

2005

LEGISLATIVE ASSEMBLY FOR
THE AUSTRALIAN CAPITAL TERRITORY

VARIATION NO. 236 TO THE TERRITORY PLAN –
City West Commercial A Civic Centre Land Use Policies, Exemption of
Preliminary Assessments and Part D - Definitions

TABLING STATEMENT

Circulated by authority of the
Minister for Planning
Mr Simon Corbell MLA

1/7/05

Mr Speaker, Variation number 236 proposes to provide for the implementation of the City West Master Plan, which was endorsed by the Government in May 2004. It proposes to revitalise the City West precinct by extending the Commercial A Land Use Policy, amending height controls and including objectives to provide for community facilities. The variation also includes changes to controls on building colour and Preliminary Assessments, which apply to all of Civic.

The draft variation was released for public comment on 6 August 2004, with comments closing on 3 September 2004. A total of three written submissions were received during that period. These submissions raised concerns regarding tenure for community groups, building height limits and the impact on the Australian National University. A number of minor revisions were made to the variation as a result of the consultation process.

In its Report No.10 of June 2005 the Standing Committee on Planning and Environment made nine recommendations in relation to the variation.

The Committee's first recommendation was that the membership of the City West Precinct Committee be broadened to include a representative of community organisations and other existing occupants.

In broadening this membership the ACT Government's target of 50% for female appointees to committees and boards should be applied.

This recommendation is noted however the issue of membership of the City West Precinct Committee is beyond the scope of the Territory Plan and of this variation. It will be referred to the City West Precinct Committee for consideration.

The Committee's second recommendation related to clarifying the proposed exemption for Preliminary Assessment for development in Civic Centre.

This recommendation is accepted. The effect of the variation is to remove the need for mandatory Preliminary Assessments to be prepared for proposed buildings not only in Civic Centre, but also to apply for all of Civic. The variation now makes it clear that in Civic, Preliminary Assessments are not required for any proposal involving a new building that would exceed by more than 7,000m², the gross floor area of the building it replaces, if any, and / or where the proposed building is 28 metres or greater in height.

The third recommendation from the Committee sought that the ACT Planning and Land Authority better clarify the scope of draft and recommended final variations when they have multiple objectives. In this instance some stakeholders were unclear as to whether this Variation applied only to City West or throughout Civic.

The Government agrees with this recommendation. The Variation has been amended to clarify the changes that relate only to City West and the changes proposed to apply throughout Civic.

The intention of the variation is for the controls relating to colour, construction and materials for new buildings and the exemption for Preliminary Assessment for development to apply throughout Civic. The remaining policy changes apply to City West.

Recommendation four from the Committee suggested that the Inter-Town Public Transport (IPT) Route be removed from Figure 3.2, which is the figure that identifies the proposed changes to the Territory Plan Map. This recommendation is not supported. The IPT Route that runs through City West currently caters for buses and is a corridor for possible future high-speed transit and light rail. It is important that the IPT Route is reserved to accommodate the future public transport needs of the city. I do not believe it is desirable not to have a defined IPT Route through this area. Therefore, I believe the existing IPT Route in a statutory document should be maintained, and the subject of further review with the ANU as it develops its Implementation Plan for the ANU City West Integration Precinct.

Recommendation five from the Committee's report suggested that the ACT Government report annually to the Committee on progress in meeting the 5% affordable housing target for City West and the policies applied for meeting the target.

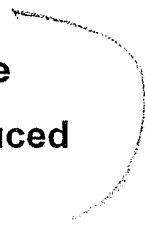
The Committee further recommended that student accommodation not be counted when monitoring progress towards achieving this target.

These recommendations have been noted. The ACT Government will respond periodically with advice on progress in meeting affordable housing targets to the ACT Legislative Assembly.

With regard to student accommodation, the Ministerial Taskforce on Affordable Housing, *Affordable Housing in the ACT – Strategies for Action* (December 2002), revealed that students can be in housing stress than young people overall. This report recommended that it is appropriate to provide accommodation for students as part of affordable housing, and to take students into account when considering indicators for affordable housing. If students are not provided with appropriate, purpose built student accommodation, they will be competing for low cost housing with other low-income earners. If student accommodation is counted in affordable housing, then this opens the market for other low-income earners.

The Committee also recommended that a definition for RL617 be inserted into the Territory Plan 'Part D: Definitions of Terms' through this variation.

The recommendation is not supported on the basis that the Territory Plan already contains a definition for 'RL' or 'reduced level' under Part D: Definitions of Terms.



In subsequent Variations a reference to relevant definitions will be included in the explanatory statement of Draft and Recommended Final Variations.

The Committee recommended that the ACT Heritage Council report on the operation of the Heritage Act 2004 in relation to the implementation of the City West Master Plan in its 2005-6 Annual Report, and/or subsequent reports as appropriate in the circumstances.

This has been noted. The issue of the operation of the Heritage Act 2004 in relation to the implementation of the City West Master Plan is beyond the scope of the Territory Plan and of this Variation. The issue has been referred to the ACT Heritage Council for consideration.

The Committee recommended that Figure 6 be removed from the variation or amended to better reflect the ANU's understanding of pedestrian routes.

This recommendation is not supported. Main pedestrian routes in the Childers Street Precinct were identified in preparing the City West Master Plan, which was endorsed by the Government in May 2004. Any change to the pedestrian routes identified in the precinct would result in the City West Master Plan being inconsistent with the Territory Plan. As a consequence the implementation of the City

West Master Plan, since all development in the precinct must be in accordance with the Master Plan, would be frustrated.

Figure 6: City West - Childers St Precinct (Main Pedestrian Areas) is included in the variation to identify the main pedestrian areas in the Childers Street Precinct so that the heights of adjacent buildings would not overshadow the main pedestrian areas. A similar diagram is included in the Territory Plan to indicate main pedestrian areas for the retail core in the City.

The Committee's final recommendation was that the variation be amended to remove the proposed change to the Territory Plan Map that would delete the Urban Open Space Land Use Policy from part of Block 4 Section 2 City and part of Marcus Clarke Street and that the proposed Commercial A land use policy not be applied to this area.

This is not supported. Section 2 City currently contains the Canberra Club and Canberra House on Block 3, and a surface car park and a pocket park on Block 4. This small park is popular for passive recreation use by employees in the City. Most of Block 4 is actually used for surface car parking, even though it is designated as Urban Open Space Land Use Policy.

Applying the Commercial A Land Use Policy to part of Block 4 will allow for a new development site fronting Marcus Clarke Street, and the enlarging of the pocket park. This area would remain as a

pedestrian thoroughfare, since the intersection of Hobart Place to Marcus Clarke Street would remain open for pedestrian access, as well as being opened up for vehicular access. Urban design guidelines prepared for the area would ensure that overshadowing of the pocket park from new development is minimised in this inner-city context.

Mr Speaker, I now table Variation to the Territory Plan number 236.