful for internal purposes but that it might be too much info for the Minister so I've strikethroughed them.

Can you please check that I've reflected the process correctly – happy for you to correct where I've misunderstood. In particular, is the July for Ministerial consideration and tabling in the Assembly consistent with previous timing?

Thanks,

Suzanne Jurcevic

Phone: 02 6207 3317 | Email: Suzanne.Jurcevic@act.gov.au

Planning Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Sayers, Caroline

Sent: Tuesday, 5 December 2017 3:44 PM

To: Jurcevic, Suzanne < Suzanne. Jurcevic@act.gov.au>

Subject: amendments to Red Hill project outline [SEC=UNCLASSIFIED]

Importance: High

Hi,

I think this might be closer to the mark. Let me know your thoughts.

Thanks Caroline

Draft project outline for an integrated plan for Red Hill Nature Park and surrounds

December 2017

The integrated plan for the Red Hill Nature Park and surrounds identified in Figure 1, is to include the following parts to be prepared generally in accordance within the time frames identified:

Item		Timeframe	Task
disc Fed	e-consultation cussions with deral Golf Course d Deakin Section 66	December 2017	Meeting between Directorate and proponents to confirm agreement to option 2 and to discuss timeframes for pre-consultation in relation to: The DA for the deconcessionalisation of the Federal Golf Club lease; and The preparation of the planning report for the Deakin Section 66 Territory Plan variation proposal.

В.	Advise the Federal Golf Club Community Panel meeting of the integrated plan process	December 2017	Advise Community Panel members of the integrated plan process.
C.	Scoping and identification of key issues to be addressed by the integrated plan	January 2018	Background to the integrated plan Strategic Planning Policy context Literature review Gap analysis
D.	Technical investigations and preparation of draft integrated plan	February – April 2018	Undertake any additional investigations and assessments identified in the gap analysis.
E.	- Draft Report	February April	Preparation of the Draft Report for public release for consultation
F.	Community consultation of draft report	April – May 2018	Six week consultation period to be subject of a detailed consultation strategy including: - Public notification - Targeted consultation with key stakeholder groups - Drop in sessions at surrounding commercial centres
G.	EPSDD finalisation of integrated plan based on outcomes of community consultation	May – June 2018	Revise the draft plan in response to matters raised in public submissions
H.	Ministerial consideration of integrated plan and community consultation report	July 2018	
I.	Release of the community consultation report	July 2018	
J.	Tabling of the integrated plan in the Legislative Assembly	July 2018	Table the plan in the Legislative Assembly

Caroline Sayers | Territory Plan Section

Phone 02 6207 1719

Planning Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au



MINISTERIAL BRIEF

То:	Minister for Planning and Land Management	Tracking No.: 17/29650 DEC 2017 Rec'd Minister's Office//
From:	Director-General Deputy Director-General Executive Director, Planning Policy (S(12)17)	117
Subject:	Legislative Assembly resolution about Territory Pl Canberra Nature Park at Red Hill	an variations adjoining the
Critical Date:	As soon as possible	
Critical Reason:	To provide you with information about the Direct Resolution at Red Hill in preparation of anticipate interest.	

Purpose

To provide you with options in response to the resolution of the Legislative Assembly of 25 October 2017, about Territory Plan variations adjoining the Canberra Nature Park at Red Hill and; to provide you with correspondence to stakeholders including the development proponents.

Recommendations

That you:

Note the information contained in this brief including the draft scope and timeframes for project completion at Attachment A and the letter to the panel members at Attachment B;

Noted / Please Discuss

Agree to option 2;

Agreed / Not Agreed / Please Discuss

3. Sign the attached letters to the proponents of Deakin Section 66 and the Federal Golf Club at Attachment C.

Sign/ Not Signed / Please Discuss

Mick Gentleman MLA Minister for Planning and Land Management 9.../.../...

Minister's Office Feedback

Background

- A resolution was passed in the Legislative Assembly on 25 October 2017 that agreed to delay Territory Plan variations which share a boundary with the Canberra Nature Park at Red Hill, until an integrated plan for the area has been prepared. The resolution is at <u>Attachment D</u>.
- 2. The resolution is open ended in that it does not specify a response timeframe. The draft timeframes identified in the project outline at <u>Attachment A</u> identifies a potential tabling timeframe for the final plan as July 2018.
- 3. The intent of the resolution is to better manage the Nature Park, and to protect it and surrounding residential areas from the impacts of opportunistic development. A location map of area for the Plan including Canberra Nature Park at Red Hill and surrounds is provided at Attachment A, Figure 1.
- 4. The resolution is a response to outcomes from cumulative proposals to develop specific blocks adjacent to Red Hill Nature Reserve and unresolved outcomes stemming from a community panel process focusing on Federal Golf Club's development proposal.
- 5. Two petitions No.28-17 and 29-17 requesting strategic planning for the Red Hill Nature Reserve and surrounds were lodged with the Clerk of the Legislative Assembly by Ms Le Couteur MLA on 30 November 2017. The petitions have more than 3000 signatures, which means they have also been sent to the Standing Committee on Planning and Urban Renewal. A response is currently being prepared in relation to the petitions for your consideration early in 2018.
- 6. There are no current planning studies underway for the Red Hill area. The area was not identified in the current ACT Planning Strategy, nor Territory Plan as an area of specific focus for the government. This means that a response to the resolution requires the majority of the planning studies to be undertaken.
- 7. There are two active development proposals in the study area that are impacted by the resolution which include a proposal to redevelop parts of the Federal Golf Club and, Section 66, at Kent Street in Deakin, owned by Hindmarsh as outlined below.

Federal Golf Course

- 8. The proponents for Federal are keen to progress their proposal to construct a low scale development targeting the over 55 year olds, including 125 independent living units up to 3 storeys in height, with a maximum of 350 bedrooms. This development is to be located within the centre of the existing golf course and focused around the club house. The proposal also includes returning 10 to 12 ha of land to the adjoining Nature Reserve.
- 9. To achieve their vision they will need to deconcessionalise their lease and seek a Territory Plan Variation.

- 10. The proponent has arranged a community pre-consultation drop in sessions on the 6 and 7 December 2017 seeking broader community views on the redevelopment proposal. A summary of their initial consultation is at Attachment E.
- 11. EPSDD have advised advisor to Federal, that pre consultation may be premature ahead of the outcomes of the resolution but they have noted their desire to proceed.
- 12. A summary of the Federal Golf Club community panel meetings which were held between August and October 2017 is provided at <u>Attachment F</u>.
- 13. A summary of their current development proposal is at <u>Attachment G</u> and history of previous development proposals is at <u>Attachment H</u>.

Deakin Section 66 (Kent Street)

- 14. The lessee for this site is Hindmarsh. You are meeting with them and the Property Council on 12 December 2017. A separate meeting brief has been prepared about this meeting is at 17/32682.
- 15. A scope for a planning report was issued to the proponent in December 2016 for their proposal to rezone the site to CZ5 mixed use development as noted in <u>Attachment I.</u> The proposal is primarily for residential purposes. However, it is also proposed to retain and expand the existing no retail commercial uses on the site.
- 16. It is understood that the proponent has recently commenced preliminary community consultation and recent media coverage indicates there is an old landfill site at this location. The planning report will be required to address any contamination issues and it is anticipated that contamination is likely to be a key consideration for the proponent. The project is still in its formative stages and no decisions have yet been made on the project.

Response to the Resolution

- 17. In response to the resolution, and as part of planning for the future of the area, an integrated approach that brings together key stakeholders is required. This includes the National Capital Authority, as it has jurisdiction over the Canberra Nature Park at Red Hill and EPSDD Parks and Conservation Service, through its administrative responsibilities for the Canberra Nature Park which are set out in the Plan of Management. In this respect, a new draft plan of management is being prepared and is likely to be released for public comment early in 2018.
- 18. The planning studies required to address the resolution could be undertaken as either work fully commissioned by the Directorate (option 1), or partially undertaken by the Directorate and partially undertaken by the developers (option 2).
- 19. Our recommendation is for option 2, where EPSDD prepare an overarching project plan and utilise the outcomes of the studies and investigations that are currently underway by the proponents and the review of the plan of management for the Canberra Nature Park.

- 20. This is the preferred option as it enables a more rapid response as the planning studies can be undertaken concurrently within a coordinated framework managed by EPSDD. It has cost efficiencies, as the proponents are paying for specific planning studies and EPSDD can direct its resoures to targeted studies looking at the cumulative impacts of the developments on the Red Hill Nature Park and surrounds.
- 21. Option 2 does have some risks as the some community members may feel that the proponents should not be able to do any consultation ahead of the Government's response to the resolution. The community may also be concerned about the objectivity and value of the planning reports which are undertaken by the prononents. To address community concerns, letters have been prepared for the panel members for Federal from the Directorate that confirms the approach to the planning study. A sample of the letter is at Attachment B.
- 22. Meetings are being arranged between the Directorate and the proponents to confirm the approach. Correspondence has been prepared for your signature, to inform the proponent's of the approach and agree on indicative timeframe. The letters are at Attachment C.
- 23. To address these concerns, a communications media plan is being developed that proactively informs the community about the next steps and clarifies the role of the proponents in continuing their pre-consultation activities.

Scope of Integrated Plan

- 24. The draft scope for the project at Attachment A acknowledges that a range of current reports and investigations are available to inform the preparation of the plan. This is in addition to the EIS that would likely be triggered by both the Federal Golf Club and Deakin Section 66 proposals (Attachments J and I). Given the ecological values on each site, it is also likely that the proposals will need to be referred to the Commonwealth Government under the Environment Protection and Biodiversity Conservation Act.
- 25. The draft scope proposes to use a desk top analysis of the various studies as well as a gap analysis to identify where additional research may be warranted. The additional research is likely to include studies to assess the cumulative analysis on traffic analysis, residential amenity, impact on the environment and early infrastructure investigations. Other investigations may be identified through the gap analysis.

Community awareness for development proposals

- 26. The statutory and non-statutory processes for consultation are extensive.
- 27. A communications plan will be developed in conjunction with the stages of the investigation and this plan will be provided to your office in a further briefing. Ahead of the communication plan, a question time brief and question and answers for this first response has been prepared in <u>Attachment K</u>.

28. Given the level of public interest in this matter, exhibited through the petitions, a draft letter has been prepared for you to inform the various MLAs of the current status of the integrated plan and the two development proposals, should you choose. Attachment L refers.

Financial Implications

- 29. The new draft plan of management for the Canberra Nature Park is being funded by operational budgets but does not include any investigations or management of lands external to the nature park.
- 30. Existing resources within EPSDD will be utilised to undertake the planning study as the project has no specific or additional funding. This will involve staff being diverted from other project work planned for 2018. This approach supports the recommendation for option 2 (utilise planning studies from proponents) as extensive environmental reports will be required from specialist providers, particularly for the site at Section 66 which potentially contains contaminated material. EPSDD personnel have the appropriate skills to undertake the desktop analysis work and review the planning reports. However, additional technical reports will be required including the traffic modelling and containmination studies.

Consultation

<u>Internal</u>

31. Internal and cross directorate consultation on the two proposals has been undertaken (Attachments I and J).

Cross Directorate

32. As above.

External

- 33. The Federal Golf Club community panel process has involved a broad range of community groups the outcomes of which are available on the EPSDD website (Attachment F).
- 34. It is understood that the proponent of Deakin Section 66 has recently commenced preliminary community consultation as required in the scope for the planning report.

Benefits/Sensitivities

35. Noted within the brief.

Media Implications

- 36. Strong media interest has been present for this subject matter. The resolution from 25 October resulted in a Canberra Times article 'Fiery debate in ACT Legislative Assembly over controversial Red Hill plans'.
- 37. The suggested approach is be proactive with communication. ESPDD Communications and the Territory Plan branch will work closely with your media adviser to ensure you are well prepared for any media enquiries.

Signatory Name:

Alix Kaucz

Phone:

6205 0864

Action Officer:

Caroline Sayers

Phone:

6207 1719

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To Federal Golf Club Community Panel Members Address

Dear

An integrated plan for the Red Hill Nature Reserve and surrounds

The Legislative Assembly passed a resolution on 25 October 2017 that halts Territory Plan variations which share a boundary with the Canberra Nature Park at Red Hill until an integrated plan for the area has been prepared.

This resolution essentially supersedes the work of the Federal Golf Club Community Panel. It also halts any Territory Plan variations which share a boundary with the Canberra Nature Park at Red Hill until an integrated plan for the area has been prepared.

The work you have undertaken and the issues you have raised through the community panel will be considered as part of the broader integrated planning process. While the detailed scope of the integrated plan is still being developed, I anticipate that a draft document will be ready for public consultation in the second half of 2018.

Your organisations continued interest in this planning process is encouraged and I would welcome your comments during the consultation stages of the plan's preparation. I would also like to take the opportunity to thank you for your participation and input in the deliberations of the community panel.

Information on the plan's preparation will be placed on the Directorate website: http://www.planning.act.gov.au. As a panel member you will also be contacted directly about key stages in the consultation process.

Ben Ponton
Director General

December 2017

Letters to go to the following:

Organisation	Representative
Inner South Canberra Community Council	
Woden Valley Community Council	
Hughes Residents Group	
Red Hill Regenerators	
Friends of Grassland	
Deakin Residents Association	
Garran and Hughes Residents Action Group	
Little Gudgenby River Tribal Council	
National Capital Authority	
ACT Government Architect	
Council of the Ageing	
Canberra Business Chamber	1
Conservation Council ACT Region	



Mick Gentleman MLA



Member for Brindabella

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

Hindmarsh Group

CC: Purdons planning

Dear

The Legislative Assembly passed a resolution on 25 October 2017 which has implications for your development proposal at Deakin section 66 on Kent Street and for the Federal Golf Club. The resolution halts any Territory Plan variations which share a boundary with the Canberra Nature Park at Red Hill (such as Deakin section 66) until an integrated plan for the area has been prepared. In this regard, I am seeking your views for the approach to the development of the planning study.

To manage the resolution in a timely and coordinated manner, I have requested the Environment, Planning and Sustainable Development Directorate (EPSDD) prepare a scope for a planning study that addresses the resolution. In this regard, I have requested the Directorate to utilise studies that have been or will be prepared by Hindmarsh and Federal and undertake additional work that assesses the validity of the planning reports (noted above) and the cumulative effects of these developments on the area.

This approach reduces duplication by ensuring work already commissioned and completed is utilised. It also enables EPSDD to focus their work on the cumulative impacts of the developments and addresses the resolution in a timely manner with key stakeholders working together.

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601, Australia Phone +61 2 6205 0218 GPO Box 1020, Canberra ACT 2601, Australia Email gentleman@act.gov.au









In this respect, I am advised a meeting is being arranged with representatives from Hindmarsh, Federal Golf Club and the Directorate to confirm the approach to the study, timeframes and community consultation considerations.

I look forward to your participation in this work.

Yours sincerely

Mick Gentleman MLA Minister for Planning and Land Management

14/198

Mick Gentleman MLA





Member for Brindabella

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

Federal Golf Club	
CC:	1
Dear	

Thank you for your letter of 17 November 2017 to a number of Members of the Legislative Assembly including the Chief Minister Andrew Barr MLA, about the proposed over 55s residential development at the Federal Golf Club. I also thank you for your offer of assistance to address the matters identified in the resolution of the Legislative Assembly of 25 October 2017. I am seeking your views for the approach to the development of the planning study.

To manage the resolution in a timely and coordinated manner, I have requested the Environment, Planning and Sustainable Development Directorate (EPSDD) prepare a scope for a planning study that addresses the resolution. In this regard, I have requested the Directorate to utilise studies that have been or will be prepared by Hindmarsh and Federal and undertake additional work that assesses the validity of the planning reports (noted above) and the cumulative effects of these developments on the area.

This approach reduces duplication by ensuring work already commissioned and completed is utilised. It also enables EPSDD to focus their work on the cumulative impacts of the developments and addresses the resolution in a timely manner with key stakeholders working together.

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601, Australia Phone +61 2 6205 0218 GPO Box 1020, Canberra ACT 2601, Australia Email gentleman@act.gov.au









In this respect, I am advised a meeting is being arranged with representatives from Hindmarsh, Federal Golf Club and the Directorate to confirm the approach to the study, timeframes and community consultation considerations.

I look forward to your participation in this work.

Yours sincerely

Mick Gentleman MLA

Minister for Planning and Land Management

18/1/18

ACTIVE & CONNECTED

FEDERAL GOLF CLUE

Over 55's Active and Connected Living.

Federal Golf Club and Mbark invite you to view a proposal for Over 55s homes at the Federal Golf Club.

After 2 years of key stakeholder engagement we're inviting you to tell us what you think of the proposal and its future development.





Three drop-in sessions will be held with knowledgeable staff to answer your questions and discuss your views.

Come to the Hughes Community Centre, 2 Wisdom Street, Hughes

Wednesday 6/12/17

Session 1 10.00am-12 noon

Session 2 5.30pm-8.00pm

Thursday 7/12/17

Session 3 1.00pm-3.00pm

Take a look at the website www.activeandconnected.com.au and contact Tania Parkes at federal@taniaparkes.com.au or on 1800 172 173 (free call, mobile charges may apply) if you need any information.



17th November 2017

Dear Minister Gentleman,

I am writing about the Federal Golf Club's desire to host an integrated over 55's village as part of the Club on land currently occupied by the Club.

The recent motion that was passed in the Assembly relating to the Red Hill Open Space and Red Hill Nature Reserve precinct is something we would like to acknowledge and offer our assistance in resolving the necessary details and work to be done to ensure the MLA's and the community are comfortable in how things move forward.

Along with our specialist partner Mbark, who own and operate the award winning 'The Arbour, Berry' and Wivenhoe Villages in NSW, we have been evolving our plans to deliver an active and connected community that will provide housing choice and an ability for seniors to remain close to friends, services, family and networks in their community.

The need for the Club to pursue income diversification strategies and to replace aged infrastructure, specifically pertaining to water use and targeting water self-sufficiency, remains vital to the Club's future and sustainability.

The over 55's active and connected village will achieve the Club's needs in both the short and long term sustained by a new ongoing revenue stream, and also appeals to the Club and its Members due to its compatibility with the community and healthy lifestyle ethos that underpins the Club and its activities.

The integration of a village into the Club in a geographical and social sense is helped by the highly compatible low impact and low intensity nature of the village activities and the significant shortage of age appropriate housing choice in the area. The clear alignment that exists with the current ACT housing strategy is something we had strongly considered to ensure we were delivering what the community needs or will need in the future.

The Club has been a significant stakeholder in the Red Hill area since 1949 and through the work we are performing we have increased awareness of the things we can do to lessen and mitigate impacts our activities may have on what is a fantastic community asset. Our proposal will address those improvements and additionally, we are committed to transferring approximately 12 Ha of land that is currently part of the Club's lease into an expansion of the Red Hill Reserve.

The consultations that we have been undertaking over the last 2 years have had a very strong environmental focus due to our belief in the importance of the Red Hill Nature

Reserve. We are thankful to and the Red Hill Regenerators for the considerable time they have spent with us. What this time has achieved is a proposal that we believe has incredibly strong environmental characteristics and minimal impacts. We believe the proposed environmental plan to protect Red Hill Reserve will recognise this following evaluation.

To assist with the evaluation of impacts, we have a substantial amount of information derived from our consultations and work over the past years and would welcome the opportunity to contribute to any work the Government intends to undertake reviewing the requirements of the motion.

We would like to bring certainty to what it is that we are proposing so that any impacts can be accurately determined and evaluated, enabling the ACT Government and the community to have confidence that any proposals moving forward have provided clear details about what they will be and what they will deliver, including the commitments and undertakings being made as part of the proposals.

Having recently participated in, and more importantly listened to, a Community Panel convened as part of the ACT Government's consultation process, we are nearly in a position to provide the ACT Government with this certainty about what is intended at Federal. There is however one more very important step that we plan to take as part of our proposal's development and that is speaking to the broader community and listening to what they have to say.

Following this further feedback from the community, we will be in a position to make any additional modifications to our proposal, if required, and provide the necessary details for a complete and clear evaluation of the proposal and any direct or cumulative impacts it may contribute to.

We will be speaking with the community and seeking their feedback on December 6 and 7, providing morning, lunch time and late afternoon options to capture as many people's views as we can. Please be assured that we remain very genuine in our consultation and the proposal has changed substantially from our early thinking as a result of it.

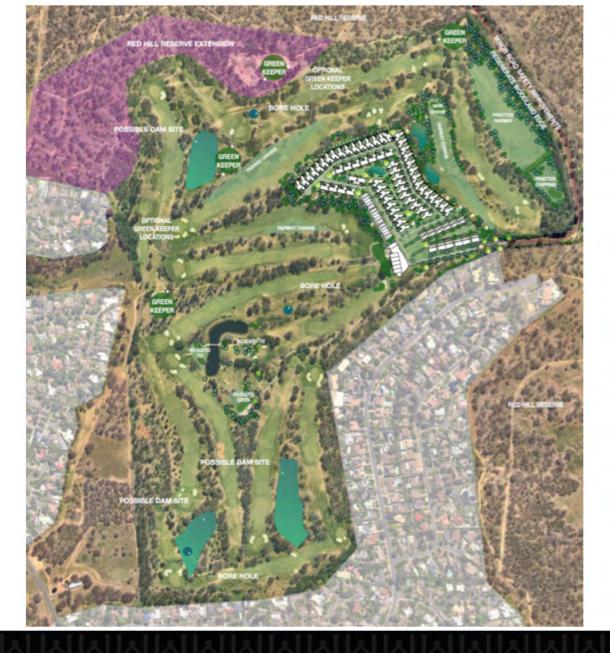
Our specialist village operating partner, Mbark, has shared the Club's desire to be responsive to consultation feedback. They have subordinated commercial outcomes in favour of responses to feedback received. As with any proposal however, not everyone can be turned into a supporter but this is not through lack of trying. Whilst it would be nice to be able to deliver social infrastructure like that being proposed with unanimous support, Mbark holds its mission (which is to ensure people are not subjected to rapid health decline arising from dislocation from their communities) as something that requires equivalent advocacy and standing in the debate.

All too often we see this under represented demographic pushed away from their networks in search of under supplied, age-appropriate accommodation and services. At Federal, we have a real opportunity to change that and create a village that sets an example in prioritising the needs of our local ageing community members and equally

• • •		ed and how consultation has shaped a	ın
	vw.activeandconnecte	ed.com.au if you have the opportunity	
Yours sincerely			
	improved outcome for the We would be delighted to Please visit our website wv contact me on briefing.	improved outcome for the community. We would be delighted to provide you with any to Please visit our website www.activeandconnecte contact me on to discuss any detail briefing.	We would be delighted to provide you with any further information you may require. Please visit our website www.activeandconnected.com.au if you have the opportunity contact me on to discuss any details of the proposal or to arrange a dire briefing.



Proposed Master Plan





Item	Commitments and approach	
FGC long term financial viability	We will maintain a transaction structure outlined during Community Panel meetings that supports the long term financial viability of FGC. This structure will be independently reviewed and an independent opinion given that the structure contributes to this outcome.	
View analysis	Commitment to include with the application appropriate renders showing perspectives of the proposal from multiple view points. Specifically this would include Brereton Street residences and Red Hill Lookout.	



Item	Commitments and approach
Future development restricted	Commitment in writing FGC's acceptance of no future development of the site beyond this proposal.
	Only the area required for the village development will be deconcessionalised and a Territory Plan Amendment sought.
	We will commit to the land use as proposed in the plans discussed during the Panel meetings which restrict future development on any part of the site.
	Commitment to adjustment of FGC boundary area resulting in significant additions to the Red Hill Reserve area.



Item	Commitments and approach
Water	Commitment to deal with the issue upfront and include the upgraded irrigation system as part of Stage 1 works within the application, requiring completion before further works can continue.
	Commitment to integrate the village stormwater into the FGC storage and needs.
	Commitment to maintain (or improve) pre development hydrology conditions post development.
	Commitment to required on course storage capacity of 40ML and target zero potable water usage.



Item	Commitments and approach	
Environmental	Commitment to the boundary adjustment that extends the Red Hill Reserve as outlined above resulting in material environmental and community benefits. Commitment to maintain the current proposed development footprint which avoids bushfire management / fire mitigation works near the Red Hill Reserve boundary. Commitment to mitigate and manage impacts of infrastructure design and construction methodology consulting RHR (and other relevant Community Groups).	
Bushfire	Application to contain improvements / upgrade to existing emergency egress point at the end of Brereton Street	
Traffic	Commitment to use localised content in the traffic assessment and consider the cumulative traffic impacts of other known developments in the area.	



Item	Commitments and approach
Access - Vehicle	Commitment to the application containing no through road connections with Brereton Street and preserving the current vehicle access arrangements. Commitment to include intersection and vehicle access arrangements in proposal that address the safety concerns for vehicles, pedestrians and cyclists.
Access - Community	Commitment that there will be no restrictive changes to the current public access of the FGC lease area.
Scale and design	Commitment to not more than 125 independent living homes and not more than 350 bedrooms. Commitment to maintain a majority of single storey homes and not more than 3 storey with this density to be contained in a centralised area as presented to the Panel.



Item	Commitments and approach
Sustainability	Commitment to minimise FGC reliance on potable water using a comprehensive and integrated water design, storage and distribution network across the site.
	Commitment to meet and exceed ACT government statutory requirements for the village proposal including electronic village transport. Commitment to minimise carbon footprint of club and village
	operations by targeting an 'off grid' electricity network.
Landscape	Commitment to consult with RHR (and other relevant community groups) through development of landscaping strategy.
	Commitment to no net tree losses on site and species improvement in replacement program.

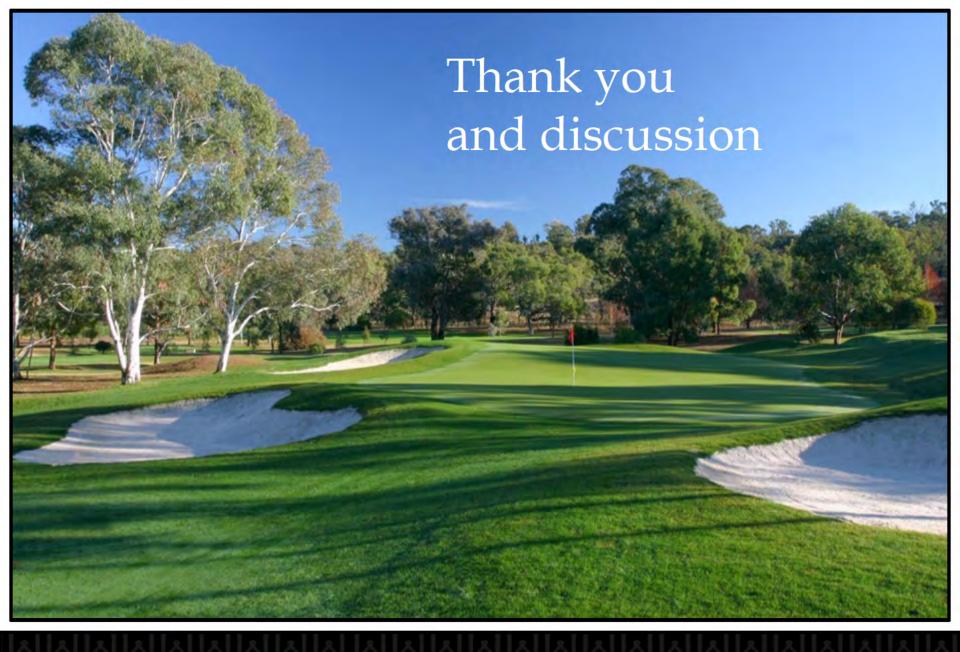


Item	Commitments and approach
Village rules	Commitment to lodge a copy of the proposed village rules with the application that specifically address the items where the village rules will be used as a tool in the ongoing regulation. These would include the prohibition of cats in the village and the control of landscaping areas, species and palettes for example.











Scope for a Planning Report

To inform a proposed Territory Plan variation for blocks 2, 6, 7 and 8 section 66, block 13 section 78 Deakin and adjoining Hampden Place road reserve, all zoned TSZ2 Services zone. The proposal is to rezone the subject blocks and road reserve to CZ5 Mixed Use zone, and amend the Deakin precinct map and code to:

- 1. extend the existing RC2, PD3 and MT2 provisions in the Deakin Precinct Map to include blocks 2 and 6 section 66;
- 2. introduce a new RC4 area into the precinct map covering blocks 7 and 8 section 66 and block 13 section 78; and
- 3. introduce new planning provisions over blocks 2, 6, 7 and 8 into the precinct code to specify building heights up to six storeys, and limit SHOP to 250m² on blocks 7 and 8 section 66 and block 13 section 78.

A planning report is prepared to provide the information necessary to inform consideration by the planning and land authority, within the Environment, Planning and Sustainable Development Directorate, on preparing a Territory Plan variation (refer to Part 5.6 of the *Planning and Development Act 2007*.

The planning report is to respond to each of the following parts:

A. Executive summary

B. Description of the proposed Territory Plan variation

- This section must provide a comprehensive description of the site and the full proposal, including current planning policy, the intended development and use, and all proposed changes to the Territory Plan.
- Clarify the proposed use/uses considering Territory Plan defined terms.
- Suitable justification for the proposed zoning with consideration of the benefits/negatives of alternate zoning, such as CZ2 which is widely used.
- consideration of the removal of TSZ2 zoning and potential impact on the wider community, particularly if the broader extent of this zoning is already limited.

C. Justification for the planning policy changes

- This section must provide an assessment of the opportunity cost of the proposed change, and discussion of changes in the economic, social, natural and physical environment that necessitate the change.
- access to services for future residents and other users of the site, and connections/interactions with surrounding land uses.

D. Strategic planning policy context

 This section must provide a discussion of proposed planning policy change and proposed use/development in the context of the ACT's planning framework and strategic planning policy, and identification of any associated changes, e.g. an amendment to the National Capital Plan or public land register.

E. Preliminary consultation

Community consultation with affected communities and interested members of the general public on the proposal is required. At a minimum, consultation should include holding at least one public meeting/public discussion session that is widely advertised including The Canberra Times and The Chronicle. This part is to include a report on consultation that

- provide details of consultation undertaken e.g. notifications, formal presentations, sessions, number of attendees and copies of relevant correspondence;
- list of all issues raised in consultation, outcomes, etc; and
- responds to issues raised, including any changes to the proposal as a result of consultation.

F. Impact assessment

This section must include a discussion of both the suitability and capability of the land for the proposed use/development with a clear conclusion, plus discussion of potential (positive and negative) impacts on the social, physical and natural environment if the land is developed to its full capacity as proposed.

An assessment of potential impacts of the proposal must address:

- 1. a visual assessment of the potential impact of the proposed development on the streetscape and adjoining buildings
- 2. ecological value assessment:

The area covered by the proposal contains a number of ecological values that require further consideration in the planning report.

These include:

- Box Gum Woodland EEC. Woodlands that meet either *Environment Protection and Biodiversity Conservation Act 1999* (C'wlth) or Nature Conservation Act criteria as endangered ecological communities have been mapped on blocks 7 and 8. The endangered ecological community also occurs in the adjacent Nature Reserve areas. Site surveys will be required to determine the condition and extent of the EEC on these blocks and the adjacent reserve, and the planning report should include details on how the development will avoid impacts on this community.
- Woodland Connectivity. Block 7 has high to medium value for local woodland linkages, the proposal area also lies at the end of a regional link running east west in the Nature Reserve. The planning report must address the possible impacts of the proposal on this connectivity and suitable avoidance or mitigation measures.
- the Speckled Warbler, a declining woodland bird, has been recorded within 500
 metres of the proposed development area and the site potentially contains habitat for
 this species. The planning report must assess how much Speckled Warbler habitat is
 on the development site and how this may be conserved.

• Red Hill Nature Reserve. The proposal is bordered to the north and east by Red Hill Nature Reserve, much of which supports Box Gum Woodland Endangered Ecological Community (EEC). The request for a scoping document makes reference to a 10 m strip of land to be managed by PCS for fire mitigation purposes. The support for this option was issued by PCS in 2005 and is no longer valid. A detailed bushfire mitigation report will be required and the planning report must display how recommendation from the bushfire mitigation report will be implemented on the development site.

Fire management zones and requirements generated by the proposal will not be applied within the reserve. The report also mentions the need to realign an existing open swale drain from the centre of the site to the northern boundary. The new drain will have to be engineered. The planning report must address how the drain can be relocated to ensure there is no impact on the Nature Reserve or Box Gum Woodland EEC.

Habitat trees. The report indicates that the area supports 138 trees. Large trees can
provide habitat for a number of native fauna species, of particular importance are
large trees with a dbh of greater than 100cm or trees that contain hollows. The
planning report must identify habitat trees and address how these trees will be
retained in the development.

3. Heritage inspection:

A heritage inspection of Section 66, Deakin, should be undertaken by a qualified archaeologist and Representative Aboriginal Organisations (RAOs);

Should the heritage inspection identify heritage places or objects, a 'cultural heritage assessment' should be prepared in consultation with RAOs. This assessment should be prepared in accordance with Council's 'Cultural Heritage Assessment Reporting Policy' (1 July 2015), and be submitted to the Council for endorsement; and

The outcomes of the heritage inspection, and any cultural heritage assessment undertaken, should inform the planning report; which should describe any heritage values of the place, how these may be impacted by possible development; and what heritage conservation or impact mitigation outcomes may be proposed in response.

4. Contamination:

Prior to the site being rezoned, an environmental assessment in accordance with EPA Information Sheet 7 and EPA endorsed guidelines must be undertaken by a suitably qualified environmental consultant to determine whether past activities have impacted the site from a contamination perspective and to determine whether the site is suitable for the proposed uses. The assessment report must be reviewed and endorsed by the EPA prior to the site being used for other purposes.

- 5. Concerns raised previously that require suitable response/justification:
 - i. Potential for the proposal to create an isolated pocket of residential land with an unsatisfactory interface to the adjoining Defence building.
 - ii. Limited frontage to Kent Street, steep embankments on the eastern and southern boundaries, average slope of 10% and cross fall of 18m from the highest point to the west and north-west.

- iii. The mass of Defence building (24m high, 3-storeys, 110m long with no windows) gives no views past Defence building on the west. No visual relationship with the access from Kent Street.
- iv. The uncertainty about development intentions of the adjoining lessees.
- v. The noise impact from the air conditioning plant from the Defence building.
- vi. Approximately 2.500m² waste fill on the site requires remedial work.
- vii. Bushfire protection requires additional Asset Protection Zone within the lease boundary.



Q and As Integrated Plan for the Red Hill Nature Park and Surrounds

How did the integrated plan come about?

The Legislative Assembly passed a resolution on 25 October 2017 to place a moratorium on Territory
Plan variations on land adjoining the nature park until the completion of an integrated plan for the
Nature Park and surrounds. The resolution was primarily in response to community concerns about the
impacts of development on the Canberra Nature Park at Red Hill.

Why is the integrated plan needed?

- There are a number of driving forces that led to the Legislative Assembly resolution:
 - Community and environmental groups have raised concerns about the degradation of the Canberra Nature Park at Red Hill both in terms of management within the park boundaries, as well as impacts of development adjoining the park.
 - Through the course of pre consultation in relation to the proposed Territory Plan variation for Deakin Section 66, community and environmental groups have raised concerns about: the location and potential contamination issues surrounding the old Deakin tip; the appropriateness of residential development in this location; potential impacts on residential amenity; increased traffic volumes in the local road network; and implications for ecological values on the site as well as impacts on the adjoining nature reserve.
 - o The community panel for the proposed Territory Plan variation for the Federal Golf Club raised similar concerns to those raised for Deakin Section 66, but also raised additional issues about the potential cumulative impacts of developments in the Red Hill/Deakin area.
- There are a number of ways the community concerns can be addressed. This includes assessing the
 impacts of development through the statutory Territory Plan variation processes and environmental
 impact assessment as part of development applications. In some instances in the past, there has been
 inquiries through Legislative Assembly Standing Committee processes. In this instance, the Legislative
 Assembly has opted for the integrated plan approach.

What will the integrated plan include?

The integrated plan will coordinate all of the following:

- The current review of the plan of management for the Canberra Nature Park at Red Hill. This is a key element in addressing the community concerns about land degradation within the park.
- The plan will also consider the findings of the investigations that have been prepared by the proponents of Deakin Section 66 and the Federal Golf Club development proposals. This will provide essential information on the potential impacts of the two development proposals both on the Canberra Nature Park and the broader surrounding areas of Red Hill and Deakin respectively.
- Finally the plan will involve a number of other separate investigations to be identified through a gap analysis. This will essentially relate to assessing the cumulative impacts of development throughout

the broader Red Hill area. These studies are likely to relate to traffic analysis and residential amenity, but may also include other issues identified in the gap analysis.

Will the community be able to comment on the draft integrated plan?

- A minimum six week community consultation period is planned. This will provide the various community and environmental groups, key stakeholders and the general public with the opportunity to comment on the draft plan.
- Regardless, a report on consultation will be prepared and made publicly available. It will respond to all issues raised in the submissions.

What status will the integrated plan have?

The Integrated Plan will be tabled in the Legislative Assembly for endorsement. The key elements and
recommendations of the Plan will then be implemented through a range of existing statutory
mechanisms. This would include the plan of management for the Canberra Nature Park at Red Hill. It
could also include a Territory Plan variation in relation to the Red Hill area.

What will happen to the development proposals at Deakin section 66 and at the Federal Golf Club?

- The resolution of the Legislative Assembly has placed a moratorium on all Territory Plan variations on land that adjoins the Canberra Nature Park at Red Hill. This means these two development proposals are on hold until the integrated plan is endorsed by the Legislative Assembly.
- The proponents can still progress any related development applications that are not dependent on a variation to the Territory Plan. In this regard, the Federal Golf Club has announced its intention to apply to deconcessionalise the lease for the land subject of its development proposal. In this regard, I would encourage the community to review this development application and submit any comments they consider relevant. The development application (DA) Finder App V2 can be found at: https://www.planning.act.gov.au/development applications/da finder app.
- Once the integrated plan has been endorsed, the proponents can proceed with their respective
 Territory Plan variation applications. They are still bound by all the same statutory requirements for all
 Territory Plan variations. The proposals will also be assessed in the context of the integrated plan.

Why was there a community panel for the Federal Golf Club proposal?

- The ACT Government is trialling the community panel process for a number of sites across Canberra. This includes community panels for Greenway, Kippax and at Curtin.
- The intent is to provide the community and key stakeholders with the opportunity to contribute to a development proposal at its earliest stages.
- All too often, there are complaints that the community only gets to comment on a proposal once its design phase is well advanced.
- The community panel for the Federal Golf Club proposal met three times between August and October 2017. It has now been superseded by the integrated planning process.

What is the current status of the Territory Plan variation for the Federal Golf Club?

• I understand that the Federal Golf Club is requesting consideration to rezone part of the golf course to allow an over 55s lifestyle residential development. The process to vary the Territory Plan involves the preparation of a planning report that is required to include details of the community consultation undertaken by the proponent. The proponent has recently submitted a formal request for a scope for the planning report in support of the proposal.

- Once the planning report is received by the Environment, Planning and Sustainable Development
 Directorate, the request is considered by relevant ACT Government agencies. If the request is
 supported, a variation to the Territory Plan is prepared, with the process including statutory community
 consultation.
- If the rezoning application is successful, a subsequent development application may be subject to further pre-lodgement consultation. A subsequent development application will also be notified in accordance with the requirements of the Planning and Development Act 2007. Notification is typically for 15 days, and involves letters to adjacent property owners, an on-site notice, notification through the EPSDD website, and notification through the DA Finder app. The DA Finder App V2 can be found at: https://www.planning.act.gov.au/development applications/da finder app.

What is the current status of the Territory Plan variation for Deakin section 66?

- I understand that the lessees of Section 66 Deakin are considering a proposal to rezone Section 66 Deakin to allow residential development. The process to vary the Territory Plan involves the preparation of a planning report that is required to include details of the community consultation undertaken by the proponent. The scope for the planning report was issued by the Directorate in December 2016.
- Once the planning report is received by the Environment, Planning and Sustainable Development
 Directorate, the request is considered by relevant ACT Government agencies. If the request is
 supported, a variation to the Territory Plan is prepared, with the process including statutory community
 consultation.
- Regardless of the preparation of the Integrated Plan, I encourage the community to raise any concerns
 they may have at this stage directly with the proponent for the rezoning, i.e. Purdon Planning, by
 commenting on their webpage: http://www.purdon.com.au/consultation/4-Section-66-Deakin
- If the rezoning request is successful, a subsequent development application may be subject to further pre-lodgement consultation. A subsequent development application will also be notified in accordance with the requirements of the Planning and Development Act 2007. Notification is typically for 15 days, and involves letters to adjacent property owners, an on-site notice, notification through the EPSDD website, and notification through the DA Finder app. The DA Finder App V2 can be found at: https://www.planning.act.gov.au/development applications/da finder app.

Mick Gentleman MLA



Member for Brindabella

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

Dear

The Legislative Assembly passed a resolution on 25 October 2017 which halts any Territory Plan variations which share a boundary with the Canberra Nature Park at Red Hill until an integrated plan for the area has been prepared. Two petitions No. 28-17 and 29-17 have also been lodged with the Clerk of the ACT Legislative Assembly. These petitions call for broader planning in the Red Hill area with a view to protecting the Red Hill Nature Reserve and green spaces external to the reserve.

Given the public interest, you may receive a range of enquiries from constituents about this matter. To assist you in responding to the queries and in the interests in keeping the public informed, I have attached a short summary of the current status of the proposals in the area and of the integrated planning process.

I trust this clarifies the situation.

Yours sincerely

Mick Gentleman MLA
Minister for Planning and Land Management

Encl.

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601, Australia Phone +61 2 6205 0218 GPO Box 1020, Canberra ACT 2601, Australia Email gentleman@act.gov.au









Integrated Plan for the Red Hill Nature Park and Surrounds December 2017

What will the integrated plan include?

The integrated plan will address the specific matters mentioned in the resolution of the Legislative Assembly on 25 October 2017, this includes: management of the Red Hill Nature Reserve; the impacts of development on ecological values, traffic and residential amenity; land contamination issues and bushfire considerations. The integrated plan will coordinate all of the following:

- The current review of the Plan of Management for the Canberra Nature Park at Red Hill. This is a key element in addressing the community concerns about land degradation within the park.
- The plan will also consider the findings of the investigations that have been prepared by the proponents of Deakin Section 66 and the Federal Golf Club development proposals. This will provide essential information on the potential impacts of the two development proposals both on the Canberra Nature Park and the broader surrounding areas of Red Hill and Deakin respectively.
- Finally the plan will involve a number of other separate investigations to be identified through a gap analysis. This will essentially relate to assessing the cumulative impacts of development throughout the broader Red Hill area.

What will happen to the development proposals at Deakin section 66 and at the Federal Golf Club?

- The resolution of the Legislative Assembly has placed a moratorium on all Territory Plan variations on land that adjoins the Canberra Nature Park at Red Hill. This means these two development proposals are on hold until the integrated plan is completed.
- The proponents can still progress any related development applications that are not dependent on a variation to the Territory Plan. Once the integrated plan has been endorsed, the proponents can proceed with their respective Territory Plan variation applications. They are still bound by all the same statutory requirements for all Territory Plan variations. The proposals will also be assessed in the context of the integrated plan.

What is the current status of the Territory Plan variation for the Federal Golf Club?

- The Federal Golf Club is requesting consideration to rezone part of the golf course to allow an over 55s lifestyle residential development. The process to vary the Territory Plan involves the preparation of a planning report that is required to include details of the community consultation undertaken by the proponent. The proponent has recently submitted a formal request for a scope for the planning report in support of the proposal. This will be considered in the context of the integrated plan scope and timeframes.
- Additionally, the Federal Golf Club has announced its intention to apply to deconcessionalise the lease
 for the land subject of its development proposal. To access development application, the development
 application (DA) Finder App V2 can be found at:
 https://www.planning.act.gov.au/development applications/da finder app.

What is the current status of the Territory Plan variation for Deakin section 66?

- The lessees of Section 66 Deakin are considering a proposal to rezone Section 66 Deakin to allow residential development. The process to vary the Territory Plan involves the preparation of a planning report that is required to include details of the community consultation undertaken by the proponent. The scope for the planning report was issued by the Directorate in December 2016.
- Once the planning report is received by the Environment, Planning and Sustainable Development
 Directorate, the request is considered by relevant ACT Government agencies. If the request is
 supported, a variation to the Territory Plan is prepared, with the process including statutory community
 consultation.
- The community is encouraged to raise any concerns they may have at this stage directly with the proponent for the rezoning, i.e. Purdon Planning, by commenting on their webpage: http://www.purdon.com.au/consultation/4-Section-66-Deakin
- If the rezoning request is successful, a subsequent development application may be subject to further pre-lodgement consultation. A subsequent development application will also be notified in accordance with the requirements of the Planning and Development Act 2007. Notification is typically for 15 days, and involves letters to adjacent property owners, an on-site notice, notification through the EPSDD website, and notification through the DA Finder app. The DA Finder App V2 can be found at: https://www.planning.act.gov.au/development applications/da finder app.

Woolfenden, Mitchell

From: GENTLEMAN

Sent: Monday, 22 January 2018 2:33 PM

To: Subject:

Correspondence

Attachments: 20180122132759708.pdf

Dear

Please find the attached correspondence from Minister Gentleman MLA.

Kind Regards,

Eben Leifer | Office manager Office of Mick Gentleman MLA

Office managers: Natasha Apostoloski (Mon-Wed), Eben Leifer (Thu-Fri)

Member for Brindabella

Minister for Police and Emergency Services Minister for the Environment and Heritage Minister for Planning and Land Management

Minister for Urban Renewal

Manager of Government Business

t: 620 50218 | e: gentleman@act.gov.au



Mick Gentleman MLA





Member for Brindabella

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



Thank you for your letter of 17 November 2017 to a number of Members of the Legislative Assembly including the Chief Minister Andrew Barr MLA, about the proposed over 55s residential development at the Federal Golf Club. I also thank you for your offer of assistance to address the matters identified in the resolution of the Legislative Assembly of 25 October 2017. I am seeking your views for the approach to the development of the planning study.

To manage the resolution in a timely and coordinated manner, I have requested the Environment, Planning and Sustainable Development Directorate (EPSDD) prepare a scope for a planning study that addresses the resolution. In this regard, I have requested the Directorate to utilise studies that have been or will be prepared by Hindmarsh and Federal and undertake additional work that assesses the validity of the planning reports (noted above) and the cumulative effects of these developments on the area.

This approach reduces duplication by ensuring work already commissioned and completed is utilised. It also enables EPSDD to focus their work on the cumulative impacts of the developments and addresses the resolution in a timely manner with key stakeholders working together.

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601, Australia Phone +61 2 6205 0218 GPO Box 1020, Canberra ACT 2601, Australia Email gentleman@act.gov.au









In this respect, I am advised a meeting is being arranged with representatives from Hindmarsh, Federal Golf Club and the Directorate to confirm the approach to the study, timeframes and community consultation considerations.

I look forward to your participation in this work.

Yours sincerely

Mick Gentleman MLA

Minister for Planning and Land Management

18/1/18

Woolfenden, Mitchell

From: GENTLEMAN

Sent: Monday, 22 January 2018 2:31 PM

To: Subject:

Correspondence

Attachments: 20180122132752135.pdf

Dear

Please find the attached correspondence from Minster Gentleman MLA.

Kind Regards,

Eben Leifer | Office manager Office of Mick Gentleman MLA

Office managers: Natasha Apostoloski (Mon-Wed), Eben Leifer (Thu-Fri)

Member for Brindabella

Minister for Police and Emergency Services Minister for the Environment and Heritage Minister for Planning and Land Management

Minister for Urban Renewal

Manager of Government Business

t: 620 50218 | e: gentleman@act.gov.au



Mick Gentleman MLA



Member for Brindabella

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

Hindmarsh Group act@hindmarsh.com.au

CC: Purdons planning

Dear

The Legislative Assembly passed a resolution on 25 October 2017 which has implications for your development proposal at Deakin section 66 on Kent Street and for the Federal Golf Club. The resolution halts any Territory Plan variations which share a boundary with the Canberra Nature Park at Red Hill (such as Deakin section 66) until an integrated plan for the area has been prepared. In this regard, I am seeking your views for the approach to the development of the planning study.

To manage the resolution in a timely and coordinated manner, I have requested the Environment, Planning and Sustainable Development Directorate (EPSDD) prepare a scope for a planning study that addresses the resolution. In this regard, I have requested the Directorate to utilise studies that have been or will be prepared by Hindmarsh and Federal and undertake additional work that assesses the validity of the planning reports (noted above) and the cumulative effects of these developments on the area.

This approach reduces duplication by ensuring work already commissioned and completed is utilised. It also enables EPSDD to focus their work on the cumulative impacts of the developments and addresses the resolution in a timely manner with key stakeholders working together.







In this respect, I am advised a meeting is being arranged with representatives from Hindmarsh, Federal Golf Club and the Directorate to confirm the approach to the study, timeframes and community consultation considerations.

I look forward to your participation in this work.

Yours sincerely

Mick Gentleman MLA Minister for Planning and Land Management

19/1/18



Location Map -Red Hill Reserve

Notes:

- Deakin S66 TSZ2 Services
- Federal Golf Club PRZ2 Restricted Access Recreation
- Red Hill Reserve National Capital Plan

1: 15,000



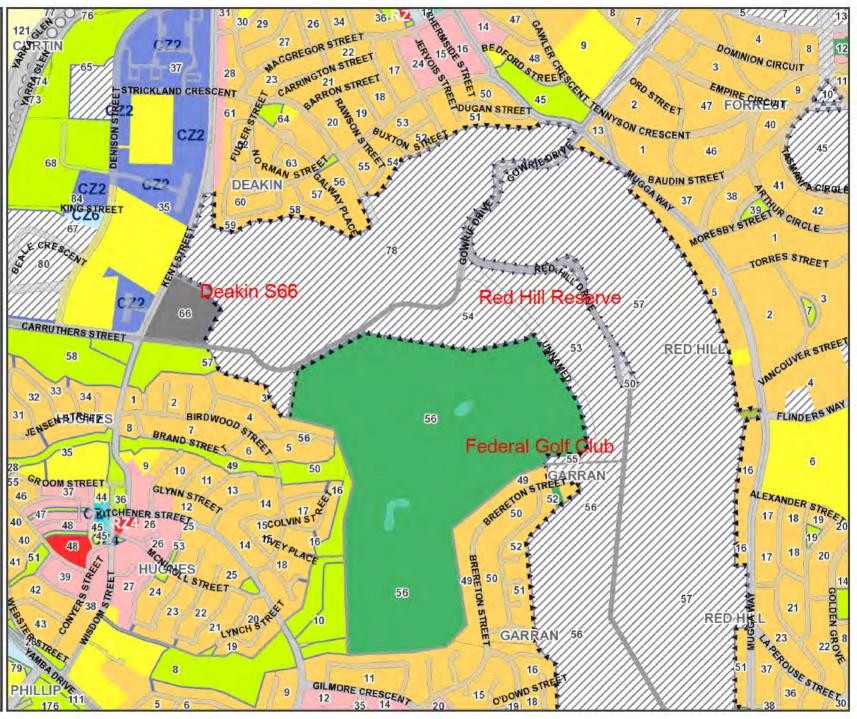
DISCLAIMER

The map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current or otherwise reliable.

17-Nov-2017

Page 1 of 1





THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

Response to resolution passed for an

Integrated Plan for Red Hill

Mr Mick Gentleman MLA
Minister for the Environment and Heritage or Minister for Planning
and Land Management

Resolution

The resolution is as follows:

- (1) notes that:
 - the Federal Golf Club have flagged their intention to develop retirement living on a section of their existing lease;
 - (b) the Federal Golf Club has attempted to redevelop the site on numerous occasions since 1998;
 - (c) the Red Hill Open Space area, and the Red Hill Nature Reserve, contain the Federal Golf Club lease as well as a number of large open space blocks in Garran, Hughes and Deakin and some privately owned commercial Crown Leases in Deakin;
 - (d) the Federal Golf Club lies within a bushfire prone area and the land has been assessed as being at high risk to life and property due to bushfires;
 - (e) prior to a development application being lodged, the ACT Government established and ran a consultation phase which consisted of three private invitation only meetings;
 - (f) a number of community groups have been involved in the government-run Federal Golf Club Community Panel including:
 - (i) Conservation Council ACT Region;
 - (ii) Deakin Residents Association;
 - (iii) Friends of the Grassland ACT;
 - (iv) Garran and Hughes Residents Action Group;
 - (v) Hughes Residents Association;
 - (vi) Council on the Aging; and
 - (vii) Red Hill Regenerators;
 - (g) no overall planning and direction exists for the whole of the Red Hill Open Space area, developments are assessed on each development's individual merits and not on the benefits to the community as a whole;
 - (h) while there is no overarching plan to development in the area, other development applications including at Hughes and Deakin are in the pipeline;
 - the Panel has been disbanded by the government after only three meetings, and a number of issues remain unresolved according to the community panel;
 - (j) neither the Panel, nor the wider community, have seen any final report summarizing the issues and/or actions, and the community concerns raised through the panel process about the serious potential impact that will likely accompany piecemeal development at Red Hill including the current large Federal Golf Club development proposal, have been summarily dismissed by the Environment, Planning and Sustainable Development Directorate; and
 - (k) while panel members lobbied for a Master Plan for the area, in his presentation of a Draft Panel Report at the meeting, the Deputy Director-

General of the Environment, Planning and Sustainable Development Directorate stated that the Master Planning process "was established to respond to improving the economic and social drivers for the [commercial] centres" and was not the appropriate vehicle for the Red Hill Open Space area; and

- (2) calls on the ACT Government to:
 - (a) not proceed with separate Territory Plan Variations for residential development proposals for Section 66, Kent Street Deakin, the Federal Golf Course and other sites immediately adjacent to Red Hill Nature Reserve; and
 - (b) only proceed with a joint Territory Plan Variation for the sites after completion of an integrated plan for Red Hill Nature Reserve and surrounding residential areas that:
 - (i) includes a detailed environmental plan to protect Red Hill Nature Reserve from the impact of the proposed developments;
 - (ii) addresses the joint transport and amenity impacts of the proposed developments;
 - (iii) includes a detailed investigation of the old Deakin tip site and rules out development in any areas that may be contaminated and unsafe; and
 - (iv) limits development to proposals that have been developed in close consultation with the community and have a reasonable likelihood of majority community support."

Madam Speaker, the Government was aware of the community concerns when it first heard of the latest proposal for the Federal Golf Club. In order to ensure the community voices could be heard, the ACT Government agreed to facilitate the Federal Golf Club community panel. While there was goodwill from panel members, many felt that a more holistic approach could be taken regarding the cumulative impacts of development proposals in the area. With this in mind, I supported the resolution, as amended, for the integrated plan for the Red Hill area. Madam Speaker, I am committed to improving how the Government considers all planning and how those outcomes are communicated to the community.

Madam Speaker, in response to the resolution that was passed on 25 October 2017, I can confirm that the ACT Government is committed to undertaking a series of investigations in order to achieve an integrated plan for Red Hill.

Red Hill is a quintessential inner Canberra suburb. It is predominantly low density single dwellings with high garden city values. The entire suburb is also nestled within the backdrop of the Red Hill reserve. Red Hill, like so many established suburbs of Canberra is highly sought after both in terms of people who would like to locate within the area, as well as from the existing ageing population who may like to down size but also to remain within the Red Hill area.

This is a Canberra wide issue – so much so the ACT Government recently released the Housing Choices Discussion Paper for public consultation. This paper seeks to raise awareness and understanding about the need for increased housing choice as part of the government's urban renewal priority. It also seeks to garner community ideas and opinions and to test the appetite for the diversification of housing in the ACT.

Madam Speaker, I acknowledge that urban renewal and infill can be problematic for many who live in established areas. Many residents have become accustomed to the lower population levels and reduced traffic as household sizes have decreased. Many residents of Red Hill and Deakin have high access to the public open space network including the Canberra Nature Park. Furthermore, some residents have also come to value other recreation facilities and playing fields as additional green spaces. This includes the Federal Golf Club.

I would now like to address the particulars of the resolution. Firstly, in relation to the need for a detailed environmental plan to protect the Canberra Nature Park at Red Hill, I can confirm that a new draft plan of management for the Canberra Nature Park, is currently being prepared. I have requested the ACT Parks and Conservation Service to identify key locations where edge effects are currently occurring or likely to be occurring in the future. This will inform investigations that will take place outside the nature park.

Madam Speaker, the Government has no plans to expand the Nature Park in the Red Hill area. I am fully aware that there are areas of high ecological value external to the nature reserve. However, there are also very strict requirements for how those areas are identified, assessed and protected in relation to any development proposal. This includes Environmental Impact Statements triggered through development applications under the ACT Planning system, as well as referrals to the Commonwealth Government through the Environment Protection and Biodiversity Conservation Legislation.

Given the ecological values on the Federal Golf Club and Deakin Section 66 sites, the Environment Planning and Sustainable Development Directorate has already identified that an EIS and Commonwealth referral would likely be triggered by these proposals. Accordingly, the proponents will be requested to work closely with the ACT Parks and Conservation Service in order to coordinate the findings of the EISs with the review of the plan of management for the Canberra Nature at Red Hill.

Moving onto the second point of the resolution, Madam Speaker, about the assessment of the cumulative impacts of the proposals at the Federal Golf Club and at Deakin section 66, I can confirm that both proponents have already been made aware of the need to assess the full range of impacts of their individual proposals including traffic and residential amenity considerations. Further, I have asked that a small body of work be undertaken by the relevant ACT Government agencies to assess the cumulative impacts of the proposals. This would include traffic investigations to be undertaken by Transport Canberra and residential amenity analysis to be conducted by the EPSDD Planning Policy Division.

Madam Speaker, the third point of the resolution, relates to the old Deakin tip site. I can confirm that the proponent of the Deakin Section 66 site has already been requested to undertake site contamination investigations as part of the scope for the planning report. Should this reveal the old tip being problematic for development in this location then further investigations would be required. This additional work would determine the nature and extent of that contamination on the site. Beyond the site, the ACT Government is responsible for identification and management contamination on public lands.

Lastly, the resolution calls to limit development proposals to those that are likely to have majority community support. Madam Speaker, all Territory Plan variations are tabled in this place prior to commencement. We, as the elected representatives of the Canberra community, are the final gatekeepers of changes to planning policy of the Territory Plan. I have no intentions of changing this status quo. Notwithstanding this, the ACT Government is committed to improving consultation strategies. To this end, I have requested that a range of consultation techniques be explored for implementation on an as needs basis, particularly in relation to urban renewal and infill proposals.

Woolfenden, Mitchell

From: Junakovic, Georgia

Sent: Wednesday, 6 December 2017 10:05 AM

To: EPSD Government Services

Cc: Hartwig, Tasha; Marcantonio, Laura; Sampson, Lisa; Darville, Pam

Subject: For action: Petitions [SEC=UNCLASSIFIED]

Attachments: 32-17 Draft Variation 344.pdf; 30-17 Lake Burley Griffin and surrounds—Heritage

protection.pdf; 28-17 and 29-17 Red Hill natural environment and surrounding existing

green space—Integrated planning.pdf

Good Morning,

Please see attached advice regarding the recently tabled petitions:

- 28-17 and 29-17 Red Hill natural environment and surrounding existing green space—Integrated planning
- 30-17 Lake Burley Griffin and surrounds—Heritage protection
- 32-17 Draft Variation 344

Responses will be due 1 March 2018.

Thanks

Georgia

Georgia Junakovic | Senior Coordinator, Assembly and Government Business

Phone: 6207 0148 | Email: georgia.junakovic@act.gov.au

Policy and Cabinet Division | Chief Minister, Treasury and Economic Development | ACT Government

Level 4 Canberra Nara Centre | GPO Box 158, Canberra ACT 2601 | act.gov.au



Mr Ben Ponton
Director-General
Environment, Planning and Sustainable Development Directorate

Petition No. 28-17 and 29-17 Red Hill natural environment and surrounding existing green space—integrated planning

Dear Mr Ponton

Attached is a copy of two petitions forwarded from the Clerk of the Legislative Assembly to the Minister for Planning and Land Management. The petitions were lodged on 30 November 2017 by Ms Le Couteur MLA, on behalf of certain Australian Capital Territory residents.

Petition 28-17 on behalf of 250 residents, and Petition 29-17 on behalf of 2862 residents of the ACT urge the Assembly to call on the ACT Government to protect the iconic Red Hill natural environment; retain existing green space in Hughes, Deakin and Garran; and suspend all development until a master plan has been developed for the Red Hill Nature Reserve and the Federal Golf Course lease area, together with the adjacent open space blocks of land and Section 66 Deakin (Kent Street).

Legislative Assembly Standing Order 100 requires the responsible Minister respond by lodging a response with the Clerk for presentation to the Assembly within three months of the tabling of the petition. In this case, a response is due by 1 March 2018.

Please note Legislative Assembly Standing Order 99A requires a petition with at least 500 signatories be referred to the relevant Assembly standing committee for consideration. Petition 29-17 has subsequently been referred to the Standing Committee on Planning and Urban Renewal. A response to this petition should still however be provided within the 3 month timeframe.

If you have any queries regarding this advice or about Assembly petitions, please contact me on 620 50543.

Yours sincerely

Pam Darville

Manager, Government Business and Coordination

December 2017



Mr Mick Gentleman MLA
Minister for Planning and Land Management
ACT Legislative Assembly
CANBERRA ACT 2601

Dear Minister

PETITION RECEIVED BY THE ASSEMBLY

Standing order No. 100 of the ACT Legislative Assembly requires that a copy of every petition lodged with the Clerk and received by the Assembly shall be referred by the Clerk to the Minister responsible for the administration of the matter which is the subject of the petition.

Attached please find a copy of the terms of petitions Nos 28-17 and 29-17, lodged by Ms Le Couteur MLA, and received by the Assembly on 30 November 2017.

Standing order 100 also requires that the Minister must respond within three months of the tabling of the petition by lodging a response with the Clerk for presentation to the Assembly, such response being announced at the end of the petitions announcement. Accordingly, a response is due by 1 March 2018.

A copy of this letter has been forwarded to the office of the Member who lodged the petition.

Yours sincerely

Tom Duncan Clerk

30 November 2017

cc Ms Caroline Le Couteur MLA cc The Manager, Government Business Co-ordination I CERTIFY THAT THIS PETITION CONFORMS WITH THE STANDING ORDERS

PETITION

Deputy Clerk

PLEASE SAVE RED HILL - SAY NO TO INAPPROPRIATE DEVELOPMENT

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory

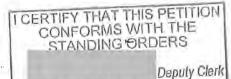
We the undersigned residents of the Australian Capital Territory urge the Assembly to call on the ACT Government to:

protect the iconic Red Hill natural environment;

PETITION No 28-1.7

· retain existing green space in Hughes, Deakin and Garran; and

 suspend all development until a Master Plan has been developed for the Red Hill Nature Reserve and the Federal Golf Course lease area, together with the adjacent open space blocks of land and Section 66 Deakin (Kent Street).



Government to:

PETITION

PLEASE SAVE RED HILL - SAY NO TO INAPPROPRIATE DEVELOPMENT

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory
We the undersigned residents of the Australian Capital Territory urge the Assembly to call on the ACT

protect the iconic Red Hill natural environment;

PETITION No 29-17

retain existing green space in Hughes, Deakin and Garran; and
ensure that the integrated plan for Red Hill, which has been called for by the Assembly, genuinely protects the Red Hill Nature Reserve and the Federal Golf Course lease area, together with the adjacent open space blocks of land and Section 66 Deakin (Kent Street).

Woolfenden, Mitchell

From: Hartwig, Tasha

Sent: Wednesday, 6 December 2017 10:25 AM

To: Moore, AlisonM (ACTPLA)
Cc: Croke, Isabella; Flanery, Fleur

Subject: 17/33560 - Petition No 28-17 and 29-17 - Red Hill natural environment and surrounding

existing green space - Integrated Planning [DLM=For-Official-Use-Only]

Attachments: 17_33560 - Petition No 28-17 and 29-17 - Red Hill natural environment an....obr

Good Morning

Attached is a copy of a petitions forwarded from the Clerk of the Legislative Assembly to the Minister for Planning and Land Management, Minister Gentleman. The petition was lodged on 30 November 2017 by Ms Le Couteur, on behalf of certain ACT residents.

Can you please prepare a response to the petitions for the Ministers signature cleared by your Executive Director by COB Thursday 18 January 2018.

Please contact us if you will have any issues meeting this timeframe or require input from other areas.

Many Thanks

Tash

Tasha Hartwig

Phone 02 6207 0701 | Government Services | Environment, Planning & Sustainable Development | ACT Government Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 (Wednesday to Friday only)

Mick Gentleman MLA



Member for Brindabella

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

Obj 17/33560

Mr Tom Duncan Clerk ACT Legislative Assembly GPO Box 1020 CANBERRA ACT 2601

Dear Mr Duncan

Thank you for your letter of 30 November 2017 regarding petitions No. 28-17 and 29-17 lodged by Ms Le Couteur MLA.

I understand the petitions bring to the attention of the Assembly concerns about the following:

- Protection of the Red Hill natural environment;
- · Retention of existing green space in Hughes, Deakin and Garran; and
- Suspension of all development until a master plan has been developed for the Red Hill Nature Reserve, the Federal Golf Club, Deakin section 66 and any open space land adjacent to the Nature Reserve.

In relation to this matter, the Legislative Assembly passed a resolution on 25 October 2017 which halts Territory Plan variations adjoining the Red Hill Nature Reserve until an integrated plan has been prepared for the Nature Reserve and surrounding areas. This includes the Federal Golf Club and Deakin section 66. In this regard, I believe that the integrated planning process stipulated by the resolution will also address the issues raised in the petitions.

I have requested the Environment, Planning and Sustainable Development Directorate (EPSDD) undertake to prepare an integrated plan that addresses the resolution and considers the cumulative effects of development in the area.

Once EPSDD prepare a draft plan, the various community and environmental groups, key stakeholders and the general public will be consulted before the plan is finalised.

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601, Australia Phone +61 2 6205 0218 GPO Box 1020, Canberra ACT 2601, Australia Email gentleman@act.gov.au







I look forward to providing the Legislative Assembly an update on the Red Hill Nature Reserve an surrounds later this year.	d
Yours sincerely	
Mick Gentleman MLA Minister for Planning and Land Management	



Hindmarsh Group

Dear

Section 66 Deakin

The Environment and Planning Directorate (EPD) have reviewed the additional information provided in support of your proposal for a Territory Plan variation over blocks 7 and 8 section 66 Deakin.

While the information provided to date has responded to a number of the concerns raised previously, the outstanding matter of the zoning for the section has not been adequately addressed.

To assist EPD in considering the request for initiating a Territory Plan variation process over the subject site, please include additional information addressing the potential for including the adjoining blocks 2, 6 and 13 as well as Hampden Place road reserve into a rezoning proposal. Details of any conversations with adjoining lessees and tenants regarding this issue would also assist.

As advised previously, consideration of these sites would provide a more cohesive outcome and ensure incompatible uses are not co-located as part of any future development or redevelopment.

Yours sincerely

Jim Corrigan Executive Director Planning Delivery

/ 9 August 2015

Woolfenden, Mitchell

From: EPSDD DLO

Sent: Monday, 23 October 2017 2:00 PM
To: EPSD Government Services

Subject: ASSEMBLY - URGENT: Speeches required for PMBs- due COB tomorrow [DLM=For-

Official-Use-Only]

Attachments: Private Members' Business Order October 24-26 Sitting.pdf

Importance: High

Hi all,

Please see James' email below. One speech on each required and due by COB tomorrow please.

Kind regards Kim Bailey

Kim Bailey | Directorate Liaison Officer | ACT Legislative Assembly Minister Mick Gentleman | Planning and Land Management | Environment and Heritage Minister Shane Rattenbury | Climate Change and Sustainability Environment, Planning and Sustainable Development Directorate | ACT Government GPO Box 1908, Canberra, ACT 2601

Phone: 6205 4521 | Email: epsdddlo@act.gov.au

From: Bennett, JamesP

Sent: Monday, 23 October 2017 1:55 PM

To: EPSDD DLO

Cc: Rake, Gary; Flanery, Fleur

Subject: Speeches required for PMBs

Hi Kim

For Wednesday's private member's business, can you please arrange for 1 x 10 minute speech each for:

- The Le Couteur motion on trees, and
- the Lawder motion on the Federal Golf Club.

Thanks James



LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ADMINISTRATION AND PROCEDURE

AGENDA

MEETING No. 18

SPEAKER'S HOSPITALITY ROOM

Monday, 23 October 2017

12:30 PM

1. Order of Private Members' Business

Attached

Week 6	Notice/ Order No.	Member	Topic
Liberal	4	Lawder	Federal Golf Course Proposed Development
Liberal	6	Coe	Unit rate calculation
Labor	1	Cody	Delivering on our commitments
Liberal	5	Coe/Kikkert	Youth recidivism
Green	7	Le Couteur	Trees
Labor	8	Steel	Energy Policy

2. Order of Assembly Business

Attached

3. Order of Executive Members' Business

Attached

4. Hansard Bound Volumes

Attached

5. Other business

Copies to: Speaker Ms Cheyne

Mr Rattenbury

Mr Wall

Secretary

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

NOTICE OF MOTION

Nicole Lawder MLA: I give notice that I shall move –

This Assembly:

(1) notes that:

- (a) The Federal Golf Club have flagged their intention to develop retirement living on a section of their existing lease.
- (b) The Federal Golf Club has attempted to re-develop the site on numerous occasions since 1998.
- (c) The Red Hill Open Space area, and the Red Hill Nature Reserve, contain the Federal Golf Club lease as well as a number of large open space blocks in Garran, Hughes and Deakin and some privately owned commercial Crown Leases in Deakin.
- (d) The Federal Golf Club lies within a bushfire prone area and the land has been assessed as being at high risk to life and property due to bushfires.
- (e) Prior to a Development Application being lodged, the ACT Government established and ran a consultation phase which consisted of three private invitation only meetings.
- (f) A number of community groups have been involved in the government-run Federal Golf Club Community Panel including:
 - (i) Conservation Council ACT Region,
 - (ii) Deakin Residents Association,
 - (iii) Friends of the Grassland ACT,
 - (iv) Garran and Hughes Residents Action Group,
 - (v) Hughes Residents Association,
 - (vi) Council on the Aging, and
 - (vii) Red Hill Regenerators.
- (g) No overall planning and direction exists for the whole of the Red Hill Open Space area. Developments are assessed on each development's individual merits and not on the benefits to the community as a whole.
- (h) While there is no overarching plan to development in the area, other development applications including at Hughes and Deakin are in the pipeline.

- (i) The Panel has been disbanded by the government after only three meetings, and a number of issues remain unresolved according to the community panel;
- (j) Neither the Panel, nor the wider community, have seen any final report summarizing the issues and/or actions, and the community concerns raised through the panel process about the serious potential impact that will likely accompany piecemeal development at Red Hill including the current large Federal Golf Club development proposal, have been summarily dismissed by the Environment, Planning and Sustainable Development Directorate.
- (k) While panel members lobbied for a Master Plan for the area, in his presentation of a Draft Panel Report at the meeting, the Deputy Director-General of the Environment, Planning and Sustainable Development Directorate stated that the Master Planning process "was established to respond to improving the economic and social drivers for the [commercial] centres" and was not the appropriate vehicle for the Red Hill Open Space area.
- (2) calls on the ACT Government to:
 - (a) Refer the overall planning of the Red Hill Open Space area and environs to the Planning and Urban Renewal Committee, to:
 - (i) Investigate the current planning approach to the area and review how a holistic and integrated strategy for development of Red Hill Open Space area would be of benefit to community;
 - (ii) Make recommendations to any changes to the planning direction of the Red Hill Open space area;
 - (iii) Consider whether a masterplan or similar approach for the Red Hill Open Space area is appropriate;
 - (iv) Take into account all implications of development within the Red Hill Open Space area, including road access and public transport options and opportunities;
 - (v) Review the appropriateness of retaining existing green spaces in Hughes, Deakin and Garran;
 - (vi) Consider how best to protect the Red Hill Nature Reserve;
 - (vii) Consult widely with the community in a public forum to ensure that all relevant matters are considered; and
 - (viii) Report back to the assembly by June 2018.
 - (b) Suspend all development activity in the Red Hill environs until the Committee report and government response have been received and publicly available.

Nicole Lawder MLA 3October 2017

Woolfenden, Mitchell

From: EPSD Government Services

Sent: Wednesday, 17 January 2018 2:25 PM

To: Kaucz, Alix

Cc: Sayers, Caroline; Hartwig, Tasha

Subject: FW: Red Hill Integrated Plan - put EVERYTHING on hold until we know more

[SEC=UNCLASSIFIED]

Importance: High

Hi Alix

I believe you have been speaking to Lisa about this one. Please note advice below, I have not heard how the meeting with the Chair went.

Please note that the final response to the Clerk is due by no later than 1 March.

Thanks Patti

From: EPSD Government Services **Sent:** Monday, 15 January 2018 2:08 PM

To: Sayers, Caroline < Caroline. Sayers@act.gov.au>

Subject: RE: Red Hill Integrated Plan - put EVERYTHING on hold until we know more [SEC=UNCLASSIFIED]

Importance: High

Hi Caroline

We can wait until after the Minister meets with the chair and see what the outcome of the meeting is.

Thanks Patti

From: Sayers, Caroline

Sent: Monday, 15 January 2018 1:55 PM

To: EPSD Government Services < EPSDGovernmentServices@act.gov.au>

Subject: RE: Red Hill Integrated Plan - put EVERYTHING on hold until we know more [SEC=UNCLASSIFIED]

Hi Patti,

Erin and Fleur said that the Minister is willing to agree to our approach but will meet with the Chair of the Standing Committee tomorrow.

Do you still want an interim response?

Thanks Caroline

From: EPSD Government Services **Sent:** Friday, 12 January 2018 1:37 PM

To: Sayers, Caroline < Caroline.Sayers@act.gov.au>

Subject: RE: Red Hill Integrated Plan - put EVERYTHING on hold until we know more [SEC=UNCLASSIFIED]

Importance: High

Thanks Caroline

I will touch base with you again on Tuesday morning.

Thanks Patti

From: Sayers, Caroline

Sent: Friday, 12 January 2018 1:31 PM

To: EPSD Government Services < EPSDGovernmentServices@act.gov.au >

Subject: RE: Red Hill Integrated Plan - put EVERYTHING on hold until we know more [SEC=UNCLASSIFIED]

Hi Patti,

Good thinking. The Minister's meeting on Monday is to discuss this very matter. I'm going to need the feedback from that meeting to draft the interim response. Fleur and Erin are aware of the need for it so hopefully (cross fingers) I can get it up the line quickly on Monday/Tuesday.

Thanks Caroline

From: EPSD Government Services Sent: Friday, 12 January 2018 1:22 PM

To: Sayers, Caroline < <u>Caroline.Sayers@act.gov.au</u>>

Cc: Ives, Kieran < Kieran.Ives@act.gov.au >

Subject: FW: Red Hill Integrated Plan - put EVERYTHING on hold until we know more [SEC=UNCLASSIFIED]

Hi Caroline

The response to the Clerk is due by no later than 18 January 2018. Given your advice below, can you please draft a response to the Clerk advising that we will provide a detailed response later and give reasons why.

Thanks Patti

From: Ives, Kieran

Sent: Friday, 12 January 2018 1:18 PM

To: EPSD Government Services < EPSDGovernmentServices@act.gov.au>

Subject: FW: Red Hill Integrated Plan - put EVERYTHING on hold until we know more [SEC=UNCLASSIFIED]

Hi team – an updated for you guys too.

Kind regards Kieran

From: Sayers, Caroline

Sent: Friday, 12 January 2018 1:07 PM

To: Kaucz, Alix <Alix.Kaucz@act.gov.au>; Kelly, Shauna <Shauna.Kelly@act.gov.au>; Edgar, Olivia

<Olivia.Edgar@act.gov.au>; Ives, Kieran <Kieran.lves@act.gov.au>

Subject: Red Hill Integrated Plan - put EVERYTHING on hold until we know more [SEC=UNCLASSIFIED]

Hi all,

As you all now know the Minister has NOT agreed to our proposed approach with the Red Hill Integrated Plan. In anticipation that the Minister would agree to the approach we progressed a few items. These must all now be placed on hold:

- 1. The response to the Clark of the Legislative Assembly about the two petitions Min file: 17/33560
- 2. The response to the Federal Golf Club request for Scope for a planning report DG file: 17/34647
- 3. The proposed meeting with the proponents Hindmarsh Group and Federal Golf Club.

I will pop notes on the two files reflecting this.

Thanks one and all. Caroline

Caroline Sayers | Territory Plan Section

Phone 02 6207 1719

Planning Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

Woolfenden, Mitchell

From: Sayers, Caroline

Sent: Thursday, 18 January 2018 10:43 AM
To: Bogiatzis, Patti; EPSD Government Services

Cc: Kaucz, Alix

Subject: FW: Government response to the Assembly Resolution on TPVs adjoining the Canberra

Nature Park at Red Hill [SEC=UNCLASSIFIED]

Attachments: 17_33560 - Petition No 28-17 and 29-17 - Red Hill natural environment an....obr

Importance: High

Categories: Patti

Hi Patti,

We have the go ahead from the Minister on file 17/29650, so this means the response to the Clerk of the Legislative Assembly can proceed as drafted in response to the petitions lodged. Link attached.

Thanks Caroline

From: Flanery, Fleur

Sent: Wednesday, 17 January 2018 5:51 PM

To: Sayers, Caroline <Caroline.Sayers@act.gov.au>; Kaucz, Alix <Alix.Kaucz@act.gov.au>

Subject: FW: Government response to the Assembly Resolution on TPVs adjoining the Canberra Nature Park at Red

Hill [SEC=UNCLASSIFIED]

We have the green light for Red Hill as noted below.

We'll need to confirm with Kim about the letters going out asap and arranging a meeting with the proponents probably in the week of 29 noting I'll be away from the 31 (so preferably not on the afternoon of the 31).

Please let me know if all is okay to proceed.

Many thanks

From: Brady, Erin

Sent: Wednesday, 17 January 2018 5:36 PM **To:** Flanery, Fleur <<u>Fleur.Flanery@act.gov.au</u>>

Subject: Fwd: Government response to the Assembly Resolution on TPVs adjoining the Canberra Nature Park at Red

Hill

Fleur

FYI - can you please speak with Caroline about proceeding on this and if you can let me know proposed timing for when we might set up a meeting (I realise the letters have to go out now)

Thanks Erin

Sent from my iPhone

Begin forwarded message:

From: "Sendaba, Bethel" < Bethel.Sendaba@act.gov.au>

Date: 17 January 2018 at 4:52:08 pm AEDT **To:** "Brady, Erin" < <u>Erin.Brady@act.gov.au</u>>

Cc: "Landon, Daniel" < Daniel.Landon@act.gov.au>, "Ponton, Ben" < Ben.Ponton@act.gov.au>

Subject: Government response to the Assembly Resolution on TPVs adjoining the Canberra Nature Park at Red Hill

Hi Erin,

The Minister has confirmed that following the discussion on Monday morning he is happy for you to proceed with the project (option2) as proposed in the brief. I will get Kim to re-print the brief for the Minister to formally sign off.

Also, the Minister met with Ms Le Couteur yesterday and asked for clarification on how she thought final point of the resolution could be implemented. She gave the following feedback:

- She doesn't have a view on how the directorate/government should measure "reasonable likelihood of majority community support" however by "community" she means the local community and not all of Canberra (noting it also shouldn't be so narrow as to be limited to one group, the golfing community for example).
- Where the resolution refers to development proposals we can take that to mean those requiring a TPV

I'm not sure that this provides much guidance however I take it to mean she is happy for the directorate/government to find a practical way to measure "reasonable likelihood of majority community support".

Happy to discuss further, Bethel

Mick Gentleman MLA





Member for Brindabella

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

Obj 17/33560

Mr Tom Duncan Clerk ACT Legislative Assembly GPO Box 1020 CANBERRA ACT 2601

Dear Mr Duncan

Thank you for your letter of 30 November 2017 regarding petitions No. 28-17 and 29-17 lodged by Ms Le Couteur MLA.

I understand the petitions bring to the attention of the Assembly concerns about the following:

- Protection of the Red Hill natural environment;
- Retention of existing green space in Hughes, Deakin and Garran; and
- Suspension of all development until a master plan has been developed for the Red Hill Nature Reserve, the Federal Golf Club, Deakin section 66 and any open space land adjacent to the Nature Reserve.

In relation to this matter, the Legislative Assembly passed a resolution on 25 October 2017 which halts Territory Plan variations adjoining the Red Hill Nature Reserve until an integrated plan has been prepared for the Nature Reserve and surrounding areas. This includes the Federal Golf Club and Deakin section 66. In this regard, I believe that the integrated planning process stipulated by the resolution will also address the issues raised in the petitions.

I have requested the Environment, Planning and Sustainable Development Directorate (EPSDD) undertake to prepare an integrated plan that addresses the resolution and considers the cumulative effects of development in the area.

Once EPSDD prepare a draft plan, the various community and environmental groups, key stakeholders and the general public will be consulted before the plan is finalised.

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

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I look forward to providing the Legislative Assembly an update on the Red Hill Nature Reserve and surrounds later this year.

Yours sincerely

Mick Gentleman MLA
Minister for Planning and Land Management

2/2/18





MINISTERIAL BRIEF

To:

Minister for Planning and Land Management

Tracking No.: 17/29650

Rec'd Minister's Office .../.../...

From:

Director-General

Deputy Director-General

Executive Director, Planning Policy

Subject:

Legislative Assembly resolution about Territory Plan variations adjoining the

Canberra Nature Park at Red Hill

Critical Date:

As soon as possible

Critical Reason:

To provide you with information about the Directorates response to the

Resolution at Red Hill in preparation of anticipated media and community

interest.

Purpose

To provide you with options in response to the resolution of the Legislative Assembly of 25 October 2017, about Territory Plan variations adjoining the Canberra Nature Park at Red Hill and; to provide you with correspondence to stakeholders including the development proponents.

Recommendations

That you:

 Note the information contained in this brief including the draft scope and timeframes for project completion at <u>Attachment A</u> and the letter to the panel members at <u>Attachment B</u>;

Noted Please Discuss

2. Agree to option 2;

Agreed/ Not Agreed / Please Discuss

 Sign the attached letters to the proponents of Deakin Section 66 and the Federal Golf Club at <u>Attachment C.</u>

Sign/Not Signed / Please Discuss

Mick Gentleman MLA Minister for Planning and Land Management 18/1././...

Minister's Office Feedback forceinne sisces; one on JAN 15 to

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Background

- 1. A resolution was passed in the Legislative Assembly on 25 October 2017 that agreed to delay Territory Plan variations which share a boundary with the Canberra Nature Park at Red Hill, until an integrated plan for the area has been prepared. The resolution is at <a href="https://dx.ncbi.nlm.ncbi.n
- 2. The resolution is open ended in that it does not specify a response timeframe. The draft timeframes identified in the project outline at <u>Attachment A</u> identifies a potential tabling timeframe for the final plan as July 2018.
- 3. The intent of the resolution is to better manage the Nature Park, and to protect it and surrounding residential areas from the impacts of opportunistic development. A location map of area for the Plan including Canberra Nature Park at Red Hill and surrounds is provided at Attachment A, Figure 1.
- 4. The resolution is a response to outcomes from cumulative proposals to develop specific blocks adjacent to Red Hill Nature Reserve and unresolved outcomes stemming from a community panel process focusing on Federal Golf Club's development proposal.
- 5. Two petitions No.28-17 and 29-17 requesting strategic planning for the Red Hill Nature Reserve and surrounds were lodged with the Clerk of the Legislative Assembly by Ms Le Couteur MLA on 30 November 2017. The petitions have more than 3000 signatures, which means they have also been sent to the Standing Committee on Planning and Urban Renewal. A response is currently being prepared in relation to the petitions for your consideration early in 2018.
- 6. There are no current planning studies underway for the Red Hill area. The area was not identified in the current ACT Planning Strategy, nor Territory Plan as an area of specific focus for the government. This means that a response to the resolution requires the majority of the planning studies to be undertaken.
- 7. There are two active development proposals in the study area that are impacted by the resolution which include a proposal to redevelop parts of the Federal Golf Club and, Section 66, at Kent Street in Deakin, owned by Hindmarsh as outlined below.

Federal Golf Course

- 8. The proponents for Federal are keen to progress their proposal to construct a low scale development targeting the over 55 year olds, including 125 independent living units up to 3 storeys in height, with a maximum of 350 bedrooms. This development is to be located within the centre of the existing golf course and focused around the club house. The proposal also includes returning 10 to 12 ha of land to the adjoining Nature Reserve.
- 9. To achieve their vision they will need to deconcessionalise their lease and seek a Territory Plan Variation.

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- 10. The proponent has arranged a community pre-consultation drop in sessions on the 6 and 7 December 2017 seeking broader community views on the redevelopment proposal. A summary of their initial consultation is at Attachment E.
- 11. EPSDD have advised advisor to Federal, that pre consultation may be premature ahead of the outcomes of the resolution but they have noted their desire to proceed.
- 12. A summary of the Federal Golf Club community panel meetings which were held between August and October 2017 is provided at <u>Attachment F</u>.
- 13. A summary of their current development proposal is at <u>Attachment G</u> and history of previous development proposals is at <u>Attachment H</u>.

Deakin Section 66 (Kent Street)

- 14. The lessee for this site is Hindmarsh. You are meeting with them and the Property Council on 12 December 2017. A separate meeting brief has been prepared about this meeting is at 17/32682.
- 15. A scope for a planning report was issued to the proponent in December 2016 for their proposal to rezone the site to CZ5 mixed use development as noted in <u>Attachment I.</u> The proposal is primarily for residential purposes. However, it is also proposed to retain and expand the existing no retail commercial uses on the site.
- 16. It is understood that the proponent has recently commenced preliminary community consultation and recent media coverage indicates there is an old landfill site at this location. The planning report will be required to address any contamination issues and it is anticipated that contamination is likely to be a key consideration for the proponent. The project is still in its formative stages and no decisions have yet been made on the project.

Response to the Resolution

- 17. In response to the resolution, and as part of planning for the future of the area, an integrated approach that brings together key stakeholders is required. This includes the National Capital Authority, as it has jurisdiction over the Canberra Nature Park at Red Hill and EPSDD Parks and Conservation Service, through its administrative responsibilities for the Canberra Nature Park which are set out in the Plan of Management. In this respect, a new draft plan of management is being prepared and is likely to be released for public comment early in 2018.
- 18. The planning studies required to address the resolution could be undertaken as either work fully commissioned by the Directorate (option 1), or partially undertaken by the Directorate and partially undertaken by the developers (option 2).
- 19. Our recommendation is for option 2, where EPSDD prepare an overarching project plan and utilise the outcomes of the studies and investigations that are currently underway by the proponents and the review of the plan of management for the Canberra Nature Park.

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- 20. This is the preferred option as it enables a more rapid response as the planning studies can be undertaken concurrently within a coordinated framework managed by EPSDD. It has cost efficiencies, as the proponents are paying for specific planning studies and EPSDD can direct its resoures to targeted studies looking at the cumulative impacts of the developments on the Red Hill Nature Park and surrounds.
- 21. Option 2 does have some risks as the some community members may feel that the proponents should not be able to do any consultation ahead of the Government's response to the resolution. The community may also be concerned about the objectivity and value of the planning reports which are undertaken by the prononents. To address community concerns, letters have been prepared for the panel members for Federal from the Directorate that confirms the approach to the planning study. A sample of the letter is at Attachment B.
- 22. Meetings are being arranged between the Directorate and the proponents to confirm the approach. Correspondence has been prepared for your signature, to inform the proponent's of the approach and agree on indicative timeframe. The letters are at Attachment C.
- 23. To address these concerns, a communications media plan is being developed that proactively informs the community about the next steps and clarifies the role of the proponents in continuing their pre-consultation activities.

Scope of Integrated Plan

- 24. The draft scope for the project at <u>Attachment A</u> acknowledges that a range of current reports and investigations are available to inform the preparation of the plan. This is in addition to the EIS that would likely be triggered by both the Federal Golf Club and Deakin Section 66 proposals (<u>Attachments J and I)</u>. Given the ecological values on each site, it is also likely that the proposals will need to be referred to the Commonwealth Government under the Environment Protection and Biodiversity Conservation Act.
- 25. The draft scope proposes to use a desk top analysis of the various studies as well as a gap analysis to identify where additional research may be warranted. The additional research is likely to include studies to assess the cumulative analysis on traffic analysis, residential amenity, impact on the environment and early infrastructure investigations. Other investigations may be identified through the gap analysis.

Community awareness for development proposals

- 26. The statutory and non-statutory processes for consultation are extensive.
- 27. A communications plan will be developed in conjunction with the stages of the investigation and this plan will be provided to your office in a further briefing. Ahead of the communication plan, a question time brief and question and answers for this first response has been prepared in <u>Attachment K.</u>

28. Given the level of public interest in this matter, exhibited through the petitions, a draft letter has been prepared for you to inform the various MLAs of the current status of the integrated plan and the two development proposals, should you choose. Attachment L refers.

Financial Implications

- 29. The new draft plan of management for the Canberra Nature Park is being funded by operational budgets but does not include any investigations or management of lands external to the nature park.
- 30. Existing resources within EPSDD will be utilised to undertake the planning study as the project has no specific or additional funding. This will involve staff being diverted from other project work planned for 2018. This approach supports the recommendation for option 2 (utilise planning studies from proponents) as extensive environmental reports will be required from specialist providers, particularly for the site at Section 66 which potentially contains contaminated material. EPSDD personnel have the appropriate skills to undertake the desktop analysis work and review the planning reports. However, additional technical reports will be required including the traffic modelling and containmination studies.

Consultation

Internal

31. Internal and cross directorate consultation on the two proposals has been undertaken (Attachments I and J).

Cross Directorate

32. As above.

External

- 33. The Federal Golf Club community panel process has involved a broad range of community groups the outcomes of which are available on the EPSDD website (Attachment F).
- 34. It is understood that the proponent of Deakin Section 66 has recently commenced preliminary community consultation as required in the scope for the planning report.

Benefits/Sensitivities

35. Noted within the brief.

Media Implications

- 36. Strong media interest has been present for this subject matter. The resolution from 25 October resulted in a Canberra Times article 'Fiery debate in ACT Legislative Assembly over controversial Red Hill plans'.
- 37. The suggested approach is be proactive with communication. ESPDD Communications and the Territory Plan branch will work closely with your media adviser to ensure you are well prepared for any media enquiries.

Signatory Name:

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