

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:

1. **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

2. **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/...../.....

Minister's Office Feedback

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 Attachment D.
2. The resolution is open ended in that it does not specify a response timeframe. The draft timeframes identified in the project outline at Attachment A 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 [REDACTED] 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 [Attachment F](#).
13. A summary of their current development proposal is at [Attachment G](#) and history of previous development proposals is at [Attachment H](#).

Deakin Section 66 (Kent Street)

14. The lessee for this site is Hindmarsh. You are meeting with them and [REDACTED] from the Property Council on 12 Decemeber 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 [Attachment I](#). 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 resources 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 proponents. 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 Attachment K.

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 contamination 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: Alix Kaucz

Phone: 6205 0864

Action Officer: Caroline Sayers

Phone: 6207 1719

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Draft project scope for the integrated plan for Red Hill Nature Park and surrounds

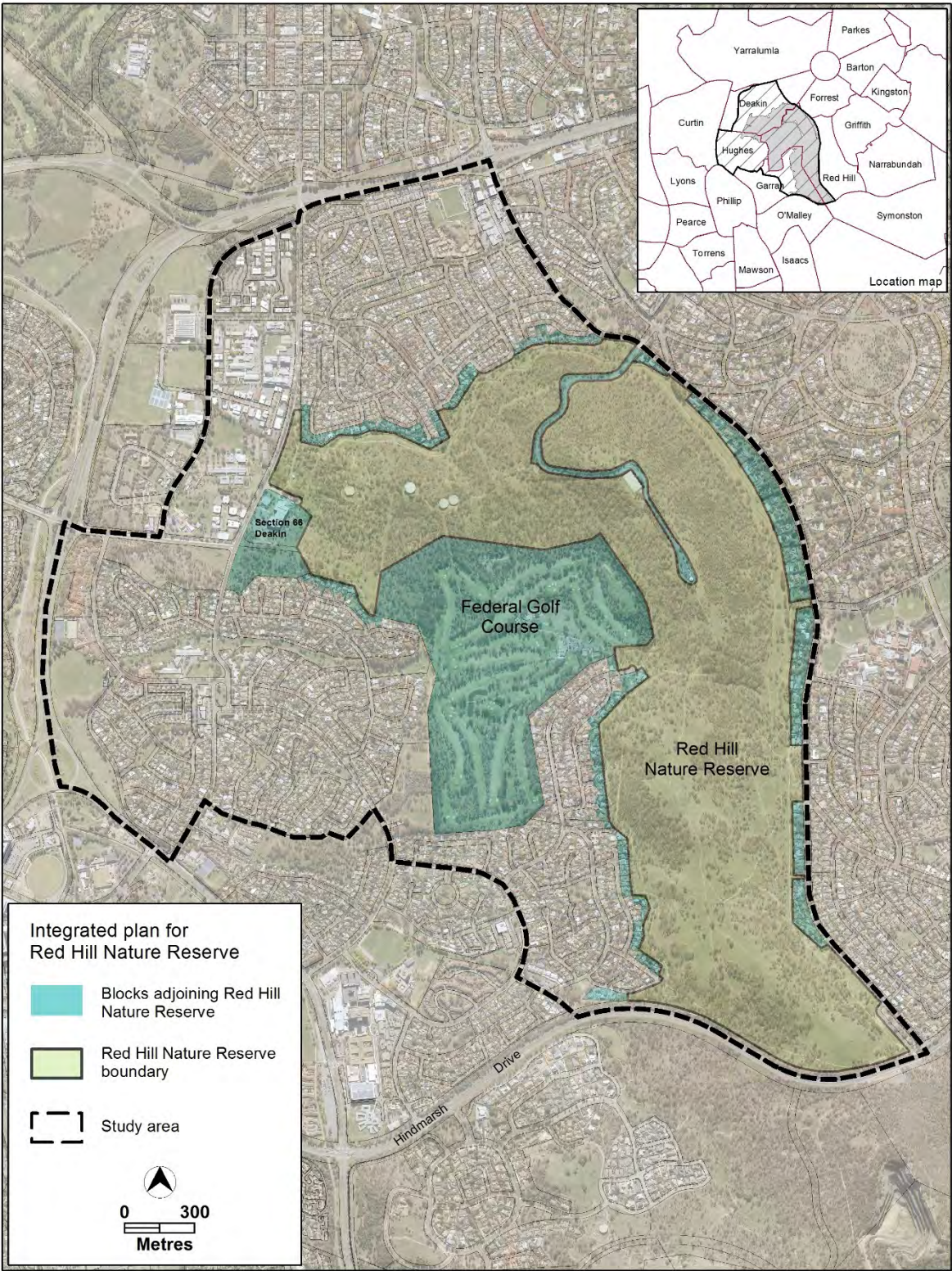


Figure 1 – Area subject of the Integrated Plan for the Red Hill Nature Park and Surrounds

**Draft scope for an
integrated plan for Red Hill Nature Park and surrounds
December 2017**

Key questions to address in the integrated plan:

- Is the area appropriate for residential development (or other types of development)?
- Can development occur and maintain the value of the nature reserve?
- Is the transport network able to accommodate increased development?

Issue from resolution	Integrated plan scope	Considerations/actions
Bushfire – risks & mitigation	Bushfire mapping and analysis for land within and adjoining the Red Hill Nature Reserve.	Identify the Bushfire Asset Protection Zone. Determine whether the land is suitable for residential development and recommend mitigation measures that will minimise impacts on the Nature Reserve or areas of high ecological value that are external to the Reserve.
Contaminated land – extent, potential impacts & remediation.	Environmental assessment in accordance with EPA information Sheet 7 and EPA endorsed guidelines.	Map the extent of the old Deakin dump site and identify any other contamination issues that may limit residential development on the land. Recommend any mitigation or remediation measures to protect the Reserve and to resolve any other contamination issues.
Transport – network capacity & impacts on residential amenity	Transport modelling and analysis for roads within the study area	Determine the capacity for the existing road network to accommodate the projected increased traffic from development. Recommend road upgrades and works to improve traffic flows and to minimise impacts on residential streets.
Visual impacts – impacts on vantage points & residential amenity	Viewshed analysis from key vantage points and residential areas within the study area	Identify the likely visual impacts of development in the area from key vantage points and surrounding residential areas. Recommend measures to mitigate or minimise visual impacts of development.
Red Hill Nature Reserve – ecological values, potential impacts of development & management	Map the key ecological values for land within and adjoining the Nature Reserve.	Determine whether the land is suitable for residential development and recommend measures that will minimise impacts upon ecological values of the Nature Reserve and areas of high ecological value that are external to the Reserve.
Community engagement and support	Consult with all relevant stakeholders, community groups and the general public	Document the issues identified during community consultation and recommend measures to address these concerns.

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

Item	Actions	Timeframe
A. Pre-consultation discussions with Federal Golf Course and Deakin Section 66	Meeting	December 2017
B. Advise the Federal Golf Club Community Panel of the integrated plan approach	Letters	December 2017
C. Scoping and technical investigations and preparation of draft integrated plan	Review the existing research and investigations for the study area and identify gaps in information required to complete the integrated plan and determine which can be completed in-house and those which require consultancy.	January – March 2018
D. Community consultation of draft report	Six week consultation period	April – May 2018
E. EPSDD finalisation of integrated plan	Desktop.	May – June 2018
F. Ministerial consideration of integrated plan and community consultation report		July 2018
G. Tabling of the integrated plan in the Legislative Assembly		August 2018

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Attachment A cont.

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Attachment B

Sample letters to the Federal Golf Club Community Panel members

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Attachment C

Letters to the proponents of Deakin Section 66 and the Federal Golf Club

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Attachment C cont.

Attachment D
Resolution passed by the Legislative Assembly 25 October 2017

The resolution is as follows:

The Legislative 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 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; 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.”

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Attachment E

Initial Consultation by the Federal Golf Club

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Attachment F

Summary of the Federal Golf Club community panel processes

- The community panel is made up of the following members:

EPSDD - Chair	Matilda House - Cultural Heritage
National Capital Authority	Hughes Residents Association
ACT Government Architect	Garran and Hughes Residents Action Group
Federal Golf Club - lessee	Deakin Residents Association
Mbark - proponent	Friends of the Grasslands
Council on the Ageing	Conservation Council of the ACT
Canberra Business Chamber	Red Hill Regenerators
Inner South Canberra Community Council	Woden Valley Community Council

- The impetus for the community panel for the Federal Golf Course arose after meetings with the Federal Golf Club, the developer, Mbark and the Red Hill Regenerators Group.
- In the interest of bringing the community and proponent together to discuss the proposal at an early stage, the ACT Government undertook to convene a community panel for the Federal Golf Club.
- The deliberations of the community panel were without prejudice and did not bind the ACT Government, the National Capital Authority (NCA), the proponent, the various participants or the groups they represent to a preferred option or to a stated position.
- A fresh development proposal has been prepared by MBark, but has not been formally lodged with the ACT Government for consideration.
- The community panel has drawn on a variety of community expertise and views to discuss the future of the Federal Golf Club. It has also reviewed the development potential of the site.
- Other community panels are currently being conducted for the Kippax and Curtin group centres master planning processes.
- The panel met three times on 3 August, 24 August 2017 and 12 October 2017.
- The key outcomes from the final meeting are currently being finalised in consultation with the panel members. This will culminate in a final report of the panel.
- The outcomes from the first two meetings included:
 - The implications of the proposal and other developments in the area in terms of the broader planning policy for Red Hill and the inner south generally.
 - An independent economic analysis of the financial viability of the Golf Club and its stated position that a significant financial boost is required to update ageing infrastructure, including water supply and irrigation systems in order to drought proof the course.
 - Measures to ensure that future developments will not be required on the site if the clubs financial status declines further.
 - Consultation with traditional owners including a site visit.
 - More details of the specific development proposal, including its location, scale and potential on-site and off-site impacts (i.e. traffic, access and egress, and public access to the club); and

- Options to transfer approximately 10-12ha of land in the northwest portion of the site to the adjoining Canberra Nature Park.
- The community panel process does not replace statutory processes for developing the land. Any development application and territory plan variation for the site would involve full statutory notification.

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Attachment G

Latest Mbark proposal for development at the Federal Golf Club

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Attachment G cont.

Summary of development proposals for the Federal Golf Club

Current status

- The Mbark proposal (Attachment G) involves development for an over 55s lifestyle community whereas previous proposals had involved straight subdivision for residential sale. The over 55s lifestyle model provides mechanisms for ongoing management of the development including cat containment, landscaping and the like. In this regard, it provides a mean by which potential impacts on the Canberra Nature Park could be managed and minimized.
- The latest development proposal also differs from earlier proposals because it is focused in the centre of the course and is intended to be integrated with the redevelopment of the club house. Previous proposals related to land at the edges of the golf course where there were issues at the interface with surrounding residential areas and with the Canberra Nature Park at Red Hill.
- The key community concerns about development on the site include:
 - The implications of the proposal and other developments in the area in terms of the broader planning policy for Red Hill and the inner south generally.
 - The implications for the adjoining Canberra Nature Park at Red Hill.
 - the need for residential development on the site and the implications for the financial viability of the Golf Club and its stated position that a significant financial boost is required to update ageing infrastructure, including water supply and irrigation systems in order to drought proof the course.
 - Measures to ensure that future developments will not be required on the site if the clubs financial status declines further.
 - Site specific considerations including: cultural heritage, bush fire, traffic, access and egress, public access to the club, views and the like.

History

- Two previous proposals for residential redevelopment on the site have not been successful. DV94 was disallowed by the ACT Legislative Assembly (not the Government of the day) on 14 October 1999.
- The ACT Government rejected the second proposal for residential redevelopment on the site on 3 March 2011.
- The NCA investigated options for diplomatic uses on part of the golf course. In April 2011, the NCA was advised that the use of part of the golf course for diplomatic purposes would need to address the key planning issues for the site. The NCA did not progressed this proposal.
- The Federal Golf Club obtained funding in 2013 from the ACT Government under the small clubs grants scheme to explore options to assist the clubs viability in the longer term.
- There has been strong community opposition to development of the site from a number of community and environmental groups.
- There are also key site constraints that would need to be addressed should development occur on the site in the future.
- The NCA would also be involved in relation to site access upgrades as the access road runs through designated land and the Canberra Nature Park.

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Attachment I

Deakin Section 66 scope for planning report

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Attachment I cont.

Government agency consultation outcomes

Issue	Agency	Comments
National Capital Plan	National Capital Authority	The proposed land use is not inconsistent with the General Policy Plan – Metropolitan Canberra of the National Capital Plan; there is therefore no objection to the proposal on these grounds.
Heritage	ACT Heritage Council	A review of the ACT Heritage Register (the Register) has not identified any recorded or registered heritage places or objects on this block.
		The proposed area of residential redevelopment shown on the power point presentation submitted for consideration is well within the existing area already developed as golf course. As such, the proposed development is unlikely to diminish the heritage significance of any place or object.
Contamination	ACT Environment Protection Authority	Golf courses have in the past been associated with site contamination due to the application and storage of certain chemicals for the control of weeds and pests.
		Prior to the EPA supporting the Territory Plan variation, an environmental assessment of the proposed redevelopment area must be undertaken by a suitably qualified environmental consultant to determine whether past activities have impacted the site and to the determine whether the site is suitable for the proposed uses from a contamination perspective.
		The assessment and remediation (if required) must be in accordance with the ACT EPA Contaminated Sites Environment Protection Policy 2009 and EPA endorsed guidelines.
		Prior to any redevelopment at the site the findings of the assessment must be reviewed and endorsed by the EPA.
Water	Icon Water EPSDD	Icon Water requires that Sewerage and Water Master Plan be drafted for the Federal Golf site-proposed retirement village. The Master Plan to address the ultimate development of the site and shall identify any upgrades or relocations of assets which may be required as a result the change in land use and development. The Master Plan to be submitted to and approved by Icon Water prior to

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		the commencement of any new developments or re-developments within the site.
Integration with existing community	EPSDD	The site for the village should consider overall connection with the surrounding established area both in terms of physical connections for example to public transport routes, access to community facilities and services and social networks and communities in nearby areas.
Environment	National Capital Authority	The NCA would have no objection to the surrender and rezoning of the 10-12ha in the NW corner of the site, so it can be included in the adjoining nature reserve as was discussed at the meeting. It seems logical that, should this rezoning occur, consideration should be given to amending the National Capital Plan to the land into the hills, ridges and buffers section of the metropolitan policy plan.
	Conservator of Flora and Fauna	Widening or realignment of the existing access road (which is wholly within reserve) will impact upon the Endangered Box Gum Woodland community listed under the Environment Protection and Biodiversity Conservation Act 1999 and the Nature Conservation Act 2014. There will also be impacts on Red Hill Nature Reserve. These impacts will require careful assessment.
		Should any areas be transferred from lease to EPSDD as part of the approval process? Sufficient contributions must be made by the developer to manage those areas in the medium term.
	EPSDD	Preferred access to the site is noted as being from Gowrie Drive. If the road needs to be widened to accommodate increased traffic this may trigger Impact track considerations due to the activity being carried out in the nature reserve. It may also pose issues in relation to emergency response and evacuation if a fire event did occur.
		Alternative access arrangements to Brereton Street would still require a connection through the nature reserve (a potential Impact Track trigger) and would increase traffic on a low order residential street.
Bushfire	Conservator of Flora and Fauna	All bushfire management activities required as a result of the proposal must be contained within the Federal Golf Club lease. No additional bushfire management activities can be required within Red Hill Nature Reserve or areas that may be used as an offset for the development.
	ACT Emergency Services	ACTF&R is aware of the retirement village proposal and has previously identified several risks associated with bushfire protective measures for this type of development. ACTF&R is

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	Authority & EPSDD	currently working with the bushfire consultant identifying the risks and protective measures.
Traffic	Transport Canberra and Community Services & EPSDD	A Traffic Impact Assessment Report should identify existing traffic conditions in the vicinity of the proposed development, describe the volume and effect of the projected traffic generated by the proposed development, and identify measures necessary to mitigate any adverse impacts on existing traffic conditions including any infrastructure upgrades likely to be required. The impact on public transport facilities, pedestrian and cycle facilities should also be assessed.
Views	EPSDD	Views to and from the site and continuity with already developed areas should be considered in selecting an appropriate site for development of the village.
Utilities	EPSDD	A utility impact assessment should identify the capacity and condition of the existing public utility infrastructure in the vicinity of the proposed development, including but not limited to power, telecommunication, and water and sewer services. The assessment should also describe the additional demand on this infrastructure generated by the proposed development, and identify measures necessary address the impact of the proposed development. This may include increasing the capacity by the replacing and/or enlarging existing services, inflow and infiltration improvements, on-site retention or detention tanks, or other on-site or off-site measures.
Utilities - stormwater	EPSDD	The site is likely to produce increased stormwater run-off. The impact on the existing downstream stormwater drainage system needs to be assessed and mitigation measures determined. This should demonstrate that the proposed development will not create a safety hazard by worsening flooding of existing properties or inhibiting emergency access on public roads. If the existing drainage system is not adequate to accommodate the increased flow, the Developer should upgrade the system or provide on-site detention to limit the expected run-off. Proposed WSUD measures to address Code requirements should be thought through early in the development process and discussed with TCCS who would be the ultimate owners and operators of any drainage infrastructure. The use of ponds, wetlands, swales, on-site detention and other measures should be considered.
Utilities - electricity	ActewAGL & EPSDD	Off grid capability is mentioned with reference to a private embedded network of solar panels and battery storage. This may have policy implications and should be fully considered by relevant

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		Act Gov Directorates (Utilities Technical Regulation – Access Canberra) and ActewAGL.
		ActewAGL Distribution do support the proposed retirement village at FGC. Proponent is required to submit the Request for “Preliminary Network Advice’ form to enworks@actewagl.com.au prior to commencement of any development activity to negotiate the connection of new and /or alteration if/as required.
Noise	ACT EPA	The EPA would recommend sensitive development planned near any function centre on the site that could be used for amplified music events (such as weddings) be required to be assessed by an appropriately qualified acoustic consultant.
Housing choices	EPSDD	Consideration of Housing typologies would need to be done at the EDP stage to ensure blocks meet Territory Plan requirements. This could also include the consideration of Integrated Housing and Planning Controls for the Estate.
Community uses	EPSDD	Consideration should be given to incorporating appropriate multipurpose flexible space to be used by residents for a variety of purposes. Areas may include, multipurpose rooms for meetings or visiting services, a workshop space potentially indoor and outdoor, outdoor spaces for gathering. Consideration may also be given to walking and cycling trails within the development to enhance connectivity and provide opportunities for active lifestyles. A space to establish a community garden may also be desirable.
		At this early stage there may be the opportunity to investigate the potential to partner with other commercial or government providers to co-locate relevant other services. For example: medical and other allied health services which could take the form of a facility or use of space and facilities within the proposed development. This could both be a draw card for the development and provider greater social and health benefits.
Electric cars	EPSDD	Electric car share model proposed requires review by Transport Planning

Attachment K
Question and Answers

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Attachment L

Draft letter to MLAs

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To:	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	This brief is in relation to ongoing discussions with a proponent, and is for information only. There is no deadline for providing correspondence to the Chief Minister in relation to this matter.

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 retirement village development; and
2. To have you sign a letter to the Chief Minister (Attachment A) advising of how the request from Hindmarsh for development of the subject site is being progressed.

Background

3. The Hindmarsh Group has contacted EPD, your office, and the office of the Chief Minister seeking support for a Territory Plan variation to rezone blocks 7 and 8 section 66 Deakin from TS22 Transport Services Zone to another zone appropriate for a retirement village development.
4. The Chief Minister wrote to you on 19 September 2014 outlining discussions with [REDACTED] regarding the lack of support to date from EPD for proceeding with a Territory Plan variation. The Chief Minister agreed for a meeting to be arranged between EPD and the Hindmarsh Group to discuss the concerns.

Issues

Meeting outcomes

5. As agreed by the Chief Minister, a meeting was held on 24 September 2014 between EPD officials and Hindmarsh Group representatives including [REDACTED] to discuss the proposal and concerns raised previously. [REDACTED] 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:/...../..... DATE RECEIVED:...../...../.....

 SATISFACTORY ☐

 UNSATISFACTORY ☐

According to criteria specified in ACT Government Policy Performance Measures

Signature / .../....

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.
8. 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

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
Manager, Territory Planning

Phone 6205 0864

Action Officer: Simon Hawke
Section: Territory Planning

Phone 6207 6436

FEASIBILITY STUDY
RESIDENTIAL OPTION
BLOCK 7 & 8, SECTION 66 - DEAKIN, ACT
february 2015



	TOWN HOUSE		APARTMENT			
			1 Bed	2 Bed	3 Bed	Total
TOWN HOUSE	37					37
BLOCK A			8	32	6	46
Ground			2	8	0	10
Leve 1			2	8	0	10
Leve 2			2	8	0	10
Leve 3			2	8	0	10
Leve 4			0	0	6	6
BLOCK B			8	32	6	46
Ground			2	8	0	10
Leve 1			2	8	0	10
Leve 2			2	8	0	10
Leve 3			2	8	0	10
Leve 4			0	0	6	6
BLOCK C			4	20	3	27
Ground			1	5	0	6
Leve 1			1	5	0	6
Leve 2			1	5	0	6
Leve 3			1	5	0	6
Leve 4			0	0	3	3
Total			20	84	15	156
	37		119			

NOTES

* All areas and information have reference to preliminary sketches produced by Antoniades Architects

* The information attached to this schedule is preliminary and is subject to further development and confirmation





LEGEND

- 1 BED APARTMENT
- 2 BED APARTMENT

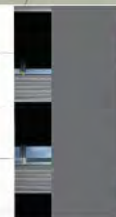
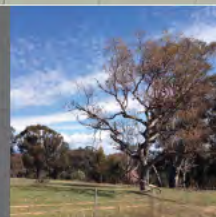


SCALE 1 1000 @ A3

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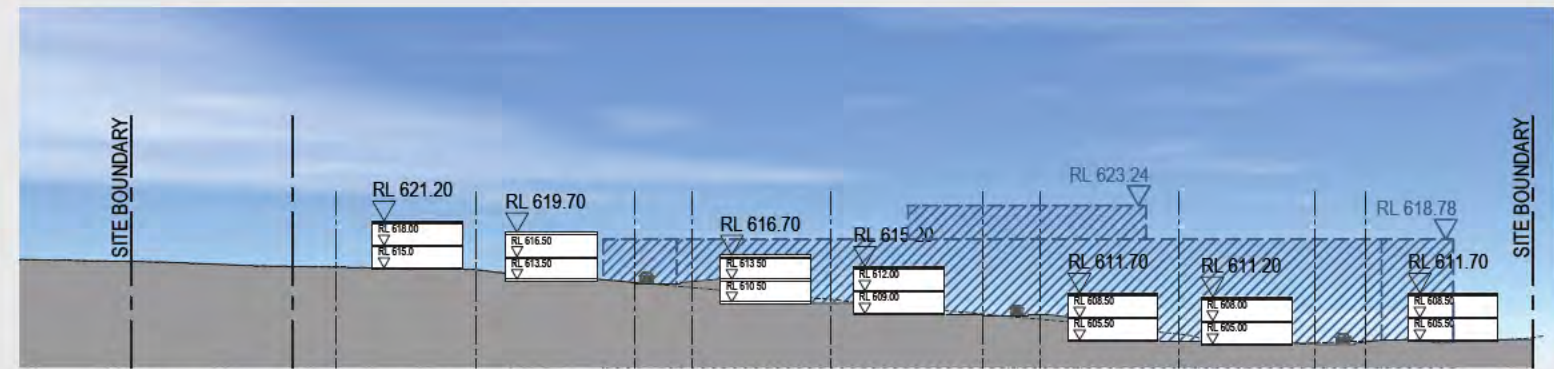
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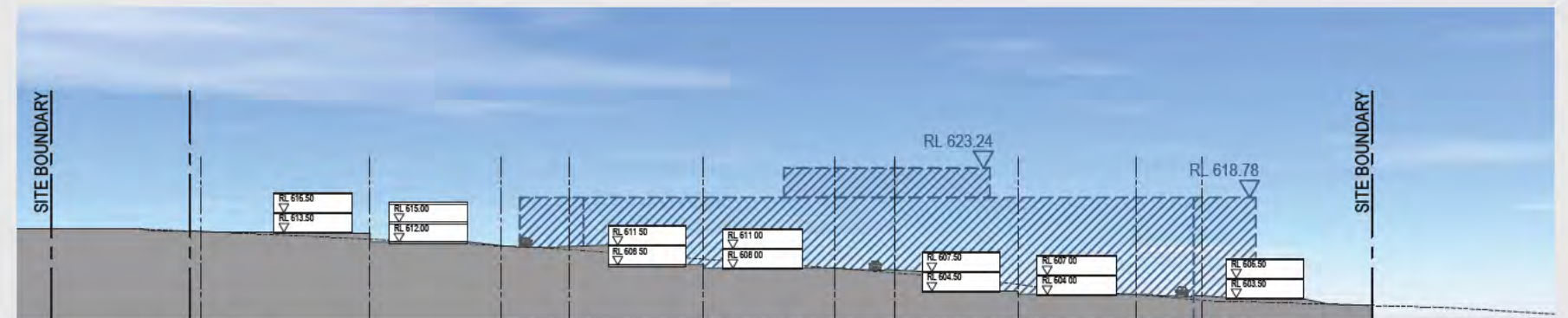
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BLOCK 7 & 8, SECTION 66 - DEAKIN, ACT

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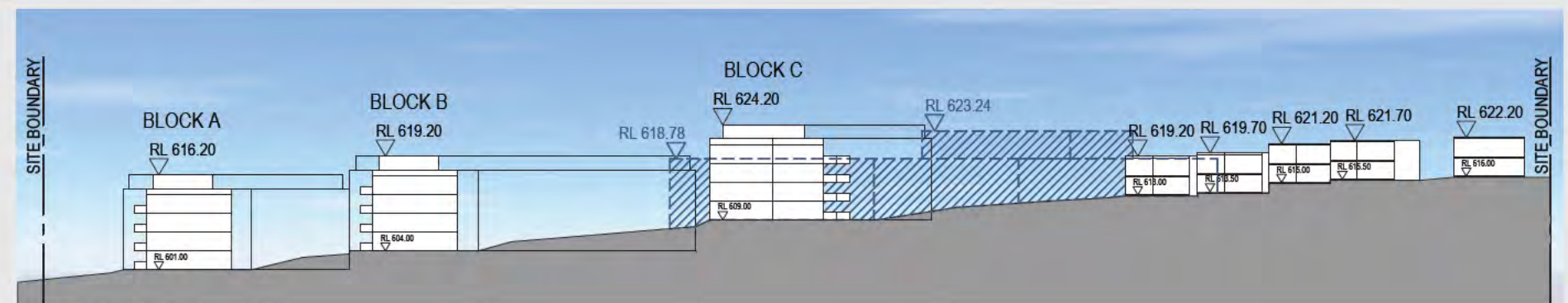
concept master plan



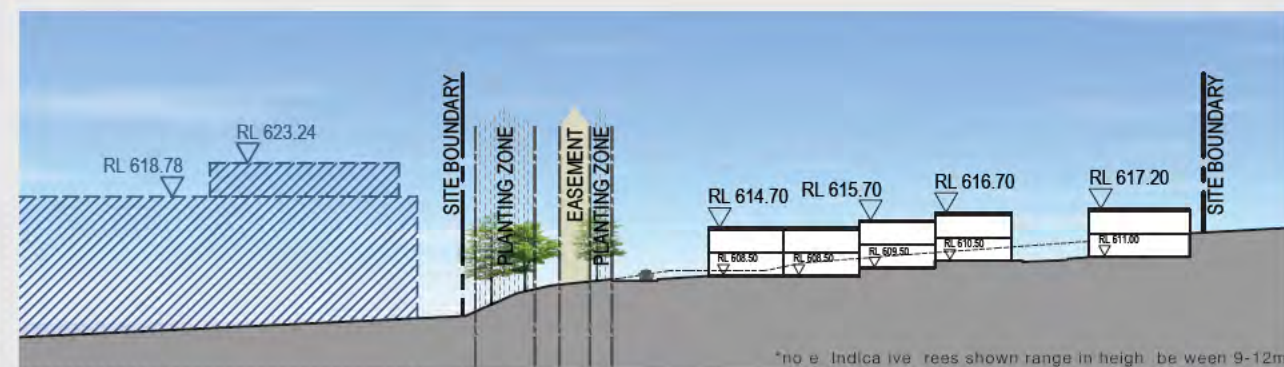
SECTION A A



SECTION B B



SECTION C C



SECTION D D

LEGEND

ADJACENT BUILDING



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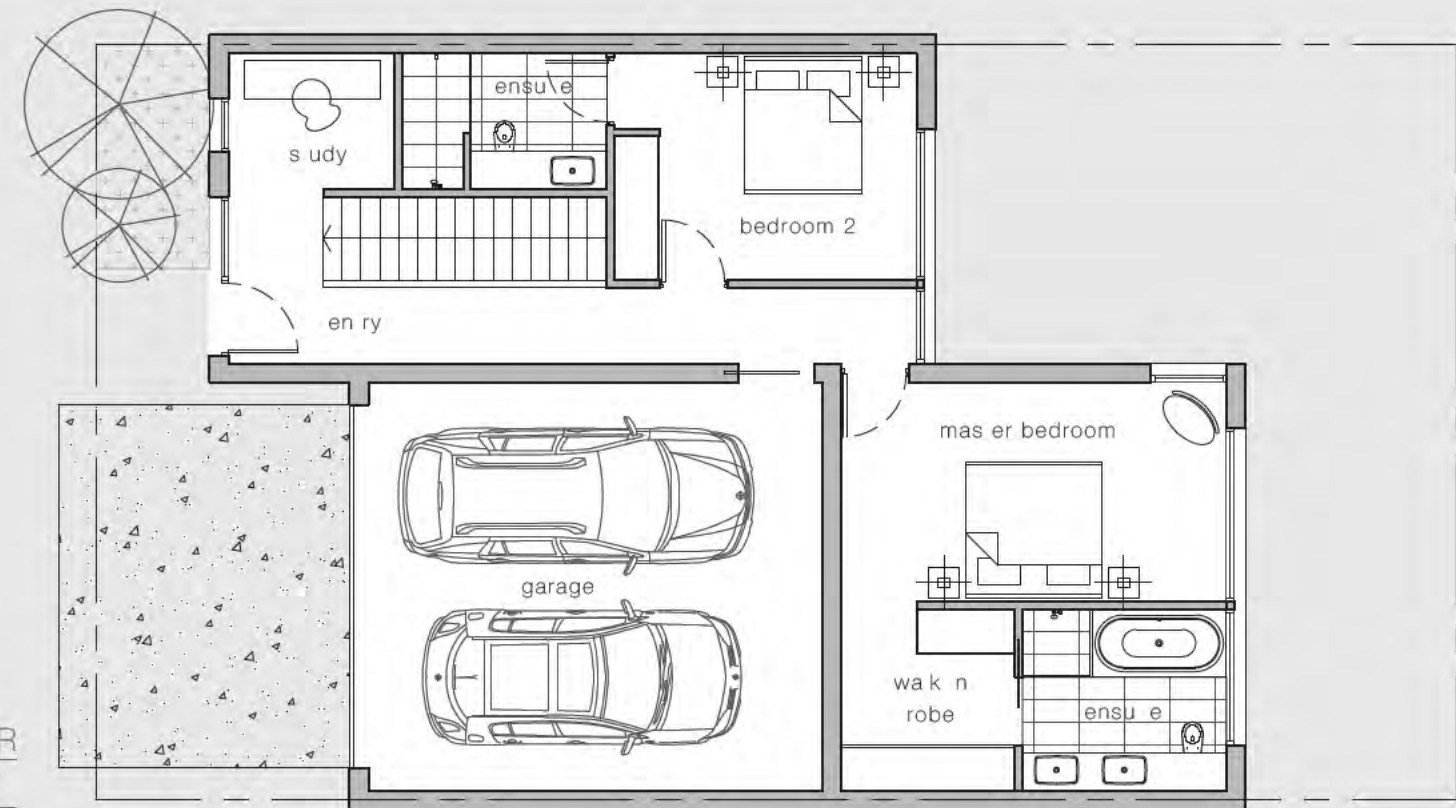


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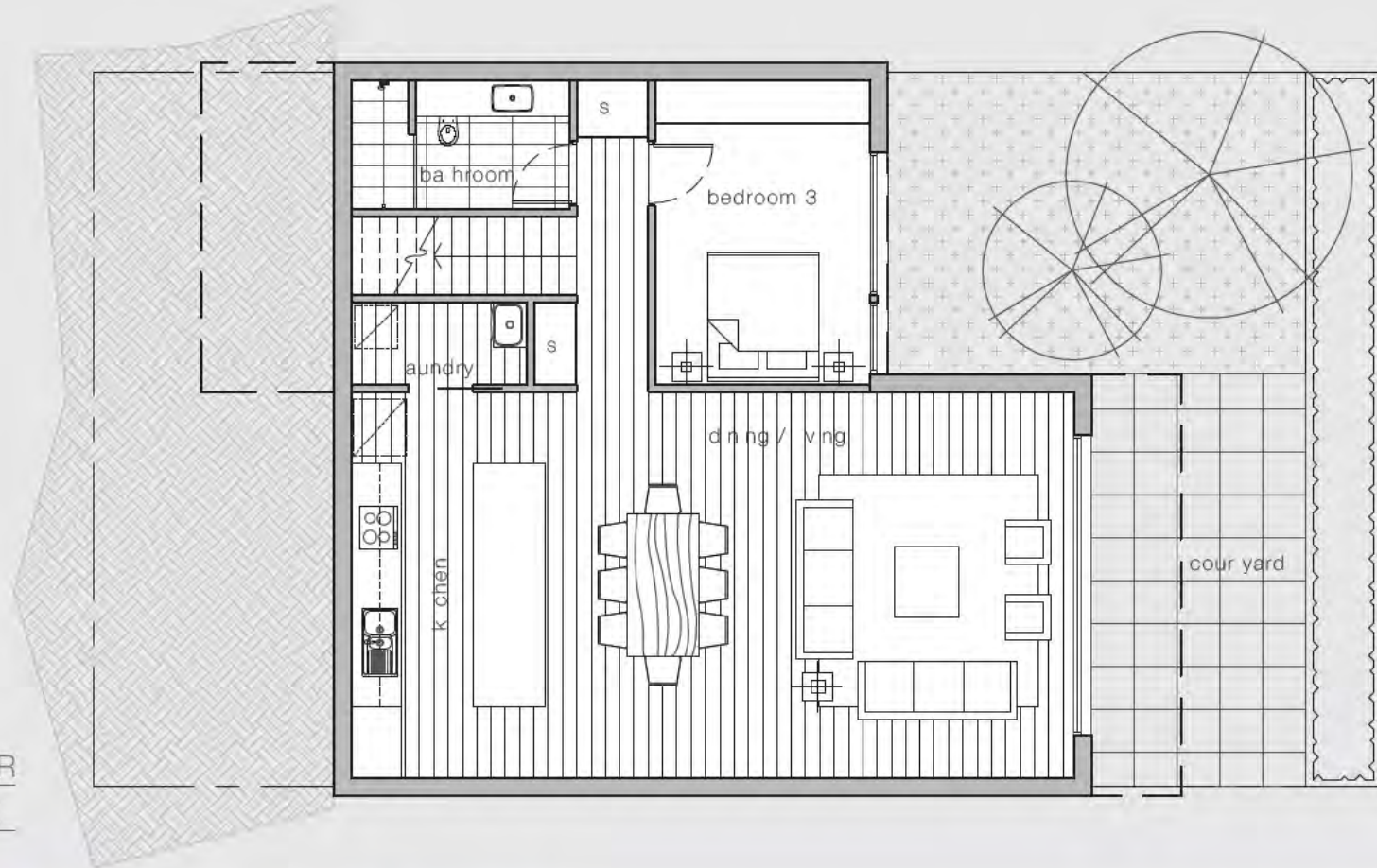
february 2015

sketch sections

UPPER
EVE



OWER
EVE



TOWNHOUSE TYPE 1

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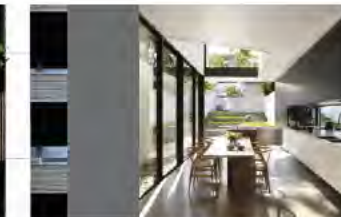
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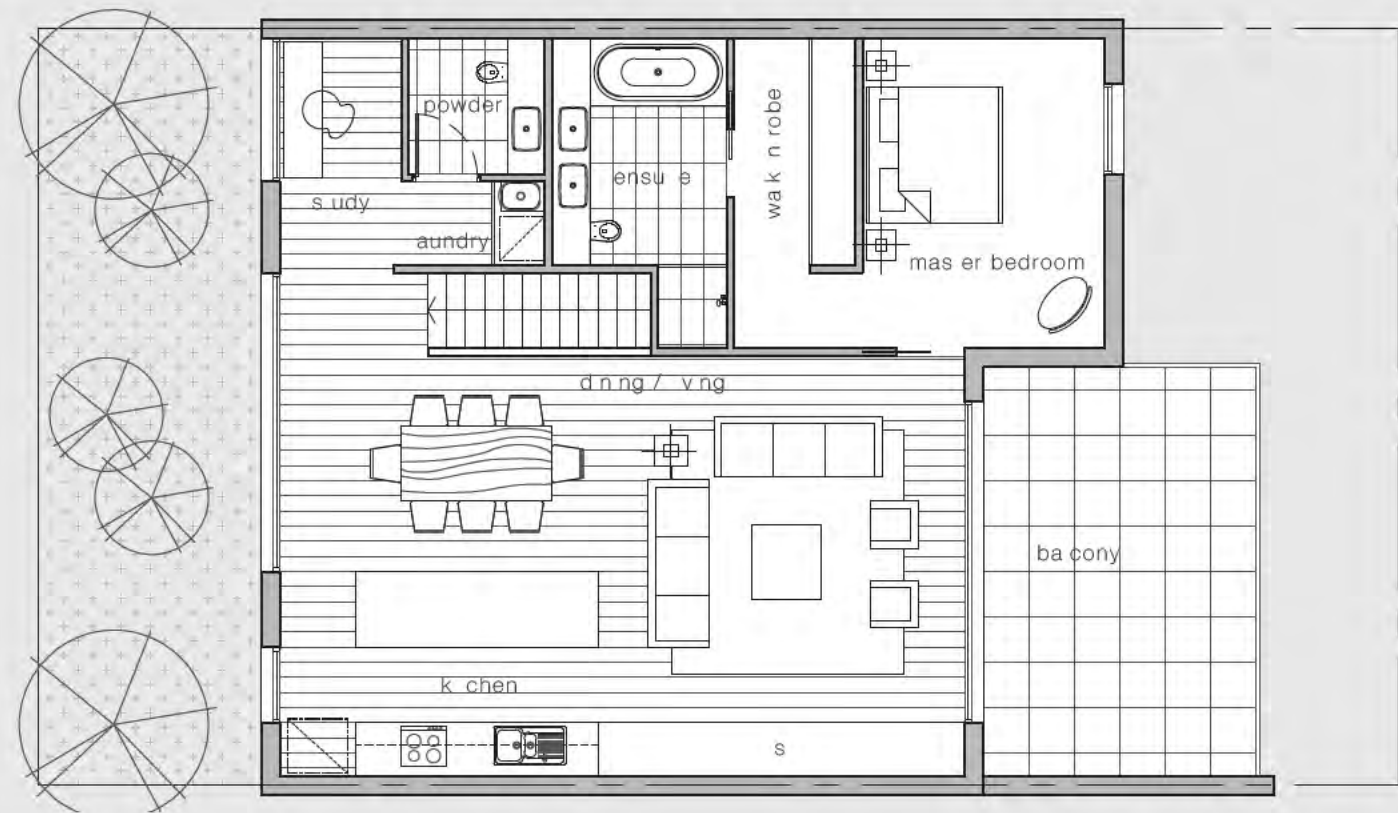


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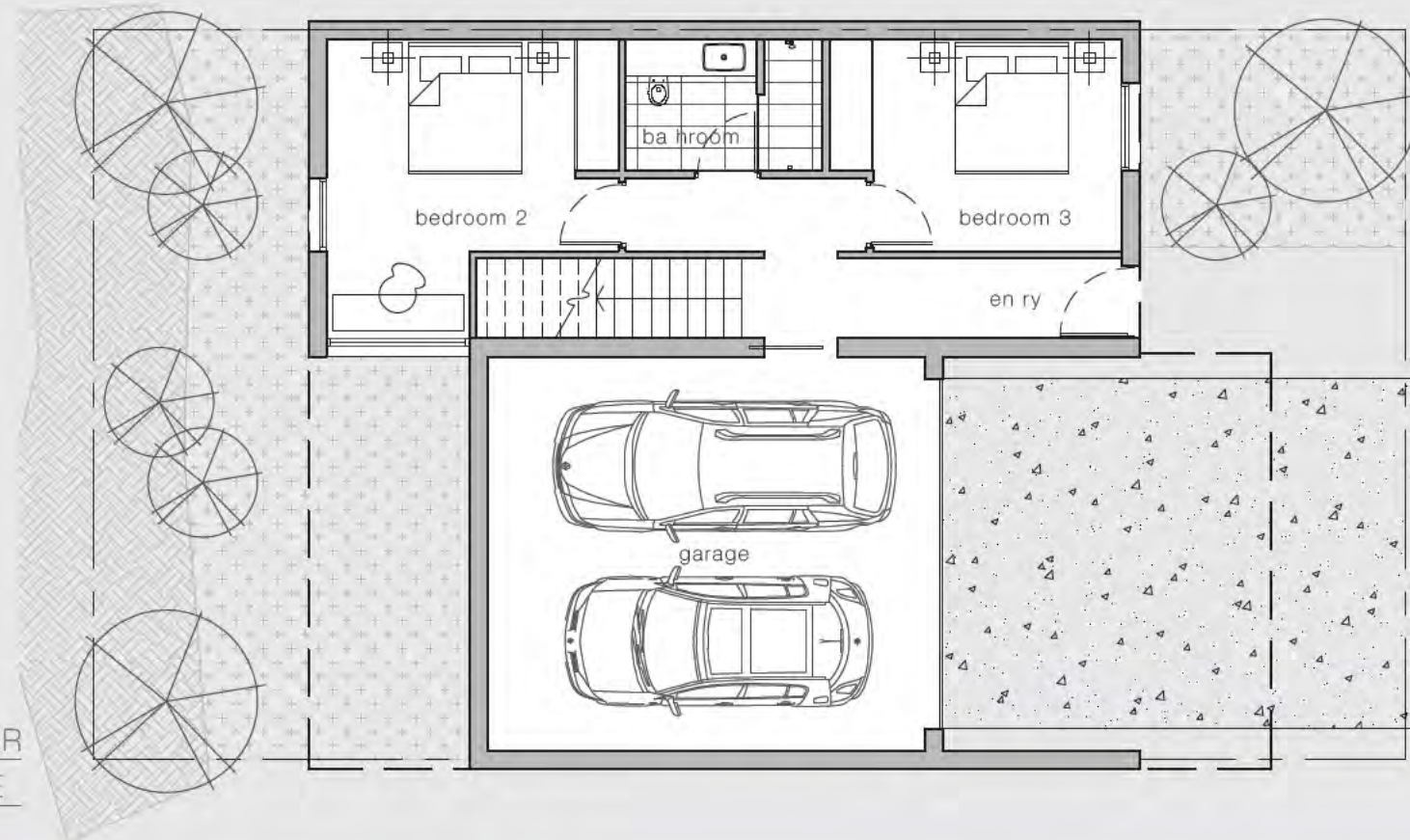
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sketch layouts

UPPER
EVE



LOWER
EVE



TOWNHOUSE TYPE 2

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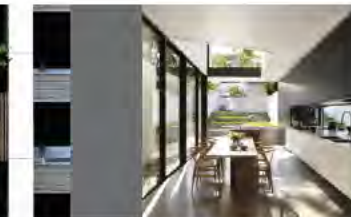
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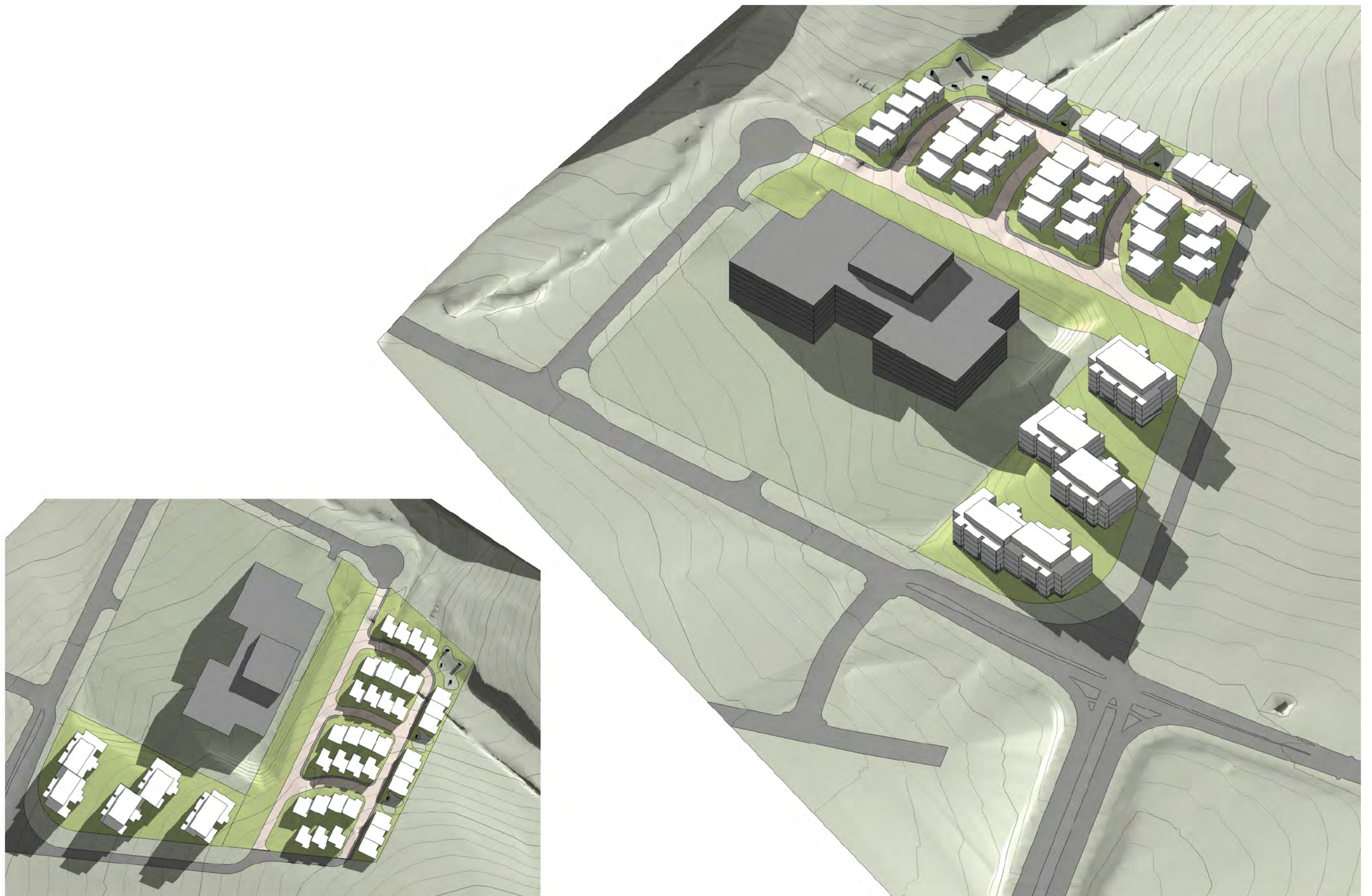
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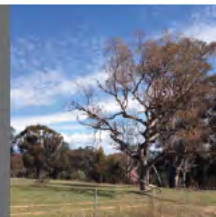
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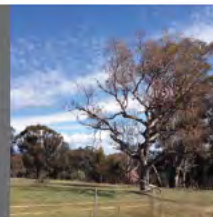
FEASIBILITY STUDY (RESIDENTIAL OPTION)
 BLOCK 7 & 8, SECTION 66 - DEAKIN, ACT
 february 2015

shadow diagrams (winter solstice)



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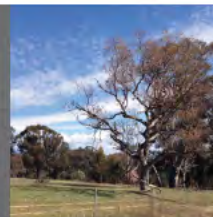
shadow diagrams (winter solstice)



3PM

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shadow diagrams (winter solstice)



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FEASIBILITY STUDY (RESIDENTIAL OPTION)
BLOCK 7 & 8, SECTION 66 - DEAKIN, ACT

february 2015

benchmark images

Deakin s66 document list timeline

1. 26 July 2004
Ministerial brief outlining request for preparation of a planning report to rezone blocks for aged care
2. 27 August 2004
Trigger letter for preparation of a planning report
3. 22 June 2005
Letter from resident to Minister Corbell outlining concerns with the proposal after preliminary discussions with the proponent
4. 14 February 2006
Planning study submitted to ACTPLA for assessment
5. 26 April 2006
Planning and Land Council minutes on review of planning report
6. 26 August 2006
Request by Hindmarsh for additional information outlining the lack of support for rezoning proposal by ACTPLA
7. October 2006
Letter from ACTPLA to Hindmarsh outlining eight reasons for not supporting the proposed rezoning
8. October 2006
Brief from ACTPLA to Minister Corbell for Minister meeting with Hindmarsh on 26 October 2006
9. 22 November 2013
Brief to Minister Corbell from Leasing section prior to meeting with Hindmarsh outlining history of the site and concerns with proposal
10. 5 December 2013
Letter from Hindmarsh to Minister Corbell requesting in-principle support for variation to permit aged care, post meeting with the Minister 5 December 2013
11. 13 February 2014
Letter to Territory Planning from Hindmarsh addressing the eight items outlined in the 2006 letter from ACTPLA not supporting the proposal, following on from meeting on 14 January 2014 with Territory Planning
12. 28 April 2014
Supplementary letter to Territory Planning from Hindmarsh with additional supporting information for proposed variation

13. 28 May 2014
Additional brief to Minister and Chief Minister from Territory Planning outlining discussions with Hindmarsh
14. 17 September 2014
Additional briefing material provided to Minister Gentleman's office for Hindmarsh meeting with the Chief Minister on 18 September 2014

Brief to Minister Gentleman on update of discussions
15. 22 November 2014
letter to Hindmarsh from EPD requesting additional information
16. 16 December 2014
Meeting notes between Territory Planning (EPD) and Hindmarsh
17. 2 March 2015
Additional information provided by Hindmarsh outlining amended scheme for the site to demonstrate the development potential and response to concerns raised.
18. 22 April 2015
Brief to Minister Gentleman with update on discussions
19. 21 July 2015
Letter from Minister Gentleman to Hindmarsh advising on further information outstanding
20. 19 August 2015
Letter to Hindmarsh from ED Planning Delivery requesting additional information sent 21 August 2015
21. 20 April 2016
Email from Hindmarsh with letter from Telstra (signed 1 December 2015) endorsing the proposed rezoning of the entire TSZ2 land
22. 29 April 2016
16/08451 Brief to DG and Minister providing update and seeking recommendation for next stage (Minister agreed 6 June 2016)
23. 8 June 2016
Email from EPD to Hindmarsh advising that additional information accepted- next stage for Hindmarsh to formally request the preparation of a scoping study

[reviewed and up to date as of 22/7/2016]

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,

Background

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;
6. 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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Hindmarsh Development Australia Pty Limited as trustee for Hindmarsh Development Australia Unit Trust. ABN 86 439 287 808



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 it 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.



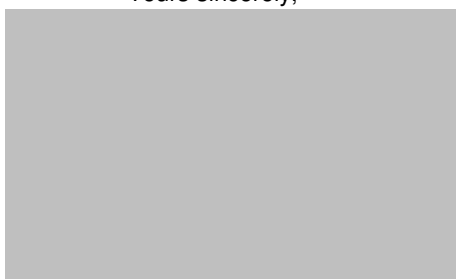
Conclusion

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



HINDMARSH
Development

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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Hindmarsh Development Australia Pty Limited as trustee for Hindmarsh Development Australia Unit Trust. ABN 86 439 287 804



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.

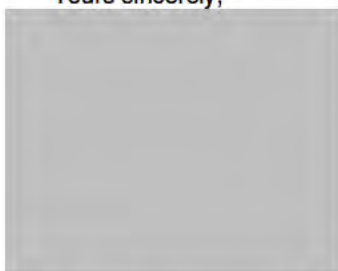
Conclusion

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.

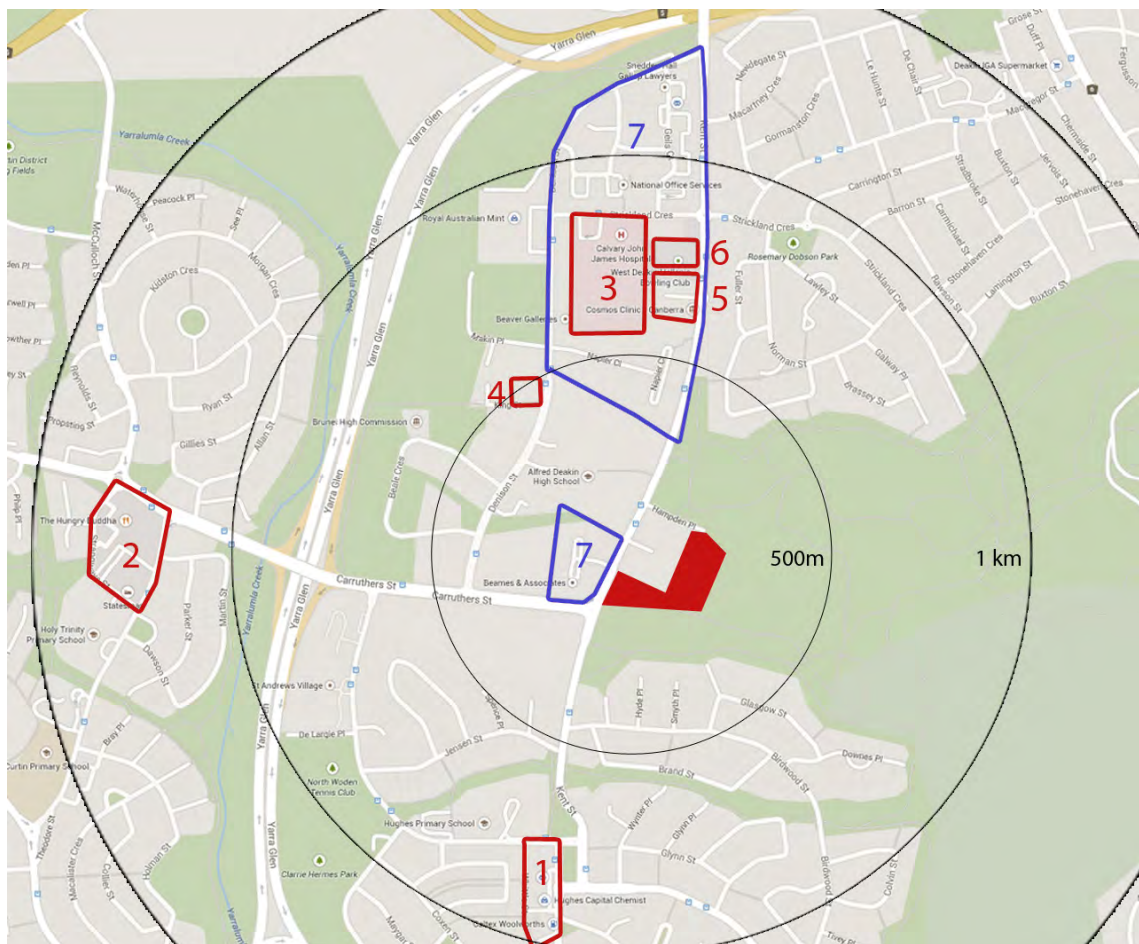
Yours sincerely,



ACT State Manager Development



Appendix A – Section 66 Deakin Proximity to Amenity



1. 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

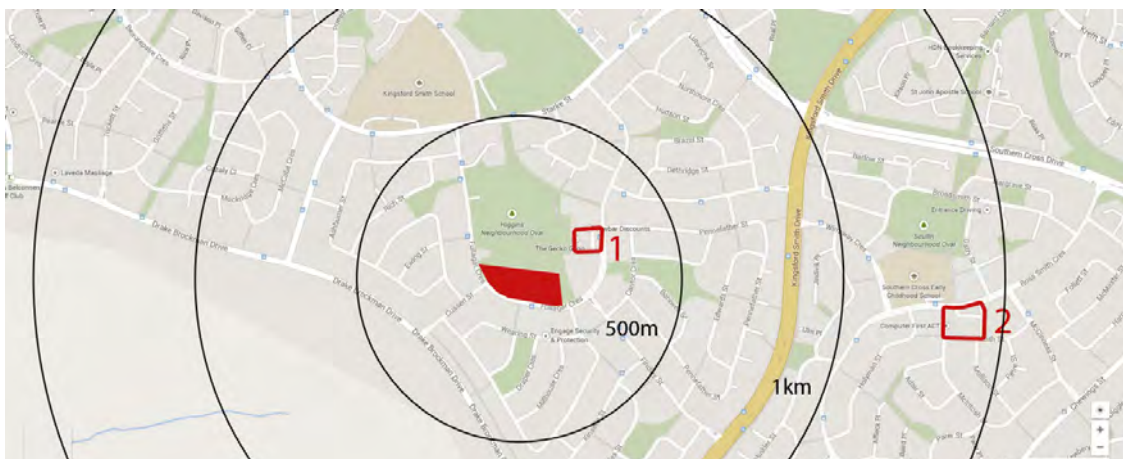


Block 1 Section 45 Chapman



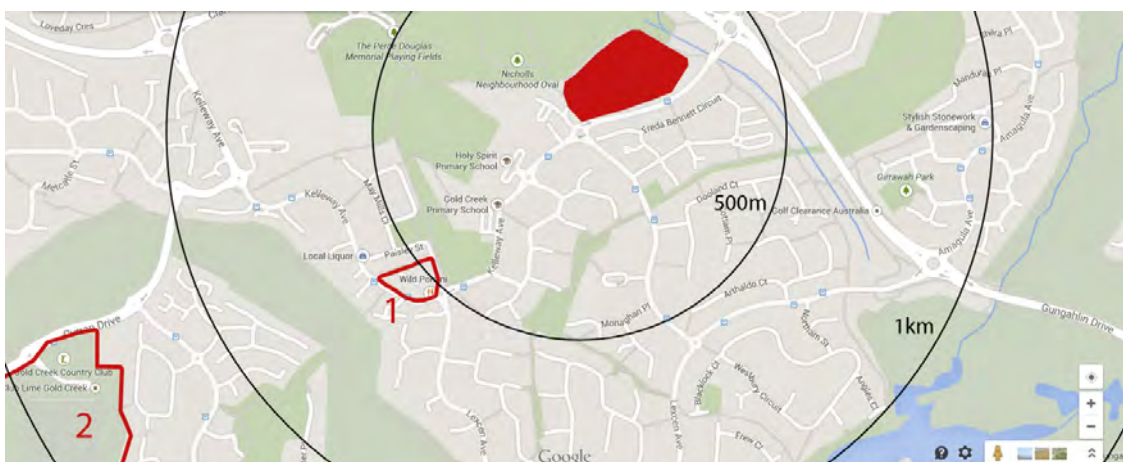
1. Rivett Local Shops 2. Weston Group Centre

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



ACT
Government

Environment and Planning

[Redacted]
Hindmarsh
[Redacted]

Dear [Redacted],

Section 66 Deakin: Rezoning proposal

This letter is in response to requests for further consideration of a proposal to rezone blocks 7 and 8 in section 66 Deakin for an aged care facility.

The material provided by Hindmarsh in support of the request for further consideration of a Territory Plan variation has been reviewed by the Environment and Planning Directorate (EPD). EPD still has concerns with the proposed rezoning, but is open to Hindmarsh undertaking additional work to respond to these concerns. In particular:

1. Partial site rezoning

Part rezoning of the section brings about potentially difficult interface issues as the proposal to rezone blocks 7 and 8 would leave the adjoining developments, the defence and Telstra buildings, on blocks 6 and 2 respectively. Should the proposed re-zoning proceed, the strong preference would be to rezone the entire TSZ2 zone in that area, including block 13 section 78 and the Hampden Place road reserve. This would provide the opportunity to ensure the zoning for the subject site and surrounding areas is appropriate to the potential uses of the land.

Your proposal would be strengthened if Hindmarsh could obtain blocks 2 and 6 section 66 to enable a more comprehensive and appropriate rezoning and development opportunity through consolidation of the entire section into one parcel. Consolidation of the sites would also assist in addressing accessibility issues to blocks 7 and 8 section 66.

2. Design solutions to site constraints

The information provided to date in support of the proposal is not considered sufficient to address the concerns raised in 2006. Additional information by way of indicative design solutions would assist in demonstrating potential design outcomes responding to the constraints of the site.

Additional supporting material responding to the points raised above should be provided to the Territory Planning section either through the terrplan@act.gov.au email inbox, by mail to PO Box 158 Canberra 2601 or in person at 16 Challis Street Dickson for review and consideration of any further action. Please contact Alix Kaucz, manager of the Territory Planning section, on 6205 0864 for additional information if required.

Sincerely



Dorte Ekelund
Director General
Environment and Planning Directorate

22 November 2014



SUBJECT: Section 66 Deakin- Meeting with Hindmarsh

Date: 16 December 2014

Background

Hindmarsh are the lessees of blocks 7 and 8 section 66 Deakin and are seeking a Territory Plan variation to rezone the blocks from TSZ2 to CFZ or an RZ to permit aged care or young seniors accommodation. A previous request by Hindmarsh in 2005 for a similar proposal was not supported by the planning authority at the time, with eight areas of concern noted in written advice to the proponent. The eight points are:

- 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 the 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.
- Bushfire protection requires additional Asset Protection Zone within the lease boundary.
- Justification for land use policy change for only part of the section is not strong. The entire section should be considered to achieve an integrated development for section 66.

Hindmarsh representatives approached EPD in early 2014 seeking to respond to the concerns raised in the 2005 letter. Representatives from EPD, Minister Gentleman and the Chief Minister have separately held meetings with Hindmarsh over the course of 2014, with the Chief Minister recommending that the planning authority consider the proposal further.

Issues

Hindmarsh have provided additional written information advising that design features could resolve the issues raised, without providing additional detail. The EPD DG sent a letter requesting additional information by way of design concepts to demonstrate how the issues raised could be resolved (Document A9944875).

A meeting was held between EPD staff and Hindmarsh representatives on 16 December 2014 to discuss what would be required to be provided to EPD for further consideration.

Recommendations

In the meeting, the following additional information was requested:

- provide design and siting details to demonstrate how a proposal could respond to the site constraints such as:
 - noise from the air conditioning plant on the existing development between the site and Kent Street
 - slope of the land down to the development west of the site and to Kent Street
 - visual amenity with the limited views to and from Kent Street, predominately blocked to the west by the mass of the existing building
 - interfacing with neighbouring blocks
- provide information on the extent of rezoning and which zoning is proposed
- potential impact of a future residential development on the redevelopment potential of the existing Defence and Telstra buildings on the adjoining blocks- would residential or aged care prohibit TSZ2 development on adjoining blocks (if the adjoining blocks are not rezoned)
- cross sections through the site
- discussion of the preference for residential use or aged care and benefits/negatives of each- further consideration by EPD will be required on the preferred option

Hindmarsh will prepare additional information for early 2015 presentation to EPD.

Simon Hawke
19 December 2014.

Woolfenden, Mitchell

From: Kaucz, Alix
Sent: Thursday, 21 April 2016 9:16 AM
To: Hawke, Simon
Subject: FW: Deakin S66

Follow Up Flag: Follow up
Flag Status: Completed

From: [REDACTED]
Sent: Wednesday, 20 April 2016 7:04 AM
To: Kaucz, Alix
Cc: Robert Speight
Subject: Deakin S66

Hi Alix,

Well this has been a long time in the making, but please find attached a letter of support from Telstra with regards to the TPV request on Section 66 Deakin.

The date of the letter is when it was drafted by Telstra, but it was only released today by their legal representatives.

Could you please advise the next steps and how you think that might play out in the current political environment.

Happy to discuss further.

Kind regards,



www.hindmarsh.com.au

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SUBJECT Update on discussions with Hindmarsh regarding section 66 Deakin

DIRECTOR-GENERAL

DEPUTY DIRECTOR-GENERAL

EXECUTIVE DIRECTOR, Planning Delivery

PURPOSE

To:

1. 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
2. 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

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.

EPD wrote to Hindmarsh in August 2015 ([Attachment A](#)) 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.

Hindmarsh have now provided a letter 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

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.

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.

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.

POTENTIAL MEDIA IMPLICATIONS

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

BUDGET IMPLICATIONS

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

CONSULTATION STRATEGY

Consultation is not required at this time. 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. The proponent will be required to engage in consultation with affected lessees and surrounding residents as part of the planning report preparation.

CRITICAL DATE

There is no critical date. The proponent provided the letter from Telstra on 20 April 2016, and has been advised that the matter is currently under consideration. No date has been provided for formally responding to the request.

RECOMMENDATIONS

That you agree to advising the proponents to now 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.

Alix Kaucz
Manager
Territory Planning Section
April 2016

AGREED/NOT AGREED/NOTED/PLEASE DISCUSS

DIRECTOR-GENERAL

Date:

Contact Officer: Simon Hawke
Phone: x76436



ACT
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Environment, Planning and
Sustainable Development

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:

- Potential for the proposal to 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.

- 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.



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Information sheet Scope for a Planning Report

Introduction

The planning report is to provide evidence that the proposed change to the Territory Plan would result in net positive outcome for the ACT and the subject land is both capable and suitable for development in the form proposed. The level and nature of investigations should be relevant to the potential extent and scale of issues and impacts.

From a statutory perspective, a planning report is prepared to inform the decision of the planning and land authority on a draft variation to the Territory Plan (Part 5.6 of the *Planning and Development Act 2007* (the P&D Act)). It is the planning investigation into the proposed change to planning policy and its impacts. If the proposal progresses to a Territory Plan variation, the planning report becomes a background paper under section 58 of the P&D Act which will be exhibited publicly and eventually given to the Minister at the approval stage of the process.

In responding to the scope for a planning report, the proponent is required to address the impacts of the proposal to the degree sufficient for ACT agencies to make an informed decision on the proposed variation. At a minimum, the P&D Act requires consultation on a Territory Plan variation with the NCA, the Conservator of Flora and Fauna, the Environment Protection Authority, the Heritage Council and the land custodian, where the variation would affect unleased land or leased public land. A proponent is encouraged to consult all relevant ACT agencies on the proposal during the preparation of the planning report.

Term of the scope document

The scope document is valid for 12 months from the date shown on the scope.

If a planning report has not been submitted to the planning and land authority within this period, the scope will lapse. A written request for extension of this scope and information on work undertaken is required to be received within one year of the above date.

Submission of the planning report

Upon finalisation of the planning report and the confirmation of agreement to prepare a draft variation, a minimum of two printed copies and one CD and/or USB copy of the final version of the report (in the format specified at that time) is required to be submitted.

Fees

All relevant charges are required to be paid upon lodgement of the draft planning report. An initial application fee will be payable to the Environment, Planning and Sustainable Development Directorate (EPSDD) at the lodgement of draft planning report and a second administration fee will be payable upon finalisation of the planning report. Fees information is available at http://www.planning.act.gov.au/publications_forms/publications/f/2016-17_fees_and_charges_book

Web accessibility

Web accessibility is the practice of making website content available to all users, particularly those with disabilities, including visual, auditory, physical, speech, cognitive and neurological disabilities. It includes making content released via a website as accessible as possible regardless of technology, such as for people with text-only web browsers and old browser versions.

The ACT Government is committed to making its website content accessible to as many people as possible. To this end, documents prepared with the intent of being released to the public, particularly via an ACT Government website, are required to comply with W3C Web Content Accessibility Guidelines (WCAG) 2.0. A planning report is required to comply with this standard. A statement of compliance is required to be provided with the planning report.

Guidance on content

The planning report is required to address each part outlined in the scope for a planning report. A description of the minimum information considered a suitable response to each part of a scope.

Part A – Executive summary

The part of the report would generally include:

- Brief description of intended purpose, type and form of development;
- The need for the proposed policy change;
- The key implications of the policy change;
- Justification for the change and response to the strategic planning policy context; and
- A balanced assessment of the net impacts of the proposed plan variation.

Part B – Description of the proposed plan variation

Background information

- Name, address and consent of lessee and name and address of the proponent. Consultant authorisations. Declarations of compliance with any nominated standards (e.g. WCAG 2.0).
- Location (precise description of subject site including map)

Description of the proposed Territory Plan variation including

- current and proposed land tenure arrangements and administrative responsibilities (e.g. National Land, unleased Territory land or leased land) including the existing and proposed lease arrangements, details of any direct grants, anticipated implementation timeframes (including consideration of all statutory timeframes) for the proposed plan variation;
- the type of intended future development/use of the land, including the type and form of development, land uses, building form, bulk, urban design, landscaping, site layout access
- the form of the required variation, including any changes to zoning, any new or additional planning provisions and any changes to provisions in existing codes

Part C – Need for the proposed policy change via a plan variation

State the objectives of the proposed plan variation and why it is needed.

Describe what has changed in the economic, social, natural or physical environment to necessitate a policy change. This part is to include discussion of the advantages and disadvantages of all alternative development options including the following:

- development demands/trends
- estimated catchments/ Distribution analysis
- demographic change/ trends
- employment distribution/ opportunities
- viability of existing use
- demand for alternative uses permitted under existing zone
- other potential uses of the site
- alternative sites considered and reasons why they were discounted.

Part D – Strategic planning policy context

This part is to include detailed discussion of the proposed variation and development's consistency with each of the following elements

- its consistency with the Statement of Strategic Directions Statement in the Territory Plan. Where relevant, addresses consistency with relevant planning policy documents and associated strategic policy documents of government and relevant cross border studies/ agreements with state and local government. A response to any applicable structure plans, concept plans, precinct codes, overlays, site specific provisions, master plans or neighbourhood plans are to be discussed.
- show it is not inconsistent with relevant policies and control plans in the National Capital Plan or, if an amendment to the National Capital Plan would also be required, provide evidence of support from the National Capital Authority for the proposed change and an indicative implementation plan. Any changes to development control plans or other instruments under the National Capital Plan are to be discussed.
- any existing plans of management or action plans for public land and heritage citations.

List any likely extra approvals or processes necessary to achieve the desired outcome for the site

- any referrals required under commonwealth legislation including the *Environment Protection Biodiversity Conservation Act*
- any separate and additional approvals including future development applications required under the Territory Plan including lease variations, environmental impact statements (EIS), merit assessment, etc.
- any other ACT Government approvals including tree protection, heritage, site contamination investigations, etc.

Part E – Preliminary consultation

Community consultation with affected communities and interested members of the general public on the proposal is required to be conducted in accordance with the ACT Community Engagement Guideline at: http://www.timetotalk.act.gov.au/storage/communityengagement_FINAL.pdf

Part F – Potential impacts

Considering all the identified potential impacts and mitigation measures, present a balanced overview of the net impact of the proposed plan variation. Include details of any measures which would mitigate or minimise the negative impacts.

Provide a description of the existing physical, natural and social environment and built form of the site and surrounds including identifying any opportunities and constraints on development.

Under each of the following three headings provide information/an assessment of all potential impacts.

1. Physical features, infrastructure and built form

An assessment of impacts should include, but not necessarily be limited to, the following:

- Topography – include a contour map at an appropriate scale
- Soils and geology
- Hydrology
- Physical infrastructure - roads and traffic conditions, car parking, other modes of transport, sewerage, water, gas, electricity, stormwater, telecommunications
- Relevant hazards - bushfire, flooding, site contamination
- Built form
- Amenity of the area - noise, odour, light spill impacts, safety

2. Natural features and values

An assessment of impacts should include, but not necessarily be limited to, the following:

- Ecological values including flora and fauna - vegetation/tree survey and significance in terms of aesthetics, conservation and environmental values
- Air, soil and water quality (as relevant)

3. Social and cultural context

An assessment of impacts should include, but not necessarily be limited to, the following:

- Communities of interest
- Social infrastructure either - including community, shopping and recreation facilities
- Existing character and of the site and surrounds - urban design streetscape character
- Cultural & heritage environment – natural, Aboriginal and European
- Economic environment , where relevant



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Environment, Planning and
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Ref: A12951930

[REDACTED]
Purdon Planning Pty Ltd
Unit 4 Cooyong Centre
1 Torrens Street
Braddon ACT 2612
[REDACTED]

Dear [REDACTED]

Scope for a planning report in support of a proposed Territory Plan variation for – Section 66 Deakin rezoning and amendments to the Deakin precinct map and code

I refer to your email of 21 September 2016 requesting a scope for a planning report for a Territory Plan Variation. The proposal has been reviewed by the relevant ACT Government agencies and the National Capital Authority.

A scoping document has been prepared and attached (Attachment 1). The scope should be addressed in full in the planning report. An information sheet has also been attached (Attachment 2). It outlines the content and level of detail for the planning report. The information sheet also provides details on the fees and format for submitting the draft planning report to the Environment, Planning and Sustainable Development Directorate.

There are a few key issues that have been identified as a priority in relation to the proposal. These are included in the scoping document and include:

- **clarification of the proposed uses** and justification for the proposed zone, including consideration of alternative zones suitable for the intended uses
- **an ecological values assessment** is required as the area covered by the proposal contains a number of ecological values, including Box Gum Woodland Endangered Ecological Community, and potential habitat trees
- **a heritage inspection** to identify any heritage places or objects
- **an environmental assessment** to determine whether past activities have impacted the site from a contamination perspective

If you have any queries in relation to this matter, please contact the Territory Plan by calling or emailing Ms Alix Kaucz on 62050864 or alix.kaucz@act.gov.au .

Gary Rake
A/g Director General
Environment, Planning and Sustainable Development Directorate.

December 2016



UNCLASSIFIED

To:	Director-General Deputy Director-General	Tracking No.: 16/23266
From:	Executive Director, Planning Delivery	
Date		
Subject:	Scoping document for Section 66 Deakin and associated areas proposed Territory Plan Variation	
Critical Date:	There is no critical date	
Critical Reason:	In the normal course of business	

Purpose

To note the contents of the brief, and to sign the letter to Purdon Planning advising that a scoping document has been prepared to inform the preparation of a planning report.

Recommendations

That you:

1. Note the information contained in this brief; and

Noted / Please Discuss

2. Sign the attached letter (Attachment A).

Agreed / Not Agreed / Please Discuss

Dorte Ekelund/...../.....

DG Feedback

UNCLASSIFIED

Background

1. On 21 September 2016, Purdon Planning requested the preparation of a scoping document to inform the preparation of the Planning Report for a Territory Plan variation.
2. The variation would be to rezone section 66 Deakin along with associated surrounding areas from TSZ2 transport services zone to CZ5 mixed use.

Issues

3. Hindmarsh Group, the lessee of block 7 and 8 section 66 and block 13 section 78, have been in discussions with the planning authority since 2005 regarding potential development of the blocks for aged care, residential and/or commercial uses.
4. A previous request by the proponents to commence a scoping study was refused by the planning authority in 2006, with eight issues of significance raised.
5. Since 2014, the proponents have been in renewed discussions with the planning authority, addressing a number of the issues raised previously.
6. On 6 June 2016 the Minister for Planning agreed to advising the proponents to request a scoping study (16/08451).

Financial Implications

7. There are no financial implications. Processes associated with Territory Plan variations are covered by base funding, if the proposal progresses to that stage.

Consultation

Internal

8. The Conservator of Flora and Fauna has requested an ecological values assessment as the area contains a number of ecological values, including Box Gum Woodland Endangered Ecological Community, and potential habitat trees.
9. The ACT Heritage Council has requested a heritage inspection to identify any heritage places or objects
10. The Environment Protection Authority have requested an environmental assessment be undertaken prior to rezoning to determine if contamination is present

Cross Directorate

11. Community Services Directorate raised a number of issues including the reasoning for the proposed zoning, consideration of other zones, the impact of losing the current zoning, further information on the proposed uses, and a request for community engagement. The issues raised have been summarized in the scoping document

External

12. The National Capital Authority have requested that a visual analysis be prepared to determine the potential impact of future development on the existing adjoining buildings. This has been included in the scoping document.
13. Other entities contacted did not raise any concerns with the proposal, and no entities advised that the proposal was not supported.

Benefits/Sensitivities

14. The proponents, in the previous iteration of the proposal in 2005, conducted community consultation as part of the initial planning study. A number of concerns were raised by surrounding residents at the time, with at least one letter to the relevant Minister in evidence. As the proposal failed previously, the concerns raised were never considered in detail.
15. It is likely that the proponent's community engagement as part of this process will raise some concerns within the community, which will need to be addressed by the proponents, but may result in communication to the Minister and/or to media.

Media Implications

16. There are no immediate media implications , though as noted above, once the proponents commence community consultation there is potential for members of the community to voice opinions on the proposal in the media, particularly if they are familiar with the previous engagement process.

Signatory Name:	Alix Kaucz	Phone:	6207 0864
	Senior Manager, Territory Planning		
Action Officer:	Simon Hawke	Phone:	6207 6436



To:	Director General	UNCLASSIFIED 23/12/16	Tracking No.: 16/23266
	Deputy Director-General		
From:	Executive Director, Planning Delivery		
Date:			
Subject:	Scoping document for Section 66 Deakin and associated areas proposed Territory Plan Variation		
Critical Date:	There is no critical date		
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Purpose

To note the contents of the brief, and to sign the letter to Purdon Planning advising that a scoping document has been prepared to inform the preparation of a planning report.

Recommendations

That you:

1. Note the information contained in this brief; and
2. Sign the attached letter (Attachment A).

Noted / Please Discuss

Agreed / Not Agreed / Please Discuss

Dorte Ekelund/...../.....

DG Feedback

Background

1. On 21 September 2016, Purdon Planning requested the preparation of a scoping document to inform the preparation of the Planning Report for a Territory Plan variation.
2. The variation would be to rezone section 66 Deakin along with associated surrounding areas from TSZ2 transport services zone to CZ5 mixed use.

Issues

3. Hindmarsh Group, the lessee of block 7 and 8 section 66 and block 13 section 78, have been in discussions with the planning authority since 2005 regarding potential development of the blocks for aged care, residential and/or commercial uses.
4. A previous request by the proponents to commence a scoping study was refused by the planning authority in 2006, with eight issues of significance raised.
5. Since 2014, the proponents have been in renewed discussions with the planning authority, addressing a number of the issues raised previously.
6. On 6 June 2016 the Minister for Planning agreed to advising the proponents to request a scoping study (16/08451).

Financial Implications

7. There are no financial implications. Processes associated with Territory Plan variations are covered by base funding, if the proposal progresses to that stage.

Consultation

Internal

8. The Conservator of Flora and Fauna has requested an ecological values assessment as the area contains a number of ecological values, including Box Gum Woodland Endangered Ecological Community, and potential habitat trees.
9. The ACT Heritage Council has requested a heritage inspection to identify any heritage places or objects
10. The Environment Protection Authority have requested an environmental assessment be undertaken prior to rezoning to determine if contamination is present

Cross Directorate

11. Community Services Directorate raised a number of issues including the reasoning for the proposed zoning, consideration of other zones, the impact of losing the current zoning, further information on the proposed uses, and a request for community engagement. The issues raised have been summarized in the scoping document

External

12. The National Capital Authority have requested that a visual analysis be prepared to determine the potential impact of future development on the existing adjoining buildings. This has been included in the scoping document.
13. Other entities contacted did not raise any concerns with the proposal, and no entities advised that the proposal was not supported.

Benefits/Sensitivities

14. The proponents, in the previous iteration of the proposal in 2005, conducted community consultation as part of the initial planning study. A number of concerns were raised by surrounding residents at the time, with at least one letter to the relevant Minister in evidence. As the proposal failed previously, the concerns raised were never considered in detail.
15. It is likely that the proponent's community engagement as part of this process will raise some concerns within the community, which will need to be addressed by the proponents, but may result in communication to the Minister and/or to media.

Media Implications

16. There are no immediate media implications , though as noted above, once the proponents commence community consultation there is potential for members of the community to voice opinions on the proposal in the media, particularly if they are familiar with the previous engagement process.

Signatory Name:	Alix Kaucz	Phone:	6207 0864
	Senior Manager, Territory Planning		
Action Officer:	Simon Hawke	Phone:	6207 6436



ACT
Government

Environment, Planning and
Sustainable Development

Ref: A12951930

[REDACTED]
Purdon Planning Pty Ltd
Unit 4 Cooyong Centre
1 Torrens Street
Braddon ACT 2612
[REDACTED]

Dear [REDACTED]

Scope for a planning report in support of a proposed Territory Plan variation for – Section 66 Deakin rezoning and amendments to the Deakin precinct map and code

I refer to your email of 21 September 2016 requesting a scope for a planning report for a Territory Plan Variation. The proposal has been reviewed by the relevant ACT Government agencies and the National Capital Authority.

A scoping document has been prepared and attached (Attachment 1). The scope should be addressed in full in the planning report. An information sheet has also been attached (Attachment 2). It outlines the content and level of detail for the planning report. The information sheet also provides details on the fees and format for submitting the draft planning report to the Environment, Planning and Sustainable Development Directorate.

There are a few key issues that have been identified as a priority in relation to the proposal. These are included in the scoping document and include:

- **clarification of the proposed uses** and justification for the proposed zone, including consideration of alternative zones suitable for the intended uses
- **an ecological values assessment** is required as the area covered by the proposal contains a number of ecological values, including Box Gum Woodland Endangered Ecological Community, and potential habitat trees
- **a heritage inspection** to identify any heritage places or objects
- **an environmental assessment** to determine whether past activities have impacted the site from a contamination perspective

If you have any queries in relation to this matter, please contact the Territory Plan by calling or emailing Ms Alix Kaucz on 62050864 or alix.kaucz@act.gov.au .



Gary Rake
A/g Director General
Environment, Planning and Sustainable Development Directorate.

23 December 2016

Woolfenden, Mitchell

From: Terrplan
Sent: Friday, 30 September 2016 12:49 PM
To: Rutledge, Geoffrey; Nockels, Alexander; MACC; EPAPanningLiaison; Johns, Peter; DET School Planning; Strachan, Shaun (Health); Schofield, Karen; EmergencyManagement; [redacted] Pedersen, Andrew; 'enworks@actewagl.com.au'; [redacted]; EPDLegislationServices; Cilliers, George; Chapman, Maggie; Morris, VanessaX; EPD Strategic Planning Referrals; Heritage; Rooney, Sean; Mozqueira, Antonio; McKeown, Helen
Cc: Jones, Greg; Brown, Robin; Jones, David; Chadwick, Graham; Simon, Martin; DDGCorporate; [redacted] Joseph, Gabriel; [redacted] Dengate, Clinton; Phillips, Brett; Saad, Monica; Carmichael, Tony; Jurcevic, Suzanne; Oswald, Petra; Moore, AlisonM (ACTPLA); OConnell, Jennifer; Russell, Meaghan; Sutton, Paul
Subject: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Dear all

The Environment and Planning Directorate has received a request from Purdon Planning on behalf of the Hindmarsh Group to prepare scoping advice for a planning report to inform a proposed draft variation to the Territory Plan for **section 66 and adjoining Hampden Place road reserve in Deakin**. The section is currently zoned TSZ2 Services zone. The proposal is to rezone section 66 and the 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; and
2. 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 selling food to 250m² on blocks 7, 8 and 13.

The proposed changes are to permit the incorporation of a mix of uses including residential, commercial and retirement uses on blocks 7, 8 and 13.

Input is being sought from agencies on the preparation of scoping advice for a planning report into the proposal to inform EPD's decision on the preparation of a draft variation to the Territory Plan. The standard template for scoping advice for a planning report is attached for your comment.

Please identify any additional elements for inclusion in the scoping document and send your advice to terrplan@act.gov.au by COB Tuesday 25 October 2016. If no comments have been received from your agency by this date and no request for an extension of time has been received then it will be considered that your agency has nil comments on the proposal. In addition, please advise of any changes to referral contacts at the earliest opportunity.

Kind regards

Territory Plan Section | General Enquiries inbox | terrplan@act.gov.au

Planning Delivery | Environment and Planning | **ACT Government**

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



HINDMARSH DEVELOPMENT AUSTRALIA

DEAKIN 66

MIXED USE COMMUNITY

Request for scoping document
for Territory Plan Variation

SEPTEMBER 2016

WE CARE ABOUT

GOOD,
PRACTICAL
AND FEASIBLE
OUTCOMES

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Any representation, statement, opinion or advice expressed or implied in this publication is made in good faith but on the basis that Purdon Planning, its agents and employees are not liable to any person for any damage or loss whatsoever which has occurred or may occur, in relation to that person taking or not taking (as the case may be) action, in respect of any representation, statement or advice referred to in this report.

1.0 Introduction

1.1 Purpose

This report has been prepared by Purdon Planning Pty Ltd on behalf of Hindmarsh Pty Limited (lessee) to the ACT Environment and Planning Directorate (EPD) to support a request for a scoping document for a Territory Plan Variation to rezone Section 66 Deakin.

The proposal is to vary the Territory Plan to facilitate development of a unique mixed use community area on Blocks 7, 8 and 13 Section 66 Deakin. Blocks 2 and 6 Section 66, land used for the Deakin Department of Defence building and a Telstra Office Facility, has been included due to a request by EPD and the Minister for Planning to create the variation for all of Section 66.

Blocks 7 and 8 are likely to incorporate a mix of uses including residential and non-retail commercial. The proposal to vary the Territory Plan will ensure incompatible uses are not co-located as part of any future development or redevelopment of Section 66.

1.2 Background

Hindmarsh is a leading development company focusing on complex construction projects, real estate development and retirement services.

Section 66 Deakin is adjacent to Deakin's boundary with Hughes and borders the Red Hill Nature Reserve on its northern and eastern boundaries. Blocks 7, 8 and 13 are to the south and eastern edges of Section 66. The Deakin Department of Defence building is sited on block 6 and a Telstra Office Facility is on block 2.

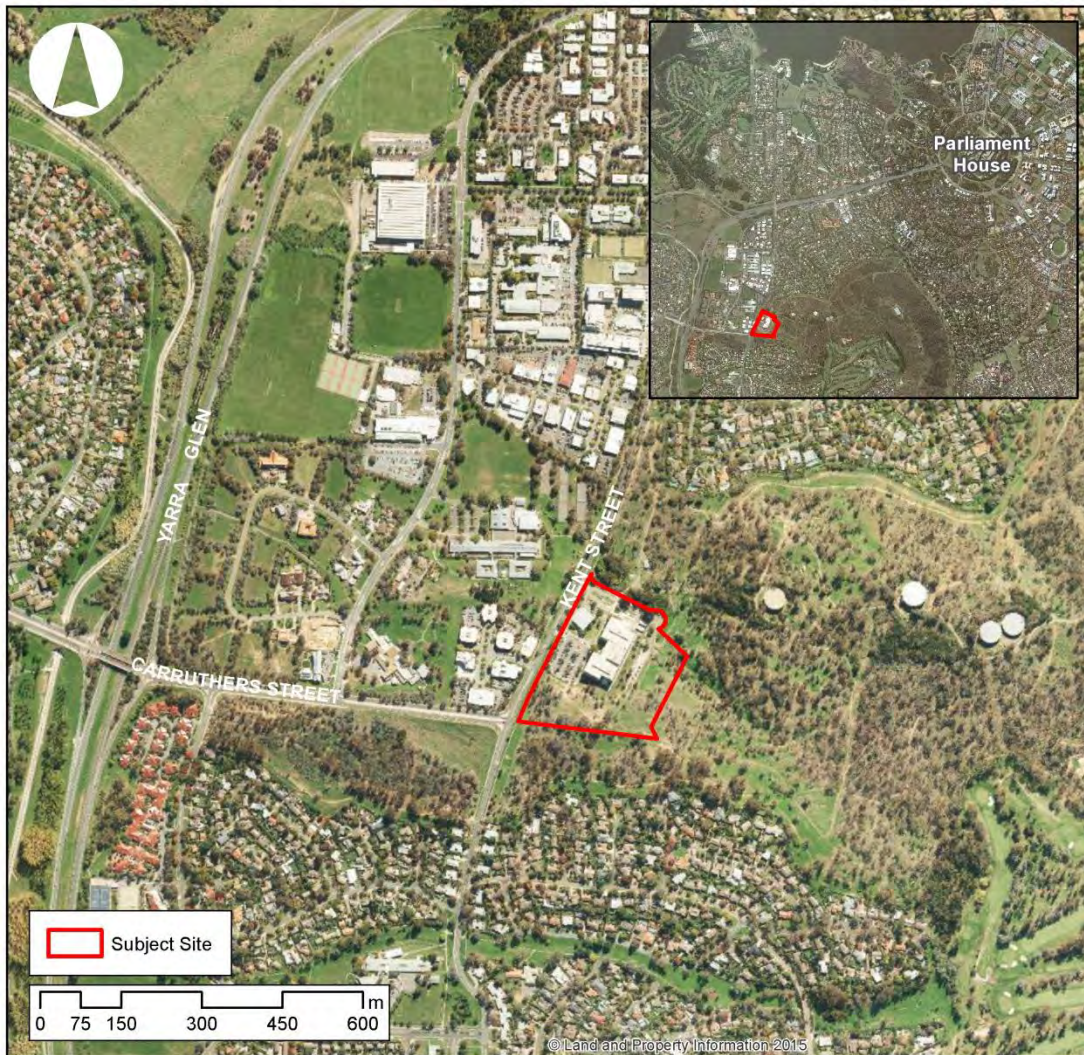
Hindmarsh originally identified the site for development of a unique residential community, on Blocks 7 and 8, catering for retirees (aged 55+) with a focus on lifestyle supplemented by an unobtrusive level of care and support. Hindmarsh have since altered this approach to develop a mixed use development potentially incorporating a mixture of Residential, Commercial and Retirement uses.

In 2015 in response to initial enquiries, EPD and the Minister for Planning, Mick Gentlemen MLA, requested that Hindmarsh include Blocks 2 and 6 Section 66 as part of the proposed Territory Plan Variation Request.

There is an area of Urban Open Space to the south of the site. The Red Hill Nature Reserve, part of the Canberra Nature Park complex, is situated to the east and north of Section 66. These public areas are not included in the proposed rezoning.

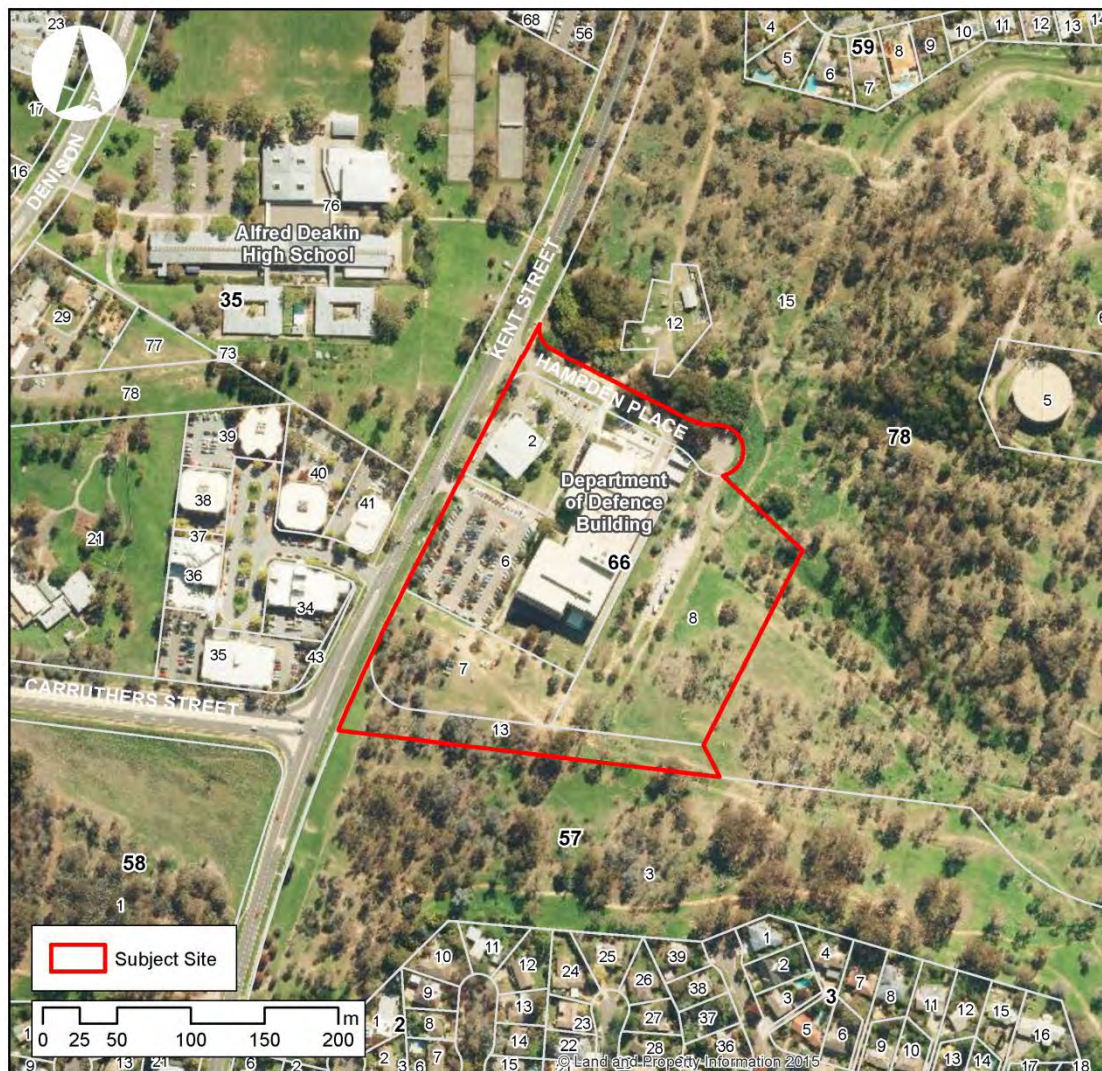
A Site locality plan and Context Plan are at Figure 1 – Site Locality and Figure 2 – Site Context.

Figure 1 - Site Locality



Source: *Land and Property Information 2015*

Figure 2 - Subject Site Context



Source: *Land Property Information 2015*

1.3 Proposed Development

The character of the proposed mixed use development will be that of a high quality, integrated development responding to its central location adjacent the Deakin Office Site and the Canberra Nature Park. The development will be distinctive and modern. Ideally the site planning will:

- Develop a unified design
- Provide community facilities
- Create a parkland setting for the development
- Consider the interface with the nature reserve and adjacent buildings
- Identify opportunities for accessible pathways through the site

The development will be oriented away from the adjacent Department of Defence building and will focus on an attractive internal environment taking advantage of the expansive views.

The landscape character will blend with the location adjacent to the Canberra Nature Park and the built form, and establish the character of the development. The character of the

development is an important component of its marketability, and as such is a priority in the ongoing master planning process.

Figures 3-5 show perspectives and elevations of the indicative master plan developed for the proposed retirement village (2015). The concept was designed to incorporate approximately 200 apartment, townhouse units and courtyard villas as well as high quality communal facilities including a pool, gym and tennis court.

Figure 3 - Indicative Site Plan



Source: *Antoniades Architects*

The approach to the built form for the proposed mixed use precinct will be similar to that taken for the retirement community with regard to; the desired character, the parkland setting, and the focus on the interface with the nature reserve and adjacent buildings, however will incorporate a wider variety of uses.

Hindmarsh is committed to creating diversity in built form, innovative design, and adaptable and functional development. Deakin 66 will incorporate the latest developments in sustainable design including issues of solar energy, water conservation, surveillance, vegetation and habitat management and open space. Final designs will be developed at the detailed Development Application stage.

Figure 4 - Indicative Perspective Drawing



Source: *Antoniades Architects*

Figure 5 - Indicative Elevation from Kent Street



Source: *Cox Architecture*

The site is currently zoned as TSZ2 – Transport and Services Zone which lists many commercial uses, RESIDENTIAL USE and COMMUNITY USE as prohibited development. It is proposed to vary the land use for 66 Deakin to allow for a mixed use community whilst ensuring incompatible uses are not co-located as part of any future development or redevelopment. The existing facilities on blocks 2 and 6 Section 66 form part of this Territory Plan Variation proposal. In principle support has been gained from Telstra Corporation Limited to proceed with the planning variation (**ATTACHMENT A**).

2.0 Rationale

The ACT Planning Strategy sets out nine strategies supporting key actions required to ensure the long term sustainability of growth in the ACT. The proposal for a mixed use community at Section 66 Deakin supports these strategies by contributing to the compactness of Inner South Canberra, improving the existing housing stock, providing increased accommodation choice and provision of convenient access for residents to nearby services and amenity.

The ACT Planning Strategy 2012 advocates more cost effective and sustainable living options by improving existing housing stock and establishing more choice in housing types in a variety of locations. The strategy also outlines the creation of a more compact city through focussed urban intensification.

The proposal for a mixed use community for the subject site aligns with the ACT Planning Strategy through an increase of mixed use residential housing options in Inner South Canberra, an area which will benefit from an increase in mixed use residential housing stock.

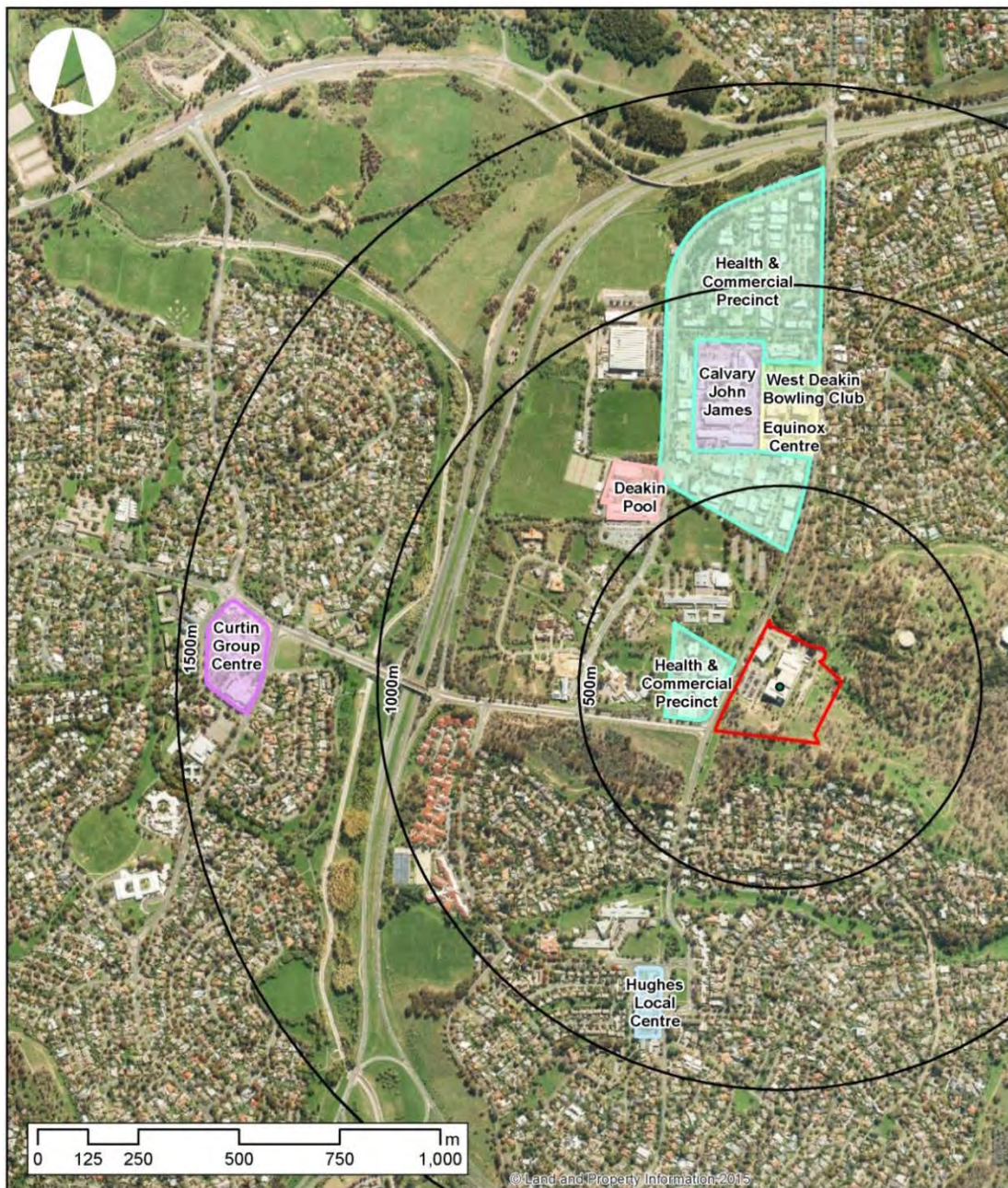
In addition, Minister Gentleman released the Statement of Planning Intent in 2015 which includes a vision to create sustainable, compact and liveable neighbourhoods. The statement includes the intent to foster medium-density housing as an appropriate form of development in suburbs. Creation of environments that are age-friendly, which support active travel and housing in proximity to recreation opportunities and services, is also espoused.

There are very few suitably zoned and/or sized land scheduled to be released in South Canberra and Woden which could cater for a mixed use community of this size. The recirculation of housing through new ownership in the established suburbs brings renewed vitality to these areas. Provision of desirable mixed use stock to the local community is a key component to the revitalisation of Canberra's inner suburbs.

The proposal will provide improved housing and commercial accommodation choice proximate to essential services and amenity. Section 66 Deakin is centrally located to many amenities of significant functionality and benefit. Amenities include local shopping precincts, recreation facilities, and various health services in the Deakin health precinct. All services are within walking or very short driving distance.

Importantly, the mixed use community should not impact on other centres in the area. It is suggested that controls be implemented to protect the centres hierarchy.

Figure 6 - Proximity to Amenity



Source: *Land Property Information 2015*

The site is currently zoned TSZ2 – Services Zone. There is currently no demand for sites from activities which could be located with the prescribed land use or the location is not appropriate for those that are currently seeking sites. Given the current approach towards amalgamating different types of depot and the location of the site in established areas, it is unlikely that there will be a demand for this site for its current land use in the longer term.

Based on the above, a mixed use community is considered an appropriate use for the site given:

- the need for increased housing stock to invigorate the area
- potential benefit for the surrounding area with an increase to residential and commercial population
- proximity of the site to nearby services

- the objective to increase population density for the inner suburbs
- the proposed use having limited impact on the centres hierarchy.

The proposed use for the site will contribute towards the achievement of the ACT Planning Strategy, the statement of Planning Intent and Canberra Social Plan.

Further, there is currently no demand on land in this area with a Transport Services Zone. It is therefore contended that use of the site for the purposes of a mixed use community precinct is the most appropriate for the site.

3.0 Site Characteristics

The following summarises the existing site characteristics:

- **Location** – Blocks 2, 6, 7, 8 and 13 Section 66 Deakin and Hampden Place are situated adjacent to the suburb of Hughes.

The site borders the Red Hill Nature Reserve of the Canberra Nature Park on its northern and eastern boundaries and urban open space on its southern boundary. The site sits adjacent to Kent Street to the west.

- **Site Area** – Block 7 Section 66 Deakin has a site area of 7,601m². Block 8 Section 66 has a site area of 17,811m². The total subject site area is 25,412m².

- **Existing Buildings** – Blocks 7, 8 and 13 are currently undeveloped.

Blocks 2 and 6 to the north east of the subject area contain a Telstra Office facility and the Deakin Department of Defence building respectively.

- **Land Use & Precinct Code** – The site is TSZ2 - Transport and Services Zone. The site is not currently impacted by the Deakin Precinct Code.

- **Adjacent Land Use** – The site is situated within a TSZ2 zone and is adjacent to an area of PRZ1 – Urban Open Space directly to the south. The site is adjacent to Designated areas (Inner Hills) of the National Capital Plan (NCP) to the east. This area is identified as the Red Hill Nature Reserve of the Canberra Nature Parks.

The nearest residential development is located in Hughes approximately 140 metres south of the site. The nearest residential development in Deakin is about 260 metres to the north.

- **Heritage** – The subject site is not a Registered Place and contains no Registered Objects under the *ACT Heritage Act, 2004*.
- **Vegetation and Fauna** – A full tree assessment of the site was conducted in 2004 which assessed 138 trees in the subject site. The assessment identified some high quality trees. These trees provide an opportunity to be incorporated into the design of the development. A revised analysis of vegetation and fauna will be undertaken at the detailed Development and Siting phase.
- **Transport** – Public Transport routes run along Kent Street.

4.0 Planning Context

The planning guidelines and statutory controls relevant to the subject sites are summarised below.

4.1 National Capital Plan

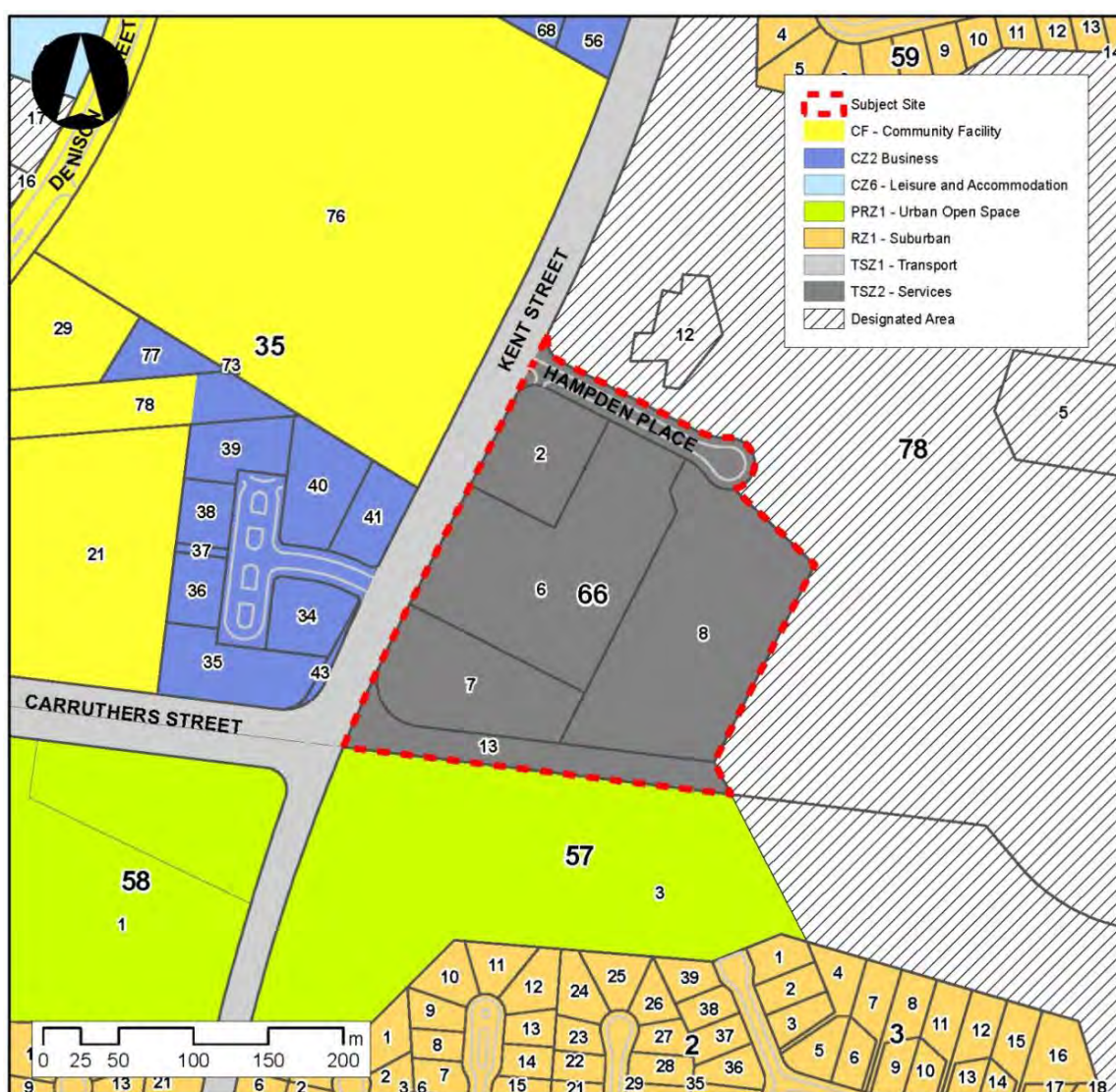
The subject site is outside Designated Areas of the National Capital Plan (NCP), however is located directly adjacent to Designated Areas (Inner Hills) of the NCP.

4.2 Territory Plan

4.2.1 Land Use Zone

The Land Use zoning for the subject site is TSZ2 – Services Zone.

Figure 7 - Territory Plan Zoning



Source: *ACTMapi*

The Zone Objectives for TSZ2 are:

- a) *Make provision for essential municipal services such as water, energy, transport and waste disposal*
- b) *Ensure that development is carried out in an economic, safe, environmentally sensitive manner and does not unacceptably affect the health and safety of any nearby residents*
- c) *Ensure that there is minimal impact on adjacent land uses due to any municipal services development*
- d) *Ensure that development is compatible with the surrounding landscape, especially in areas of high visibility, and that appropriate measures are taken to soften the impact of development on the landscape*
- e) *Limit the impact of electro-magnetic interference from development on electrical appliances in nearby premises*
- f) *Enable the development of transport facilities that are accessible and efficient for passengers and goods handling*

Development permissible in this zone would not achieve the objectives of the zone for this area as a predominantly transport focus is not appropriate to the area.

The following permitted uses apply to TSZ2 – Services Zone:

- ancillary use
- car park
- communications facility
- consolidation
- demolition
- development in a location and of a type identified in a precinct map as additional merit track development
- emergency services facility
- freight transport facility
- hazardous waste facility
- incineration facility
- landfill site
- major road
- major utility installation
- minor road
- minor use
- municipal depot
- public transport facility
- railway use
- recyclable materials collection
- recycling facility
- sign
- store
- subdivision
- temporary use
- transport depot
- waste transfer station

Importantly, TSZ2 – Services Zone prohibits many commercial uses, community use and residential use. A mixed use community is therefore not permitted under the current zoning.

4.2.2 *Transport and Services Zone Development Code*

The Transport and Services Zone Development Code provides additional planning, design and environmental controls to support the objectives of the relevant Transport Services Zones.

Element 6: Environment of the Development Code sets criteria for permitted development in TSZ2 with relation to surrounding uses. The Code states the intent “to provide for ecologically sustainable development which does not have adverse impacts on the surrounding environment”.

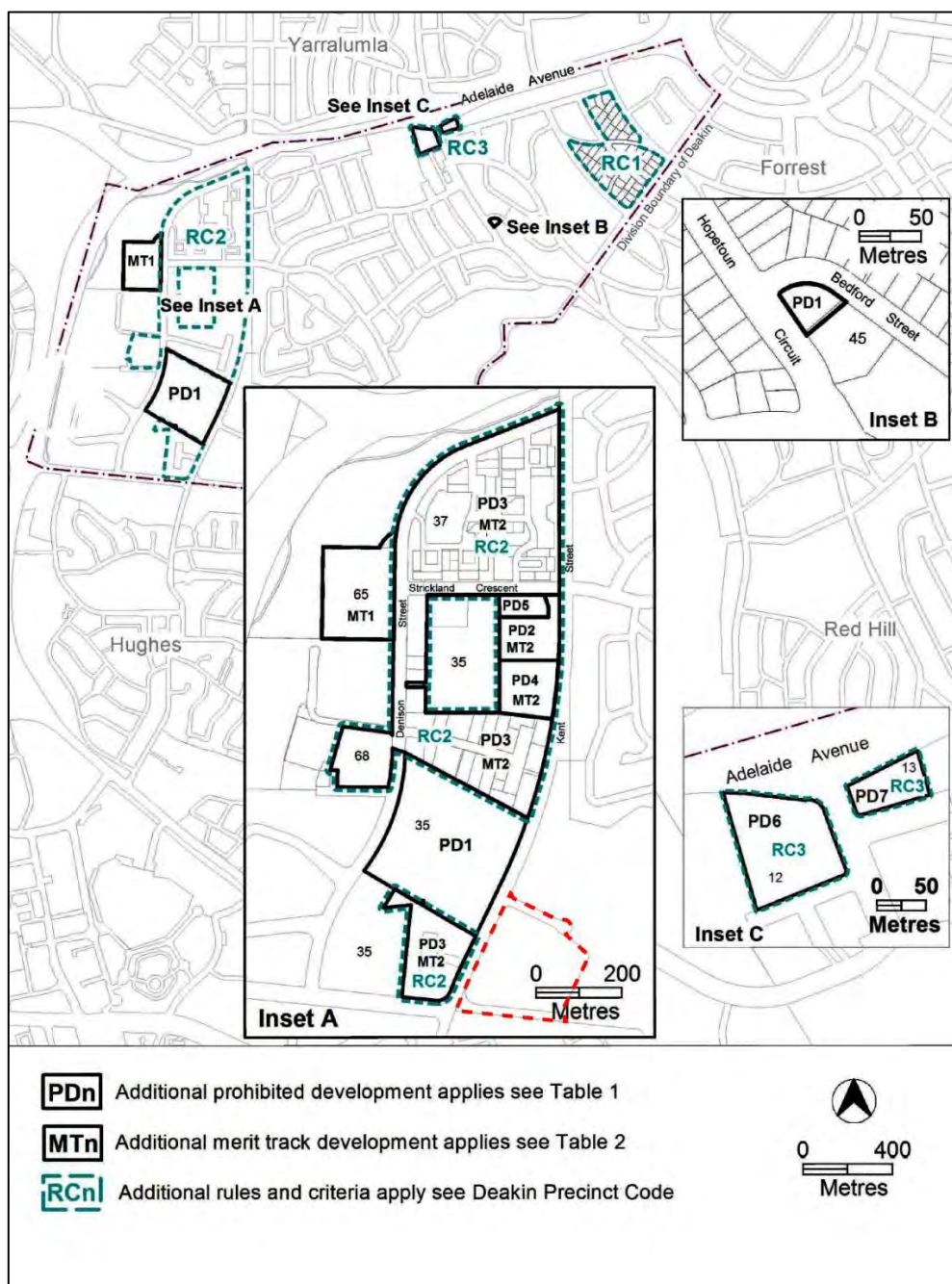
A planning study conducted in 2005 assessed the compatibility of the development of a retirement community with existing adjacent buildings and vice versa. This process included consultation with the public and near neighbours, noise assessment and consideration of overlooking from the Department of Defence building. From the planning assessment it has been ascertained that the proposed mixed use community and existing facilities are compatible and will not adversely impact each other.

4.2.3 Deakin Precinct Code

The Deakin Precinct Code provides planning, design and environmental controls for specific areas or blocks within Deakin. It is a key development assessment tool used to consider development applications and offer guidance in designing development proposals and preparing development applications.

Section 66 Deakin sits within the Deakin Precinct, however there are currently no applicable rules from the Deakin Precinct Map and Code which apply to the site. The Deakin Precinct Map is at Figure 8. The subject site is indicated by the red hatched area in Inset A.

Figure 8 - Deakin Precinct Map



Source: *Deakin Precinct Map and Code* (28 August 2015)

5.0 Proposed Territory Plan Variation

Discussions between both the Minister for Planning, Mick Gentleman MLA, and the former Executive Director of Planning and Delivery, Jim Corrigan, outlined the need to include blocks 2 and 6 as well as the Hampden Place road reserve as part of a proposed Territory Plan variation for blocks 7, 8 and 13. As such, this request for a scoping document has included consideration of the additional blocks, with changes to both the land use, and the Deakin Precinct Code to achieve the desired outcome.

The proposal is designed to ensure incompatible uses are not co-located as part of any future development or redevelopment of the site.

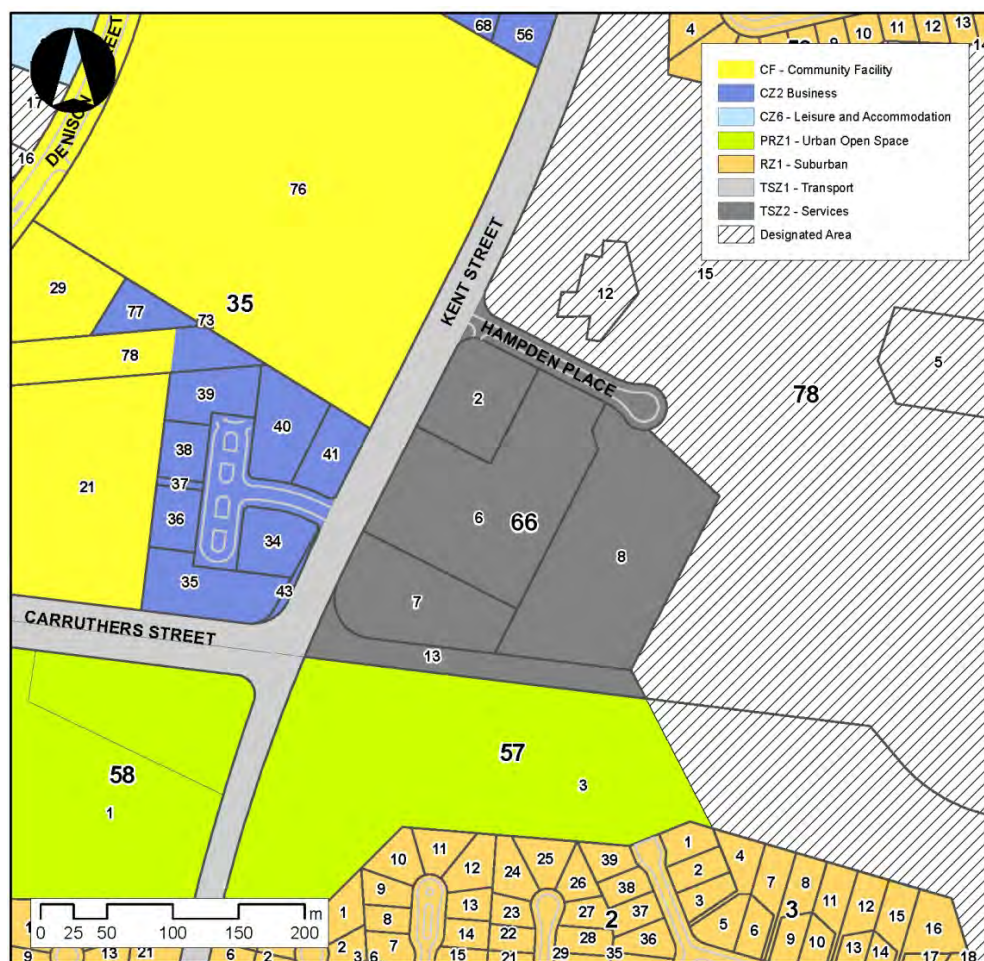
5.1 Land Use

A change to the land use zoning for Section 66 is proposed to facilitate the development of a mixed use community on blocks 7 and 8. The proposed zoning must also give regard to the existing uses on block 2 and 6 and ensure that these existing uses are not incompatible.

5.1.1 Existing Land Use

The subject site is currently zoned as TSZ2 – Services Zone.

Figure 9 - Existing Land Use Zoning



Source: ACT Government

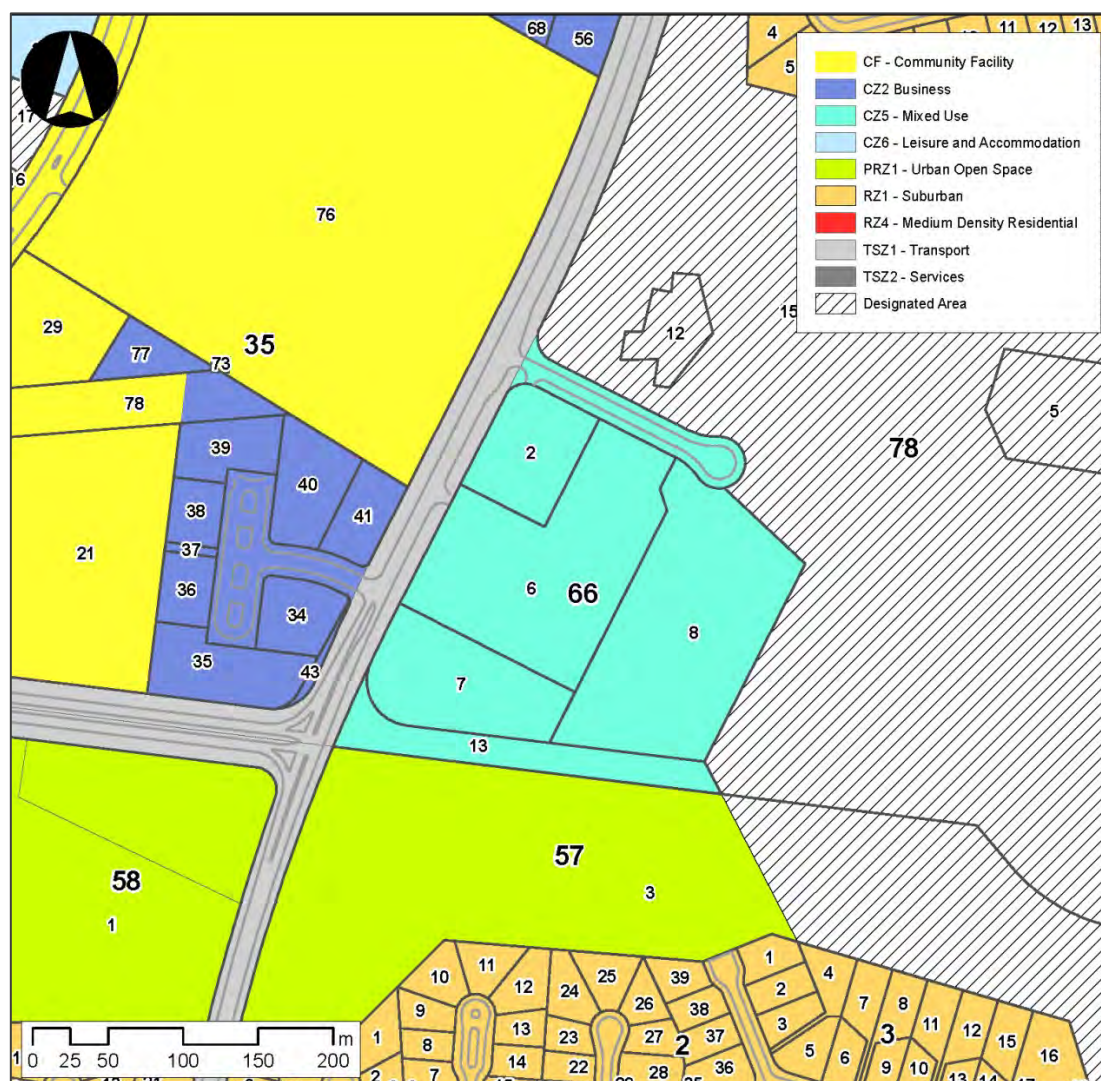
5.1.2 Proposed Land Use

The proposed land use change will alter Blocks 2, 6, 7, 8 and 13 and the Hampden Place road reserve from TSZ2 – Services Zone to CZ5 – Mixed Use Zone. The change will accommodate the development of the proposed Mixed Use community precinct on Blocks 7, 8 and 13. The inclusion of Blocks 2 and 6 provides consistency of land use across Section 66.

Altering the zone to CZ5 addresses the existing Deakin Office Site situated on Kent Street, and will enable the development of the proposed Mixed Use community precinct. This approach will ensure that the existing Telstra and Defence Buildings uses, identified as communications facility and non-retail commercial use, are compatible with the change.

The proposed change to Land Use Zoning is at Figure 10.

Figure 10 - Proposed Land Use Zoning Change



Source: Purdon Planning

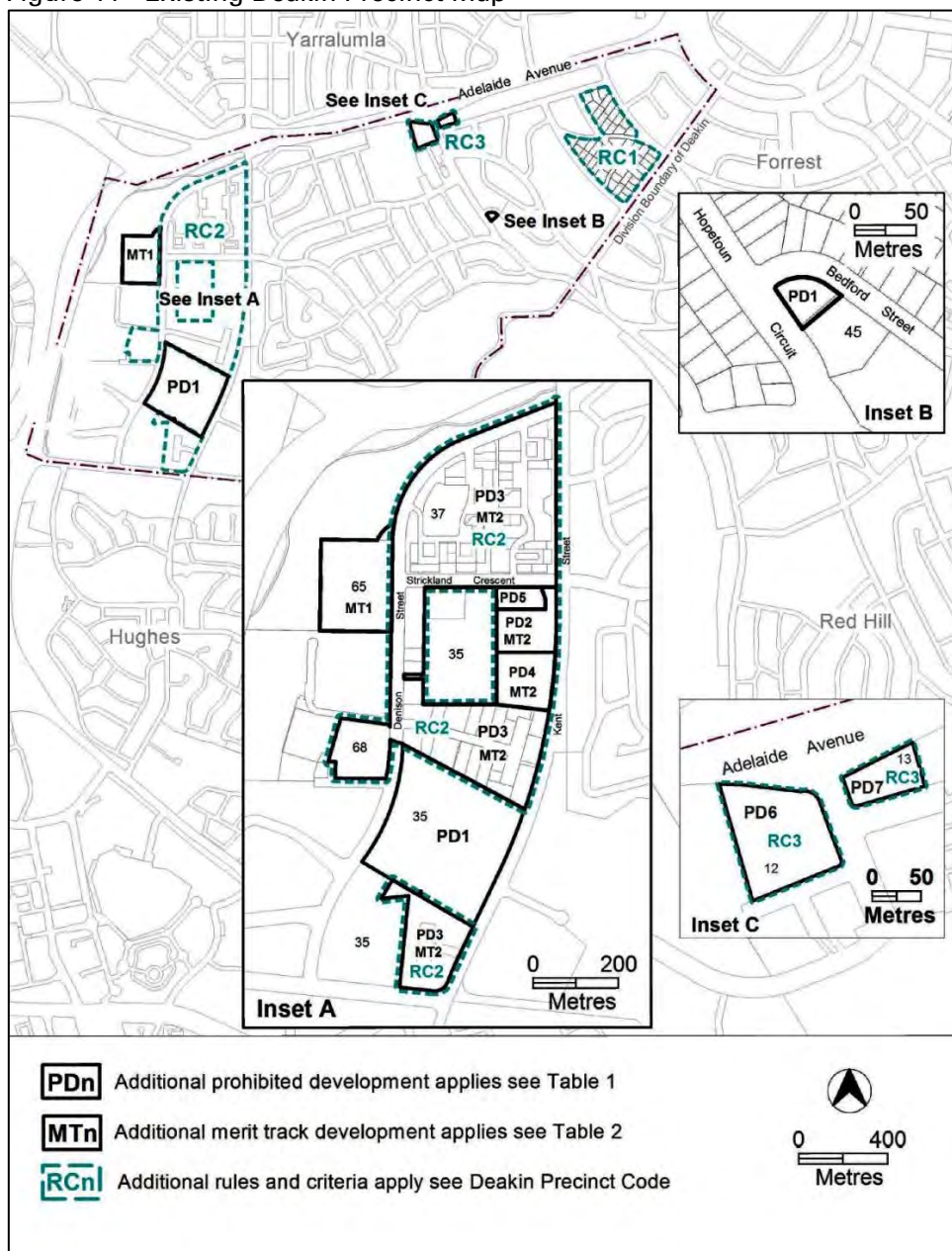
5.2 Deakin Precinct Map

A variation to the Deakin Precinct Map is proposed to include blocks 2, 6 Section 66 and the Hampden Place Road Reserve as part of RC2 – Deakin Office Site. The variation will also create RC4 – Deakin Mixed Use Community Site. The addition of blocks 2 and 6 to RC2 creates continuity for these like uses, whilst being compatible with the existing Defence and Telstra facilities. The creation of RC4 will allow the Deakin Precinct Code to ensure that the desired use and built form is realised for blocks 7, 8 and 13.

5.2.1 Existing Deakin Precinct Map

The subject site is currently not included in RC2 of the Deakin Precinct Map as seen in Figure 11.

Figure 11 - Existing Deakin Precinct Map



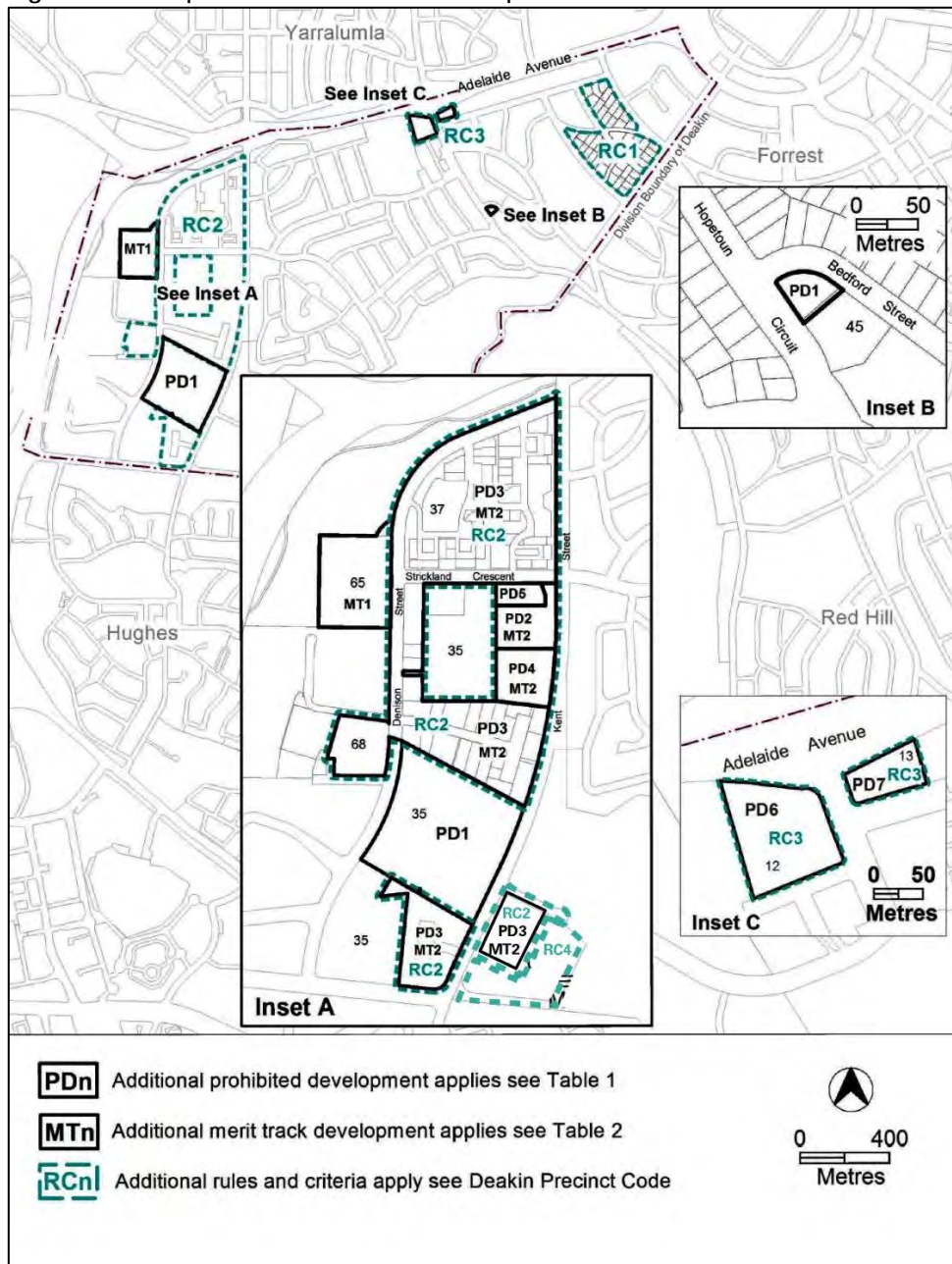
Source: *Deakin Precinct Code*

5.2.2 Proposed Deakin Precinct Map

The proposal is to add blocks 2 and 6 Section 66 to RC2 – Deakin Office Site, and to create RC4 – Deakin Mixed Use Community site to the Deakin Precinct Code. The additional area for RC4 will include PD3 and MT2. Additional Prohibited Development may need to be investigated for the Defence Telecommunications site.

The proposed change to the Deakin Precinct Map is at Figure 12.

Figure 12 - Proposed Deakin Precinct Map



Source: *Purdon Planning*

5.3 Deakin Precinct Code

5.3.1 Existing Element 4: Building

Element 4 of the Deakin Precinct Code applies specific rules with regard to building heights in RC2 – Deakin Office Site (Table 1).

Table 1 – Existing Element 4 of the Deakin Precinct Code

Rules	Criteria
4.1 Number of Storeys	
There is no applicable rule.	<p>C11</p> <p>a) Building heights achieve all of the following:</p> <ul style="list-style-type: none"> i. compatibility with the desired character ii. appropriate to the scale and function of the use iii. minimise detrimental impacts, including overshadowing and excessive scale <p>b) The maximum number of storeys is</p> <ul style="list-style-type: none"> i. section 68 – 3 ii. section 35 blocks 2 and 28 – 4 iii. on all other sites – 2

5.3.2 Proposed Element 4: Building

It is proposed that Element 4 of the Deakin Precinct Code be varied to include height controls for blocks 2 and 6 Section 66 within RC2 – Deakin Office Site of the Deakin Precinct Code.

Table 2 – Proposed Element 4 of the Deakin Precinct Code

Rules	Criteria
4.1 Number of Storeys	
There is no applicable rule.	<p>C11</p> <p>a) Building heights achieve all of the following:</p> <ul style="list-style-type: none"> i. compatibility with the desired character ii. appropriate to the scale and function of the use iii. minimise detrimental impacts, including overshadowing and excessive scale <p>b) The maximum number of storeys is</p> <ul style="list-style-type: none"> i. section 68 – 3 ii. section 35 blocks 2 and 28 – 4 iii. section 66 blocks 2 and 6 – 6 iv. on all other sites – 2

5.3.3 RC4 – Deakin Mixed Use Community Site

It is proposed to add RC4 – Deakin Mixed Use Community Site to the Deakin Precinct Code. This section will provide specific controls for the area to ensure the desired built form outcome for the subject site. The proposed RC4 part is as follows:

RC4 – Deakin Mixed Use Community Site

This part applies to blocks and parcels identified in area RC4 shown on the Deakin Precinct Map.

RC4 includes the Deakin Mixed Use Community Site.

Element 7: Buildings

Table 3 - Proposed Element 7 of the Deakin Precinct Code

Rules	Criteria
7.1 Number of Storeys	
There is no applicable rule.	<p>C17</p> <p>a) Building heights achieve all of the following:</p> <ul style="list-style-type: none"> i. compatibility with the desired character and the adjacent Red Hill Reserve ii. appropriate to the scale and function of the use iii. minimise detrimental impacts, including overshadowing and excessive scale <p>b) The maximum number of storeys for block 7 Section 66 is 6.</p> <p>c) The maximum number of storeys for Block 8 Section 66 is 3.</p>

Element 8: Amenity

Table 4 - Proposed Element 8 of the Deakin Precinct Code

Rules	Criteria
8.1 Landscaping	
There is no applicable rule.	<p>C18</p> <p>Landscaping design will create a landscape character consistent with the character of the adjacent Red Hill Reserve.</p>

Element 9: Use

Table 5 - Proposed Element 9 of the Deakin Precinct Code

Rules	Criteria
9.1 Shops	
The maximum gross floor area for a SHOP selling food is 250m ²	This is a mandatory requirement. There is no applicable criterion.

5.4 Consequential Changes

Amend the Deakin Precinct Code to recognise consequential changes of Territory Plan Variation to subsequent rule numbers.

6.0 Justification

6.1 Demand for mixed use development

South Canberra is an area that will benefit from the addition of a mixed use community precinct at Section 66 Deakin. An increase of housing options can trigger reinvigoration to an area through new ownership in the established suburbs bringing renewed vitality.

Section 66 Deakin is an opportunity to increase the under supply of housing choice in Inner South Canberra contributing to a more compact, efficient city with the added potential benefit to provide residential options for the locals to age in place.

There are very few suitably zoned and/or sized land scheduled to be released in South Canberra and Woden. The recirculation of housing through new ownership in the established suburbs brings renewed vitality to these areas. Provision of desirable housing stock is a key component to invigorating and revitalising Canberra's inner suburbs.

6.2 Loss of TSZ2 Land

The TSZ2 land use policy is one of the smallest land use categories. Excluding the Kingston railway land, there are approximately a dozen sites identified throughout the Territory. These sites are generally not adjacent to residential areas.

The uses which are permissible in a TSZ2 – Services Zone are generally also permissible in other land use policy areas. Services depots can be located for different land use policies in open space, Road Reservations, Commercial Zones and industrial areas.

The Commonwealth Government did not use the site for either a communications facility or a major utility installation. The land was surplus to requirements and was sold at auction, where it was purchased by Hindmarsh.

There is currently no demand for sites which could be located on Blocks 7 and 8 with a use compatible with TSZ2 – Services. Given the current approach for amalgamating different types of depot and the location of the site in an established area, it is unlikely that there will be a demand for this site for its current purpose in the future.

6.3 Site considerations

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 Planning Minister Corbell agreed with the necessity to address the ageing population however expressed some concern outlining 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;
6. 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.

These points are briefly addressed below.

6.3.1 *Visual interface with 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.

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 it 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 will far outweigh the perceived impact of adjacent structures.

Ensuring that the proposed development can co-exist with existing facilities and uses is a key principle of the master planning process for the proposal. Additional analysis can be undertaken as part of a future planning study.

6.3.2 *Mass of 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. It is recommended that appropriate controls be included in the proposed Territory Plan variation to ensure an appropriate mass and scale of development for the site.

Further analysis of massing controls can be undertaken as part of a future planning study.

6.3.3 *Site topography and General Mobility*

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.

Any design response would be done so with the guidance, consultation and certification of an accredited accessibility consultant as part of planning analysis and master planning work.

6.3.4 *Site Access*

Access may be achieved either directly from Kent Street or from Hampden Court. The Hampden Court option may provide a safe, amenable access point with lower traffic speeds and volume compared to Kent Street.

Further study can be undertaken as part of further master planning.

6.3.5 Acoustic Impact from Defence Telecommunications Facility

As part of a planning study conducted in 2005, Bassett undertook a noise assessment. The noise assessment concluded that dwellings at the rear of the site would not require treatment or noise attenuation as noise levels within the units would be within acceptable limits with open windows.

With regard to units fronting Kent Street it was recommended that non-habitable rooms should face Kent Street and bedrooms should be oriented away from Kent Street. In the event that rooms must front Kent Street appropriate window treatment and mechanical ventilation would provide adequate noise attenuation.

No other actions were proposed and noise does not constrain planning of the site.

6.3.6 Bushfire Mitigation

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;

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 acknowledges 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.

6.3.7 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 the proposed use.

7.0 Conclusion

The proposed Territory Plan Variation will facilitate a mixed use community for the Inner South Canberra and Woden areas. As demonstrated in this report, there is a shortage of land available for this purpose for the area, with a desire to create a more compact and efficient Canberra. Progression of this proposal will improve mixed use residential housing stock reinvigorating the Inner South Canberra area, whilst aligning with the ACT Planning Strategy and Statement of Planning Intent 2015.

We recommend that EPD issue a scoping document to undertake a planning report to inform the proposed Territory Plan Variation.

Purdon Planning

September 2016

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 [redacted] Telstra Service
Provider – Divestments, on direct line [redacted] or via email at [redacted]

Yours sincerely
Telstra Corporation Limited

[redacted]
Telstra Property
Email: [redacted]

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AND FEASIBLE
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Unit 2 Cooyong Centre
1 Torrens Street
Braddon ACT 2612

T 61-2 6257 1511

www.purdon.com.au



Scope for a Planning Report

To inform a proposed Territory Plan variation for section 66 Deakin and adjoining Hampden Place road reserve, both zoned TSZ2 Services zone. The proposal is to rezone section 66 and the 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; and
2. 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, 8 and 13.

The changes are proposed to permit the incorporation of a mix of uses including residential, commercial and retirement uses on blocks 7, 8 and 13.

A planning report is prepared to provide the information necessary to inform consideration by the planning and land authority, within the Environment and Planning 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
(*A comprehensive description of the site and the proposal, current planning policy, the intended development and use, and all proposed changes to the Territory Plan.*)
- C. Justification for the planning policy changes
(*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.*)
- D. Strategic planning policy context
(*A discussion of proposed planning policy change and proposed use/development in the context of the ACT's planning framework and strategic planning policy. 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 (1) 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

(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 both

- environmental values, including an ecological assessment and existing contamination
- heritage values

Input is being sought from agencies on the preparation of scoping advice for a planning report into the proposal to inform EPD's decision on the preparation of a draft variation to the Territory Plan. The standard template for scoping advice for a planning report is attached for your comment.

Please identify any additional elements for inclusion in the scoping document and send your advice to terrplan@act.gov.au by **COB Tuesday 25 October 2016**. If no comments have been received from your agency by this date and no request for an extension of time has been received then it will be considered that your agency has nil comments on the proposal. In addition, please advise of any changes to referral contacts at the earliest opportunity.

Kind regards

Territory Plan Section | General Enquiries inbox |  terrplan@act.gov.au

Planning Delivery | Environment and Planning | **ACT Government**

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

Woolfenden, Mitchell

From: Terrplan
Sent: Tuesday, 19 December 2017 11:51 AM
To: Sayers, Caroline
Subject: FW: Section 66 Deakin - orientation is critical to the sustainability of new housing stock [SEC=UNOFFICIAL]

Hi Caroline,

Welcome back!

The email below was sent to the TerrPlan inbox. For your information or action if required

Amanda

Amanda Sullivan | Planning Officer
Phone 02 6207 8308 | amandac.sullivan@act.gov.au (Mon-Thur)
Territory Plan Section | Environment, Planning and Sustainable Development Directorate | **ACT Government** |
Third Floor North, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |
www.planning.act.gov.au

From: Walid [<mailto:Walid.Elhassan@act.gov.au>]
Sent: Tuesday, 19 December 2017 9:55 AM
To: Terrplan <Terrplan@act.gov.au>
Cc: Hawke, Simon <Simon.Hawke@act.gov.au>
Subject: FWD: Section 66 Deakin - orientation is critical to the sustainability of new housing stock



ACT
Government

**Access
Canberra.**

Forwarded By: Walid - Walid.Elhassan@act.gov.au

Comments: Good morning

Please find attached email regarding the rezoning of Section 66 Deakin.

Regards

Walid Elhassan

Incident Reference # 171213-001861

Subject: Section 66 Deakin - orientation is critical to the sustainability of new housing stock

Date Created: 13/12/2017 10.44 PM

Auto Note By (Administrator) (13/12/2017 10.44 PM)



Customer By CSS Web ([redacted]) (13/12/2017 10.44 PM)

Please find following a copy of an email I have sent to Purdon Planning regarding the proposed rezoning of Section 66, Deakin.

Please note in particular the final paragraphs with comments addressed to the ACT Government.

Thank you for you attention to my concerns.



Re. Section 66 Deakin

Thank you for the opportunity to comment on this proposal.

I support urban infill, and I agree this is a promising site for additional high density housing. It has a number of things in its favour: it will be easy walking distance of the new light rail, encouraging a combination of active and public transport; it has good access to recreational park land, offering personal health benefits and opportunities for community interaction; it has good access to local shops in Hughes and Deakin; it has the benefit of being close to hospitals for elderly people, and the benefit of being close to centres of employment in Woden, Deakin and Barton for younger people.

However, when I attended the drop in information session this evening at the Hughes Community Centre, I was surprised and disappointed to see that building sustainability does not appear to have been considered.

The building plans were detailed enough to include contour lines. That made it all the more striking that they did not indicate direction to show the orientation of the proposed buildings.

As energy costs rise and we experience the effects of climate change, appropriate passive solar design is critical to minimise energy consumption over the lifetime of buildings, while maximising thermal comfort for occupants. If we don't get this right with new housing stock we will be paying the price for the next 50 year or more.

Although the plans were not labelled, it appears the proposal is to orient the buildings east-west. This will give limited solar access in winter when it is needed, and maximise

solar exposure in summer when it is undesirable. They will consume a significant amount of energy through both winter heating and summer cooling for 50+ years. Is that the legacy you intend?

North facing apartments that are shaded from the east and, more particularly, the west will attract a premium in the future. Buildings that are poorly oriented will be left to people who can only afford to live in cheap places that are freezing in winter and boiling in summer; places that will have high power bills and be vulnerable to unreliable energy supplies in extreme weather. Think of the 'wall of China' in Mawson. If it were oriented differently it would be commanding significantly higher prices as a growing section of the market moves towards smaller homes with a reduced ecological footprint. Because those apartments face west they have nothing going for them except low price. Is that the legacy you will leave?

I note the reasoning behind the orientation is to have it "away from the adjacent Defence building to ensure the focus is on an attractive internal environment taking advantage of the expansive views". This is short sighted in the extreme if, as I understand it, you expect the current buildings to be replaced with additional housing in the near future. Surely you will not jeopardise sustainability over the next 50 years just to make it easier to sell the early stages of the development?

I hope that you will reconsider the design in light of the issues I have raised. I believe the site could accommodate well oriented housing. A slight rearrangement of the current proposed siting could site the majority of the buildings facing North/NNE/NNW. Placing the taller buildings towards the southern boundary, and having the remaining buildings stepping down in height towards the north, would minimise overshadowing so most people could benefit from winter sun without excessive summer heat.

I have sent a copy of this email to the ACT Government. I put the case to the ACT Government that any housing development on the site should be required to make maximum use of passive solar design to reduce the ecological footprint of the development over its lifetime and protect the amenity of the people who will live there. If appropriate sustainable building design is not possible due to the siting of existing buildings, I argue that the site is not suitable for housing development at this time.

The legacy of unsustainable housing stock has a high cost, from the individual to the global level.

Thank you once again for the chance to comment.



Additional Incident Details

Status: Unresolved

Category: DA process (general)

Type of Correspondence: Suggestion

Incident Address: 

If this is not for you/your area please forward this email to accessCBR@act.gov.au to advise that it is not the correct area. The correspondence can then be re-directed appropriately.

Woolfenden, Mitchell

From: Kaucz, Alix
Sent: Thursday, 15 March 2018 4:30 PM
To: [REDACTED]
Cc: Sayers, Caroline
Subject: RE: Deakin S66 Rezoning [SEC=UNCLASSIFIED]

Hi [REDACTED]

I apologise for the delay in responding to your request for an extension of time on your scoping document for Deakin s66.

As the consideration for a rezoning of this site is now incorporated into the Integrated Plan for Red Hill, I would like to confirm there is no longer a requirement for a scoping document or the provision of a specific planning report for Deakin s66. Instead, and as discussed at the workshop that was held recently, the documents normally forming the planning report can be submitted to the Environment, Planning and Sustainable Development Directorate so that relevant information can be incorporated into the development of the Integrated Plan.

Once the Integrated Plan is completed, a draft Territory Plan variation will be prepared to implement the relevant recommendations of the Plan. If any additional specific information regarding your proposal is required when preparing the draft variation, this may be requested from you.

Please feel free to contact me if you have any further questions.

Kind regards

Alix

Alix Kaucz | Senior Manager - Territory Plan Section

Phone 02 6205 0864

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

Dame Pattie Menzies House, Challis Street, Dickson | PO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: [REDACTED]
Sent: Thursday, 18 January 2018 11:03 AM
To: Kaucz, Alix <Alix.Kaucz@act.gov.au>
Cc: [REDACTED]
Subject: Deakin S66 Rezoning

Good morning Alix

Thanks for meeting earlier this week re the above.

I can confirm that a draft Planning Report addressing all of the issues raised in the scoping document has been prepared by our office and is with our Client for review prior to issue to EPSDD.

I note however that the Scoping Document has a notional 12 month shelf life that expired on 23 December. In light of the above, and in the context of the Red Hill moratorium, we seek your endorsement to extend the life of this document so as to complete the assessment.

Your confirmation of this arrangement would be appreciated.

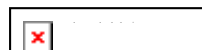
Regards.

Purdon Planning wishes you a safe and successful 2018



Purdon Planning Pty Ltd
Unit 4, Cooyong Centre
1 Torrens Street
Braddon ACT 2612

T: 
www.purdon.com.au



Woolfenden, Mitchell

From: Russell, Meaghan
Sent: Wednesday, 26 October 2016 12:03 PM
To: Terrplan
Subject: ACT Heritage Council advice - Deakin S66 - planning report scope
[SEC=UNCLASSIFIED]

Please find attached advice from the ACT Heritage Council on the planning report scope for Section 66, Deakin.

Regards,
Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 6205 5497 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment and Planning | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au





ACT Heritage Council

HERITAGE ADVICE

Under Part 10 of the *Heritage Act 2004*

Heritage Reference: Deakin S66
Contact Officer: Meaghan Russell
Received by Council: 30 September 2016
Due date: 25 October 2016

TO: Territory Plan Section
Environment and Planning Directorate
terrplan@act.gov.au

Section:	Division / District:	Heritage Places:
66	Deakin	Nil Registered or Recorded

Status of Place: Nil

Description of Works: Scope for Planning Report, Territory Plan Variation -
Section 66, Deakin and adjoining Hampden Place road reserve

Council Advice provided by: Secretary / ACT Heritage Manager

Notes:

On 30 September 2016, the ACT Heritage Council (the Council) received a request for input into the 'Draft Scope for a Planning Report' (the draft scope) for a proposed Territory Plan Variation (TPV) for Section 66, Deakin, and the adjoining Hampden Place road reserve. The proposed TPV would rezone the subject area from TSZ2 Services zone to CZ5 Mixed Use zone, and also amend the Deakin Precinct Map to facilitate development of a mixed use community area on Blocks 7, 8 and 13.

Review of the ACT Heritage Register identifies that Section 66, Deakin, contains no registered or recorded heritage places or objects.

However, as Section 66, Deakin, has not been subject to prior heritage assessment, the Council requires that the draft scope include the following:

1. A heritage inspection of Section 66, Deakin, should be undertaken by a qualified archaeologist and Representative Aboriginal Organisations (RAOs);
2. 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
3. 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.

Fiona Moore
A/g Secretary (as delegate for),
ACT Heritage Council

25 October 2016

Woolfenden, Mitchell

From: enworks <enworks@actewagl.com.au>
Sent: Wednesday, 5 October 2016 10:14 AM
To: Terrplan
Subject: FW: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Hi Terrplan,

ActewAGL Distribution do support the proposed development on B7 & 8 S66 Deakin. Proponent is required to submit the Request for "Preliminary Network Advice" form to enworks@actewagl.com.au (available on ActewAGL Website) prior to commencement of any development activity to negotiate the connection of new and /or alteration if/as required.

Please note that there are existing substations on block 2 & 6 with overhead and underground high voltage assets located on the blocks.

Thank you

Regards

[REDACTED]
[REDACTED]
Network Connection Services
Customer Connections Branch
[REDACTED]
[REDACTED]

www.actewagl.com.au

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Please consider our environment before printing this email.

From: Terrplan [mailto:Terrplan@act.gov.au]
Sent: Friday, 30 September 2016 12:49 PM
To: Rutledge, Geoffrey; Nockels, Alexander; MACC; EPAPanningLiaison; Johns, Peter; DET School Planning; Strachan, Shaun (Health); Schofield, Karen; EmergencyManagement; [REDACTED]; [REDACTED]; [REDACTED]; Pedersen, Andrew; enworks; [REDACTED]; [REDACTED]; EPDLegislationServices; Cilliers, George; Chapman, Maggie; Morris, VanessaX; EPD Strategic Planning Referrals; Heritage; Rooney, Sean; Mozqueira, Antonio; McKeown, Helen
Cc: Jones, Greg; Brown, Robin; Jones, David; Chadwick, Graham; Simon, Martin; DDGCorporate; [REDACTED]; Joseph, Gabriel; [REDACTED]; Dengate, Clinton; Phillips, Brett; Saad, Monica; Carmichael, Tony; Jurcevic, Suzanne; Oswald, Petra; Moore, AlisonM (ACTPLA); OConnell, Jennifer; Russell, Meaghan; Sutton, Paul
Subject: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Dear all

The Environment and Planning Directorate has received a request from Purdon Planning on behalf of the Hindmarsh Group to prepare scoping advice for a planning report to inform a proposed draft variation to the Territory Plan for section 66 and adjoining Hampden Place road reserve in Deakin. The section is currently zoned TS22 Services zone. The proposal is to rezone section 66 and the 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; and

2. 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 selling food to 250m² on blocks 7, 8 and 13.

The proposed changes are to permit the incorporation of a mix of uses including residential, commercial and retirement uses on blocks 7, 8 and 13.

Input is being sought from agencies on the preparation of scoping advice for a planning report into the proposal to inform EPD's decision on the preparation of a draft variation to the Territory Plan. The standard template for scoping advice for a planning report is attached for your comment.

Please identify any additional elements for inclusion in the scoping document and send your advice to terrplan@act.gov.au by **COB Tuesday 25 October 2016**. If no comments have been received from your agency by this date and no request for an extension of time has been received then it will be considered that your agency has nil comments on the proposal. In addition, please advise of any changes to referral contacts at the earliest opportunity.

Kind regards

Territory Plan Section | General Enquiries inbox | terrplan@act.gov.au

Planning Delivery | Environment and Planning | **ACT Government**

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

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Woolfenden, Mitchell

From: McKeown, Helen
Sent: Monday, 24 October 2016 4:14 PM
To: Hawke, Simon
Subject: RE: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Thank you for picking up that typo. It is supposed to be 'or'

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

From: Hawke, Simon
Sent: Monday, 24 October 2016 4:02 PM
To: McKeown, Helen
Subject: RE: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Hi Helen

Thank you very much for the comments on s66 Deakin. I just wanted to check one thing- is the highlighted 'of' at the end of the second dot point meant to be 'of', or 'or'?

Thanks
Simon

From: McKeown, Helen
Sent: Monday, 17 October 2016 4:25 PM
To: Terrplan
Subject: RE: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Thank you for the opportunity to provide comment on scoping advice for a planning report to inform a proposed draft variation to the Territory Plan for section 66 and adjoining Hampden Place road reserve in Deakin. The following comments are provided:

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 of mitigation measures.
- A declining woodland bird, the **Speckled Warbler** 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.

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

From: Terrplan

Sent: Friday, 30 September 2016 12:49 PM

To: Rutledge, Geoffrey; Nockels, Alexander; MACC; EPAPanningLiaison; Johns, Peter; DET School Planning; Strachan, Shaun (Health); Schofield, Karen; EmergencyManagement; [REDACTED];

[REDACTED] Pedersen, Andrew; 'enworks@actewagl.com.au'; [REDACTED]; EPDLegislationServices; Cilliers, George; Chapman, Maggie; Morris, VanessaX; EPD Strategic Planning Referrals; Heritage; Rooney, Sean; Mozqueira, Antonio; McKeown, Helen

Cc: Jones, Greg; Brown, Robin; Jones, David; Chadwick, Graham; Simon, Martin; DDGCorporate; [REDACTED]

[REDACTED] Joseph, Gabriel; [REDACTED] Dengate, Clinton; Phillips, Brett; Saad, Monica; Carmichael, Tony; Jurcevic, Suzanne; Oswald, Petra; Moore, AlisonM (ACTPLA); OConnell, Jennifer; Russell, Meaghan; Sutton, Paul

Subject: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Dear all

The Environment and Planning Directorate has received a request from Purdon Planning on behalf of the Hindmarsh Group to prepare scoping advice for a planning report to inform a proposed draft variation to the Territory Plan for **section 66 and adjoining Hampden Place road reserve in Deakin**. The section is currently zoned TS22 Services zone. The proposal is to rezone section 66 and the road reserve to CZ5 Mixed Use zone, and amend the Deakin precinct map and code to:


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Kind regards

Territory Plan Section | General Enquiries inbox |  terrplan@act.gov.au

Planning Delivery | Environment and Planning | **ACT Government**

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

Woolfenden, Mitchell

From: McKeown, Helen
Sent: Monday, 17 October 2016 4:25 PM
To: Terrplan
Subject: RE: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Thank you for the opportunity to provide comment on scoping advice for a planning report to inform a proposed draft variation to the Territory Plan for section 66 and adjoining Hampden Place road reserve in Deakin. The following comments are provided:

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.
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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

From: Terrplan

Sent: Friday, 30 September 2016 12:49 PM

To: Rutledge, Geoffrey; Nockels, Alexander; MACC; EPAPlanningLiaison; Johns, Peter; DET School Planning;

Strachan, Shaun (Health); Schofield, Karen; EmergencyManagement; [REDACTED];
[REDACTED] Pedersen, Andrew; 'enworks@actewagl.com.au'; [REDACTED];
[REDACTED]; EPDLegislationServices; Cilliers, George; Chapman, Maggie; Morris, VanessaX;
EPD Strategic Planning Referrals; Heritage; Rooney, Sean; Mozqueira, Antonio; McKeown, Helen
Cc: Jones, Greg; Brown, Robin; Jones, David; Chadwick, Graham; Simon, Martin; DDGCorporate;
[REDACTED] Joseph, Gabriel; [REDACTED]
Dengate, Clinton; Phillips, Brett; Saad, Monica; Carmichael, Tony; Jurcevic, Suzanne; Oswald, Petra; Moore, AlisonM
(ACTPLA); OConnell, Jennifer; Russell, Meaghan; Sutton, Paul
Subject: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Dear all

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Kind regards

Territory Plan Section | General Enquiries inbox | terrplan@act.gov.au

Planning Delivery | Environment and Planning | **ACT Government**

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

Woolfenden, Mitchell

From: Johns, Peter
Sent: Thursday, 27 October 2016 11:30 AM
To: Terrplan
Subject: RE: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Dear Terrplan

The following comments are offered:

- The proponents are seeking a change to CZ5 – Mixed Use Zone. CZ5 is part of the Commercial Zone. It is not clear why the documentation provided refers to the creation of a 'mixed use community precinct' when the proponent is proposing a 'mixture of residential, commercial and retirement uses' (pg1).
- There are other Commercial Zones which would allow the form of development being sought eg CZ2. A stronger case for a CZ2 zoning could possibly be argued given that it is a dominant zoning in the West Deakin area which this site would be part of
- There is insufficient evidence provided to support the proposed building heights. The site is isolated from other residential areas and high building heights could further reinforce that isolation from the surrounding residential area
- The proposal focuses only on those areas which are owned by Hindmarsh. It is not inconceivable that at some stage the remainder of the site will be sold. The proponent should undertake a study which looks at how the overall area could be developed in an integrated sense. This would provide a vision as to how the land should be developed and appropriate controls established now.
- The proponent advises that TsZ2 is in short supply. If that is the case, does that mean that the land should be retained, or are there other zonings which allow TZ2 uses.
- The proponent should undertake community engagement to assist in preparing the documentation for the draft Territory Plan variation. While it is somewhat dated the Deakin Neighbourhood Plan provides a useful snapshot of community aspirations in 2003. This consultation will help develop an understanding of the character of the surrounding area which would be useful in the development of appropriate controls eg heights, setbacks, building form, uses and materials
- Further information about the mix of uses should be included in the further documentation. With respect to commercial uses advice about the impact on surrounding commercial areas and shops should be provided.

I hope these comments are of use.

If you have any queries please do not hesitate to get in touch.

Peter

From: Terrplan
Sent: Friday, 30 September 2016 12:49 PM
To: Rutledge, Geoffrey; Nockels, Alexander; MACC; EPAPanningLiaison; Johns, Peter; DET School Planning; Strachan, Shaun (Health); Schofield, Karen; EmergencyManagement; [REDACTED]; Pedersen, Andrew; 'enworks@actewagl.com.au'; [REDACTED]; EPDLegislationServices; Cilliers, George; Chapman, Maggie; Morris, VanessaX; EPD Strategic Planning Referrals; Heritage; Rooney, Sean; Mozqueira, Antonio; McKeown, Helen
Cc: Jones, Greg; Brown, Robin; Jones, David; Chadwick, Graham; Simon, Martin; DDGCorporate; [REDACTED]; Joseph, Gabriel; [REDACTED]
Dengate, Clinton; Phillips, Brett; Saad, Monica; Carmichael, Tony; Jurcevic, Suzanne; Oswald, Petra; Moore, AlisonM (ACTPLA); OConnell, Jennifer; Russell, Meaghan; Sutton, Paul
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Kind regards

Territory Plan Section | General Enquiries inbox | terrplan@act.gov.au

Planning Delivery | Environment and Planning | **ACT Government**

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

Woolfenden, Mitchell

From: Inskeep, David on behalf of EmergencyManagement
Sent: Monday, 24 October 2016 10:10 AM
To: Terrplan
Cc: ACTF&R Risk & Planning
Subject: Draft Scoping - Territory Plan Variation - Section 66 Deakin [SEC=UNCLASSIFIED]

Good morning

Please find below email, ACTF&R has no special considerations or objections at this time to: Draft Scoping – Territory Plan Variation – Block 2,6,7,8, & 13 Section 66 Deakin.

Thank you.

David Inskeep

Kind regards

David Inskeep | Administration & Support

Phone: 02-620 78713 | Mobile: 0439 675 666

Risk & Planning | Emergency Services Agency | ACT Government

9 Amberley Avenue Fairbairn | GPO Box 158 Canberra ACT 2601 | www.act.gov.au



From: Brennan, Mark **On Behalf Of** ACTF&R Risk & Planning
Sent: Monday, 24 October 2016 9:51 AM
To: EmergencyManagement
Subject: Draft Scoping - Territory Plan Variation - Section 66 Deakin [SEC=UNCLASSIFIED]

David

ACTF&R has no special considerations or objections at this time to:

Draft Scoping – Territory Plan Variation – Block 2,6,7,8, & 13 Section 66 Deakin

Please note this land has been declared Bushfire Prone Area and as such, measures should be taken as per ACT Strategic Bushfire Management Plan 2014 for future Development Planning.

Regards

Mitch Brennan

ACT Fire & Rescue
Risk and Planning Section
9 Amberley Avenue Majura ACT 2601
62078472
email : actf&rrisk&planning@act.gov.au



Woolfenden, Mitchell

From: [REDACTED]
Sent: Tuesday, 4 October 2016 8:28 AM
To: Terrplan
Subject: RE: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

On behalf of ActewAGL Distribution Gas, Jemena have reviewed the Agency circulation for scoping advice - Deakin section 66 and have no copy to make.

Regards

[REDACTED]
Jemena
[REDACTED]
www.jemena.com.au



From: Terrplan [mailto:Terrplan@act.gov.au]
Sent: Friday, 30 September 2016 12:49 PM
To: Rutledge, Geoffrey; Nockels, Alexander; MACC; EPAPanningLiaison; Johns, Peter; DET School Planning; Strachan, Shaun (Health); Schofield, Karen; EmergencyManagement; [REDACTED]; [REDACTED] Pedersen, Andrew; 'enworks@actewagl.com.au'; [REDACTED]; EPDLegislationServices; Cilliers, George; Chapman, Maggie; Morris, VanessaX; EPD Strategic Planning Referrals; Heritage; Rooney, Sean; Mozqueira, Antonio; McKeown, Helen
Cc: Jones, Greg; Brown, Robin; Jones, David; Chadwick, Graham; Simon, Martin; DDGCorporate; [REDACTED] Joseph, Gabriel; [REDACTED] Dengate, Clinton; Phillips, Brett; Saad, Monica; Carmichael, Tony; Jurcevic, Suzanne; Oswald, Petra; Moore, AlisonM (ACTPLA); OConnell, Jennifer; Russell, Meaghan; Sutton, Paul
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Planning Delivery | Environment and Planning | **ACT Government**
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This is a confidential message intended for the named recipient(s) only. The contents herein are privileged to the sender and the use thereof is restricted to the intended purpose. If you have received this e-mail in error, please do not use, disclose, distribute, copy, print or relay on this email. If receipt is in error, please advise the sender by reply email. Thank you.

Woolfenden, Mitchell

From: Saad, Monica
Sent: Friday, 21 October 2016 12:27 PM
To: Terrplan
Subject: FW: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Thank you for the opportunity to comment on the scoping document for Section 66 Deakin and the adjoining Hampden Place road reserve.

General Leasing makes the following comment:

- Section 66 Deakin contains 4 blocks, blocks 2, 6, 7 & 8. Please note that Block 13 is actually Block 13 Section 78 Deakin.
- Block 2 Section 66 – unregistered lease for the purpose of a communications facility.
- Block 6 Section 66 – National land and leased for the purpose of communications facility.
- Blocks 7 & 8 – leased for the purpose of communications facility and store.
- Block 13 Section 78– leased for the purpose of pedestrian and vehicular access for Blocks 7 & 8 Section 66 Deakin.

Regards

Monica Saad | Manager - General Leasing | Lease Administration

Phone 02 6207 2112

Planning Delivery Division | Environment and Planning | ACT Government

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

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Sent: Friday, 30 September 2016 12:49 PM
To: Rutledge, Geoffrey; Nockels, Alexander; MACC; EPAPanningLiaison; Johns, Peter; DET School Planning; Strachan, Shaun (Health); Schofield, Karen; EmergencyManagement; [REDACTED]; [REDACTED]; [REDACTED]; Pedersen, Andrew; 'enworks@actewagl.com.au'; [REDACTED]; [REDACTED]; EPDLegislationServices; Cilliers, George; Chapman, Maggie; Morris, VanessaX; EPD Strategic Planning Referrals; Heritage; Rooney, Sean; Mozqueira, Antonio; McKeown, Helen
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Planning Delivery | Environment and Planning | **ACT Government**

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

Woolfenden, Mitchell

From: EPDLegislationServices
Sent: Friday, 30 September 2016 4:16 PM
To: Terrplan
Cc: EPDLegislationServices
Subject: RE: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Thank you for sending a copy of the draft scope for proposed Territory Plan variation for section 66 Deakin (and adjoining Hampden Place road reserve) for consideration.

I wish to advise that we have no comment on the draft scope.

Regards

Adam Roach | Senior Legal Policy Officer
Phone: 02 6207 7803 | Email: adam.roach@act.gov.au
Legislation Services | Environment and Planning Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158, Canberra ACT 2601 | act.gov.au

From: Terrplan
Sent: Friday, 30 September 2016 12:49 PM
To: Rutledge, Geoffrey; Nockels, Alexander; MACC; EPAPlanningLiaison; Johns, Peter; DET School Planning; Strachan, Shaun (Health); Schofield, Karen; EmergencyManagement; [REDACTED]; [REDACTED]; [REDACTED]; Pedersen, Andrew; 'enworks@actewagl.com.au'; [REDACTED]; [REDACTED]; EPDLegislationServices; Cilliers, George; Chapman, Maggie; Morris, VanessaX; EPD Strategic Planning Referrals; Heritage; Rooney, Sean; Mozqueira, Antonio; McKeown, Helen
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Planning Delivery | Environment and Planning | **ACT Government**

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

Woolfenden, Mitchell

From: MACC
Sent: Tuesday, 25 October 2016 4:30 PM
To: Terrplan
Subject: FW: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Hello

Thanks you for the opportunity to comment on the below scoping advice. Economic Development does not have any comments to offer.

With many thanks

Dorena Morris | Manager, Ministerial, Assembly and Cabinet Coordination

Economic Development | Chief Minister, Treasury and Economic Development Directorate | ACT Government

☎ 02 6205 2701 | ✉ dorena.morris@act.gov.au

Level 7 TransACT House, 470 Northbourne Ave, Dickson | GPO Box 158 Canberra ACT 2601 | www.economicdevelopment.act.gov.au

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Please consider the environment before printing this email

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Sent: Friday, 30 September 2016 12:49 PM
To: Rutledge, Geoffrey; Nockels, Alexander; MACC; EPAPlanningLiaison; Johns, Peter; DET School Planning; Strachan, Shaun (Health); Schofield, Karen; EmergencyManagement; [REDACTED]; Pedersen, Andrew; 'enworks@actewagl.com.au'; [REDACTED]; EPDLegislationServices; Cilliers, George; Chapman, Maggie; Morris, VanessaX; EPD Strategic Planning Referrals; Heritage; Rooney, Sean; Mozqueira, Antonio; McKeown, Helen
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Input is being sought from agencies on the preparation of scoping advice for a planning report into the proposal to inform EPD's decision on the preparation of a draft variation to the Territory Plan. The standard template for scoping advice for a planning report is attached for your comment.

Please identify any additional elements for inclusion in the scoping document and send your advice to terrplan@act.gov.au by **COB Tuesday 25 October 2016**. If no comments have been received from your agency by this date and no request for an extension of time has been received then it will be considered that your agency has nil comments on the proposal. In addition, please advise of any changes to referral contacts at the earliest opportunity.

Kind regards

Territory Plan Section | General Enquiries inbox |  terrplan@act.gov.au

Planning Delivery | Environment and Planning | **ACT Government**

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

Woolfenden, Mitchell

From: [REDACTED]
Sent: Monday, 10 October 2016 10:45 AM
To: Terrplan
Subject: RE: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Security: UNCLASSIFIED

Hello,

Based on the examination of the proposal, it looks like some of the buildings could overshadow the main Defence building. The NCA would like to suggest a Visual Impact Statement be undertaken.

I would be happy to provide more detail if necessary.

Kind regards,

[REDACTED]
National Capital Authority



National Capital Authority | Treasury Building, King Edward Terrace, PARKES ACT 2600
GPO Box 373, CANBERRA ACT 2601 | www.nationalcapital.gov.au | Twitter: @NCA_Media

LoveLBG is a strategy developed by the NCA to encourage social media users to share tips on protecting Canberra's waterways using the hashtag #LoveLBG.



Please consider our environmental footprint before printing this e-mail

From: Terrplan [<mailto:Terrplan@act.gov.au>]
Sent: Friday, 30 September 2016 12:49 PM
To: Rutledge, Geoffrey; Nockels, Alexander; MACC; EPAPanningLiaison; Johns, Peter; DET School Planning; Strachan, Shaun (Health); Schofield, Karen; EmergencyManagement; [REDACTED]
Pedersen, Andrew; 'enworks@actewagl.com.au'; [REDACTED]; EPDLegislationServices; Cilliers, George; Chapman, Maggie; Morris, VanessaX; EPD Strategic Planning Referrals; Heritage; Rooney, Sean; Mozqueira, Antonio; McKeown, Helen
Cc: Jones, Greg; Brown, Robin; Jones, David; Chadwick, Graham; Simon, Martin; DDGCorporate; [REDACTED]
[REDACTED] Joseph, Gabriel; [REDACTED] Dengate, Clinton; Phillips, Brett; Saad, Monica; Carmichael, Tony; Jurcevic, Suzanne; Oswald, Petra; Moore, AlisonM (ACTPLA); OConnell, Jennifer; Russell, Meaghan; Sutton, Paul
Subject: Agency circulation for scoping advice - Deakin section 66 [SEC=UNCLASSIFIED]

Dear all

The Environment and Planning Directorate has received a request from Purdon Planning on behalf of the Hindmarsh Group to prepare scoping advice for a planning report to inform a proposed draft variation to the Territory Plan for **section 66 and adjoining Hampden Place road reserve in Deakin**. The section is currently zoned TSZ2 Services

zone. The proposal is to rezone section 66 and the 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; and
2. 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 selling food to 250m² on blocks 7, 8 and 13.

The proposed changes are to permit the incorporation of a mix of uses including residential, commercial and retirement uses on blocks 7, 8 and 13.

Input is being sought from agencies on the preparation of scoping advice for a planning report into the proposal to inform EPD's decision on the preparation of a draft variation to the Territory Plan. The standard template for scoping advice for a planning report is attached for your comment.

Please identify any additional elements for inclusion in the scoping document and send your advice to terrplan@act.gov.au by **COB Tuesday 25 October 2016**. If no comments have been received from your agency by this date and no request for an extension of time has been received then it will be considered that your agency has nil comments on the proposal. In addition, please advise of any changes to referral contacts at the earliest opportunity.

Kind regards

Territory Plan Section | General Enquiries inbox | terrplan@act.gov.au

Planning Delivery | Environment and Planning | **ACT Government**

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

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Woolfenden, Mitchell

From: Kaucz, Alix
Sent: Wednesday, 21 September 2016 11:45 AM
To: Hawke, Simon
Subject: FW: Section 66 Deakin - Request for Scoping Document in support of TPV [SEC=UNCLASSIFIED]

Follow Up Flag: Follow up
Flag Status: Completed

Hi Simon

Welcome back!

Could you please arrange circulating this request for a scope?

Alix

From: [REDACTED]
Sent: Wednesday, 21 September 2016 11:24 AM
To: Kaucz, Alix
Subject: Section 66 Deakin - Request for Scoping Document in support of TPV

Hi Alix,

Please find a request for a scoping document, with regard to Section 66 Deakin attached. This follows on from ongoing discussions between the ACT Government and Hindmarsh with regard to a variation for the site.

Please advise if you require any additional information or copies of correspondence.

Can you please advise on the approximate timeframe?

Thanks
Richard

[REDACTED]
Purdon Planning Pty Ltd
Unit 4, Cooyong Centre
1 Torrens Street
Braddon ACT 2612

T: [REDACTED]
www.purdon.com.au



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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: [REDACTED]

From: [REDACTED]
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 [REDACTED] 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,

[REDACTED]



[REDACTED]
71 Constitution Ave, Campbell ACT 2612 Australia

[REDACTED]
www.hindmarsh.com.au

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UNCLASSIFIED

To	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	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.

Background

2. The Hindmarsh Group has 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 TS22 Transport Services Zone to another zone appropriate for either residential or retirement village development.
3. As previously advised, EPD wrote to Hindmarsh requesting additional information responding to the previous concerns raised along with conceptual design responses demonstrating how a residential or retirement village development could be suitably developed on the site.
4. This brief is to provide a progress update from the previous brief (Attachment A) and to seek your advice on the next steps.

Issues

5. Hindmarsh have provided conceptual sketches (Attachment B) showing how a residential development could be developed within the site while responding to the particular constraints including impacts from the existing defence building to the west.

Performance Assessment

DUE DATE:/...../..... DATE RECEIVED:...../...../.....

SATISFACTORY

☐

UNSATISFACTORY

☐

According to criteria specified in ACT Government Policy Performance Measures

Signature / .../....

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 (Attachment B) 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/.../....

Minister's Comments

Alix Kaucz
Manger, Territory Planning

Phone: 6205 0864

Action Officer: Simon Hawke
Section: Territory Planning

Phone: 6207 6436

No: 12/09

To : Ms Joy Burch MLA
Ms Tara Cheyne MLA
Mr Shane Rattenbury MLA
Mr Andrew Wall MLA

From : Mr Max Kiermaier

cc : Ms Pam Darville, Ms Melinda Gonczarek, Ms Anne Shannon,
Ms Janice Rafferty

Date : 23 October 2017

Subject : STANDING COMMITTEE ON ADMINISTRATION AND PROCEDURE – ORDER OF
PRIVATE MEMBERS’ BUSINESS, ASSEMBLY BUSINESS AND EXECUTIVE
MEMBERS’ BUSINESS

The order of Private Members’ business for Wednesday, 25 October 2017 as agreed to by the Standing Committee on Administration and Procedure is as follows:

Wednesday, 25 October 2017

PRIVATE MEMBERS’ BUSINESS

Notices

*1 **EPSDD agreed**


MS LAWDER: To 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;

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- (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; 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 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;

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- (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. (*Notice given 23 October 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A*).
- 

2017

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

Private Members Business

Federal Golf Club development proposal

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

Motion

MS LAWDER: To 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 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; 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 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 Garrahan;
 - (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. *(Notice given 23 October 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A).*

Madam Speaker, in response to the motion put forward by Ms Lawder, I would like to clarify the circumstances surrounding the proposed development at the Federal Golf Club and the community panel process.

Madam Speaker, the future development proposal for the site is still in a formative stage. The proponent has not lodged a Development Application. Nor has the proponent requested to vary the Territory Plan or to deconcessionalise or vary the Golf Club lease. Madam Speaker it is 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 Madam Speaker, 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 responding to it.

The community panel process does not replace the formal consultation processes in any subsequent developments 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 Directorate endeavoured 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 the 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 the 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 'all the right voices were heard, all the right questions were asked, that those questions were answered and that 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.

In the course of the panel meetings, several community association representatives praised the proponents for the level of openness they were displaying in sharing information about their proposal. Several environmental groups identified the proposal as being the 'best' that has been developed over the years.

Madam Speaker, some groups called for a broader scope for planning and development in the Red Hill area. Others maintain a strong opposition to development on this site. Regardless of their stated positions, through the course of the three meetings, all groups raised a range of very important planning and development related issues.

With this in mind, the community panel has achieved its' primary purpose. In drawing the third meeting to a close, panel members were requested to formulate a list of planning and development related questions that could be documented in a final panel report. To this end, a preliminary draft panel report was provided at the third meeting. The draft report has been revised and circulated to panel members for further comment and input on 20 October 2017.

I would like to note that some of the panel members indicated that they would also like to make a statement about the proposed development in their own words. Accordingly, it has been agreed to append those groups' statements to the main report. The Directorate is currently working with the various panel members to finalise the panel report and to attach the individual groups' statements.

Madam Speaker, I would turn now to some key factual issues in Ms Lawder's motion.

In relation to the motion item (1)(c) there is no formally designated area called the 'Red Hill Open Space area'. The Federal Golf Course lease is not zoned open space (or any similar term). It is included in the parks and recreation 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.

Madam Speaker, in relation to motion item (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 fire and safety considerations for future development on this site.

In regard to motion item (1)(e), I would reiterate that the Directorate convened the community panel as a pre-consultation process to ensure early sharing of information and identification of issues.

Madam Speaker 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 reviewed and it is through this review process that 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 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.

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 cumulative impacts of these developments is 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 publish 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 2017.

Madam Speaker, 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 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 Planning and Urban Renewal Committee. A specific inquiry is not necessary. As stated previously, Madam Speaker, the ACT Planning Strategy is to be 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 Federal Golf Club. It amounts to a moratorium on development and I consider this to be an inappropriate response to an open and informative process.

Madam Speaker, 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 any proposed changes to Federal Golf Club strongly reflects the ACT Government's commitment to community engagement. The community panel processes should not be cast aside due to myopic views on how consultation and development can occur.

Innovation is an essential component of development as reflected in my Statement of Planning Intent. This means 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 Madam Speaker 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. I am very satisfied that the panel has achieved one if its purposes.

I thank you Madam Speaker.

Dengate, Clinton

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: 0401 115 782 e: lesley.cameron@act.gov.au