

HINDMARSH
Development

A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE	
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The Committee Secretary
Standing Committee on Planning and Urban Renewal
Legislative Assembly for the ACT
GPO Box 1020
CANBERRA ACT 2601



Re: Draft Territory Plan Variation No. 344

Dear Committee Secretary,

I refer to the current Draft Territory Plan Variation No. 344 which has been given interim effect, and I wish to raise several issues it has triggered in regards to Woden Green owned by Hindmarsh.

These issues ultimately impact our ability to develop the balance of the estate economically and in line with the approved Estate Development Plan. The estate was purchased from our Joint Venture with the Land Development Agency in 2013, based on the planning guidelines at the time. The latest version of the TPV has dramatically changed that planning, and we seek that the changes be reversed. For your convenience, I have provided a brief history of the master planning in regards to the estate in Appendix 1. You will see that for nearly 4 years, the estate has been under a cloud within regards to planning, and has caused Hindmarsh significant delays in trying to complete the estate.

Please see our outline below of the issues we believe have been introduced into the final draft of the TPV issued in July.

TPV Element	Issue	Impact & Proposal
RC1 - Criteria 13 Block 81	<p>Since the first draft was issued in April, a 700m2 constraint to any floor plate of any tower on the site has been added. These constraints did not exist in the earlier draft of the TPV.</p> <p>Please note, there was only one specific objection to overshadowing on the Woden Green Estate. Other objections related to the town square.</p> <p>Please note these constraints were not added to any other site in Woden under this TPV. There will be overshadowing issues created with sites such as the marker building status, given under Criteria 11 on the Tradies site. We do not believe all land owners are being treated equally.</p>	<ol style="list-style-type: none"> 1. The singular use of the word tower implies that only one tower can go on this site. This has a significant economic impact on the site considering it is over 7,000m2. 2. The 700m2 floor plate restriction also makes development on the site uneconomic. <p>NOTE</p> <p>Hindmarsh is aware that any planning outcome must be merit based and be sympathetic to its surroundings, however these artificial controls go much further, seriously damaging the site and the ability to create a world class mixed use development to help</p>

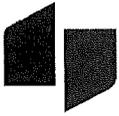
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	<p>The site was purchased from the ACT government with no height, tower number or floor area limits, and our purchase price at the time reflected that.</p> <p>These new controls severely impact the value of this land.</p>	<p>revitalise Woden.</p> <p>Hindmarsh has completed its own studies and we believe the impact for overshadowing sits within current planning guidelines.</p> <p>Hindmarsh put into the public domain in 2010 it's long term plans for the high-rise components which at the time, the community supported.</p> <p>Proposal</p> <p>We seek that you remove the 700m2 cap, and remove the reference to a single tower.</p>
<p>RC1 - Criteria 13 Block 81</p>	<p>Retention of the current path is not possible in the current location. We have an approved Estate Development Plan that allows this path to be relocated towards the town centre.</p>	<p>The paths current location runs directly through our developable land.</p> <p>Proposal</p> <p>We seek that you correct this minor issue to align it with the Estate Development Plan.</p>
<p>RC1 - Criteria 3, Rule 3 Block 81</p>	<p>The draft Masterplan provided the ability to ensure that Block 81 had the development potential to become a true mixed use development by incorporating a 1,500m2 retail space which would underpin the ancillary retail, ensuring it becomes a destination. This has now been reduced to only 500m2.</p> <p>In reviewing why the shop size was reduced to 500m2, we have only uncovered the objection from the Scentre Group. The Woden Town Centre, of which the Westfield Shopping Centre is a major component requires a large facelift to improve the amenity provided to existing residents, employees and businesses. By allowing a small piece of shopping competition within the immediate area, it will have a direct impact on amenity for the following reasons:</p> <ul style="list-style-type: none"> - More choice for consumers; - A new facility; - Well placed with the future light rail; - Existing residents and occupants in Woden Green will not have to cross Callam Street to meet their daily 	<p>A 500m2 limit will not allow for a truly high quality mixed use development to be created in the town centre. To support small retail, an anchor tenant larger than 500m2 is required.</p> <p>There are numerous developments in the ACT with small retail spaces at the ground floor which simply sit empty. This is due to the demand from the residential towers not being great enough to support these tenancies, an anchor tenant is needed.</p> <p>Hindmarsh had a Heads of Agreement for an anchor tenant which will now have to be cancelled as 500m2 is simply not large enough.</p> <p>Proposal</p> <p>We seek that you increase the allowable floor area back to 1,500m2.</p>



	<p>shopping needs, thereby removing potential short distance car traffic and pedestrians; and</p> <ul style="list-style-type: none"> - It will allow people working in the town centre, who chose to park at the future public carparking can do their shopping where their car park is. <p>All of these reasons will place competitive pressure on Scentre to respond and improve its facilities so that the impact on its trade is minimised.</p>	
<p>RC3 - Criteria 38</p>	<p>Since the draft was issued in April, a 700m2 constraint to any floor plate of any tower on the site has been added. These constraints did not exist in the earlier draft of the TPV.</p>	<p>1. The 700m2 floor plate restriction also makes development on the site uneconomic.</p> <p>NOTE</p> <p>Hindmarsh is aware that any planning outcome must be merit based and be sympathetic to its surroundings, however these artificial controls go much further, seriously damaging the site and the ability to create mixed use developments that will revitalise Woden.</p> <p>Hindmarsh has completed its own studies, and we believe the impact for overshadowing sits within current planning guidelines.</p> <p>Proposal</p> <p>We seek that you remove the 700m2 cap and remove the reference to a single tower.</p>

Hindmarsh has now been involved in the Woden Estate for over 11 years, of which 7 years was with the ACT Government. It is disheartening to see the latest round of restrictions imposed on the sites without any consultation. Particularly given that a development application on the Block 81 site would have been submitted late last year, however after a pre-DA meeting we were encouraged to wait for and consequently lodge under the draft TPV so that any outstanding planning issues could be dealt with. With these latest changes, we believe we cannot submit a suitable DA.



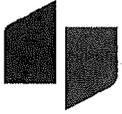
I trust that you will give these issues due consideration and provide solutions which will mean that we can continue to move forward with the development of the estate. If you require any further information, please do not hesitate to contact me.

Yours Sincerely,



Rowan Hindmarsh
Chief Executive Officer





APPENDIX 1 – MASTERPLAN HISTORY

For convenience, we have provided the following timeline summary below:

Nov 2006	Joint Venture Entered Into with Hindmarsh and LDA
Nov 2013	Hindmarsh purchases the site from LDA
Feb 2014	ACTPLA announces new masterplan process
May 2014	Latest EDP approved which has implied development of 380 units on N12
Jan 2015	First draft Masterplan issued, Hindmarsh provided feedback about height limits and zoning
Nov 2015	Final Masterplan which reflects feedback given
Nov 2016	Hindmarsh presented its block 81 proposal to ACTPLA in draft form
Apr 2017	Draft TPV. Hindmarsh met with ACTPLA and submitted its concerns regarding access from Callam street. Otherwise Hindmarsh were supportive of the TPV.
Jul 2017	Revised Draft with interim effect Introduces new constraints only on Hindmarsh sites with 700m2 floor plate restrictions and the reduction of the shopping centre size from 1500 sqm to 500 sqm and imposed the retention of the bike path on block 81.