

2022

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

**VARIATION TO THE TERRITORY PLAN 375
Demonstration Housing
Manor House
Griffith section 31 block 6**

Presented by Mick Gentleman MLA
Minister for Planning and Land Management
June 2022

Planning and Development (Plan Variation 375) Approval 2022

Notifiable instrument NI2022-

made under the

Planning and Development Act 2007, s 76 (Minister's powers in relation to draft plan variations)

1 Name of instrument

This instrument is the *Planning and Development (Plan Variation 375) Approval 2022*.

2 Commencement


This instrument commences on the day after its notification day.

3 Approval of draft plan variation

(1) I approve under section 76 (2) (a) of the *Planning and Development Act 2007* the plan variation 375 to the Territory Plan.

(2) In this section:

plan variation 375 to the Territory Plan means the plan variation in the schedule.


Mick Gentleman MLA
Minister for Planning and Land Management

2/6/2022



ACT
Government

Environment, Planning and
Sustainable Development

Schedule (See section 3 (2))

Planning and Development Act 2007

Variation to the Territory Plan 375

Demonstration Housing
Manor House
Griffith section 31 block 6

June 2022

Final variation prepared under section 76 of the
Planning and Development Act 2007

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1. EXPLANATORY STATEMENT

1.1 Background

Demonstration Housing is closely aligned with the ACT Government's Housing Choices policy project. Housing Choices investigates ways in which the housing needs of residents can be better met now and in the future. Its aim is to introduce more flexibility into the planning system to enable more housing choice in housing type and encourage the kind of quality residential buildings that the community wants.

Extensive community engagement was undertaken as part of the Housing Choices project. The community indicated that it wants more housing diversity including options to age in place, better construction quality, better housing design, more affordable housing, and infill development that reflects Canberra's garden city principles.

The Demonstration Housing Project was established to test and showcase how the ACT can best contribute to making a compact, sustainable, accessible and active city through innovative planning, design and delivery. Demonstration Housing is intended to deliver different housing types that are not currently available in Canberra and that support high quality design, build quality, housing choice, environmental sustainability and medium density infill. It offers a 'hands on' opportunity to test the effectiveness of different housing types through real examples and future review through post-occupancy assessment.

The Demonstration Housing Project responds to an ACT Legislative Assembly resolution passed in June 2017, which asked the ACT Government to engage with the community and industry stakeholders about how to deliver demonstration housing proposals that showcase best-practice in one or more of the following areas:

- excellence in construction and design quality
- carbon neutral buildings
- medium density infill
- innovative planning and engagement approaches
- innovative housing products and typologies
- close partnership with industry bodies
- options for public and affordable housing

The Demonstration Housing Project called for expressions of interest in 2018, which were considered in accordance with the areas being showcased from the above list (having identified one or more areas).

Each proponent went through a rigorous two-stage evaluation process, which included design refinements. This process was designed to assess the interest, capability, and experience of proponents to deliver projects that address the resolution of the Legislative Assembly. The evaluation criteria included an assessment against the demonstration housing concept, design quality and build quality. Proponents were required to present and receive endorsement from the National Capital Design Review Panel. All Demonstration Housing proposals are required to respond to the design feedback from the Panel through design refinement.

The experience gained from Demonstration Housing and assessment via post occupancy evaluation studies can be used to inform changes to housing policy and planning provisions more broadly. Any further changes that may be required in the future to the Territory Plan to encourage and support improved housing choice and housing quality in Canberra would be subject to further stakeholder involvement and community consultation.

Where a proposal has been chosen under the Demonstration Housing Project, the proponents are afforded the opportunity for a one-off site-specific Territory Plan variation where existing planning requirements would otherwise prevent such a development.

Under the Demonstration Housing Project, a successful proponent is required to undertake community consultation about their proposal in accordance with an approved engagement strategy. This requirement is undertaken prior to any consultation of a draft variation to the Territory Plan and the results are included in a Planning Report, which is available on the Environment, Planning and Sustainable Development Directorate website when consultation on a draft variation is undertaken.

1.2 Summary of the Proposal

The demonstration housing which is the subject of this variation is called a 'manor house'. This type of development is not currently permitted in the RZ1 zone and changes are only made at Griffith section 31 block 6 to facilitate this proposal. This amends the Griffith Precinct Map and Code to define 'manor house' as a new type of development and add it as an additional merit track assessable development at Griffith section 31 block 6. The changes in variation 375 do not apply to any other site besides the subject block.

The variation retains the RZ1 zoning for the site and only makes changes to the planning controls in the Territory Plan to enable this specific proposal. The proposal for a manor house was chosen to showcase medium density infill, excellence in construction and design quality, and innovative housing products and typologies.

Only the specified Demonstration Housing proponent is able to develop a manor house. To achieve this the proponent is placed on a register as a demonstration housing provider, with the register being published on an ACT Government website.

The proposed manor house will consist of four dwellings in a 2-storey form plus a basement and aims to present as a large single dwelling from the street. The proposal will meet many of the built form requirements for single dwelling housing in the RZ1 zone.

1.3 The National Capital Plan

The *Australian Capital Territory (Planning and Land Management) Act 1988* (Cwlth) established the National Capital Authority (NCA) with two of its functions being to prepare and administer a National Capital Plan (NCP) and to keep the NCP under constant review and to propose amendments to it when necessary.

The NCP, which was published in the Commonwealth Gazette on 21 January 1990 is required to ensure that Canberra and the Territory are planned and developed in accordance with their national significance. The *Australian Capital Territory (Planning and Land Management) Act 1988* (Cwlth) also required that the Territory Plan is not inconsistent with the NCP.

In accordance with section 10 of the *Australian Capital Territory (Planning and Land Management) Act 1988*, the NCP defines the planning principles and policies for Canberra and the Territory, for giving effect to the object of the NCP and sets out the general policies to be implemented throughout the Territory, including the range and nature of permitted land uses.

It also sets out the detailed conditions of planning, design and development for areas that have special significance to the National Capital known as designated areas and identifies special requirements for the development of some other areas.

1.4 Site Description

The subject site is at Griffith section 31 block 6 and is zoned Residential RZ1 Suburban. It is a corner block with a frontage of approximately 30m to Blaxland Crescent and 40m to Frome Street. The block has an area of 1166m² and is located opposite St Edmund's College. The site is currently occupied by a single storey residence.



Figure 1 Location map

1.5 Current Territory Plan Provisions

The Territory Plan map for the area subject to this variation is shown in Figure 2.

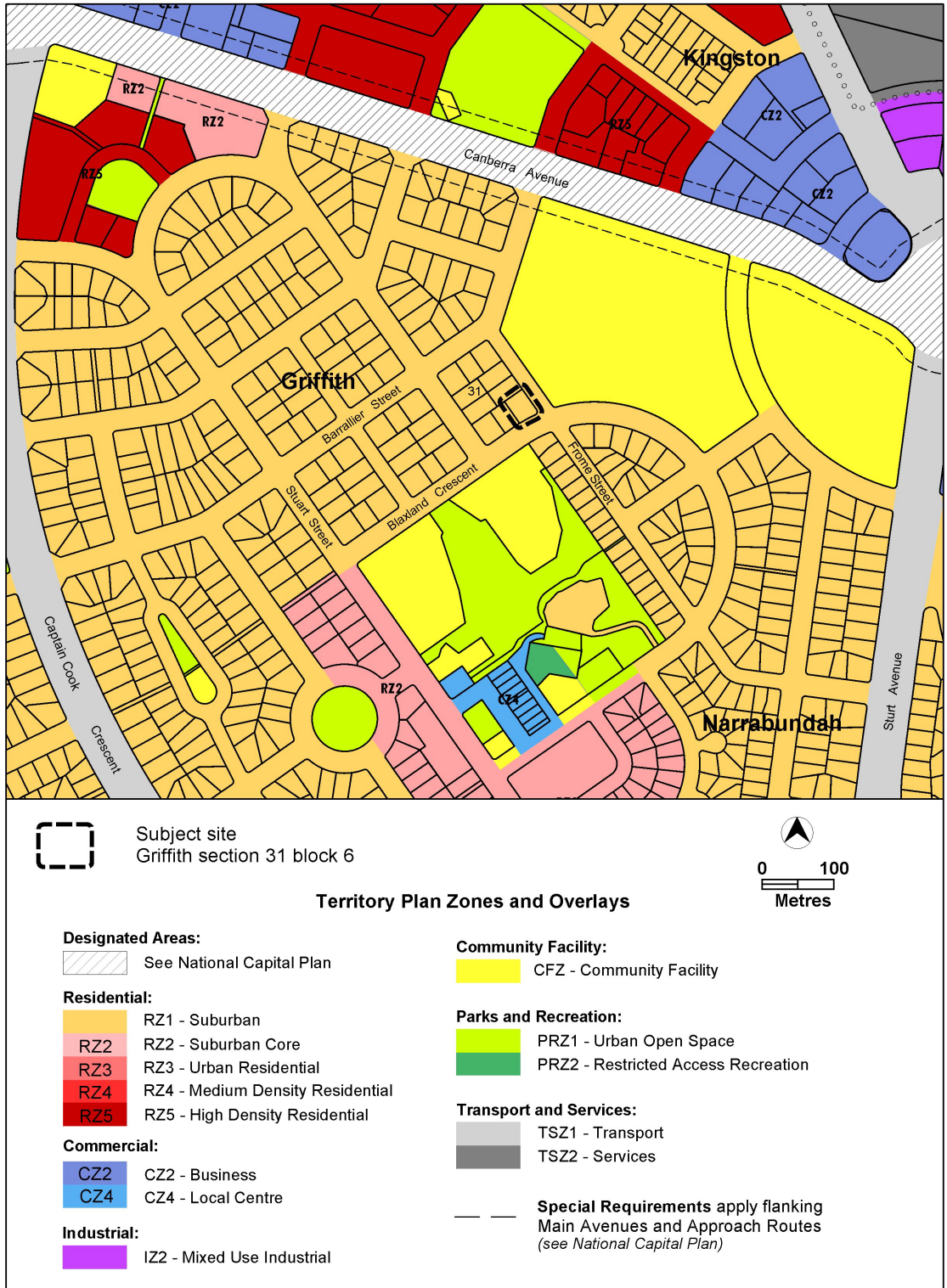


Figure 2 Territory Plan Zones Map

1.6 Changes to the Territory Plan

Detailed changes to the Territory Plan are noted in section 2 Variation.

1.7 Consultation on the Draft Variation

The draft variation was released for public comment between 19 February 2021 and 16 April 2021. A consultation notice under section 63 of the *Planning and Development Act 2007* was published on the ACT Legislation Register on 18 February 2021.

A total of 535 written submissions were received, including 55 submissions from individuals, four submissions from community organisations and 476 signed form letters, with at least one person who made an individual submission also signing a form letter. The community organisations which made submissions are:

- Kingston and Barton Residents Group Inc.
- Griffith Narrabundah Community Association
- Friends of Hawker Village
- Inner South Canberra Community Council

Comments related to the following:

Issue	Number of Submissions
Support the draft variation	4
Object to the draft variation, including two that indicated some positives: <ul style="list-style-type: none"> ○ support intentions of the demonstration housing project ○ indicated positives of the design of the proposed development and indicated that it would appeal to down-sizers and first homeowners 	55 + 476 form letters (FL)
The following reasons were provided for objecting to DV375	
a. the development is not suitable in the RZ1 Suburban zone	46 + 476 FL
b. one-off site-specific rezoning undermines the integrity of the planning system and creates uncertainty about future development	44 + 476 FL
c. decision to support this draft variation could set a precedent for the RZ1 Suburban zone	31 + 476 FL
d. the development is not a 'demonstration' project and the term 'manor house' is misleading	30 + 476 FL
e. only the proponent will benefit and there is no overriding public good	28 + 476 FL

f. development could cause increased traffic generation, safety issues, car parking on street and additional noise	19 + 476 FL
g. negative impacts on the existing character of the area	36 + 476 FL
h. there is already a high proportion of high-density dwellings in the area and a forecast increase in population	18 + 476 FL
i. development will lead to a loss of property value	15 + 476 FL
j. the review of the Territory Plan should be completed before undertaking this Demonstration Housing Project	13 + 476 FL
k. probity and conflict-of-interest issues	15
l. there is no information about how success or failure of the project will be evaluated	9
m. lack of community consultation/engagement about the draft variation and Demonstration Housing Project	6
n. design and siting matters relating to greenspace, access, carparking, and mobility of residents	11
o. no transparent framework to determine 'model' development	1
p. harmonious living difficulties and potential conflict between residents	5
q. there is little or no community support for the proposal and the proponent report on consultation indicating support is questioned	6
r. increased demand on local services, resources and public transport	3
s. questions the ability of the proposal to provide affordable housing	4
t. new dwellings are only for wealthy buyers	1
u. development is plain and ordinary and not sympathetic	4
v. when basement is dug out it will cause neighbourhood disruption and increases the cost of development	2
w. development should be elsewhere	5
x. insufficient explanation of the proposal in explanatory statement of DV375 and questions which provisions apply	2

The above issues were considered and are detailed in a report on consultation. Changes were informed by the issues raised. The outcomes of consultation were considered by the Minister responsible for planning prior to approval of this variation.

1.8 Revisions to the Draft Variation Recommended to the Minister

No changes have been made to the draft variation following the referral of the recommended version to the Minister responsible for planning.

2. VARIATION

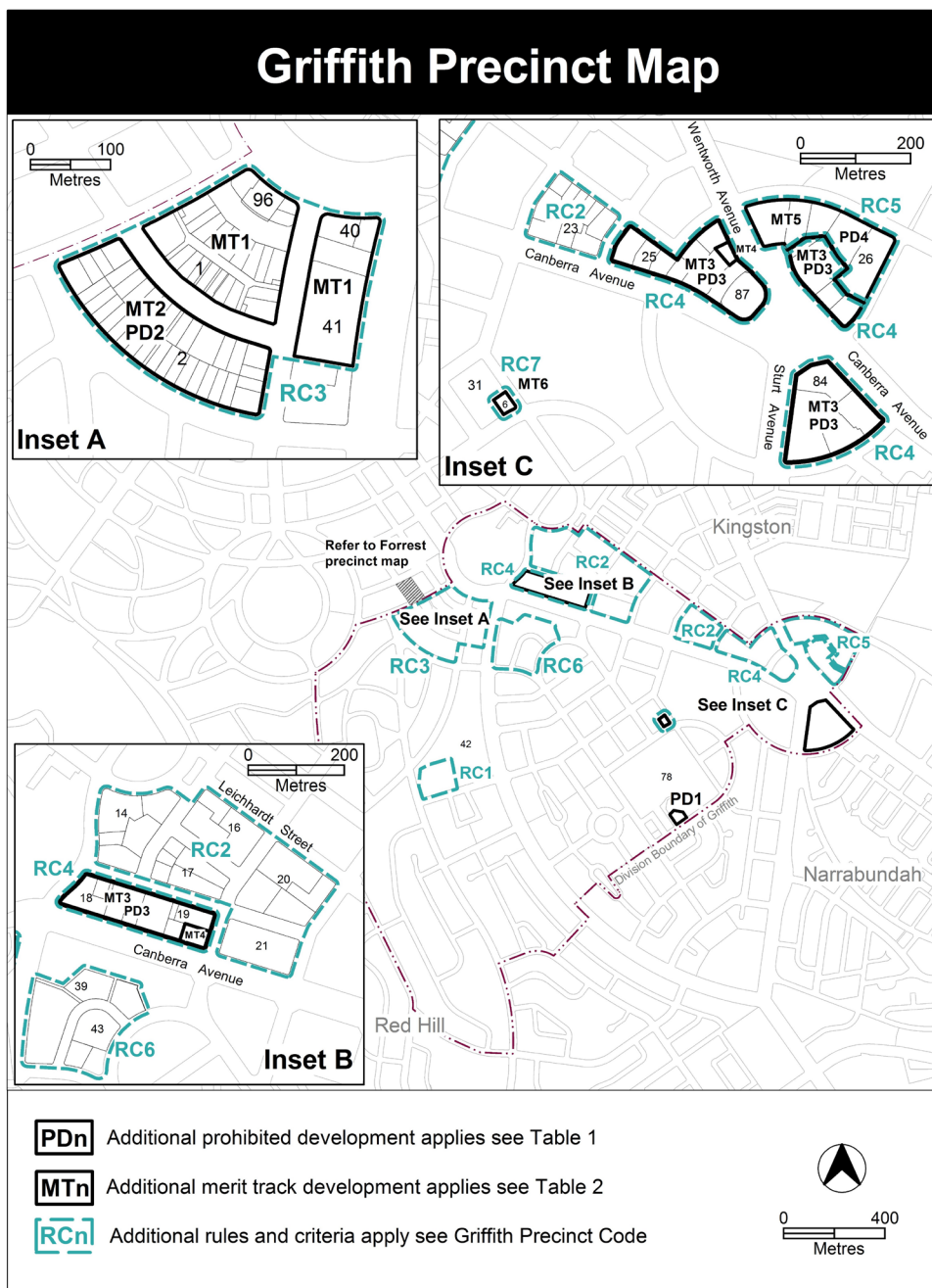
2.1 Variation to the Territory Plan

The Territory Plan is varied in all of the following ways:

Variation to the Griffith precinct map and code

1. Griffith precinct map

Substitute



2. Assessment Tracks, Table 2 – Additional merit track development

Insert

Suburb precinct map label	Zone	Development
MT6	RZ1	manor house

3. Introduction, Definitions

Substitute second paragraph with:

Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, listed below.

Manor house is a building containing three or four dwellings, where:

- a) each dwelling is attached to another dwelling by a common wall or floor, and
- b) at least one dwelling is partially or wholly located above another dwelling, and
- c) the building contains no more than two *storeys* excluding the basement.

Note: A building is not an *apartment* if it meets the definition of *manor house*.

4. RC6 – Light Street Precinct, Element 11: Landscape area, Figure 4: Height of buildings

Insert after Figure 4: Height of buildings

RC7 – Demonstration housing

This part applies to blocks and parcels within area RC7 shown on the Griffith Precinct Map.

Element 12: Use

Rules	Criteria
12.1 Manor house	
R27 <i>Manor house</i> development can only be undertaken by the Demonstration Housing Project lessee(s) identified on a register published on an ACT Government website.	This is a mandatory requirement. There is no applicable criterion.

Element 13: Buildings and site controls

Rules	Criteria
13.1 Plot ratio	
R28 The maximum <i>plot ratio</i> is 50%.	This is a mandatory requirement. There is no applicable criterion.
13.2 Number of dwellings	
R29 The maximum number of <i>dwellings</i> is 4.	This is a mandatory requirement. There is no applicable criterion.
13.3 Built form	
There is no applicable rule.	C30 Buildings achieve all of the following: a) consistency with the desired character b) appears as though: i. it is one large house ii. basement parking is not directly visible from street frontages. c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.
13.4 Basement	
R31 <i>Basement</i> is permitted below any two-storey element. Ramp accessing <i>basement</i> car parking is behind the <i>building line</i> and located on Blaxland Crescent.	This is a mandatory requirement. There is no applicable criterion.
There is no applicable rule.	C32 Ramp to <i>basement</i> car parking maintains the value of the streetscape and allows safe and efficient vehicle and pedestrian movement.
13.5 Subdivision	
R33 <i>Subdivision</i> under the <i>Unit Titles Act 2001</i> to provide separate title to each <i>dwelling</i> is permitted.	This is a mandatory requirement. There is no applicable criterion.

Interpretation service

ENGLISH	If you need interpreting help, telephone:
ARABIC	إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajnuna t'interpretu, ċempel:
PERSIAN	اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
PORTUGUESE	Se você precisar da ajuda de um intérprete, telefone:
SERBIAN	Ako vam je potrebna pomoć prevodioca telefonirajte:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacınız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

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LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING, TRANSPORT AND CITY SERVICES
Jo Clay MLA (Chair), Suzanne Orr MLA (Deputy), Mark Parton MLA

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

Dear Mr Gentleman,

Mick

RE: Referral of Draft Variation 375 – Manor House Griffith section 31 block 6

Thank you for your letter signed received on 28 April 2022, in which you referred Draft Plan Variation 375 entitled *Manor House Griffith section 31 block 6* to the Committee under Section 73(2) of the *Planning and Development Act 2007* for its consideration.

The Committee met on 12 May 2022 and agreed not to inquire and report on the Draft Plan Variation.

Yours sincerely,

Jo Clay MLA
Chair

~~April 2022~~

12 May 2022



ACT
Government

Environment, Planning and
Sustainable Development

Planning and Development Act 2007

REPORT ON CONSULTATION

Draft Variation to the Territory Plan 375

Demonstration Housing
Manor House
Griffith section 31 block 6

February 2022

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	e. only the proponent will benefit and there is no overriding public good	9
	f. development could cause increased traffic generation, safety issues, car parking on street and additional noise	9
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	m. lack of community consultation/engagement about the draft variation and demonstration housing project	15

n.	design and siting matters relating to greenspace, access, carparking, and mobility of residents	17
o.	no transparent framework to determine 'model' development	19
p.	harmonious living difficulties and potential conflict of residents	20
q.	there is little or no community support for the proposal and the proponent report on consultation indicating support is questioned	21
r.	increased demand on local services and resources	22
s.	questions the ability of the proposal to provide affordable housing	22
t.	new dwellings are only for wealthy buyers	23
u.	development is plain and ordinary and not sympathetic	23
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1. INTRODUCTION

This consultation report was prepared in accordance with s 69 of the *Planning and Development Act 2007* (the P&D Act).

The report describes the consultation undertaken on the draft variation with the public, the National Capital Authority (NCA), the Conservator of Flora and Fauna, the Environment Protection Authority (EPA), and ACT Heritage Council, and responds to the issues raised.

2. COMMENTS FROM THE PUBLIC

2.1 Details

Draft variation 375 (DV375) was released for public comment on 19 February 2021. The closing date for comments was 16 April 2021. A copy of DV375 that was released for public comments is at **Appendix 1**.

Copies of submissions received from the public are provided in **Appendix 2**.

The comments from the NCA, the Conservator of Flora and Fauna, EPA, and ACT Heritage Council were received and assessed prior to release of the DV375 are addressed in section 4.2 of this report.

2.2 Summary of matters raised

A total of 535 written submissions were received. This included 55 submissions from individuals, four submissions from community organisations and 476 form letter responses, with at least one person who made an individual submission also signing a form letter.

The community organisations that made submissions are:

- Kingston and Barton Residents Group Inc.
- Griffith Narrabundah Community Association
- Friends of Hawker Village
- Inner South Canberra Community Council

Table 1 below provides a summary of the considerations raised in the public submissions, as well as the number of submissions that raised the matter.

Table 1 Summary of matters raised in public submissions

Issue	Number of Submissions
Support the draft variation	4
Object to the draft variation, including two that indicated some positives: <ul style="list-style-type: none"> ○ support intentions of the demonstration housing project ○ indicated positives of the design of the proposed development and indicated that it would appeal to down-sizers and first homeowners 	55 + 476 form letters (FL)
The following reasons were provided for objecting to DV375	
a. the development is not suitable in the RZ1 Suburban zone	46 + 476 FL
b. one-off site-specific rezoning undermines the integrity of the planning system and creates uncertainty about future development	44 + 476 FL
c. decision to support this draft variation could set a precedent for the RZ1 Suburban zone	31 + 476 FL
d. the development is not a 'demonstration' project and the term 'manor house' is misleading	30 + 476 FL
e. only the proponent will benefit and there is no overriding public good	28 + 476 FL
f. development could cause increased traffic generation, safety issues, car parking on street and additional noise	19 + 476 FL
g. negative impacts on the existing character of the area	36 + 476 FL
h. there is already a high proportion of high-density dwellings in the area and a forecast increase in population	18 + 476 FL
i. development will lead to a loss of property value	15 + 476 FL
j. the review of the Territory Plan should be completed before undertaking this Demonstration Housing Project	13 + 476 FL
k. probity and conflict-of-interest issues	15
l. there is no information about how success or failure of the project will be evaluated	9
m. lack of community consultation/engagement about the draft variation and Demonstration Housing Project	6
n. design and siting matters relating to greenspace, access, carparking, and mobility of residents	11
o. no transparent framework to determine 'model' development	1

p. harmonious living difficulties and potential conflict between residents	5
q. there is little or no community support for the proposal and the proponent report on consultation indicating support is questioned	6
r. increased demand on local services, resources and public transport	3
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u. development is plain and ordinary and not sympathetic	4
v. when basement is dug out it will cause neighbourhood disruption and increases the cost of development	2
w. development should be elsewhere	5
x. insufficient explanation of the proposal in explanatory statement of DV375 and questions which provisions apply	2

2.3 Issues and responses

The key issues raised are summarised below, and responses provided.

2.3.1 Support for the draft variation

Four submissions support the draft variation.

Response

Support for DV375 is noted.

2.3.2 Object to the draft variation

Of the 535 submissions received, 55 individual submissions and 476 form letter responses objected to the draft variation, making a total of 531 objections. Many of the submitters used terms such as 'strenuously' and 'strongly' to emphasise their objection to DV375 and suggested that it should be abandoned or withdrawn.

Despite objecting to DV375 two submissions also made positive comments. These are:

- the Kingston and Barton Residents Group Inc. indicated support for the general intentions of the ACT Government's Housing Choices policy project and the concept of demonstration housing, to showcase different housing types. The resident's group also indicated that it joins with the Griffith/Narrabundah Community Association in strongly opposing DV375.
- one individual submitter indicated that there are some positive aspects of the particular design which would appeal to down-sizers, first homeowners

and others wanting to be close to commercial areas without being forced into higher density apartments.

Response

The significant number of objections to DV375 are noted. The support for Housing Choices and the Demonstration Housing Project and the positive comments about the design of the development are also noted.

The specific reasons for objection to the draft variation are detailed below and responses provided.

2.3.3 Reasons for objections to the draft variation:

a. The development is not suitable in the RZ1 Suburban zone

Forty-six (46) individual submissions and the form letter responses raised concern that the proposed development is on a block that is zoned RZ1 Suburban which is not a suitable zone for this type of development and that it is incompatible with the RZ1 Suburban zone objectives.

Further, some submissions raised the Garden City Variation 200 and why it was introduced, including a desire for fewer dual occupancies and other more intensive developments in suburban areas. The trade off to providing greater restrictions in what is now the RZ1 zone was to create what is now the RZ2 Suburban Core zone, which is close to services and facilities.

While many of the submitters asserted that the 'manor house' development would be better located an RZ2 zone, others suggested that it is also not suitable for this zone on the basis that the number of dwellings proposed would be too many given the block size.

Response

In 2003 the Territory Plan was amended by Variation 200 – the Garden City Variation (V200). V200 changed the Territory Plan by dividing the suburban residential areas into the A10 area (now RZ2) and the suburban area (now RZ1). Dual occupancy development was also then restricted to the A10 area, having previously been permitted across the broader residential area. These changes were made in response to community concerns regarding the increasing level of development in suburban areas.

Since the commencement of V200 there have been shifts in the socio-economic make-up of the community, particularly an increase in smaller household sizes and the ageing of the population.

The Demonstration Housing Project responds to the need for more housing choice in Canberra to suit these changing needs. The project seeks to address the social, environmental, and economic changes that the city is facing, such as population growth, shifts in household sizes and becoming climate resilient. DV375 proposes one 'manor house' in the RZ1 zone as a demonstration housing proposal and is proposed on the basis that it provides an alternative housing type to that currently

available. While this proposal does allow additional dwellings on the site, the housing in the remainder of the RZ1 zone in the suburb will mean that it will remain predominantly low density.

The objectives of the RZ1 Suburban zone encourage low rise housing that is predominantly single dwelling and low density in character; protect character by limiting the extent of change; provide for affordable and sustainable housing choices that reflect changing household and community needs; promote good solar access; energy efficiency and conservation; and active living and active travel.

The objectives of the RZ1 Suburban zone can be accessed at:

www.legislation.act.gov.au/DownloadFile/ni/2008-27/copy/128605/PDF/2008-27.PDF

The proposal has been designed to appear as a single two-storey dwelling from the street and thus blend in with existing single dwellings in the area. A soft landscape area of 41.8% of the site is proposed and will protect existing deep root planted trees on site. Two two-bedroom units and two three-bedroom units are proposed that are likely to be suitable for those wanting to down-size and age in place and the larger three-bedroom units may be suitable for families.

This Demonstration Housing proposal was evaluated against the criteria 'context and neighbourhood character' and 'Garden City character'. By retaining the existing hedge, fig tree, and space for deep root plantings, the proposal retains the landscape character of the area and allows for more vegetation to be planted. It is also well set back from the side block boundaries and street corner, in keeping with the neighbourhood character of Griffith.

DV375 only applies to this particular block in Griffith and will enable three additional dwellings on the site **only** if it is part of a manor house development, consistent with the development proposal considered as part of the Demonstration Housing project. The original pattern of subdivision is not changing, and the building density and mass is the same as if a large single dwelling were to be re-developed on the site under current RZ1 zone rules.

The maximum plot ratio was not initially specified as a requirement for 'manor house' development in the DV375 placed on consultation. The draft variation has been amended accordingly to include a 50% maximum plot ratio for this site. Single dwelling housing, the predominant housing type in the RZ1 zone, has a maximum plot ratio of 50%. It is considered that the same maximum plot ratio be applied to manor house on this site to enable it to be consistent with the surrounding single dwelling housing.

The development is in close proximity to services and facilities (figure 1 below) and is likely to promote active travel and reduce car usage. The site is located approximately 650 metres from the local Griffith shops and approximately 1.5 kilometres from the Manuka shops. The site is also in close walking distance to schools, parks and a bus stop which provides a direct route to the city.



Figure 1 Suburb of Griffith showing local facilities

b. One-off site-specific rezoning undermines the integrity of the planning system and creates uncertainty about future development

Forty-four (44) submissions and the form letter responses indicated concern about one-off and site-specific rezoning or changing of planning requirements in the precinct code, which was expressed by some submissions as tantamount to changing the zoning. The trust and integrity of the system as defined by the rules in the Territory Plan is questioned as well as encouraging an inequitable system.

Further, some submissions:

- suggested the use of the Strategic Directions in the Territory Plan is misleading as they are not intended to justify individual redevelopment proposals;
- questioned why dual occupancies are not able to be unit titled in the RZ1 zone but this proposal for three additional dwellings (four in total) will allow unit titling; and
- suggested that this approach is not equitable as other similar blocks will not be able to redevelop their blocks in a similar manner.

Response

Canberra is experiencing social, environmental and economic changes such as population growth, an ageing population, shifts in household sizes, and is working towards being climate resilient. These shifts present an opportunity for us to rethink how housing is designed and delivered beyond typical single dwelling and apartment living to make sure it meets the needs of a range of people at different stages of their life; incorporates best practice sustainability measures; delivers density in a way which respects our garden city character; limits urban sprawl; and provides suitable homes for our growing population.

DV375 does not propose to rezone the site at Griffith section 31 block 6. However, it makes allowances for a proposal which has been assessed through the Demonstration Housing Project by proposing amendments to the Griffith Precinct Code. Some demonstration housing proposals, as a part of the Demonstration Housing Project, are intentionally seeking to deliver an outcome that is not able to be achieved under current planning provisions to test different housing typologies in that context. In this instance, the manor house proposal is testing how housing in RZ1 can be designed and delivered beyond a typical single dwelling, while retaining the suburb's character.

DV375 supports a proposal that forms a part of the Demonstration Housing Project in response to an ACT Legislative Assembly resolution in June 2017. A two-stage Expression of Interest (EOI) process was developed for the Demonstration Housing Project by EPSDD in consultation with community and industry representatives and commenced in April 2018. This process was designed to assess the interest, capability, and experience of proponents to deliver projects that address the resolution of the Legislative Assembly.

The Demonstration Housing Project has involved a detailed and careful planning process to make sure that only concepts of high quality and design progress to a draft variation to the Territory Plan.

c. Decision to support this draft variation could set a precedent for the RZ1 Suburban zone

Thirty-one (31) submissions and the form letter responses raised concern that allowing the Manor House to be developed will set a precedent across the RZ1 zone. Many have indicated surprise that this development is being considered and concern that this could occur again or more broadly. .

Response

Demonstration Housing projects of various forms are proposed in suburbs across Canberra, including Ainslie, Lyneham, Weston, O'Connor and Forrest.

The purpose of the Demonstration Housing Project is to provide different forms of housing to meet changed and emerging housing needs, and forms that are not currently available in Canberra. These proposals are for housing types, beyond single dwellings and medium to high rise apartments.

If DV375 is approved and the development proceeds, it will be subject to a post occupancy evaluation study (details under issue l. below). The outcomes may inform any potential future actions under the ACT Housing Strategy to support increasing the supply of a range of housing options. In addition to consultation about broad policy changes, any potential future changes to the Territory Plan would also be required to comply with the legislative requirements set out in the P&D Act. These processes include further consultation and referral to the Standing Committee on Planning, Transport and City Services for consideration (details under issue m. below).

d. The development is not a ‘demonstration project’ and the term ‘manor house’ is misleading

Thirty (30) submissions and the form letter responses indicated that the project is not a ‘demonstration project’ because it is already defined in the New South Wales (NSW) planning scheme. The form letter and submissions from individuals indicated that manor house is proposed on the pretext of running an *architectural design project*. Other submissions suggested that the term ‘manor house’ is misleading because it is really an apartment or block of flats. Some submissions suggested that a ‘manor house’ does not require demonstration because there are already examples in NSW and a theoretical analysis could be undertaken.

Response

The term ‘manor house’ is a common, contemporary term used for a housing type that contains three or four dwellings, where at least one dwelling is partially or wholly located above another dwelling and is no more than 2 storeys, excluding any basement. As pointed out by some submitters, the NSW Government already has the term ‘manor house’ in its planning system. It is considered important to test this housing type in a Canberra context and specifically in the RZ1 zone to enable a post occupancy evaluation of the proposal to be undertaken.

The Demonstration Housing Project Evaluation Panel identified the ‘demonstration’ concepts of the Manor House proposal to be:

- an excellent example of a multi-unit development within the allowed footprint of a single dwelling
- an innovative ‘missing middle’ product example that is not currently available in Canberra
- demonstrate a number of the Housing Choices Collaboration Hub criteria including universal design and Garden City character.
- seeks to achieve an energy efficiency rating of at least industry ‘code + 1’ (for example ‘7-star’ rating or higher)

e. Only the proponent will benefit and there is no overriding public good

Twenty-eight (28) submissions and the form letter responses were concerned that the benefits from the development will only be to the proponent and that there is no overriding public good. A number of submissions, including from the Griffith/Narrabundah Community Association, consider that DV375 does not comply with the Government's usual practice to not support one-off site-specific rezoning unless it can be demonstrated that there is overriding public good or benefit and claim that this has not been demonstrated.

Response

The proposal provides a broader benefit by demonstrating and testing a different housing type, which could be replicated in the future to provide sustainable and inclusive housing choices for other Canberrans (see Response to issues b and d above). Evaluation of the proposal would further consider any benefits of this proposal in its suburban context. Post occupancy outcomes and neighbour perception can also be considered (see issue l. below for further details about the proposed evaluation). While the proponent may benefit financially from this development, should DV375 be approved, there would also be a lease variation charge applicable to the lessee as a part of the lease variation process. This would return some of the increase in value of the uplift to the Government.

f. Development could cause increased traffic generation, safety issues, car parking on street and additional noise

Nineteen (19) individual submissions and the form letter responses raised concerns about increased traffic generation from the four proposed dwellings, possible safety issues and additional noise caused by the increased traffic. It was stated in some submissions that local streets close to the sites are already busy and that a nearby school exacerbates these traffic issues.

Response

A draft traffic assessment was undertaken to determine potential traffic implications to the surrounding network. This assessment found that there is adequate capacity in the existing road network to accommodate the anticipated increase in traffic. A copy of the draft assessment is contained at Attachment B of the Planning Report and was made publicly available as a background paper when DV375 was placed on public notification. The planning report is available at: www.planning.act.gov.au/data/assets/pdf_file/0020/1705331/Griffith-final-planning-report.pdf

The development provides for eight car parks at basement level. This provision meets the current Territory Plan requirements for carparking in the Parking and Vehicular Access General Code. This code requires an average of 1.5 spaces and a maximum of 2 spaces per dwelling; and two car parking spaces are required for both of the three-bedroom dwellings. An additional space for visitor car parking is required for four dwellings. A visitor parking space has been provided on site, at grade.

The additional amount of traffic generation, when compared to the existing four-bedroom dwelling currently on site, is predicted to represent an increase of approximately two vehicles in peak hour or one additional vehicle every 30 minutes. The assessment concluded that the provision of carparking spaces is adequate and additional traffic generation is not expected to adversely affect the surrounding traffic network. The assessment indicated that there is adequate capacity to accommodate the additional traffic movement in the existing road network. It was also concluded that provision is adequate for all access arrangements to operate safely and efficiently in compliance with Australian Standard AS2890.1 Parking Facilities – Off-street car parking.

The site is currently used for residential purposes and this residential use will continue. It is unlikely that noise generated from the proposed residential development would be beyond acceptable EPA levels. The noise portal on the Access Canberra website can be used to gain advice about how to manage noise in residential areas, including having conversations with neighbours and if necessary how to make a noise complaint:

www.accesscanberra.act.gov.au/s/article/tips-to-managing-noise-in-residential-areas-tab-overview.

g. Negative impacts on the existing character of the area

Thirty-six (36) individual responses and the form letter responses indicated that the proposal will have negative impacts on the existing character of the area. The submission from the Griffith/Narrabundah Community Association states that the proposal 'will degrade the character of the local area [and] will not respect valued features of the neighbourhood and landscape character of the area and would have unreasonable negative impacts on neighbouring properties'. Furthermore, the submission stated that 'further intensification without new planning rules to maintain sufficient tree-planting space will further erode its Garden City Characteristics that residents value the most'.

Submissions raised other issues including views that:

- allowing 50% plot ratio for such a large block is not low density
- subdividing the block into four blocks changes the original pattern of subdivision
- bulk and scale of a near 50% plot ratio on such a large block is not typical of the character of RZ1
- basement carparking does not exist in RZ1 and is against the zone's character.

Conversely, another submission indicated that 'below ground basement car parks are not uncommon – recent and current constructions on Landsborough and Lindsey Streets illustrate as does 39 Manuka Circle – among many'.

Response

Refer to a. above, which explains Variation 200 the Garden City Variation and how this has been considered in relation to the manor house proposal.

All Demonstration Housing proposals were evaluated against the criteria 'context and neighbourhood character'. Furthermore, the National Capital Design Review Panel commented that "the proposal is consistent with the broader suburban character within this area of Griffith" and also commented that the proposal "has the potential to add a new model to Canberra's housing and to retain 'the garden city' spatial relationships between the block and the built form."

A key element of the manor house proposal is to demonstrate how low-medium density can present as a single dwelling from the street within its required plot ratio of 50%, to respect the existing neighbourhood character of the RZ1 area. There are multiple examples of two-storey dwellings in the immediate vicinity of the proposal.

h. Concern about the number of high-density dwellings in the area and forecast increase in population in the inner south

Eighteen (18) submissions and the form letter responses raised concern that Griffith already has a high proportion of high-density dwellings and the population of the inner south is forecast to increase by 20% in 6 years. The Griffith/Narrabundah Community Association, among other submissions, raised that 'South Canberra Division already had, in 2018, the highest ratio of high-density dwellings in Canberra's eight Divisions. Since then, over 200 new dwellings are in the pipeline, excluding the developments at Kingston Foreshore', but including along Captain Cook Crescent, which has been approved for higher density development and is yet to be developed.

Response

The ABS residential population estimate for the ACT as of June 2020, for South Canberra is 30,412. While this is higher than that predicted in the forecast for the 2018 Planning Strategy (which estimated 29,771 by 2020) it is unlikely that the increase in population over the next 6 years would approach 20%.

In South Canberra, Narrabundah has the largest population at 6,293, followed by Kingston at 6,031 and Griffith at 5,372 (ACT estimated residential population, June 2020, ABS). As reported in the Planning Strategy 2018, South Canberra does have the highest percentage of high density development of the eight districts (at 45%) and it has the same level of low density development as North Canberra (both being 42%). This difference is accounted for by the lower amount of medium density housing, being 13% in South Canberra, whereas North Canberra has 17%. The manor house proposal is considered medium density residential development.

The proposal for a manor house represents low to medium density housing and small-scale suburban infill as opposed to 'urban intensification'. Given the site's easy accessibility to Canberra Avenue and its close proximity to the Griffith local centre (see figure 1), which is accessible via a pedestrian path through urban open space, it is considered an appropriate site to trial low to medium density infill.

The Government is committed to increasing the supply of new homes of all types of dwellings to support a diversity of homes to meet the needs of changing household preferences, size and changing lifestyle choices. The trend towards

smaller families and households is reshaping our suburbs and increasing demand for smaller household typologies and greater diversity of housing in appropriate locations.

i. Development will lead to a loss of property value

Fifteen (15) submissions raised concerns that the development will lead to a loss of adjacent property values. One submission questioned whether the construction of the proposal would have any impact on rates on surrounding properties in the area.

Response

The ACT is experiencing sustained property value increases, as are many other capital cities in Australia. The manor house proposal will replace an ageing house that has been designed to respond to other dwellings in the neighbourhood. There is no evidence to indicate that the proposal, once delivered, would reduce surrounding property values.

In terms of possible impact on the rates of the surrounding properties, rates are based on average unimproved value of the property. The unimproved value (UV) of the property is the value of the block without any improvements to it. Therefore, the additional investment in building works at the property will not directly affect the rates payable for surrounding properties.

j. The review of the Territory Plan should be completed before undertaking this Demonstration Housing project

Thirteen (13) submissions indicate that the demonstration housing proposal should not proceed until the review of the planning system and Territory Plan has been completed. The submission from the Griffith/Narrabundah Community Association suggests that DV375 should not 'pre-empt the outcomes of the current review of the ACT's planning processes [and that] any changes in the Territory Plan should provide clarity, certainty, and equity to residents'.

Response

This Demonstration Housing project for a manor house in Griffith is being undertaken in response to the 2017 bi-partisan Legislative Assembly resolution, as explained further under issue b. above. The project also aligns with recommendations of the ACT Government's Housing Choices Collaboration Hub for greater housing choice and diversity in Canberra.

The findings from the Demonstration Housing Project will inform ACT Government housing policy and any future Territory Plan changes that may occur beyond the ACT Planning System Review and Reform Project. Given the purpose of the demonstration housing proposal, it is considered appropriate to continue with DV375.

k. Probity and conflict-of-interest issues

Fifteen (15) submissions raised concern about the proponent being an employee of the ACT Government, questioning whether that employment gave rise to a

conflict of interest. Some submissions expressed the view that it is unusual for a 'planning' public servant to participate in the Demonstration Housing Project. One submission noted that the declaration of the conflict did not indicate how the conflict would be managed.

One submission was concerned that DV375 gave no indication that the Planning and Land Authority called for an expression of interest. Some submissions raised concern regarding the probity of EPSDD being the proponent for demonstration housing also 'assessing' the draft variation, including the issues raised in relation to it.

In addition, one submission suggested it appeared that so much planning 'has already been applied to the proposal that an approved variation followed by an approved DA is simply a matter of course'. A submission indicated that DV375 'presents serious integrity challenges which the Directorate appears to be both unaware of and has no plans to manage' and calls for an 'integrity unit independent of the decision making Directorate ... authorised to inspect and investigate any decision to ensure that no one involved with the decision received any benefit'. The submission acknowledges this would be time consuming and expensive but considers that it is essential for public trust.

A submission questions why the manor house was chosen by the Demonstration Housing Project and asks what influenced this decision and questions the transparency and rationale. This submission also states that 'hopefully, the ACT integrity Commission and... the Commission's CEO will have a more considered and informed perspective'.

Response

The opportunities for involvement in the Demonstration Housing Project were widely promoted, and available to all. This opportunity was explained as part of the extensive consultation on the Housing Choices project in 2018. During this engagement, EPSDD ran industry and community workshops and YourSay surveys at the following web sites:

- www.yoursay.act.gov.au/housing-choices/demonstrationhousing
- www.yoursay.act.gov.au/housing-choices

Pop-up information stalls were held at Civic and at group centres throughout Canberra. EPSDD supported the engagement with social media advertising, an online video, and Our Canberra articles.

The call for Expressions of Interest (EOI) for proposals to form part of the Demonstration Housing Project was announced in a media release issued by Minister Gentleman in April 2018. On release of the call for EOI, EPSDD emailed a number of peak bodies (including community councils, housing, seniors, disability, social services and other groups, as well as planning, design and construction industry associations). These organisations were asked to share information

about the call for proposals with their networks. The EPSDD website and YourSay pages also promoted the EOI process.

The EOI generated 27 submissions from a wide range of applicants, from architects, designers, and developers to community and social housing providers, builders, community organisations and individuals.

ACT Public Service employees also live in Canberra and as members of the community regularly submit planning applications and, from time to time, have a personal interest in the outcome of planning matters. The independence of the Planning and Land Authority's decision making is safeguarded through robust integrity process and practices, including mechanisms to declare, acknowledge and appropriately manage conflict of interest scenarios that may arise that involve employees.

In this instance, one of the proponents of the manor house proposal is an employee of the City Renewal Authority, which is a separate statutory entity to EPSDD and not involved in the Demonstration Housing Project. The individual was not an employed as a delegate of the Planning and Land Authority or EPSDD more broadly in a planning or housing capacity.

The individual took steps to declare the potential conflict of interest as part of the Expression of Interest process, which was considered by the Chair of the Evaluation Panel through agreed probity processes for the broader Demonstration Housing Project. Further, the Demonstration Housing Project process was not a competitive one – that is, if projects met the evaluation criteria as determined by the full Evaluation Panel and signed off by the Delegate they progressed to the next stage. There was no advantage or disadvantage to the proponent gained as an ACT public servant by submitting a proposal.

I. There is no information about how the success or failure of the project will be evaluated

Nine (9) submissions including the Inner South Canberra Community Council and the Griffith/Narrabundah Community Association raised concern about how the government intends to evaluate the success or failure of the project. One submission suggests that the sample size of one is not sufficient for evaluation and that there are too many variables, including those which change over time such as the number of residents and whether they are owner occupied. It is suggested that at best an evaluation allows for a point-in-time analysis of this particular development at this particular location. It noted that this methodology was not suitable for a process that could lead to changes to residential areas across Canberra.

Another submitter indicated that DV375 provides no criteria by which any testing and evaluation are to be judged and no outcome against which the construction is to be measured. The submission posed the following questions:

- what criteria will be used to determine success or failure of the project
- how will impacts on amenity and landscape character be assessed
- who will undertake the assessment

- who will be consulted and invited to provide input
- how will outcomes be applied to future planning
- will assessment outcomes be made available to the community for comment before finalisation
- what is the timeline for the assessment process

One submission suggested that the criteria for assessment needs to be made public now to prevent changing the criteria after the development has occurred.

Response

Demonstration Housing proposals offer a unique ‘hands on’ opportunity to test the effectiveness of different housing types through real examples and future review through post-occupancy modelling. The lessons learnt from the Demonstration Housing Project will inform future government housing policy and may result in policy changes to support improved housing choice and housing quality in Canberra. If broad changes to housing policy are recommended following evaluation of the co-housing development, such policy changes would require further community consultation and Territory Plan changes.

Evaluation of Demonstration Housing projects will cover areas such as planning and design (landscape coverage, heat island effect, garden city/landscape character, bulk and scale of development, plot ratio and suburban/neighbourhood character). The location of Demonstration Housing Projects will be reviewed against these elements to gain an understanding of where the projects work at both the macro and micro level.

Projects will also be considered from the perspective of community feedback, sustainability, financial feasibility, and feedback from Demonstration Housing proponents, owners and tenants. This will assist in identifying which elements of the proposed projects and planning decisions are valued, and this evaluation will be used to inform housing planning policy and provide for housing choice within Canberra more broadly.

A defined timeline for evaluation is dependant on the completion of projects.

m. Lack of community consultation/engagement about the draft variation and Demonstration Housing project

Six (6) submissions suggested that community engagement about the proposal was inadequate. A number of these submissions suggested that they did not receive information about the Demonstration Housing proposal, despite the claims that the owner undertook a 650 resident letter box drop including those residing quite close by. Another submission stated that there has been little community consultation on the Demonstration Housing Project and that until recently there was very little information available. One submission suggests there needs to be more consultation and openness about this particular plan and the community needs to have more opportunity to debate it.

It was suggested in a submission that no evidence is provided in the proposal of any consultation with nearby residents. One submission mentions that the developers ‘gave a short presentation outside the Butchers at the Griffith Shops.

Add a letter box drop to a few nearby streets and that's it'. This submitter indicated that they were only aware of the proposal through the Griffith/Narrabundah Community Association (GNCA) and not via the proponents. Two meetings with the GNCA and bureaucrats were noted.

One submission asked about the timing for a decision on the proposal and whether there would be a further opportunity for consultation.

Response

The proponents indicated in the report on consultation, which forms a part of the Planning Report, that in October 2019, after the school holidays, a letterbox drop was undertaken to inform members of our community that a community engagement would be undertaken at the Griffith shops. The proponents advised that a letter box drop was delivered to 650 houses in the vicinity of the proposed development.

Drop-in sessions about the proposal were undertaken on Wednesday 23 October 2019 and Saturday 26 October 2019. The proponents advised that there were a small number of GNCA officials in attendance who expressed their concerns regarding planning changes and that there was also support for the development and agreement that the corner location was a good location for a manor house. It was also reported that people liked that they had worked within the residential code footprint, respected the character of Griffith and kept the trees and hedges.

The proponents indicated that many people stated that the manor house responsibly addressed urban renewal. It was recognised at consultation that the community would likely be concerned by the proposed changes, and some expressed a desire to understand the broader intent of the Demonstration Housing Project and how it would be applied across the ACT and resulting changes to the Territory Plan.

There is an extensive consultation process undertaken for Territory Plan variations, which is legislated by the P&D Act. The P&D Act requires a draft variation to the Territory Plan to be placed on public consultation for a period of 30 working days. In this instance, comments from the public about DV375 were invited from 19 February 2021 till 16 April 2021. DV375 was made available via the EPSDD website, a public notice was published on 22 February 2021 and a consultation notice NI2021-92 was placed on the Legislation Register on 18 February 2021.

Additionally, and beyond the legislated requirements, EPSDD sent letters to leaseholders in the same section and sections adjoining the development in Griffith about DV375, during the consultation period, as shown in figure 2 below.



Figure 2 Letter distribution in Griffith

Further to the above consultation, once DV375 is referred to the Minister for Planning and Land Management, it is required by the P&D Act that the Minister refer the draft variation to the Standing Committee of the Legislative Assembly responsible for planning, which is currently the Standing Committee on Planning, Transport, and City Services. This provides the Committee with an opportunity to consider the draft variation, planning report and this Report on Consultation and decide if it wishes to undertake an inquiry and report to the Legislative Assembly. If an inquiry is undertaken, submissions are usually invited and public hearings undertaken.

If the Committee chooses to undertake an inquiry and report, it provides the community with another opportunity to put their views about DV375 forward. The Committee may make recommendations about the draft variation, which will be considered by Government and the Minister prior to making a decision about whether to approve DV375. The Government is also required to respond to the Legislative Assembly about any recommendations of the Committee.

Separate to the Territory Plan variation process, the development of a manor house on the site will require a development application to be lodged with the planning and land authority for assessment. This process will also include public notification of the development proposal.

n. Design and siting matters relating to greenspace, access, carparking, and mobility of residents

Eleven (11) submissions raised matters related to the proposed building design, greenspace and the mobility of residents. One submission raised concern regarding water infiltration on the site and the development's compliance with the ACT's Living Infrastructure and Urban Forest visions. Another submission suggests that developments of this type in the past have often led to increases in parking pressure and reduction in vegetation.

Some concerns raised related to the proposed tandem and basement parking for the development (including the number of spaces provided) and the potential for it to lead to cars parking on the street. There was also concern that the parking required would lead to a loss of greenspace.

Other concerns raised related to impacts on privacy and solar access to neighbouring homes, as well as the provision of appropriate areas for children to play. There were concerns regarding access arrangements to the basement and second storey dwellings, particularly for elderly residents or people with a disability.

Friends of Hawker Village, cite examples in Sydney notable for their lack of greenery other than a small strip of land and a shrub or two and suggest there is no longer a right to a home garden where they can relax and unwind. It is also claimed that there is a gross floor area (GFA) of 881.6m² for hallway, two units with two bedrooms and two units with three bedrooms and that it is not clear how this GFA is distributed and that the units are relatively small.

Response

The site planning of the Manor House proposal recognises the importance of green space and proposes to retain the high-quality trees on the site and maintain the existing landscape character with hedging on the boundary and extensive deep root zones on site. By providing 41.8% of the site as greenspace and landscape, and limiting plot ratio to 49.36%, the proposal addresses sustainability standards and contributes to the reduction of heat island effect and stormwater runoff.

The Manor House proposal is consistent with the architectural and landscape character and style of the Griffith suburban streetscape. The proposal retains the existing boundary landscaping and protects the principle of the 'Garden City' by retaining existing high quality trees and dominance of the garden space on site. This is achieved by the provision of basement car parking, which is the same footprint as the building, thus making sure there is adequate onsite deep root planting zones.

Subsequent to DV375 being placed on consultation, the design has been revised and will include a lift to operate from the basement to ground and first floor. All four dwellings of the Manor house development will achieve the seven core design elements for silver level liveable housing design. The inclusion of basement car parking enables a greater landscaped area and the lift provides adequate accessibility to the car parks for those with limited mobility. See issue f. above for more detail about carparking and how the proposal meets the requirements and provisions of the Parking and Vehicular Access General Code. The basement car park design has been amended to include a standing bay to enable safe manoeuvring of vehicles in the tandem parking arrangements. Updated plans showing design amendments can be viewed at www.planning.act.gov.au/urban-renewal/demonstration-housing-project.

The scale, bulk and height of the Manor House proposal is based on the same footprint of what is permitted under the current provisions of the Territory Plan for a single dwelling. The Manor House proposal aims to integrate with existing dwellings within the suburb. At first sight the dwelling is designed to appear as a

large single residence. The height of the building is within the building envelope of 8.5 metres, which is the permitted height of a two storey single dwelling. The plot ratio of the proposed development is 49.36%, which meets the maximum 50% plot ratio for a single residence.

The proposed development will be required to comply with setback provisions stipulated in the Multi Unit Housing Development Code, which are in place to protect overlooking to neighbouring properties. The Manor House proposal will also have to comply with solar access requirements, both in relation to minimising overshadowing of neighbouring properties and providing adequate sunlight into the proposed dwellings.

The Manor House proposal includes two dwellings containing three bedrooms and two dwellings of two bedrooms. The proposal provides the opportunity for additional families to live in the area and for their children to attend the local schools.

The proposal provides two 140m² 3-bedroom dwellings and two 110m² 2-bedroom adaptable dwellings. All of these dwellings are larger than the minimum dwelling sizes stipulated in the Multi Unit Housing Development Code (95m² for a 3-bedroom dwelling and 70m² for a 2-bedroom dwelling).

The dwellings are likely to be attractive to families seeking to live close to local amenities near the site and Canberran's wishing to downsize or those looking to age in place.

By retaining the landscaping and gardens in common property within the Units Plan, the proponents wish to provide all residents the opportunity to interact and enjoy the amenity of this shared space.

o. No transparent framework to determine 'model' development

One submission poses the question whether 'all proposed 'model' developments be allowed to lead to a change in the Territory Plan in order to assess whether or not they are appropriate? If not, what are the characteristics of novel proposals for which it would amend the Territory Plan?'

Response

Only proposals that responded to the 2018 Demonstration Housing Project Expression of Interest process and were found successful through a two-stage evaluation process are provided the opportunity for a specific Territory Plan variation to allow their housing proposal to be built and evaluated. The Expression of Interest was open to the public as outlined in k above.

The Demonstration Housing Project Evaluation Panel identified the 'demonstration' concepts of the Manor House proposal to be:

- an excellent example of a multi-unit development within the allowed footprint of a single dwelling
- an innovative 'missing middle' product example that is not currently available in Canberra

- demonstrate a number of the Housing Choices Collaboration Hub criteria including universal design and Garden City character.
- seeks to achieve an energy efficiency rating of at least industry 'code + 1' (for example '7-star' rating or higher)

It is not intended at this point in time to accept further Expressions of Interest as part of the Demonstration Housing Project.

p. Harmonious living difficulties and potential conflict between residents

Ownership Arrangements

Submissions noted that although it may be implied by proposed Rule R32, the variation does not clearly state whether the proposed 'manor house' will be treated as a unit title property subject to the Unit Titles Act 2001 and the Unit Titles (Management) Act 2011. It was felt that 'clarification of the ownership arrangements and responsibilities of the individual lessee(s) or owner's corporation would provide greater certainty about the ongoing maintenance of common land, the street character and amenity of [the] block'.

Response

Should the proponents of the development decide to unit title the property, which would be allowed by proposed Rule R32 of the Griffith Precinct Code, it would be subject to the *Unit Titles Act 2001* and the *Unit Titles (Management) Act 2011*. The owners corporation would have responsibility for maintaining the common property. Should the proponent decide to retain ownership of all the dwellings, and not unit title the property, the owner is then ultimately responsible for the maintenance of the property.

Conflicts between residents

Five (5) submissions raised concerns about those residing in the proposed dwellings being able to live in harmony with each other. The design of units assumes the inhabitants will be able to live closely in harmony with their neighbours and that they will agree to maintain the communal property including the veggie garden.

Friends of Hawker Village's submission questions 'how compatible residents can be assured over time, as owners depart and new ones arrive'. The potential for a mix of residents including older people and families is questioned and it is suggested that the moderation of potential conflict in privately owned dwellings within the one building without an independent manager is not obvious.

Response

The Demonstration Housing Project responds to the need for more housing choice in Canberra. It seeks to address the social, environmental, and economic changes that the city is facing, such as population growth, shifts in household sizes and becoming climate resilient. These shifts present the opportunity to rethink how

housing is designed and delivered beyond typical single dwellings in the RZ1 zone.

It is acknowledged that this type of housing contains both two and three bedroom dwellings with shared landscaping and garden and parking facilities. These dwellings may therefore appeal to both families and those wishing to age in place or older people. This arrangement is not dissimilar to other existing unit titled dwellings. The required owners' corporation helps manage any issues that arise regarding communal areas within a development.

q. There is little or no community support for the proposal and the proponent report on consultation indicating support is questioned

Six (6) submissions indicated that there is little or no community support for the proposal and were concerned that the words in DV375 about community consultation were misleading. The submissions noted that residents are concerned regarding the potential impact of this project on their properties. The apparent community support for the development as expressed in the Community Consultation report prepared by the proponent is questioned, including for reasons outlined in the response to issue m. above. The Griffith/Narrabundah Community Association indicated that 'there is significant disquiet about this proposal'.

Response

In the planning report, Attachment A, contains a community consultation report prepared by the proponents.

The report states:

Overall it may be concluded from our community consultation that there is:

- *support that our corner block is a good location for a Manor House development,*
- *support that our design is sustainable,*
- *support that our development provides a housing choice not currently provided in Canberra.*

There is some concern, particularly from our local Community Association, about the future intent behind the Demonstration Housing Proposal and how the planning rules would be applied in the future. The Association is uncomfortable that our block is zoned RZ1 and we are demonstrating a housing typology that challenges the number of dwellings which can be delivered on the block, even though our development fits within the envelop[e] for a single residential dwelling.

Consultation was undertaken by the proponent. Requirements to change the Territory Plan via a variation are set out in the P&D Act. These requirements include inviting community comments for at least six weeks. There is also a requirement for the planning and land authority to provide the Minister with a written report about consultation with the public and agencies that are required by the P&D Act for referral. This report is written to meet these requirements.

It is clear, from community submissions, that there is much community disquiet and concern about DV375. This report aims to capture the community response to DV375 and address the issues raised. There is also some support, as expressed in comments about DV375 and detailed earlier in this document.

If a draft variation is recommended to the Minister, the P&D Act requires that the draft variation is referred to the Standing Committee responsible for planning along with associated documents, including this Report on Consultation. This Committee may choose to undertake an inquiry into DV375. Should it decide to do so, the Committee usually calls for public submissions. The Minister must consider any report of the Standing Committee and any recommendations it may make, prior to making a decision about DV375.

r. Increased demand on local services and resources

Three (3) responses indicated that demand on local services would be increased. One submission suggested that suburbs other than the inner suburbs of Canberra should have been considered because of their existing urban infill and ageing infrastructure and another submission indicated it will put further pressure on already inadequate and ageing infrastructure including broken and dangerous footpaths and Blaxland Park that has been entirely neglected. The existing infrastructure was never constructed, nor envisaged to house so many Canberrans.

Response

Infrastructure capacity is considered, and the service providers consulted as a part of both the variation to the Territory Plan and development application process.

Concerns about the broken and dangerous footpaths in the area and that Blaxland Park has been neglected have been passed on to Transport Canberra and City Services, which is the agency responsible for maintenance of this infrastructure. There is also an online Access Canberra portal to report such issues, which can be accessed at www.accesscanberra.act.gov.au/s/fix-my-street.

s. Questions the ability of the proposal to provide affordable housing

Four (4) submissions pointed out that the proposal will not provide affordable housing options. One submission questioned how the proposal will inform evaluation against this criterion of the Affordable Housing Project.

Response

The ACT Legislative Assembly resolution of June 2017 asked the ACT Government to deliver demonstration housing proposals that showcase best practice in one or more of several areas, including affordable housing. Demonstration housing proposals are not required to deliver each of the seven criteria in the resolution. This proposal never set out to deliver affordable housing. Its aims were to showcase medium density infill, excellence in construction and design quality, and innovative housing products and typologies.

t. New dwellings are only for wealthy buyers

One comment suggested that DV375 'would simply provide for new dwellings for wealthy buyers to the detriment of surrounding buyers. Meanwhile, the suburb of Griffith has already lost a significant number of public housing blocks, which are in the process of being replaced by dense, 'upmarket' multi-unit developments ... [and] affordable housing is being driven out of the inner south'.

Response

Public housing is not the same as affordable housing. Ageing public housing multi-unit properties in Griffith were sold as part of the ACT Government's Public Housing Renewal Program from 2015-2018 and were replaced in locations across the Territory, resulting in a public housing portfolio that better meets the needs of tenants, now and into the future. This allowed the Territory to better support the needs of some of the most vulnerable people in our community, break down concentrations of disadvantage, and better integrate public housing and public housing tenants into the community.

DV375 would enable a housing typology to be developed that is not currently available in the Canberra market.

u. Development is plain and ordinary and not sympathetic

Four (4) submissions suggested that the design of the development is not appropriate. Two submissions indicated that the proposal is not sympathetic to the existing properties in Frome Street. . One submission commented that for 'all intents and purposes, the building looks exactly like a small-scale apartment complex, not a large two-storey house as claimed'.

Response

All Demonstration Housing proposals are architecturally designed. This responds to the ACT Legislative Assembly's resolution request for proposals that that showcase best-practice in "design quality", which was also an evaluation criteria of the Demonstration Housing Stage 1 Expression of Interest proposals and Stage 2 Request for Proposal process.

Furthermore, to enable all proposals to be of the highest design standard possible, the Demonstration Housing Project requires all proposals to present to the National Capital Design Review Panel (NCDRP) which is made up of independent professional architects, landscape architects, urban designers and civil engineers and other specialists where required. All Demonstration Housing proposals are required to respond to the design feedback from the Panel through design refinement and a written response to the Panel.

v. When basement is dug out it will cause neighbourhood disruption and increases the cost of development

Two (2) submissions were concerned about the construction of the basement. The Friends of Hawker Village indicated that the excavation of the basement will

increase disruption to the neighbourhood during construction and increase the cost of the development.

Response

The inclusion of basement car parking allows for the landscape area to be retained, as well as deep root planting areas, as the basement is under the building footprint. This will assist in reducing the urban heat island effect, and also achieves 30% tree canopy cover (or equivalent) on the block. Most construction activities cause some temporary disruption in neighbourhoods and come at a cost to the developer. The cost of basement car parking in this instance brings significant landscape and design benefits.

w. Development should be elsewhere

Five (5) submissions suggested that the development should be located somewhere else. One submission suggested areas such as Garran, Curtin, Hughes, Phillip, Weston Creek and across the Woden Valley as they are in need for urban renewal/infill and more affordable options for residents to up or downsize. Another submission suggested the development should be in a new suburb, like Whitlam. It was suggested by a submitter that a manor house may be a good idea but Blaxland Crescent is the wrong location. Submissions questioned the location and suggested that the proposal will do little if anything to address any perceived gaps and demand in the housing market and that there is already a wide choice of established and new buildings in Griffith, Manuka and Narrabundah, including for apartment living.

Response

Demonstration Housing projects are proposed in different suburbs across Canberra, including Ainslie, Weston and Lyneham. Demonstration Housing proposals will test and evaluate different housing types. Some of these housing types, subject to evaluation, could potentially be more broadly available in the future (subject to further and relevant planning changes and processes as and where required). This would provide current and future Canberrans greater housing choices that better meet individual needs in a variety of suburbs.

One of the objectives of the Demonstration Housing Project is to identify which of the housing types being tested, could successfully be applied more broadly and under what circumstances.

x. Insufficient explanation of the proposal in explanatory statement of DV375 and questions which provisions apply

Explanatory Statement

Two (2) submissions question which provisions apply, and one indicates that there is insufficient explanation in the Explanatory Statement of DV375 and supporting online documents for the proposal and questions where the background to this particular one-off variation is explained. This submission suggests that the

Explanatory Statement should be revised to more fully explain the project and its context. .

Response

The Explanatory Statement, which forms a part of DV375 provides an explanation of the manor house proposal that is being undertaken through the Demonstration Housing Project. A planning report was prepared to support the manor house development and inform the required changes to the Territory Plan. Further information is also available on the Demonstration Housing Project website at www.planning.act.gov.au/urban-renewal/demonstration-housing-project.

Amendments have been made to the Explanatory Statement in DV375 that has been recommended to the Minister to better explain the proposal in the context of the Demonstration Housing Project.

Demonstration Housing Project

A submission states that 'there are two manor houses being built as part of the [Demonstration Housing] Project in residential areas in Ainslie and Griffith [and] at this time there are no plans for anymore [Demonstration Housing Project] buildings'.

Response

There is currently no proposal in Ainslie for a manor house and there may be confusion about what is being proposed as a part of the Demonstration Housing Project. The site in Ainslie, being section 25 block 6, is for a type of development called co-housing that consists of three dwellings and common shared areas. The shared space in the proposal at Ainslie will allow residents to gather, enjoy shared meals, entertain and/or to house a guest. Changes to the Territory Plan to facilitate this development are contained in Variation 376 (V376).

There are several other Demonstration Housing proposals for a range of different housing typologies on sites throughout Canberra, such as ageing in place homes in O'Connor and community housing in Lyneham. Each of these projects have been successful through the 2018 Expression of Interest process and are now actively completing their requirements and obligations required through the Demonstration Housing Project, such as undertaking community consultation and presenting to the National Capital Design Review Panel, prior to a draft variation being sought. Information about each of the Demonstration Housing proposals can be found at www.planning.act.gov.au/urban-renewal/demonstration-housing-project/projects-with-a-site.

Applicable provisions

Clarification is sought as to which rules apply to the proposal if those contained in element 3 of the Multi Unit Housing Development Code do not apply. Another submission questions why the project would be excluded from dwelling replacement provisions.

Response

The submission incorrectly considers that all general controls in the Multi Unit Housing Development Code do not apply because a manor house has been excluded from Rule R5 which pertains to the requirement for at least one of the dwellings to be three or more bedrooms if the dwelling being replaced contains three or more bedrooms. This policy is intended to make sure that where housing is being replaced with multi unit housing, the number of dwellings suitable for families or larger households in the area is not reduced. The remainder of the provisions in the Multi Unit Housing Development Code continue to apply.

The need for this exclusion has been reconsidered because two of the proposed four units will contain three bedrooms, making it consistent with the Rule R5 of the Multi Unit Housing Development Code. Based on this comment the exclusion will be removed as the proposal meets Rule R5.

Demonstration Housing Project Lessee register

The submission raises questions about the register referred to in Rule R27, which indicates that:

Manor house development can only be undertaken by the Demonstration Housing Project lessee(s) identified on a register published on an ACT Government website.

These questions include the following:

- 1) If there are only two projects will only two names appear on the register and will the register be expanded?
- 2) Is the main qualification for inclusion on the register a desire and willingness of a lessee to build a manor house?
- 3) Was there an open process for approval of suitability for a Demonstration Housing Project?
- 4) Is there a right of appeal against a decision to exclude someone from entry on the register?

Response

The purpose of the register is to identify successful Demonstration Housing proponents who can develop their site/s in accordance with an approved Territory Plan variation for the specified site.

- 1) There are more than two projects as explained under c. above.
- 2) The only qualification for inclusion on the register is being a Demonstration Housing proponent who has been successful through the two-stage evaluation process.
- 3) Yes, there was an open Expression of Interest process that was undertaken and is detailed in b. and k. above.
- 4) There is no right of appeal to exclude a proponent from entry to the register and only successful proponents under the Demonstration Housing Project can be included on the register.

Lease variation

The lease variation arrangements are questioned:

- 1) Is another use being added?
- 2) Does building a Demonstration Housing Project give a lessee a lease extension advantage and if so is this publicly known?

Response

- 1) A lease variation would need to be sought to add the use of manor house. This could only be undertaken if DV375 were approved. Lease variation charges would also apply and will not be waived as a part of the Demonstration Housing Project.
- 2) The Demonstration Housing Project does not provide a lessee with any lease extension advantage and normal process for any lease extension would be required.

3. SUMMARY OF CHANGES TO THE DRAFT VARIATION

3.1 Changes to the draft variation after public consultation

Topic	What has changed?
Plot ratio	Add maximum plot ratio of 50%
Explanatory Statement	Changes to the Explanatory Statement to make it clearer and explain DV375 in the context of the Demonstration Housing Project
Multi Unit Housing Development Code	Remove exemption from Rule R5 of MUHDC as it is not required

4. COMPLIANCE WITH THE PLANNING AND DEVELOPMENT ACT 2007

4.1 Release for Public Comment (section 63)

DV375 was made available for public comment from 19 February 2021 to 16 April 2021. A consultation notice under s 63 of the P&D Act was published in the ACT Legislation Register on 15 February 2021 and a public notice was posted online on 16 February 2021.

4.2 Consultation with Government agencies (section 61 (b))

Consultation was undertaken with the following agencies and their comments reported in the draft variation that was released for public notification (**Appendix 1**): the National Capital Authority, the Environment Protection Authority, the Conservator of Flora and Fauna, and the ACT Heritage Council.

4.3 Notice of Submission to the Minister (section 70)

In accordance with s 70 of the P&D Act, a public availability notice will be placed in the ACT Legislation Register stating that DV375 has been submitted to the Minister and that the documents are available for public inspection.

5. APPENDICES

APPENDIX 1
Draft variation 375 public release version

Planning and Development (Draft Variation No 375) Consultation Notice 2021

Notifiable instrument NI2021—92

made under the

Planning and Development Act 2007, s 63 (Public consultation—notification)

1 Name of instrument

This instrument is the *Planning and Development (Draft Variation No 375) Consultation Notice 2021*.

2 Draft variation to the Territory Plan

The planning and land authority (the *Authority*) has prepared a draft plan variation No 375 – Demonstration Housing, Manor House, Griffith section 31 block 6 (the *draft variation*) to vary the Territory Plan. The draft variation will make amendments to the Multi Unit Housing Development Code and the Griffith Precinct Map and Code.

3 Documents available for public inspection

- (1) The Authority gives notice that the following documents are available for public inspection and purchase:
 - (a) the draft variation; and
 - (b) the background papers relating to the draft variation.
- (2) Copies of the documents mentioned in section 3 (1) are available for inspection and purchase at Access Canberra, Land Planning and Building Services Shopfront, 8 Darling Street Mitchell ACT, Monday to Friday (except public holidays) between 8:30am and 4:30pm for the period commencing on the day this notice commences and ending on **16 April 2021** (the *consultation period*).
- (3) Copies of the documents mentioned in section 3 (1) are also available for inspection during the consultation period online at www.act.gov.au/draftvariations.

4 Invitation to give written comments

- (1) The Authority invites written comments about the draft variation during the consultation period. Comments should include reference to the draft variation and be addressed to the Territory Plan Section of the Environment, Planning and Sustainable Development Directorate (*EPSDD*). Please also provide your name and contact details to assist in the assessment of the comments provided and to enable the Authority to contact you in relation to your comments, if required.

- (2) Written comments should be provided to the Authority by:
- (a) email to terrplan@act.gov.au; or
 - (b) mail to Territory Plan Section, EPSDD, GPO Box 158, Canberra, ACT 2601; or
 - (c) hand delivery to Access Canberra, Land Planning and Building Services Shopfront, 8 Darling Street, Mitchell ACT.

Note All personal information will be managed in accordance with the *Information Privacy Act 2014* and the *EPSDD Information Privacy Policy* which are available through the EPSDD website.

5 Public inspection of written comments

- (1) Copies of written comments about the draft variation given in response to the invitation in section 4, or otherwise, or received from the National Capital Authority will be available (unless exempted) for public inspection for a period of at least 15 working days starting 10 working days after the day the consultation period ends, at Access Canberra, Land Planning and Building Services Shopfront, 8 Darling Street, Mitchell, Monday to Friday (except public holidays) between 8:30am and 4:30pm and may be published on the EPSDD website at www.planning.act.gov.au.
- (2) You may apply under section 411 of the *Planning and Development Act 2007* (the *Act*) for part of your consultation comments to be excluded from being made available to the public. A request for exclusion under this section must be in writing, clearly identifying what you are seeking to exclude and how the request satisfies the exclusion criteria. Please note that your name and contact details and other personal information will not be made public unless you request otherwise.

6 Effect of the draft variation

Section 65 of the Act does not apply in relation to the draft variation and therefore it does not have interim effect as a result of notification of this instrument. Where a draft variation does not have interim effect, the current Territory Plan will continue to apply.

7 Obtaining further information

Further information about the draft variation can be obtained through email correspondence with the Territory Plan Section, EPSDD, at terrplan@act.gov.au. A reference to the draft variation should be included in any email.

8 Dictionary

In this instrument:

draft plan variation No 375 – Demonstration Housing, Manor House, Griffith section 31 block 6 means the draft plan variation Schedule 1.

Lesley Cameron
Delegate of the planning and land authority
17 February 2021



ACT
Government

Environment, Planning and
Sustainable Development

Schedule 1

Planning and Development Act 2007

Draft
Variation to the
Territory Plan
375

Demonstration Housing
Manor House
Griffith section 31 block 6

February 2021

Draft variation for public consultation prepared
under s60 of the *Planning and Development Act 2007*

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1. INTRODUCTION

1.1 Summary of the Proposal

Demonstration Housing is closely aligned with the ACT Government's Housing Choices policy project. Housing Choices investigates ways in which the housing needs of residents can be better met now and in the future. Its aim is to introduce more flexibility into the planning system to enable more housing choice in housing type, and encourage the kind of quality residential buildings that the community wants.

Extensive community engagement was undertaken as part of the Housing Choices project. The community indicated that it wants more housing diversity including options to age in place, better construction quality, better housing design, more affordable housing, and infill development that reflects Canberra's garden city principles.

Demonstration Housing is intended to deliver different housing types that are not currently available in Canberra and that support high quality design, build quality, housing choice, environmental sustainability and medium density infill.

Demonstration Housing projects aim to build, showcase and test different housing types which will help inform housing choice policy development.

To support Demonstration Housing, this draft variation proposes to amend the Griffith Precinct Map and Code to define 'manor house' as a new type of development and add it as an additional merit track assessable development at Griffith section 31 block 6.

1.2 Outline of the process

The Commonwealth's *Australian Capital Territory (Planning and Land Management) Act 1988* allows for the Legislative Assembly to make laws to establish a Territory Planning Authority and for that Authority to prepare and administer a Territory Plan. The *Planning and Development Act 2007* (the Act) establishes the planning and land authority as the Authority that prepares and administers the Territory Plan, including continually reviewing and proposing amendments as necessary. The functions of the planning and land authority are administered by the Environment, Planning and Sustainable Development Directorate (EPSDD). The Director-General of EPSDD is the planning and land authority.

The Territory Plan is comprised of a written statement and a map. The written statement contains a number of parts, namely governance; strategic directions; zones (including objectives and development tables and zone or centre development codes); precinct codes; general codes; overlays; definitions; structure plans, concept plans and development codes for future urban areas.

The Territory Plan Map graphically represents the applicable land use zones (under the categories of residential, commercial, industrial, community facility, urban parks and recreation, transport and services and nonurban), precincts and overlays. The zone, precinct and overlay requirements are detailed in the Territory Plan.

Draft variations to the Territory Plan are prepared in accordance with the Act. Following the release of the draft variation under section 63 of the Act, submissions from the public are invited. At the conclusion of the consultation period the EPSDD (planning and land authority) submits a report on consultation and a recommended final variation to the Minister responsible for planning for referral to the Legislative Assembly standing committee responsible for planning. The Minister must consider the findings of the committee before deciding whether to approve the draft variation. If the Minister approves the variation, the variation and associated documents will be tabled in the Legislative Assembly. Unless disallowed by the Legislative Assembly within five sitting days, the variation commences on a day nominated by the Minister.

1.3 Public Consultation

Written comments about the draft variation are invited from the public by **16 April 2021**.

Comments should include reference to the draft variation and be addressed to the Territory Plan Section, EPSDD. Please also provide your name and contact details to assist in the assessment of the comments provided, and to enable EPSDD to contact you in relation to your comments, if required. Your personal information will be managed in accordance with the *Information Privacy Act 2014* and the EPSDD Information Privacy Policy, which is available for viewing on EPSDD's website.

Comments can be:

- emailed to terrplan@act.gov.au
- mailed to Territory Plan Section, GPO Box 158, Canberra, ACT 2601
- delivered to Territory Plan Section, Access Canberra, Land, Planning and Building Services Shopfront, 8 Darling Street, Mitchell

Copies of written comments received with respect to the draft variation will be made available for public inspection for no less than 15 working days starting 10 working days after the closing date for comment. The comments will be available at the Access Canberra, Land, Planning and Building Services Shopfront, 8 Darling Street, Mitchell ACT and will be published on EPSDD's website. Comments made available will not include personal contact details unless you request otherwise.

A request may be made for parts of a submission to be excluded under section 411 or 412 of the *Planning and Development Act 2007*. A request for exclusion under these sections must be in writing, clearly identifying what parts of your submission you are seeking to exclude and how the request satisfies the exclusion criteria.

Further Information

The draft variation and background documents are available online at **www.act.gov.au/draftvariations** until the closing date for written comments.

Printed copies of the draft variation (this document) and background documents are available for inspection and purchase at Access Canberra, Land, Planning and Building Services Shopfront, 8 Darling Street, Mitchell, Monday to Friday (except public holidays) between 8:30am and 4:30pm. Please call 6207 1923 to arrange a copy for purchase.

2. EXPLANATORY STATEMENT

2.1 Background

The Demonstration Housing Project was established to test and showcase how the ACT can best contribute to making a compact, sustainable, accessible and active city through innovative planning, design and delivery.

The Demonstration Housing Project responds to an ACT Legislative Assembly resolution passed in June 2017, which asked the ACT Government to engage with the community and industry stakeholders about how to deliver demonstration housing proposals that showcase best-practice in one or more of the following areas:

- excellence in construction and design quality
- carbon neutral buildings
- medium density infill
- innovative planning and engagement approaches
- innovative housing products and typologies
- close partnership with industry bodies
- options for public and affordable housing

Demonstration Housing offers a ‘hands on’ opportunity to test the effectiveness of different housing types through real examples and future review through post-occupancy assessment.

The demonstration housing the subject of this Variation is a ‘Manor House’. Manor house consists of 4 dwellings in a 2-storey form plus basement, and aims to present as a single dwelling from the street. This is not currently permitted in RZ1.

The experience gained from Demonstration Housing will inform future government policy and Territory Plan changes, to encourage and support improved housing choice and housing quality in Canberra.

Each proponent has gone through a rigorous two-stage evaluation process which has resulted in design refinements. The evaluation criteria included an assessment against the demonstration housing concept, design quality and build quality. Proponents were required to present and receive endorsement from the National Capital Design Review Panel. Community consultation in accordance with an approved engagement strategy was also undertaken.

2.2 Site Description

The subject site is at Griffith section 31 block 6 and is zoned Residential RZ1 Suburban. It is a corner block with a frontage of approximately 30m to Blaxland Crescent and 40m to Frome Street. The block has an area of 1166m² and is located opposite St Edmund's College. The site is occupied by a single storey residence.



Figure 1 Location map

2.3 Current Territory Plan Provisions

The current Territory Plan zoning map is shown in **Figure 2**.

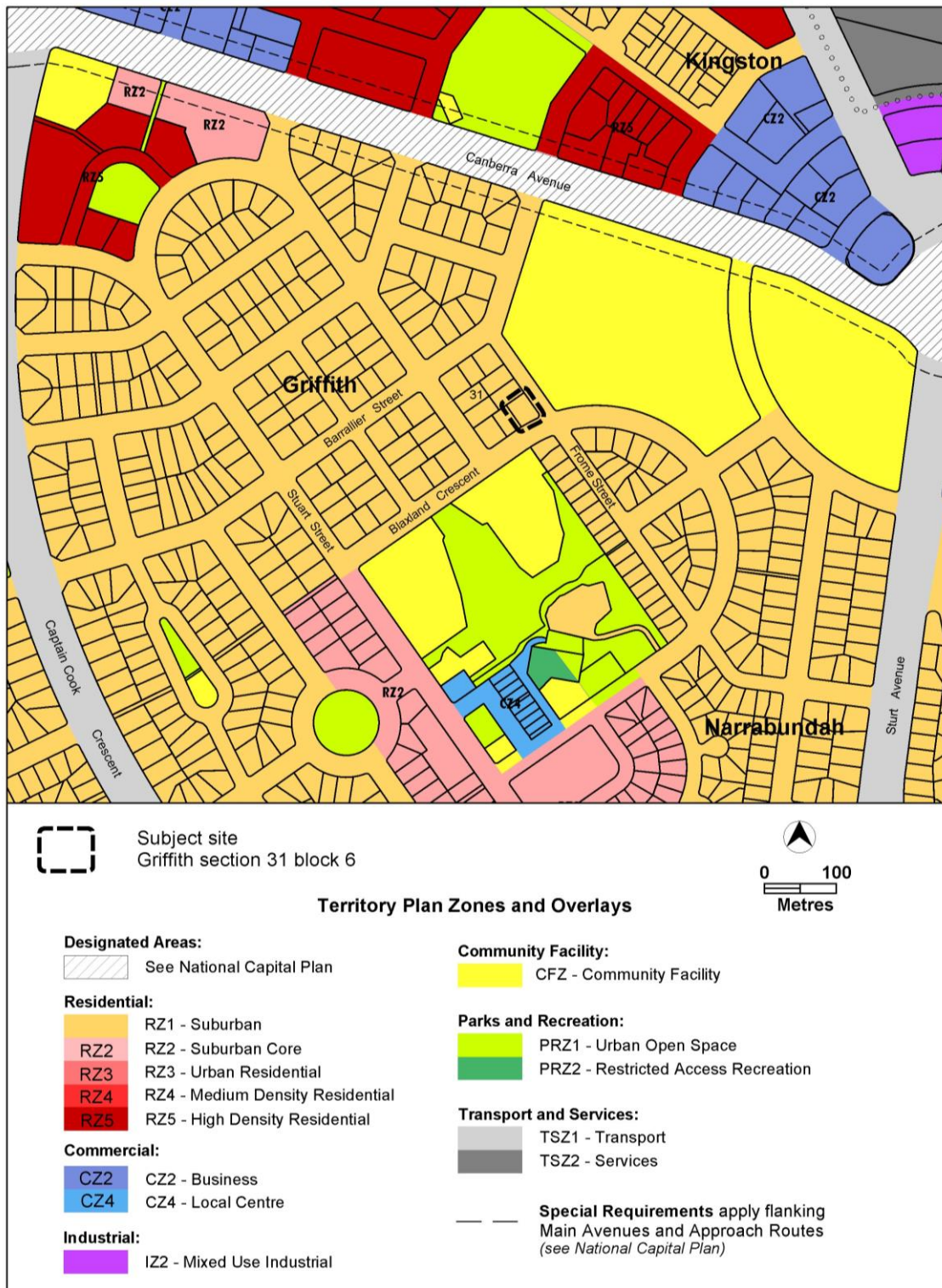


Figure 2 Territory Plan map

The zoning of Griffith section 31 block 6 is not being changed by this draft variation.

2.4 Proposed Changes to Territory Plan

It is proposed to amend the Griffith Precinct Map and Code for Griffith section 31 block 6 by:

- inserting a definition of manor house
- adding 'manor house' as an additional merit track development
- allowing a basement beneath a two storey manor house
- limiting height to two storeys above ground level (not including a basement)
- adding a criterion to make sure that the manor house appears as two storeys from street frontages
- limiting the number of dwellings to a maximum of four
- allowing dwellings to be unit titled

It is also proposed to amend the residential zones Multi Unit Housing Development Code to:

- exclude 'manor house' from dwelling replacement provisions

2.5 Reasons for the Proposed Draft Variation

The reasons for the draft variation are as follows:

- increases housing choice by introducing a new type of housing development
- the development will appear as if it is one house and will therefore fit in with the low-density character of the surrounding area
- the site (area 1166m²) is appropriate for the proposed development which will have the look and feel of a large single dwelling house
- the site is well located close to existing services in the Griffith local centre and nearby Manuka group centre
- increases the supply of housing which is consistent with the aim of the ACT Planning Strategy to provide 70% of new housing within the existing urban footprint
- allows for testing and evaluation of the manor house concept, which may influence future policy about housing choice
- the site has good access to public transport

2.6 Planning Context

2.6.1 National Capital Plan

The *Australian Capital Territory (Planning and Land Management) Act 1988* established the National Capital Authority (NCA) with two of its functions being to prepare and administer a National Capital Plan (NCP) and to keep the NCP under constant review and to propose amendments to it when necessary.

The NCP, which was published in the Commonwealth Gazette on 21 January 1990 is required to ensure that Canberra and the Territory are planned and developed in accordance with their national significance. The *Planning and Land Management Act 1988* also requires that the Territory Plan is not inconsistent with the NCP.

2.6.2 ACT Planning Framework

Statement of Strategic Directions

The Statement of Strategic Directions sets out the principles for giving effect to the main objective of the Territory Plan as required by the *Planning and Development Act 2007*. The proposal is consistent with the Territory Plan's statement of strategic directions in terms of environmental, economic and social sustainability and spatial planning and urban design principles.

1.1 Planning processes and decisions will be focused on the combined achievement of economic vitality, community wellbeing, and environmental quality. Broad community involvement will be a key element in the pursuit of sustainable development, as will complementary regional strategies and agreements.

The proposed development will meet design standards for accessibility and contribute towards greater community wellbeing by providing additional housing choices. The proposed development achieves environmental quality through the inclusion of water tanks and passive solar design principles and will have a minimum six star energy rating. The community has been consulted and engaged with the motives, reasoning and aspirations of the proponent, and the proponent has made design refinements based on community feedback where possible. Demonstration Housing will contribute to addressing gaps and demand in the housing market for alternative housing types.

1.10 Integrated land use and transport planning will seek to maximise accessibility and transport efficiency, reduce energy consumption, support the preferred pattern of development, promote safety, safeguard environmental quality, and minimise greenhouse gas emissions.

The proposal is within walking distance of amenities such as public transport, shops, schools and community centres. The proposed development protects environmental quality by limiting non-permeable surfaces, which will minimise storm water runoff and reduce urban heat island effect.

2.5 A wide range of housing types will be permitted in identified residential areas close to commercial centres and some major transport routes to increase choice; maximise opportunities for affordable housing; and secure some intensification of development consistent with maintaining residential amenity. Outside of these areas, planning policies will protect the typically low density, garden city character of Canberra's suburban areas.

The proposed development will allow greater diversity of housing and will assist with containing urban expansion by supporting urban infill. The proposed development has been designed to minimise the heat island effect and storm water run-off.

2.6 Higher density development will be encouraged within and near major centres, and in other suitable locations that are well served by public transport.

The proposal is consistent with providing density within the Residential RZ1 Suburban zone. A maximum of four dwellings will be permitted on the site, which is over 1000m², and will be a maximum of two storeys high with a basement. It will appear from street frontages as if it is one large house.

The draft variation is consistent with the ACT Planning Strategy and the ACT Transport Strategy 2020 as it will facilitate development that is compact and efficient, diverse, sustainable and resilient, liveable, and accessible, within proximity to services, transport connections and community facilities.

2.7 Interim Effect

Section 65 of the Planning and Development Act 2007 does not apply in relation to the draft variation, so it does not have interim effect. The current Territory Plan will continue to apply.

2.8 Consultation with Government Agencies

The EPSDD is required to, in preparing a draft variation under section 61(b) consult with each of the following in relation to the proposed draft variation:

- the National Capital Authority
- the Conservator of Flora and Fauna
- the Environment Protection Authority
- the Heritage Council
- the Land Custodian, if the draft variation would, if made, be likely to affect unleased land or leased public land – each custodian for the land likely to be affected

National Capital Authority

The National Capital Authority provided the following comments on 28 February 2020:

The proposed Territory Plan variation is not inconsistent with the National Capital Plan.

Response

Noted.

Conservator of Flora and Fauna

The Conservator of Flora and Fauna made the following comments on 6 March 2020:

There are no apparent ecological concerns with Draft Variation 375 – Griffith Section 31 block 6 – Manor House, and housing options which seek to retain trees and vegetation are to be encouraged. Issues regarding potential impacts to existing regulated trees will be dealt with at the DA stage.

Response

Noted.

Environment Protection Authority

The Environment Protection Authority provided the following comments on 21 February 2020:

No comment.

Response

Noted.

Heritage Council

The Heritage Council provided the following comments on 28 February 2020:

On 20 February 2020, ACT Heritage Council (Council) advice was sought for Draft Territory Plan Variation 375, which proposes to amend the Griffith Precinct Map and Code on Block 6, Section 31 Griffith by:

- *Introducing a definition of 'manor house;'*
- *adding 'manor house' as an additional merit track assessable development; and*
- *adding rules and criteria for Demonstration Housing.*

The above changes are proposed to support 'Demonstration Housing,' the ACT Government's Housing Choices policy project, which aims to introduce more housing choice and flexibility into the ACT planning system. Block 6, Section 31 Griffith will be a showcase location, demonstrating how the ACT can deliver a compact and active city through innovative planning, design and delivery.

Review of the ACT Heritage Register identifies that no heritage places or objects occur within Block 6, Section 31 Griffith. In addition, prior development and use of the locality suggests that unrecorded heritage places or objects are unlikely to occur within the area.

On this basis, the Council advises that the proposed amendment to the Griffith Precinct Map and Code at Block 6, Section 31, Griffith is unlikely to diminish the heritage significance of the place, and that no heritage assessment is required to inform Draft Territory Plan Variation 375.

Response

Noted.

3. DRAFT VARIATION

3.1 Variation to the Territory Plan

The Territory Plan is varied in all of the following ways:

Variation to the residential zones Multi Unit Housing Development Code

- | |
|---|
| 1. Part A General controls, Element 3: Building and site controls,
3.1 Dwelling replacement – standard blocks, rule R5, first sentence |
|---|

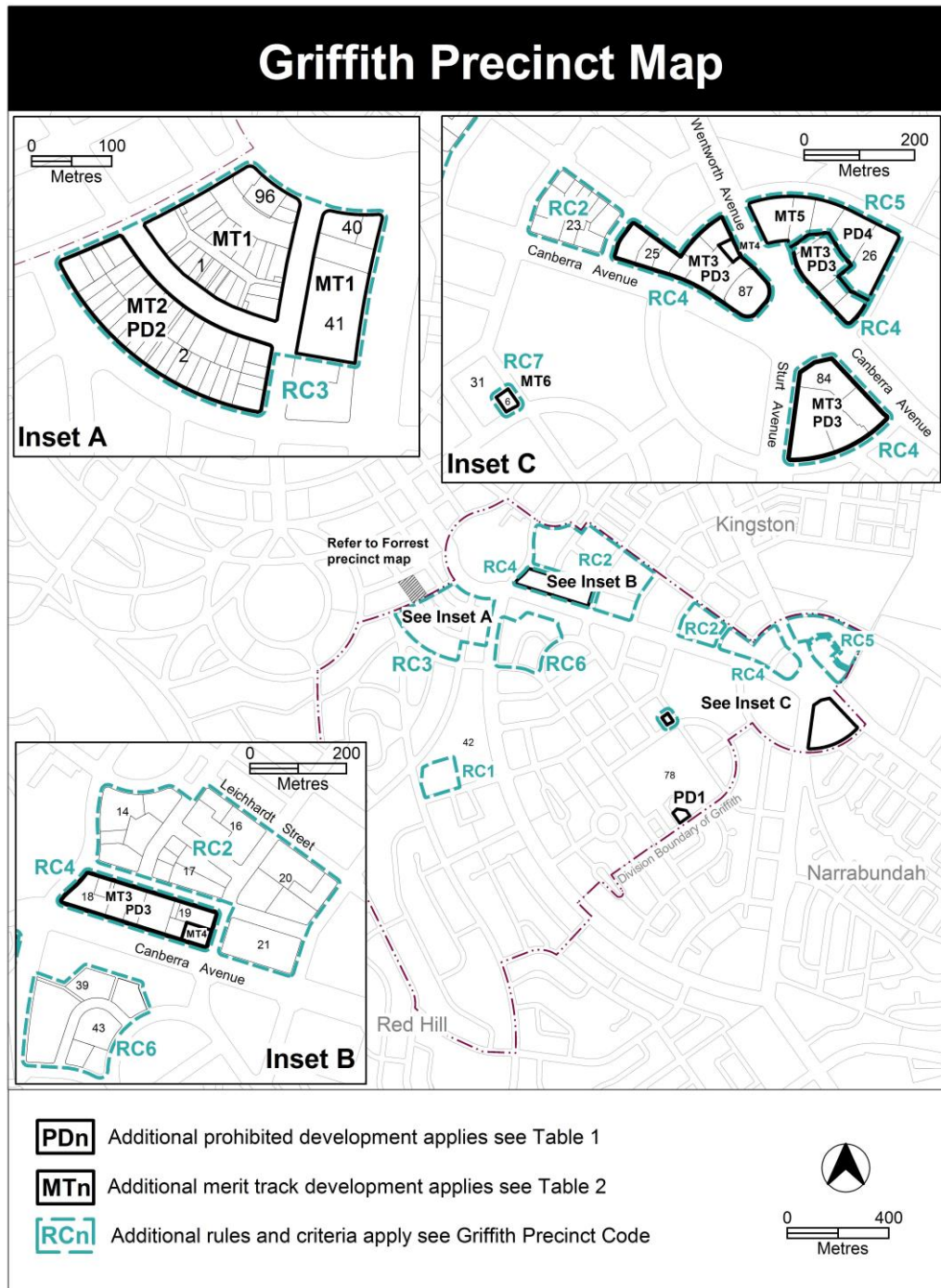
Substitute

This rule applies to *standard blocks* in all residential zones that are proposed to be redeveloped for *multi unit housing*, but does not apply to *supportive housing* and *manor house*.

Variation to the Griffith precinct map and code

2. Griffith precinct map

Substitute



3. Assessment Tracks, Table 2 – Additional merit track development

Insert

Suburb precinct map label	Zone	Development
MT6	RZ1	manor house

4. Introduction, Definitions

Substitute second paragraph with:

Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, listed below.

Manor house is a building containing three or four dwellings, where:

- a) each dwelling is attached to another dwelling by a common wall or floor, and
- b) at least one dwelling is partially or wholly located above another dwelling, and
- c) the building contains no more than two *storeys* excluding the basement.

Note: A building is not an *apartment* if it meets the definition of *manor house*.

5. RC6 – Light Street Precinct, Element 11: Landscape area, Figure 4: Height of buildings

Insert after Figure 4: Height of buildings

RC7 – Demonstration housing

This part applies to blocks and parcels within area RC7 shown on the Griffith Precinct Map.

Element 12: Use

Rules	Criteria
12.1 Manor house	
R27 <i>Manor house</i> development can only be undertaken by the Demonstration Housing Project lessee(s) identified on a register published on an ACT Government website.	This is a mandatory requirement. There is no applicable criterion.

Element 13: Buildings

Rules	Criteria
13.1 Number of dwellings	
<p>R28</p> <p>The maximum number of <i>dwellings</i> is 4.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
13.2 Built form	
<p>There is no applicable rule.</p>	<p>C29</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the desired character b) appears as though: <ul style="list-style-type: none"> i. it is one large house ii. basement parking is not directly visible from street frontages. c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.
13.3 Basement	
<p>R30</p> <p><i>Basement</i> is permitted below any two-storey element. Ramp accessing <i>basement</i> car parking is behind the <i>building line</i> and located on Blaxland Crescent.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C31</p> <p>Ramp to <i>basement</i> car parking maintains the value of the streetscape and allows safe and efficient vehicle and pedestrian movement.</p>
13.4 Subdivision	
<p>R32</p> <p><i>Subdivision</i> under the <i>Unit Titles Act 2001</i> to provide separate title to each <i>dwelling</i> is permitted.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Interpretation service

ENGLISH	If you need interpreting help, telephone:
ARABIC	إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajjnuna t'interpretu, ċempel:
PERSIAN	اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
PORTUGUESE	Se você precisar da ajuda de um intérprete, telefone:
SERBIAN	Ako vam je potrebna pomoć prevodioca telefoniрајте:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacımız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

TRANSLATING AND INTERPRETING SERVICE
131 450
Canberra and District - 24 hours a day, seven days a week

APPENDIX 2
Copies of public comments received on draft variation 375

From: [REDACTED]
To: [Terrplan](#)
Subject: Objection to DV375 Demonstration Housing
Date: Sunday, 28 February 2021 4:31:37 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I am writing to object to the proposed draft variation required for the development of a so called a Manor House in an RZ1 zone on the following grounds.

A 4 unit 2 storey development with 9 car parks is not appropriate for a block and area zoned for low density residential housing (RZ1). To change the zoning rules specifically for one block, as a test project, will set a dangerous precedent that rightly should unnerve all home owners in Canberra. Logically, the "Manor House" should be developed in an area that is zoned for higher density living.

Griffith, and the wider inner-South, already has a very high ratio of high density dwellings - there is no justification to add to this in a RZ1 zone.

[REDACTED]
[REDACTED]

Griffith 2603

From: [REDACTED]
To: [Terrplan](#)
Subject: Proposed Manor House Development Draft Variation 375
Date: Tuesday, 16 March 2021 8:36:26 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Territory Plan Section

With reference to a recent letter drop from the ACT Gov Environment, Planning and Sustainable Development department, my wife and I are **objecting** to the Draft Variation Plan 375 (DV375) for the development of a “Manor House” in our RZ1 zone of Griffith and having a “Manor House” **excluded** from the Multi Unit Housing Development Code. This development proposal to Section 31 Block 6 is going to **set a precedent** for all RZ1 zone blocks over 1100sq m.

We live at [REDACTED] St, our neighbouring block at [REDACTED] St. was sold a number of years ago and has been unoccupied since sale and will be a knockdown dwelling. This block is also in excess of 1100sqm, we share a common driveway 8m wide.

With the potential of a “MANOR HOUSE” also being developed at this property its going to create the potential of 16 tenant cars sharing our combine properties access plus possible curb parking overflow in the street. This is also going to create a sever traffic hazard as we have had multiple car accidents at the corner of of Barrallier St and Stuart St. Barrallier St. has already had a very high increase in traffic flow since the development of the Austin St unit development.

This concept of Development is only going to promote developer land grade and destroy the old facade of Canberra.

Concerned:

[REDACTED]
[REDACTED]

Griffith



Virus-free. www.avast.com

From: [REDACTED]
To: [Terrplan](#)
Subject: Objection to Draft Variation 375 Demonstration Housing - Manor House Griffith section 31 block 6
Date: Wednesday, 17 March 2021 6:18:36 AM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Please see attached my signed letter of objection to DV375 Demonstration Housing - Manor House Griffith section 31 block 6.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] signed letter:

Objection to DV375 Demonstration Housing - Manor House Griffith section 31 block 6

It was with alarm I received by mail a Notification - Public Consultation - draft Variation 375 Demonstration Housing – Manor House Griffith section 31 block 6.

The term ‘Manor House’ is, of course, deceptive language: the proposed construction is four high-density two-storey units rather than a manor house in plain English usage.

Furthermore, the project is not a demonstration project at all since there is nothing new being demonstrated (crowded units with multi-car parking on single blocks already abound in appropriate zones – hardly a new concept).

This particular proposal is on Frome Street/ Blaxland Crescent in Griffith. In Frome Street and surrounding neighbourhood streets the houses are exclusively single dwellings. The proposal is a major change in character, presumably with an expectation to extend this type of development throughout the suburb.

The only ones who will benefit are the developers and investors who build such structures for profit. It will result in a loss of property value and reduced lifestyle and amenity for those of us who have purchased our family homes to live in normal single dwelling neighbourhoods, with the expectation that the zoning will not be arbitrarily varied by government in response to proponents seeking a financial gain at our expense (in practical effect, resulting in no zoning system at all).

I ask that the ACT Government respect the lifestyle choice, and financial security, of its

constituents like us living in the suburb.

Please acknowledge receipt of this objection letter.



17 March 2021

Territory Plan Section
EPSDD
GPO Box158
Canberra 2601
terrplan@act.gov.au

Draft Variation to the Territory Plan - Objection to DV375 Demonstration Housing - Manor House 20 Blaxland Crescent, Griffith Section 31 block 6.

Dear Sir/Madam

There are a number of problems associated with the above-mentioned proposed variation to the Territory Plan, sufficient in their seriousness to cause the variation to be abandoned.

The first is the notion that the Government has to see an idea constructed before it can assess its virtue. This suggests that Government has little capacity for abstract thinking. Moreover, if the constructed idea fails, and there is no assurance that the “model” proposed will be acceptable, the fact that it is constructed means the community is left to bear the costs of that failure.

Secondly, the Government has yet to propose convincing, objective tests to determine whether or not the model proposed is a failure or a success.

The Government also has to indicate how this proposal might be judged against any number of so-called unsolicited bids that might be advanced to allow increased density for parts of suburbs that have been zoned as RZ1.

Will all proposed “model” developments be allowed to lead to a change in the Territory Plan in order to assess whether or not they are appropriate? If not, what are the characteristics of novel proposals for which it would amend the Territory Plan? Indeed, the Government would be acting partially if it accepted this notion but rejected other “novel” proposals to increase residential density in this part of Canberra.

Then there are the usual issues associated with granting permission for one-off approvals that adversely affect the values of adjacent properties.

If the Government wishes to increase the density of a suburb that is reportedly already atypically dense, it should undertake some serious work to identify the limits and boundaries to that increase. It then should identify an area - rather than one example – where such development applications will be permitted. It then should propose the idea to affected voters.

But the government should also realise that there are significant parts of the inner south, for example along Canberra Avenue and parts of Captain Cook Crescent, which already have approval for increased density but have yet to be so developed. Advancing the proposed “manor house” notion seems underpinned by partiality and capriciousness.

It should be evident from this letter that the writer objects to the proposal.

Yours sincerely

A solid black rectangular box used to redact the signature of the writer.

From: [REDACTED]
To: [Terrplan](#)
Cc: [GNCA](#)
Subject: Objection to variation of territory plan
Date: Wednesday, 17 March 2021 8:17:29 PM
Attachments: [page1image3790032.png](#)

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Territory Plan Section EPSDD, GPO Box 158 CANBERRA ACT 2601

Dear Sir/Madam



Draft Variation to the Territory Plan - Objection to DV375 Demonstration Housing - Manor House 20 Blaxland Crescent, Griffith Section 31 block 6.

I am writing to strongly OBJECT to the proposed Variation to the Territory Plan required for the development of a so called a 'Manor House' in an RZ1 Zone.

The RZ1 is specifically zoned for low rise and low-density houses. The proposed Manor House development is incompatible with the objectives for RZ1 and the other dwellings in the vicinity.

- The largest investment for most families is the purchase of a home. It is crucial they know what could be built next to them. Families need certainty and trust in the planning system. They do not want the surprise of a four-unit two storey, apartment- style development with 9 car parks built next door and impacting on their privacy and amenity .
- The Inner South already has the highest ratio of high-density dwellings in Canberra's 8 Districts. There are over 2000 new dwellings in the pipeline here together with the Kinston foreshore developments. We reject the need for further intensification in Griffith RZ1 zones.
- **Any single block rezoning must wait until the review of the Territory Plan is completed as per the government's own words.**
- **Once the precedent has been set for rezoning random blocks, there is little to stop the ACT Government turning most of Griffith and other suburbs into higher density areas. In effect, turning RZ1 zones into Swiss Cheeses where residents will not be able to forecast where the next hole/development will appear.**
- Many residents in the Inner South, are concerned that changing the planning

rules in RZ1 zones to allow further construction/development of more units will reduce the value of existing houses and increase noise levels, local traffic and parking in our streets and possibly impact on safety.

- ACT Government is proposing to change the residential building regulations (Territory Plan) at taxpayer expense, for one block, based on the pretext of running an architectural design project.
- Canberrans need certainty and trust when purchasing the family home, not government-driven spot rezoning and developments in their backyards.

My email address is:

[REDACTED]

Yours sincerely,

[REDACTED]

address... [redacted]
MARRABUNDAH ACT 2601

Territory Plan Section
EPSDD, GPO Box 158
CANBERRA ACT 2601
terrplan@act.gov.au

Dear Sir/Madam

Draft Variation to the Territory Plan - Objection to DV375 Demonstration Housing - Manor House 20 Blaxland Crescent, Griffith Section 31 block 6.

I am writing to OBJECT to the proposed Variation to the Territory Plan required for the development of a so called a 'Manor House' in an RZ1 Zone.

The RZ1 is specifically zoned for low rise and low-density houses. The proposed Manor House development is incompatible with the objectives for RZ1 and the other dwellings in the vicinity.

- The largest investment for most families is the purchase of a home. It is crucial they know what could be built next to them. Families need certainty and trust in the planning system. They do not want the *surprise* of a four-unit two storey, apartment-style development with 9 car parks built next door and impacting on their privacy and amenity.
- The Inner South already has the highest ratio of high-density dwellings in Canberra's 8 Districts. There are over 2000 new dwellings in the pipeline here together with the Kinston foreshore developments. We reject the need for further intensification in Griffith RZ1 zones.
- Any single block rezoning must wait until the review of the Territory Plan is completed as per the government's own words.
- Once the precedent has been set for rezoning random blocks, there is little to stop the ACT Government turning most of Griffith and other suburbs into higher density areas. In effect, turning RZ1 zones into *Swiss Cheeses* where residents will not be able to forecast where the next hole/development will appear.
- Many residents in the Inner South, are concerned that changing the planning rules in RZ1 zones to allow further construction/development of more units will reduce the value of existing houses and increase noise levels, local traffic and parking in our streets and possibly impact on safety.
- ACT Government is proposing to change the residential building regulations (Territory Plan) at taxpayer expense, for one block, based on the pretext of running an *architectural design project*.
- Canberrans need certainty and trust when purchasing the family home, not government-driven spot rezoning and developments in their backyards.

I can be contacted on (m) [redacted]

My email address is... [redacted]

Signed name... [redacted]

Printed name... [redacted]

GRAZDINS Date 17/3/21 Capacity

This development will significantly impact the landscape, running against the principles laid out in the ACT's Living Infrastructure & Urban Forest visions, water infiltration into

Submission on Planning and Development (Draft Variation No 375) - Manor House

I am writing this submission in support of the proposed Manor House development in Griffith. Manor houses, with 2 units upstairs and 2 downstairs and common elsewhere but our planning system makes them difficult to build in Canberra. This variation is one of the first practical outcomes of the demonstration housing motion that I moved in June 2017.

The need for better housing in Canberra is even stronger now than it was in 2017, when my motion was passed. Housing has become less affordable in Canberra. Yesterday's Canberra Times speculated that by 2040 house prices in Canberra would be \$3m and the same paper's real estate pages had many houses at around \$2m or above. This is simply unaffordable for young people unless they can access the bank of mum and dad. Thus it increases long term poverty.

The need for more action to preserve our environment has increased since 2017, and the construction sector has one the biggest impacts in Australia.

Family sizes have continued to decrease in Canberra and thus the need to an alternative to the 'traditional' single family house has grown. While sometimes that can be a one bedroom apartment, it's not always what's wanted.

We have larger houses and smaller families and this is not environmentally sustainable. It's also not affordable financially and leads to social isolation.

Canberra needs to try other forms of housing. This view was endorsed by the 'housing choices' process run by the government in 2018. Demonstration housing is a way of showing the people of Canberra what some alternative housing styles are like in practice.

The Territory Plan variations to allow for the first two Demonstration Housing projects – Manor House in Griffith and Stellulata in Ainslie plus the North Watson territory plan are the first practical manifestations of the demonstration housing motion and thus I welcome all three as parts of the path towards a more sustainable Canberra.

Looking at Manor house, the first point is that while this is novel for the ACT, it is not for NSW or elsewhere. It will have 4 units which form a building around the same size as the larger McMansions that are being built in the area. It will look similar to them. However instead of housing one family, it will house 4 families. This will make a more affordable development and support the government's plans for a more compact city.

The proponents plan to retain the existing plantings and thus externally there will not be any major changes. The existing character of the neighbourhood will be largely maintained.

The manor house proponents are the existing owners and residents of the block. The Manor house will provide a way for them to age in place, and a model that can be used for others to do the same on other sites in the future.

The manor can show the neighbours and all of Canberra that there is an alternative to McMansions for redevelopment of Canberra.

I commend the draft Territory Plan variation to the Government. I hope it will lead to many other more sustainable developments for Canberra.

[REDACTED]

[REDACTED]

Phillip ACT

From: [REDACTED]
To: [Terrplan](#)
Cc: [REDACTED]
Date: Friday, 19 March 2021 4:22:20 PM

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TO WHOM IT MAY CONCERN

Territory Plan Section EPSDD, GPO Box 158 CANBERRA ACT 2601

Re: Draft Variation to the Territory Plan - Objection to DV375 Demonstration Housing - Manor House 20 Blaxland Crescent, Griffith Section 31 block 6.

I am writing to OBJECT to the proposed Variation to the Territory Plan required for the development of 'Manor House' in an RZ1 Zone.

I believe the variation should be withdrawn until the Government Planning Review is completed and that RZ2 zones are more compatible for this project.

The RZ1 is specifically zoned for low rise and low-density houses.

Changes to zoning, are major decisions, and no less so in suburbs where zoning change approvals are being made in a property by property manner, specifically RZ1 to RZ2.

Building constructions allowed for an RZ2 zone, have the very real potential to negatively impact the amenity of the living surrounds and the value of housing in an RZ1 zone. Single property re-zoning is no excuse to skip the full scrutiny and review of the Territory plan which the government says it supports.

Of note is information that states "the Inner South has the highest ratio of high-density dwellings in Canberra's 8 Districts. There are over 2000 new dwellings in the pipeline here together with the Kingston foreshore developments." (GNCA)

This supports my belief that intensification of RZ1 zones clearly need to be appropriately scrutinised in line with the review of the Territory plan to ensure the best outcomes for all. It is essential for clarity and trust in the government.

Yours sincerely,

[REDACTED]

[REDACTED]

Pearce, ACT 2607

[REDACTED]

From: [REDACTED]
To: [Terrplan](#)
Subject: Territory Plan Draft Variation - Objection to DV375 Demonstration Housing - Manor House - 20 Blaxland Crescent GRIFFITH, Section 31 Block 6
Date: Saturday, 20 March 2021 9:24:56 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Madam / Sir,

I am emailing about my concern about and OBJECTION to the proposed variation to the Territory Plan under DV375 which I observe is in an RZ1 area.

I wish to object to the variation.

RZ1 is specifically for low rise and low density housing and the proposed so called demonstration housing. The proposal is inconsistent and incompatible with the zoning rules and the other dwellings in the area.

Once the precedent has been set for rezoning random blocks, there is little to stop the ACT Government turning most of Griffith and other suburbs into higher density areas. In effect, turning RZ1 zones into Swiss Cheeses where residents will not be able to forecast where the next hole/development will appear.

The Inner South already has the highest ratio of high-density dwellings in Canberra's 8 Districts. There are over 2000 new dwellings in the pipeline here together with the Kinston foreshore developments. We reject the need for further intensification in Griffith RZ1 zones.

The ACT Government is proposing to change the residential building regulations (Territory Plan) at taxpayer expense, for one block, based on the pretext of running an architectural design project. This is of great concern to me because once the Territory Plan is changed (for the Developer's benefit) the precedent it sets is alarming. The possibility of such developments appearing in any location in the Griffith/Narrabundah area is alarming. This request for a 'one off site specific' variation cannot be supported as it lacks the requirement of 'overriding public benefit'. Any changes need to be made as part of broader reviews not on an ad hoc basis.

There are plenty of places in Canberra, including in the inner South where zoning allows such a demonstration, unfortunately for the proponent Section 31 Block 6 is not one of those locations.

I respectfully request that this variation be withdrawn, and the developer's request denied.

Warm regards

[REDACTED]
[REDACTED]

Narrabundah
ACT, 2604

[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Terrplan](#)
Subject: Territory Plan Draft Variation - Objection to DV375 Demonstration Housing - Manor House - 20 Blaxland Crescent GRIFFITH, Section 31 Block 6
Date: Saturday, 20 March 2021 5:07:08 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good Afternoon

I write to express my concern and to object to the proposed variation to the Territory Plan under DV375 which I observe is in an RZ1 area.

RZ1 is specifically for low rise and low density housing and the proposed so called demonstration housing is anything but. The proposal is inconsistent and incompatible with the zoning rules and the other dwellings in the area. I think that there are RZ2 zones in the inner South where this could be undertaken but perhaps without the \$\$ returns for the developer but to my mind it should not be about the public rolling over in order to facilitate developers desire for money.

I understand that you are going through a process that is required when a developer puts in a request but it would be of no surprise that there is an active campaign of protest against this request. Ad hoc requests such as this if approved undermine the trust and the integrity of the public in the system.

This request for a 'one off site specific' variation can not be supported as it lacks the requirement of 'overriding public benefit'. Any changes need to be made as part of broader reviews not on an ad Hoc basis.

There are plenty of places in Canberra, including in the inner South where zoning allows such a demonstration, unfortunately for the proponent Section 31 Block 6 is not one of those locations.

I respectfully request that this variation be withdrawn and the developers request denied.

kind regards,

[REDACTED]

[REDACTED]

[REDACTED]

GRIFFITH ACT 2603

[REDACTED]

[REDACTED]



By email

Territory Plan Section EPSDD

GPO Box 158 CANBERRA ACT 2601

terrplan@act.gov.au

OBJECTION TO TERRITORY PLAN DRAFT VARIATION DV375

DEMONSTRATION HOUSING - 'MANOR HOUSE' 20 BLAXLAND CRESCENT, GRIFFITH, BLOCK 6 SECTION 31

I write to object to the proposed draft variation DV375 for the following reasons, which are discussed in detail below:

1. The proposal does not comply with the Zone Objectives for RZ1-Suburban Zone
2. The proposal appears to encourage other similar developments that could undermine the current planning intent for RZ1 and would disadvantage many existing property owners and would cause widespread discontent.

1. Inconsistency with RZ1 objectives

Territory plan objectives for RZ1 relevant to this proposal are:

- a) Provide for the establishment and maintenance of residential areas where the housing is **low rise and predominantly single dwelling and low density in character**
- b) **Protect the character of established single dwelling housing areas** by limiting the extent of change that can occur particularly with regard to the original pattern of development and the density of dwellings

The project proposes two storey building containing FOUR flats to replace what is currently a single storey single house. It will be located on a corner block in a long established single dwelling area so it will be visually obtrusive and will contain a basement parking area, (which requires significant energy to excavate) that will be visibly discordant with surrounding housing. This is simply and blatantly inconsistent with RZ1 objectives and thus is totally unsuitable for this location, regardless of the stated intention to provide housing diversity.

This type of development would appear to be more consistent RZ2 and would better fit where a mix of single dwelling and multi-unit development of low to medium density is the intended planning objective. RZ2 zones are close to facilities and services in commercial centres, such as close to Manuka and Griffith shops.

For many years, residents of the inner south have consistently objected to opportunistic dual occupancy developments in RZ1 areas which have the effect of diminishing the amenity of neighbouring residents while encouraging speculative development to maximise benefits to developers who damage existing neighbourhood character. These developments frequently led to increases in parking pressure, reduction in

vegetation and other detriment. No evidence is provided in the proposal of any consultation with nearby residents and it can be expected that this development will be widely opposed in RZ1 zoned areas.

Undermining planning intent for RZ1 and RZ2

I am aware of the rationale for new styles of development and densification in inner Canberra. Many inner south residents would not object to this proposed development if it was to be situated in an RZ2 zone. There are some positive aspects of the particular design which is at least only two stories and would appeal to downsizers, first home owners and others wanting to be close to commercial areas without being forced into higher density apartments, which have lost appeal in the pandemic. Why not consider proposing the project in a more suitable location rather than risk repeated skirmishes with disaffected residents in RZ1 areas? Residents and community groups have expended considerable effort over many years to protect the planning rules that established RZ2 zoning.

In public policy development model projects are used to demonstrate feasibility and promote more widespread adoption of the model. Thus the purpose of this Manor House project is to encourage further developments of this type in RZ1 areas, even though it is inconsistent with the objectives in the Territory Plan. The proposal implies it will have the effect of setting precedent and this would undermine two established elements of the Territory Plan 2008. My understanding is that there will be a requirement to amend the Griffith Precinct Map and Code and similarly changes would be necessary in the Multi Unit Housing Development Code. These changes would be widely opposed by residents as there are similar issues in other inner suburbs where changes in Precinct Maps could arise and adversely affect neighbourhood character.

It is very important that EPSDD ensures that planning proposals by government protect the integrity of Zone Objectives. Residents have already witnessed the statements by the Chief Planner [REDACTED] that the government has been unable to reject some planning proposals because of defects in planning legislation. This does nothing to inspire confidence. A project that so blatantly undermines long established principles will completely undermine public faith in the planning system.

I believe this proposed draft variation DV375 must be rejected as being inconsistent with the planning objectives for the location indicated and that no further expenditure of taxpayer funds should be allowed to progress this matter.

Yours sincerely

[REDACTED]

22 March 2021

Territory Plan Section EPSDD, GPO Box 158 CANBERRA ACT 2601 terrplan@act.gov.au

Dear Sir/Madam

Draft Variation to the Territory Plan - Objection to DV375 Demonstration Housing –
Manor House 20 Blaxland Crescent, Griffith Section 31 block 6.

We advise that we object to the proposed Variation to the Territory Plan required for the development of a so called a ‘Manor House’ in an RZ1 Zone.

The RZ1 is specifically zoned for low rise and low-density houses accordingly the proposed Manor House development is incompatible with the objectives for RZ1 and the other dwellings in the vicinity.

- The largest investment for most families is the purchase of a home. It is crucial they know what could be built next to them. Families need certainty and trust in the planning system. They do not want the surprise of a four-unit two storey, apartment style development with 9 car parks built next door and impacting on their privacy and amenity.
- We are concerned that this development would result in increased traffic volume on Frome Street which already has a high volume for a “quiet residential street” and along with its narrowness and poor condition, would result in safety being compromised.
- Once the precedent has been set for rezoning random blocks, there is little to stop the ACT Government turning most of Griffith into higher density areas. In effect, turning RZ1 zones into Swiss Cheeses where residents will not be able to forecast where the next hole/development will appear.
- As with other residents in the Inner South, we are concerned that changing the planning rules in RZ1 zones to allow further construction/development/occupation of more units will reduce the value of existing houses and increase noise levels and parking in our streets which could also have an impact on safety.
- Canberrans need certainty and trust when purchasing the family home, not government-driven spot rezoning and developments which result in detrimental effects on their quality of life.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Territory Plan Section

EPSDD, GPO Box 158

CANBERRA ACT 2601

terrplan@act.gov.au

DRAFT VARIATION TO THE TERRITORY PLAN DV375 - DEMONSTRATION HOUSING -
'MANOR HOUSE' 20 BLAXLAND CRESCENT, GRIFFITH, BLOCK 6 SECTION 31

As a town planner with many years of experience and a former senior executive of the ACT Planning and Land Authority, I wish to register my strong objection to this draft variation.

I find it particularly repugnant, and quite unprofessional, for the planning authority to be cloaking what is a **block specific** variation to the Territory Plan in the attractive idea of a 'demonstration housing' project to provide a wider variety of housing types, and invoking 'Strategic Directions' of the Territory Plan in a transparently unconvincing attempt to justify this extremely poor piece of ad-hoc planning, which would provide a very undesirable precedent for similar block specific variations.

However worthy and impressive may be the development concept, it is in totally the wrong place. The proposal is for a two storey building containing FOUR flats, with a basement carpark, on a corner block currently occupied by a single house, in a long established single dwelling area. It would be quite out of character with this locality, is deeply within the RZ1 Suburban zone and opposite a school. The proposal is clearly inconsistent with relevant zone objectives for RZ1, which are:

- a) *Provide for the establishment and maintenance of residential areas where the housing is low rise and predominantly **single dwelling and low density** in character*
- b) *Protect the character of **established single dwelling housing** areas by limiting the extent of change that can occur particularly with regard to the original pattern of development and the **density of dwellings***

The proposal would be quite appropriately located in the RZ2 – Suburban Core zone – and there are two such zones, one opposite Manuka Centre and one around Griffith Shops, located within 500 metres of this block. The RZ2 zone was intended specifically to cater for **multi-unit development that is low to medium density in character particularly in areas close to facilities and services in commercial centres** [from RZ2 zone objective (a)].

Current officers of the planning authority may be unaware of this, but the RZ2 zone, established under the new Territory Plan in 2008, was based on an earlier Variation to the Territory Plan No. 200 – the "**Garden City Variation**", which came into effect in August 2003.

DV 200 was the result of a great deal of community concern about unplanned dual occupancy developments which were popping up in suburban areas in the late 1990s. Typically a small builder would speculatively purchase a large block, often on a corner to provide two street frontages, and build two large new dwellings to be on-sold. These were seen as being quite intrusive and disruptive to existing neighbourhood character. (Sometimes builders would attempt to disguise their redevelopments as single houses, usually unconvincingly as I expect the current proposal would also be.)

DV 200 imposed restrictions on dual occupancy developments in suburban areas and came up with a new zone – the Suburban **Core Zone**, which was intended to facilitate low rise **medium density** development around local and group commercial centres. The current proposal would tend to subvert the intention of the RZ2 zone and signal a return to the haphazard redevelopment regime of late last century.

It is claimed, ingenuously and misleadingly, that this proposal is not a ‘rezoning’ because it would not change the RZ1 zoning. It does however require a block-specific Territory Plan Variation to amend the Griffith Precinct Map and Code and amend the Multi Unit Housing Development Code, which are of course significant components of the Territory Plan 2008.

DV375 quotes Strategic Directions from the Territory Plan which it erroneously suggests support the proposal, in particular:

*2.5 A wide range of housing types will be permitted in identified residential areas **close to commercial centres and some major transport routes** to increase choice; maximise opportunities for affordable housing; and secure some intensification of development **consistent with maintaining residential amenity. Outside of these areas, planning policies will protect the typically low density, garden city character of Canberra’s suburban areas.***

The Strategic Directions are intended to guide the planning of the ACT, not decisions about development of particular blocks. They are NOT intended to provide some spurious justification for an individual redevelopment proposal clearly inconsistent with relevant zone objectives. 2.5 provides the clear strategic basis for the provision of Suburban Core zones as well as protecting the character and amenity of single dwelling low density suburban residential areas. It is in fact quite alarming, apparently deliberately misleading and unprofessional of the planning authority to mis-use the Territory Plan Strategic Directions in this way.

Residents of suburban areas should be able to trust in the planning authority to faithfully administer the Territory Plan as it was intended, to safeguard their residential amenity and provide a high level of certainty about the likely form of development in their neighbourhood. This redevelopment proposal represents a highly inappropriate and dangerous precedent for diminution of the integrity of the ACT planning system and community trust in that system.



KBRG



Kingston and Barton Residents Group Inc.
11/1 Sydney Avenue Barton ACT 2600
kingstonandbarton@gmail.com

Territory Plan Section
EPSDD, GPO Box 158
CANBERRA ACT 2601

terrplan@act.gov.au

**DRAFT VARIATION TO THE TERRITORY PLAN DV375 - DEMONSTRATION HOUSING -
'MANOR HOUSE' 20 BLAXLAND CRESCENT, GRIFFITH, BLOCK 6 SECTION 31**

The Kingston and Barton Residents Group Inc. supports the general intentions of the ACT Government's Housing Choices policy project and the concept of Demonstration Housing as a way to showcase different housing types. However, we join with the Griffith/Narrabundah Community Association in strongly **OPPOSING** this proposed draft variation, for the following reasons:

1. The proposal is not consistent with the Zone Objectives for RZ1-Suburban Zone
2. The proposal would be more appropriately located in a RZ2 – Suburban Core Zone
3. The proposal amounts to a 'spot rezoning' which would set a very undesirable precedent

1. ZONE OBJECTIVES FOR RZ1 – SUBURBAN ZONE

Relevant zone objectives are:

- a) Provide for the establishment and maintenance of residential areas where the housing is low rise and predominantly single dwelling and low density in character*
- b) Protect the character of established single dwelling housing areas by limiting the extent of change that can occur particularly with regard to the original pattern of development and the density of dwellings*

The proposal is for a two storey building containing FOUR flats with basement parking, on a corner block currently occupied by a single house, in a long established single dwelling area. It is clearly inconsistent with the above objectives.

2. RZ2 – SUBURBAN CORE ZONE

Relevant zone objectives for RZ2 are:

- a) Provide for the establishment and maintenance of residential areas where the housing is low rise and contains a mix of single dwelling and multi-unit development that is low to medium density in character particularly in areas close to facilities and services in commercial centres*
- d) Contribute to the support and efficient use of existing social and physical infrastructure and services in residential areas close to commercial centres*

The proposal would be entirely consistent with the above objectives, if located in an RZ2 zone.

There are two RZ2 zones, one opposite Manuka Centre and one around Griffith Shops, located within 500 metres of this block, which is deeply within the RZ1 zone and opposite a school.

The RZ2 zone, established under the new Territory Plan in 2008, was based on an earlier Variation to the Territory Plan No. 200 – the “**Garden City Variation**”, which came into effect in August 2003. This variation was the result of a great deal of community concern about unplanned dual occupancy developments which were popping up in suburban areas in the late 1990s. Typically a small builder would speculatively purchase a large block, often on a corner to provide two street frontages, and build two large new dwellings to be on-sold. These were seen as being quite intrusive and disruptive to existing neighbourhood character. Variation No. 200 imposed restrictions on dual occupancy developments in suburban areas and came up with a new zone – the Suburban **Core Zone**, which was intended to facilitate low rise **medium density** development, consistent with the above zone objectives for RZ2.

This proposal would tend to subvert the intention of the RZ2 zone and signal a return to the haphazard redevelopment regime of late last century.

3. ‘SPOT REZONING’

The proposal claims ingenuously and misleadingly to not be a ‘rezoning’, presumably because it would not change the Territory Plan map. It does however require a block-specific amendment to the Griffith Precinct Map and Code and an amendment to the Multi Unit Housing Development Code, which are of course significant components of the Territory Plan 2008.

DV375 quotes various Strategic Directions from the Territory Plan which it erroneously suggests support the proposal, eg.:

*2.5 A wide range of housing types will be permitted in identified residential areas **close to commercial centres and some major transport routes** to increase choice; maximise opportunities for affordable housing; and secure some intensification of development **consistent with maintaining residential amenity. Outside of these areas, planning policies will protect the typically low density, garden city character of Canberra’s suburban areas.***

The Strategic Directions are intended to guide local area planning and 2.5 provides the clear strategic basis for the provision of Suburban Core Zones as well as protecting the character and amenity of single dwelling low density residential areas. They are NOT intended to provide some spurious justification for an individual redevelopment proposal clearly inconsistent with relevant zone objectives. It is in fact quite alarming, apparently deliberately misleading and unprofessional of the planning authority to mis-use the Territory Plan Strategic Directions in this way.

Residents of suburban areas should be able to trust in the planning authority to faithfully administer the Territory Plan as it was intended, to safeguard their residential amenity and provide a high level of certainty about the likely form of development in their neighbourhood. This redevelopment proposal represents a highly inappropriate and dangerous precedent for diminution of the integrity of the ACT planning system and community trust in that system.

Overview

This submission opposes the Manor House Draft Variation on the basis of the RZ1 Zone Objectives. All codes are required to be consistent with the RZ1 Zone Objectives. The RZ1 zone is meant to be for single dwellings only.

Regardless of how many Territory Plan rules are negated through this Draft Variation, the revised Griffith Precinct Map and Code must still be consistent with the RZ1 Zone Objectives because as stated in the Planning and Development Act Section 55:

'A code must be consistent with each objective for the zone to which the code relates.'

The Griffith Precinct Map and Code applies to RZ1 areas and therefore must be consistent with each of the RZ1 Zone Objectives. The inconsistencies are outlined below.

RZ1 Zone Objective a) states:

Provide for the establishment and maintenance of residential areas where the housing is low rise and predominantly single dwelling and low density in character

- This Variation/Development Proposal permits 2 storey development (above basement carparking) and shouldn't be considered 'low rise'.
- This is certainly not a single dwelling being proposed.
- Four dwellings on a single block is not 'low density'.

RZ1 Zone objective b) states:

Protect the character of established single dwelling housing areas by limiting the extent of change that can occur particularly with regard to the original pattern of subdivision and the density of dwellings

- The revised code increases the dwelling density from 1 per block to 4 per block.
- Allowing a plot ratio of close to 50% for such a large block is not low density.
- Subdividing the block into four blocks changes the original pattern of subdivision.
- The bulk and scale of a near 50% plot ratio on such a large block is not typical of the character of RZ1.

RZ1 Zone objective d) states:

Ensure development respects valued features of the neighbourhood and landscape

character of the area and does not have unreasonable negative impacts on neighbouring properties

- The RZ1 zone does not permit basement carparking under 2 storey elements. Therefore basement carparking does not exist in RZ1 under a 2 storey element, therefore it is against the character of the RZ1 zone.
- The negative impacts to neighbouring properties of a Manor House include additional noise and traffic and reduced privacy.

Summary

Despite honorable motivations for testing new housing topologies, the revised code is required by law to be consistent with the RZ1 Zone Objectives. Appearing as one dwelling does not make it any more consistent with the RZ1 Zone Objectives as these objectives are not of the form 'low density or appear as low density' they just stipulate 'low density'.

The RZ1 Zone Objectives are pretty clear that the RZ1 zone is meant to be one dwelling for one block and therefore this Draft Variation should not proceed.

From: [REDACTED]
To: [Terrplan](#)
Subject: Draft Variation to the Territory Plan - Object to DV375 Demonstration Housing - Manor House 20 Blaxland Cres, Griffith, Section 31 block 6
Date: Wednesday, 24 March 2021 8:37:40 AM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

I am writing to object to the proposed draft variation required for the development of a so called "Manor House" in an RZ1 Zone.

The RZ1 zone is specifically for low rise and low-density houses. The proposed Manor House is incompatible with the objectives for RZ1 and the other dwellings in the vicinity.

The largest investment for most families, including my own, is the purchase of a home. I am now 37 years old. It has taken me 5 years to save the money, buy an old, ex-government 2 bedroom house in Narrabundah, pay huge stamp duty costs, pay ever rising rates, pay down the mortgage, then save even more so I can build my family home.

It is crucial that we know what could be built to us. Families need certainty and trust in the planning system. We do not want the surprise of a four unit, two storey apartment-style dwelling with 9 car parks built next door and impacting on our privacy and amenity.

The Inner South already has the highest ratio of high density dwellings in Canberra's 8 Districts. There are over 2000 new dwellings in the pipeline and the population is set to rise by 20% in 6 years. We do not need more intensification in RZ1 zones.

Once the precedent has been set for re zoning random blocks, there is little to stop the ACT Government turning most of Griffith and other suburbs into higher density areas. In effect, turning RZ1 zones into Swiss Cheese, with no one able to forecast and where the next hole or development will appear.

Many residents in the Inner South are concerned that changing the rules to allow for the construction of units will negatively impact housing amenity, increase noise, increase local traffic in the streets and increase road safety risks.

The ACT Government is proposing to change the residential building regulations (Territory Plan) at taxpayer expense, for one block, based on the the pretext of running an architectural design project.

Canberrans need certainty and trust when purchasing the family home, not government-driven spot re zoning in their backyards.

A property-developer led economic model accrues benefits to a small elite at the expense of the broader community, clashing with the values of this Labor government. This Draft Variation is even more pernicious as benefiting an even smaller group at the expense of RZ1 holders everywhere.

I can be contacted on [REDACTED]

Regards
[REDACTED]

From: [REDACTED]
To: [Terrplan](#)
Subject: Demonstration Housing - Manor House Griffith section 31 block 6
Date: Thursday, 25 March 2021 7:59:18 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir or Madam,

We have a concern on Draft Variation to the Territory Plan 375 which supports the development of a demonstration housing proposal for a new type of housing development called a 'manor house' at Griffith section 31 block 6.

We oppose this development because it actually turns a RZ1 house into four units. This will encourage builders to buy land in Griffith and turn them into units. Finally, it will change the nice living environment of Griffith.

We request your careful and thorough consideration on this matter.

Thanks and regards,

[REDACTED]
Griffith ACT 2603

Date: 26/03/2021

Territory Plan Section

EPSDD, GPO Box 158

CANBERRA ACT 2601

Dear Sir/Madam

Draft variations to the Territory Plan –

Objection to DV375 Demonstration Housing - Manor House 20 Blaxland Crescent, Griffith section 31 block 6.

I am writing to object to Draft Variation 375, which will apply to only the one block in Griffith (at this stage), so that a so-called Manor House can be constructed in an RZ1 Zone.

The RZ1 typically allows for low rise and low-density houses homes are not permitted to be subdivided or unit-titled. The proposed Manor House would not be compatible with the surrounding dwellings or the character of an RZ1 residential zone. My reasons for objections are:

- The proposed two-storey structure with 4 flats and 9 basement car park spaces would not be compatible with the other dwellings in this part of Griffith, where RZ1 rules apply.
- Once the precedent has been set for rezoning random single blocks, there is little to stop the government turning most of Griffith and other suburbs into higher density areas.
- The largest investment for most families is the purchase of a home. It is crucial they know what could be built next to them. We need certainty and trust in the planning system. We do not want the surprise of a four-unit two storey, apartment-style dwelling with 9 car parks built next door to us at some stage and impacting on our privacy and amenity.
- Increase in noise and local traffic in the streets especially once the new Stuart Flats Urban Renewal Project and Kiara on McIntyre Street are completed.
- Canberrans need certainty and trust when purchasing the family home, not government-driven spot rezoning in their backyards.

I can be contacted on [REDACTED]

My email address is [REDACTED]

Signature: [REDACTED]

Printed name: [REDACTED]

2. Expedience

Government established the Territory Plan in the early 2000s to preserve the single dwelling characteristic of the city's residential areas and to safeguard areas of single home residential blocks from becoming built out higgledy piggledy with multiple dwellings. However, to satisfy a desire to infill it established RZ2 and higher classified zones for the structuring of medium density dwellings including dual occupancies in the vicinity of suburban shopping centres and elsewhere. Preservation of existing and provision for densification are principles underlying the Territory Plan and, respectively, the RZ 1 and RZ 2 zones.

DV375, a proposal from the *Authority* on behalf of a single proposer, would violate the principle pertaining to RZ 1 zones established in the Territory Plan. The *Authority* provides no reason for wanting to use an RZ 1 block that could not be satisfied by constructing a demonstration *Manor House* on an RZ 2 zoned block. No reason other than seemingly to satisfy the offer of the proposer. DV735 give no indication that the *Authority* called for an expression of interest. If it had that could be expected to have excluded offers from RZ 1 leases. It has seemingly received an unsolicited offer from an RZ 1 leaseholder, married it to the possibility of demonstrating a so-called novel type of accommodation, and finds itself having to violate a principle of the Territory Plan to accommodate the proposer. Rather than adhering to the Territory Plan's principle of erecting such a model in an RZ 2 or higher zoned block, pushing to do so on an RZ 1 zoned block is an expedient approach. It is unprincipled.

Further DV375 is couched as the *Authority* driving government policy. Instead it seems to be the *Authority* responding to an offer. That is, an offer driving policy. Notice NI2021-92 does not reveal the origin of the proposal. DV375 seems to be the *Authority* doing what suits, what it might. It smacks of expedient governance rather than principled governance.

3. Probity

There are four aspects to the probity of DV375, namely:

- The *Authority* judging its own DV,
- The *Authority* being a proponent for a proposer, and
- Opportunism
- Conflict of interest.

Authority judging its own DV

DV375 has been put forward by the *Authority* (NI2021-92 refers). The *Authority* is an arm of the Environment, Planning and Sustainable Development Directorate. My comments will be sent to the EPSDD's Territory Plan Section. That is, the proponent of DV375 will also judge criticisms of DV375. An objective consideration would seem to be inherently impossible.

The Authority as proponent for DV375

Housing Choices, including Demonstration Housing, may be ACT Government policy. If the Authority were to implement this policy it could be expected to have drawn from the public expressions of interest for provision. It makes no reference to having done this. Should it have done so offers from RZ 1 resident properties should have been excluded. Instead it has seemingly responded to a proposal from a single party. In doing so it has not explained how that is the best choice for demonstrating a so-called *Manor House*.

If it is the best choice why is it, in the context of:

- a need to vary the Territory Plan in order to construct this place, and
- the proposer, by his own admission at the time of consultation at the Griffith shops, declaring that he stands to gain financially – and substantially so – from the undertaking?

And why take the trouble to raise a DV to close out an RZ 1 block and to alter the other rules (17 and 38 of the RZ Development Code and Rules 10 and 16 of the Multi-Unit Housing Development) when an RZ 2 block would readily accommodate the construction?

Opportunism

DV375 seems to be a case of proposer driving policy. It does not indicate government having wished to test a policy then seeking an implementer. It presents as the Authority seeking to benefit a private proposer while satisfying a presumed need to be seen as implementing *Housing Choices* – regardless of the cost of violating ACT Government principles and ignoring the detriment to RZ 1 zoning, particularly in Griffith but also throughout the city.

Conflict of interest

One of the proposers is employed in a property arm (City Renewal Authority) of the Environment, Planning and Sustainable Development Directorate, that is, the Authority. DV375 and associated documents do not declare this fact, mentioned as it was at the time of community consultation.

4. §2.6.2 of DV375:

Quoted within §2.6.2 is Section 2.6 of the Statement of Strategic Directions: *Higher density development will be encouraged within and near major centres, and in other suitable locations that are well served by public transport.* DV375 goes on to claim that: *The proposal is consistent with providing density within the Residential RZ.1 Suburban zone.* I beg to differ. The Statement of Strategic Directions can only be referring to RZ 2 or higher zones, otherwise it conflicts with the Territory Plan. The Authority is being invidious by claiming that its strategic directions are referring to RZ 1 zones when the Territory Plan states otherwise, Strategic Directions can only be referring to RZ 2 zones which exist within and near major centres.

5. Outcome

§2.5 of DV375 mentions *testing and evaluation of the manor house concept*. However, DV375 gives no criteria by which any testing and evaluation are to be judged. DV375 provides no outcome against which the construction is to be measured.

Conclusion

DV375 is but a ploy to infill in the guise of novelty when what is proposed is nothing more than a reconfigured apartment house.

DV375 is but an expedience to take advantage of an offer in the guise of policy to advantage a proposer at the expense of Territory Plan principles and RZ 1 residential areas.

The infill proposed violates principle and intention of the Territory Plan and is unnecessary.

To put this DV before the Minister Gentleman would be an imposition.

A large black rectangular redaction box covering the signature and name of the author.

Griffith
30 March 2021

From: [REDACTED]
To: [Terrplan](#)
Subject: DV375 - "Manor House"
Date: Tuesday, 30 March 2021 2:14:00 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I write to express an objection to this proposed variation.

The integrity of the zoning system is destroyed if the Government permits random holes to be punched in the zones, removing the confidence which home owners should have in the amenity provided by their surrounds - the prime purpose of the zoning system.

The reasons advanced for this "demonstration project" are bogus, as there are plenty of similar small unit developments around. Furthermore, there is no clear evaluation plan in any case.

This project does not belong in RZ 1, and the proposed variation should not be allowed.

The Government should not fall into the trap of using the term "Manor House", which in this context is pure property developer's hokum.

Yours,

[REDACTED]

Griffith 2603.

Sent from my iPad

From: [REDACTED]
To: [Terrplan](#)
Subject: Objection to Draft Variation 375 Demonstration Housing - Manor House Griffith section 31 block 6
Date: Monday, 5 April 2021 12:12:35 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Objection to DV375 Demonstration Housing - Manor House Griffith section 31 block 6

I purchased a house on [REDACTED] Griffith with the understanding of building regulations for blocks on my street and in surrounding streets. I was particularly seeking a neighbourhood without multi-dwelling residences.

It was now with alarm and distress, that I hear of a Public Consultation proposal where these conditions are being considered to be discarded - draft Variation 375 Demonstration Housing – Manor House Griffith section 31 block 6.

The term 'Manor House' is totally misleading since the proposal is for a high density, multi living complex!

How is it that clear and considered zoning is changed in an established suburb? This change would have significant impact on my lifestyle. No confidence in the Government or in governance can be had if zoning regulations are changed to suit a developers or investors.

Furthermore, the project is not a demonstration project at all since there is nothing new being demonstrated (crowded units with multi-car parking on single blocks already exist).

I ask that the ACT Government respect the lifestyle choice, and financial security, of residents like me, who have chosen to live in Canberra.

Please acknowledge receipt of this objection letter.

[REDACTED]

[REDACTED]

Griffith

m: [REDACTED]

email [REDACTED]

Territory Plan Section,
Environment, Planning and Sustainable Development Directorate.

Draft Variation 375
Demonstration Housing – Manor House
Griffith section 31 block 6

I object to DV 375 as outlined in your letter to me of 26th February 2021 for the following reasons.

First, I quote from your website: “The manor house typology is not a new concept and has been present in NSW for many years.” Hence I cannot see any justification for including it in the Demonstration Housing Project (DHP). It is essentially a small block of apartments and there is nothing innovative about that. I think it would be good to allow such housing in the ACT in residential zones such as RZ2 or RZ3 which are specifically designed to accommodate multi-unit development. Using NSW regulations as a guide, there should be no difficulty in modifying ACT regulations to accommodate Manor Houses.

Second, the block is in RZ1 the zoning for single dwelling housing. To put four dwellings on a single dwelling block is an attack on the excellent zoning system that Canberra has and sets an unacceptable precedent for what may become possible in RZ1. Manor Houses are not homes for families with children so, if such developments are permitted, the nature of RZ1 could change considerably.

Third, single houses usually have garaging for two (occasionally three) vehicles. This proposal allows for four residences and hence four times the number of vehicles. This is confirmed by the plans for the Manor House on your website which show basement parking for eight vehicles – two for each unit. Not only will this increase the number of trips per day for that particular block it will also increase the number of cars parked in the street. I base this statement on my experience living next door to a dual occupancy with basement parking where the occupants very frequently parked in the street rather than in the basement parking provided.

The parking layout for each unit shown on the plans is one park behind the other which means that owners may need to do quite a bit of juggling to get their vehicle out. This is an additional reason for not bothering to use the basement and park in the street instead. Block 6, section 31 Griffith is on the corner of Frome St and Blaxland Cres. Frome St is narrow and I know from experience that it is difficult to drive along when vehicles are parked in it.

I applaud that the Manor House will keep the large trees on the block and the same plot ratio (50%) as in RZ1 and RZ2.

Given that the Territory Plan is currently being reviewed I strongly recommend that this review accommodate changes to include Manor Houses in Canberra in zones where multi-

unit development is allowed and desirable (such as RZ2 and 3) rather than an ad hoc change to a single block in the middle of suburban zoned RZ1.

Yours sincerely

A large black rectangular redaction box covering the signature area.A small black rectangular redaction box covering the name.

Email to: ter.plane@act.gov.au

Dear Planner,

Objection to draft variation to the Territory Plan 375 - (DV375)

This proposed draft variation is in relation to a **single block of land at Section 31, Block 6, Griffith**. It is land that is located in a part of the Territory that is zoned RZ1 – Suburban.

I strongly object to this proposal for a four unit development with basement parking for eight vehicles being located in a suburban single dwelling zone.

The Territory Plan states that land in RZ1 is to be **Single dwelling housing**. The land which is the subject of DV 375 is proposed to have 3 or 4 dwellings on it. The draft variation states:

Manor house is a building containing **three or four dwellings**, where:

- a) each dwelling is attached to another dwelling by a common wall or floor, and
- b) at least one dwelling is partially or wholly located above another dwelling, and
- c) the building contains no more than two storeys excluding the basement.

Note: A building is not an apartment if it meets the definition of manor house.

(See paragraph d, page 14)

No amount of legislative drafting can make “three or four dwellings” mean “single dwelling housing”. Ridiculously it would also allow just about every block of units to be defined as a manor house rather than an apartment!

To change the zoning of a **single block** in a 'RZ1 – Suburban' suburb to allow 4 dwellings and 8 car parks on it undermines the consistency, integrity and predictability of the planning process which we all rely on when we purchase our homes in the ACT.

The draft variation is simply not compatible with an area zoned 'RZ1 – Suburban' nor is it consistent with sound planning or governance

I urge it be rejected.

Perhaps the proponents and the Territory might like to try a demonstration housing project somewhere in land zoned RZ2 which allows 3 or 4 dwellings on a single block.

Yours faithfully



Griffith 2603

5 April



Dear Planner,

Objection to draft variation to the Territory Plan 375 - (DV375)

This proposed draft variation is in relation to a **single block of land at Section 31, Block 6, Griffith**. It is land that is located in a part of the Territory that is zoned RZ1 – Suburban.

I strongly object to this proposal for a four unit development with basement parking for eight vehicles being located in a suburban single dwelling zone.

The Territory Plan states that land in RZ1 is to be **Single dwelling housing**. The land which is the subject of DV 375 is proposed to have 3 or 4 dwellings on it. No amount of legislative drafting can make “three or four dwellings” mean “single dwelling housing”. It could potentially allow just about every block of units to be defined as a manor house rather than an apartment!

Additionally, the location of the proposed manor house, opposite St Edmund's College, where morning and afternoon traffic is considerable and congested, shows little appreciation this approval would have on the other residents of Griffith.

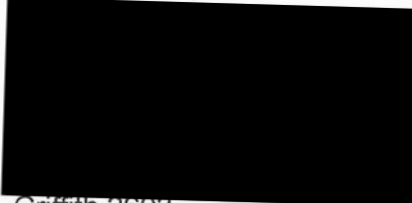
To change the zoning of a **single block** in a 'RZ1 – Suburban' suburb to allow 4 dwellings and 8 car parks on it undermines the consistency, integrity and predictability of the planning process which we all rely on when we purchase our homes in the ACT.

The draft variation is simply not compatible with an area zoned 'RZ1 – Suburban' nor is it consistent with sound planning or governance

I urge it be rejected.

Perhaps the proponents and the Territory might like to try a demonstration housing project somewhere in land zoned RZ2 which allows 3 or 4 dwellings on a single block.

Yours faithfully

A large black rectangular redaction box covers the signature area of the letter.

Griffith 2603
5 April 2021

Dear Planner,

Objection to draft variation to the Territory Plan 375

This proposed draft variation is in relation to a single block of land at Section 31, Block 6, Griffith. It is land that is located in a part of the Territory that is zoned RZ1 - Suburban.

The Territory Plan states that land in RZ1 is to be:

Single dwelling housing that complies with the relevant rules, except where exempted from requiring development approval by section 20 and schedule 1 of the Planning and Development Regulation 2008.

(See definition of RZ1, page 2)

The land which is the subject of DV 375 is proposed to have 3 or 4 dwellings on it. The draft variation states:

Manor house is a building containing **three or four dwellings**, where:

- a) each dwelling is attached to another dwelling by a common wall or floor, and
- b) at least one dwelling is partially or wholly located above another dwelling, and
- c) the building contains no more than two storeys excluding the basement.

Note: A building is not an apartment if it meets the definition of manor house.

(See paragraph d, page 14)

No amount of wordsmithing or wishful thinking can make "three or four dwellings" mean "single dwelling housing".

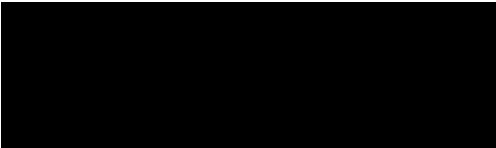
To pretend that a block with 3 to 4 dwellings on it is RZ1 – Suburban would be to make a mockery of the planning process.

The draft variation is simply not compatible with an area zoned RZ1 - Suburban.

It must be rejected.

Perhaps the proponents and the Territory might like to try a demonstration housing project somewhere in land zoned RZ2 which might accommodate 3 or 4 dwellings on a single block.

Yours faithfully



6 April 2021

Dear Planner,

Objection to draft variation to the Territory Plan 375

This proposed draft variation is in relation to a single block of land at Section 31, Block 6, Griffith. It is land that is located in a part of the Territory that is zoned RZ1 - Suburban.

The Territory Plan states that land in RZ1 is to be:

Single dwelling housing that complies with the relevant rules, except where exempted from requiring development approval by section 20 and schedule 1 of the Planning and Development Regulation 2008.

(See definition of RZ1, page 2)

The land which is the subject of DV 375 is proposed to have 3 or 4 dwellings on it. The draft variation states:

Manor house is a building containing **three or four dwellings**, where:

- a) each dwelling is attached to another dwelling by a common wall or floor, and
- b) at least one dwelling is partially or wholly located above another dwelling, and
- c) the building contains no more than two storeys excluding the basement.

Note: A building is not an apartment if it meets the definition of manor house.

(See paragraph d, page 14)

No amount of wordsmithing or wishful thinking can make “three or four dwellings” mean “single dwelling housing”.

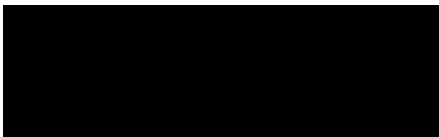
To pretend that a block with 3 to 4 dwellings on it is RZ1 – Suburban would be to make a mockery of the planning process.

The draft variation is simply not compatible with an area zoned RZ1 - Suburban.

It must be rejected.

Perhaps the proponents and the Territory might like to try a demonstration housing project somewhere in land zoned RZ2 which might accommodate 3 or 4 dwellings on a single block.

Yours faithfully



6 April 2021



Territory Plan Section
EPSDD, GPO Box 158
CANBERRA ACT 2603 terrplan@act.gov.au

RE: Draft Variation to the Territory Plan: Objection to DV375 -
Manor House 20 Blaxland Crescent GRIFFITH: Section 31 Block 6

Dear Sir/Madam

I object to the proposed variation in the strongest possible terms.

RZ1 zones restrict the building of the dwellings within the zone to low rise and low-density houses. It is meant to preserve the character and cohesion of the dwellings within the Zone.

The purchase of a house is the largest investment the ordinary family can make in their lifetime. They choose it because of its location and its environment. They value the space that the block they purchase affords them and the ability to have a safe space in which their children might play. Imagine their dismay when they find themselves next door to two buildings two storeys high, housing four families, and built on a block intended for one dwelling and one family. Implications for privacy, noise and denial of light, all arise for neighbouring homes.

This project is called an “experiment”. It smacks rather of social engineering. It is questionable whether there has really been adequate scrutiny of the proposal, particularly its effect on neighbouring areas. Such a project plays with people’s lives. In the design of the units it is assumed that the inhabitants will be able to live closely in harmony with their neighbours and that they will agree to maintain the communal property including the *veggie garden*. And where will their children play? What will be the effect on traffic flow?

Nine car spaces are allocated. Does this assume that each family has just one car? That would be an unusual situation, no matter how desirable it might seem to be. Visitors will inevitably park on the street. This is a street which abuts a big school with a second big school very close by. Local traffic is busy before and after school and at regular school events *eg* weekend sports. This seems not to be appreciated, even disregarded. Add the congestion caused by parking of students’ cars in neighbouring streets in this area and the potential for traffic accidents, and road risk generally, is very high.

To enable this project you propose to change a crucial element of the Territory Plan. You call it “an experiment” but this is specious. Rather, it is social engineering, something which will have direct and personal effects on those living in the area and change the character of its location. If such random variations can be applied on a whim, it is scarcely a plan but merely a vague suggestion of how things might be developed.

Of at least equal concern, is an apparent conflict of interest with one of the proponents of the Manor House development identified as an ACT Government employee of the responsible Directorate. Inevitably, there is the conclusion that inside knowledge of this proposal would allow individuals to profit from their awareness. Distance from its implementation changes none of this perception.

If the Government can make an *ad hoc* decision to conduct this experiment **here**, and go to the expense and effort of making a variation to the Territory Plan to make it happen, what rights do ordinary citizens, ratepayers, **anywhere** in the Territory have. How can they protect their major investment: their home?



Comments on Draft Variation to The Territory Plan DV 375 by the Griffith Narrabundah Community Association

The Griffith Narrabundah Community Association (GNCA) welcomes the opportunity to comment on Draft Variation 375. The GNCA has over 400 members and has had a keen interest in promoting good planning outcomes for over 20 years.

DV 375 proposes to vary the Territory Plan and make amendments to the Multi Unit Housing Development Code and the Griffith Precinct Map and Code so that one ‘Manor House’ can be constructed on Block 6 Section 31 in an RZ1 zone in Griffith.

This proposal is so seriously flawed that it should be withdrawn

The only beneficiaries of this Variation appear to be the lessees of the subject block. The reasons for us recommending this action are outlined below:

1. The Demonstration Housing Project is flawed

It is described as a “demonstration project”, yet there is no indication of the evaluation criteria, a timescale for the evaluation or who will do the evaluation. It looks like an inside job where one agency sets the rules, asks the questions and conducts the examination. And what happens if the Manor House is judged a failure? The neighbours and the taxpayers will have no recourse for compensation or remediation.

2. A Manor House is neither new nor innovative, it should not have been approved under this Project

We cannot understand why a Manor House was chosen as a Demonstration Housing project. It is neither new nor innovative. NSW already has a Manor House category in its planning code. With a bit of investigation and imagination, the appropriateness of this category of building could have been assessed, without having to change the Territory Plan for one Block. Why does the ACT have to allocate significant resources re-inventing the wheel? It is just irresponsible.

3. There is no need for more intensification in Inner South Canberra

The South Canberra Division already had, in 2018, the highest ratio of high-density dwellings in Canberra’s eight Divisions. Since then, over 2000 new dwellings are in the pipeline, excluding the developments at Kingston Foreshore. Any further intensification without new planning rules to maintain sufficient tree-planting space will further erode its Garden City characteristics that residents value the most.

There is no need to place this project in RZ1 to explore such issues. Much simpler to use RZ2/3 zones, where minimum changes to the planning rules would be needed.

4. DV375 does not comply with the government’s own guidelines for changing the Territory Plan

The guidelines are clear:

“One off or site-specific Variations to the Territory Plan are not generally supported unless it can be demonstrated that there is an overriding public benefit or good and that it is consistent with the planning objectives of the ACT Government.” (https://www.planning.act.gov.au/planning-our-city/territory_plan/varying-the-territory-plan).

Any overriding public benefit in constructing this building in an RZ1 residential zone, where it would not comply with the rules for that zone, is well hidden. Four dwellings and nine car parking places to be built next-door do not provide certainty or trust and could not have been imagined by the lessees of the adjacent blocks, when they bought them.

The broad aims from the current review of the Territory Plan is to simplify the planning system. This proposal just adds unnecessary complication.

5. Having to change the Griffith Precinct Code, because of what is being proposed on one block in Griffith, indicates the inappropriateness of the proposed Variation

“Precinct Codes contain special provisions that apply to individual suburbs or geographical areas, for instance setbacks, active frontages and building height limits”.

https://www.planning.act.gov.au/planning-our-city/territory_plan/codes

The Griffith Precinct Code should provide values and characteristics for the whole suburb. Having to change this Code because of what is proposed for one block is just bad planning and indicates the inappropriateness of the proposal.

6. There is very little community support for the Manor House

The words in DV paragraph 1.1 about community consultation are misleading. The Griffith demonstration housing project has been the subject of keen debate among our members.

They have expressed a high level of concern about the potential impact of the project on their properties and the residential zoning system in the ACT.

We met twice in 2019 with the proponents and senior members of the EPSD Directorate, to be briefed on the proposal. We were not convinced that it would provide any benefit to the community, because it would not comply with RZ1 criteria and could set an example to change the use of any block in the suburb and elsewhere. We still hold this view and have written to the Directorate expressing our concerns on several occasions.

In addition, comments received from the local community, during our recent raffle in Manuka, Narrabundah and the Griffith shops, indicated significant disquiet about this proposal.

7. DV 375 does not provide certainty and trust to residents

The largest investment for most families is the purchase of a home. It is crucial they know what could be built next to them. Families need certainty and trust in the planning system. They do not want the *surprise* of a four-unit two-storey, apartment-style development with nine car parks built next door and impacting on their privacy and amenity.

8. DV375 will degrade the character of the local area

This proposal will not respect valued features of the neighbourhood and landscape character of the area and would have unreasonable negative impacts on neighbouring properties.

Allowing for a four-plex building to be implanted in the middle of a RZ1 zone is an outrage. It could be the thin edge of the wedge and be applied in all residential areas.

9. The only beneficiaries of DV 375 would appear to be the leaseholders of Block 6 Section 31, Griffith

The ACT Government should not be changing the planning regulations for one block, on the pretext of running an architectural design project. Only the owners of the lease will benefit. This is not a good reason for a Variation to the Territory Plan, the Griffith precinct Code and the Multi-Unit Housing Development Code.

Canberrans need certainty and trust when purchasing the family home, not spot rezoning and unexpected developments in their backyards.

10. DV 375 does not contribute to good planning

Any changes in the Territory Plan should provide clarity, certainty, and equity to residents. These attributes are absent from DV 375 and it should be rejected. In any case it should not pre-empt the outcomes of the current review of the ACT's planning process.

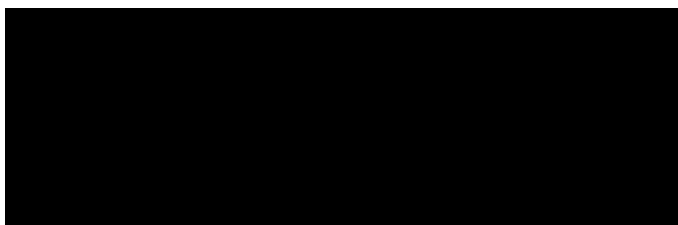
GNCA believes that the composition of the planning zones should be guaranteed by primary legislation. Part of the implied compact between Government and governed is that foundational elements of the property ownership system, such as the zoning scheme, should not be subject to piecemeal change by the Government of the day. Furthermore, there is no urgent need for the changes proposed in DV 375.

11. Is there a conflict of interest?

One of the proponents is a current employee of the City Renewal Authority, which has a close working relationship with the planning sections of the EPSD Directorate. Media reports indicate that she had declared her possible conflict of interest, and because she gave an undertaking that she would never be involved in the Demonstration Housing Project, she was cleared to enter the Manor House as a candidate in the Demonstration Housing Project. It still appears unusual for a planning public servant to participate in a competition to develop a planning project.

Conclusion

In summary, the GNCA sees no merit in DV 375, which amounts to the degradation of the distinctive features of RZ1, while the Government is reviewing the whole planning system. In attacking the heart of the zoning scheme, which underlies the successful evolution of Canberra as an attractive garden city, this DV would do fundamental damage to the system of property ownership, which has underwritten the successful development of our city. If the planning review is to be conducted by the Government *in good faith*, there should be no undermining of the existing system before the review's conclusions have been presented to the public and thoroughly debated by the community.



[Redacted Name]

President, Griffith Narrabundah Community Association

8 April 2021

From: [REDACTED]
To: [Terrplan](#)
Cc: info@gnca.org.au
Subject: Objection to DV375 Demonstration Housing - 20 Blaxland Crescent, Griffith Section 31 block 6
Date: Sunday, 11 April 2021 8:29:23 PM

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Dar Sir/Madam

I am writing to object to the proposed Variation to the Territory Plan to allow the erection a 4-unit, 2-storey building with parking for 9 cars in a RZ1 zone. This is an unusual proposal for a "one off" change to the Territory Plan to accommodate a project on a property owned by a public servant employed in an area of the ACT Planning Department. This raises concerns for the public (particularly ACT rate-payers) and invites questions of ethics and a perceived conflict of interest.

This is my main objection but I am sure you have had the usual objections: the loss of greenspace for car parking, the design which is obviously a multi-unit dwelling in an area of single family homes, the loss of privacy for the adjacent blocks by 2nd storey balconies overlooking their gardens, as well as visitor car parking on Blaxland Crescent and Frome Street where parking on both sides of those roads is increased at weekends.

This Demonstration Housing Project should be undertaken in a RZ2 zone.

[REDACTED]
11th April 2021

My email address is: [REDACTED]

The Manager
Territory Plan Section
Access Canberra Land
8 Darling Street
Mitchell ACT 2911

Dear Sir/Madam

Re: Draft Variation to the Territory Plan 375 (CV375) – Manor House

We are writing to express our support for the above variation to the Territory Plan for the purpose of the development of a demonstration manor housing proposal for Griffith section 31 block 6.

As the current owners of a property at [REDACTED], we have a vested interest in this proposal, including how manor housing might impact on the character and heritage of the inner south of Canberra. The concept of manor housing as a means to increase the diversity of housing choice is to be commended, with the proviso that it must be accompanied by quality design. Some of the benefits that we see this concept bringing to Canberra include:

- Increased urban infill thereby reducing expansion into ACT's limited rural and natural surroundings;
- The potential for "family clusters" which would allow for closer support/care, thus reducing the burden on the ACT's health and aged care systems;
- Greater energy efficiency in smaller and more sustainably designed housing;
- Creation of more affordable housing in the inner south enabling younger families to re-populate the area; and
- Economic benefits for commercial businesses in the shopping centres of Griffith, Manuka, Kingston and Narrabundah.

One of the co-signatories to this letter, [REDACTED] is a long term resident of the inner south, having been born in Canberra, raised in Barton and attended Telopea Park High School in the 1970s. We both have an appreciation of the cultural significance of the inner south and would not wish for the "look and feel" of the area to be put at risk with inappropriate and conflicting building design and style. We do not believe that manor housing, if regulated properly, presents such a risk. If, as should be the case, limits are placed on the number of manor houses within a defined area or suburb, it would make sense that higher weighting for approval be given to larger sized blocks.

We support the demonstration manor housing proposal and look forward to providing further comments once the section 31 block 6 building is completed.

We can be contacted at [REDACTED] and [REDACTED] and would be happy to discuss our comments if this is of value.

Yours sincerely

[REDACTED]

[REDACTED]

14th April 2021


Griffith
ACT 2603

15 April 2021

Territory Plan Section
EPSDD, GPO Box 158
CANBERRA ACT 2601
terrplan@act.gov.au

Dear Sir/Madam

Draft Variation to the Territory Plan – Objection to DV375 Demonstration Housing – Manor House, Blaxland Crescent, Griffith Section 31 Block 6

We are writing to express our strong objections to the proposed Variation to the Territory Plan required for the development of a so called “Manor House” in an RZ1 Zone. There are a number of compelling reasons why this proposal should be abandoned.

- Most importantly, the proposed Manor House is incompatible both with the objectives for RZ1 and with other neighbouring dwellings. RZ1 is specifically zoned for low rise and low density dwellings. It is totally inappropriate to engage in a site specific variation to the Territory Plan to allow a demonstration project to proceed that is inconsistent with the current objectives of RZ1. Should merit be seen in the demonstration project it should be sited in one of the many areas that are already zoned for more intense development and not in RZ1. I note that there are significant areas (eg along Canberra Avenue and parts of Captain Cook Crescent) that already have approval for increased density but have yet to be so developed.
- People need to have trust in the planning system. They need certainty when they purchase or build a residence about the rules that will apply for the foreseeable future. For most people their residence is their most important investment. Those who live in RZ1 do so because they value the amenity and privacy it offers. They do not want to be suddenly surprised by unpredictable changes that significantly lower their amenity and the value of their home such as by permitting a four-unit, apartment style dwelling on the neighbouring block.
- There are fundamental questions about the soundness, appropriateness and equity of the approach being taken with the demonstration projects; in particular the equity of granting one-off approvals for development projects that financially benefit the owner of the property concerned but that adversely affect the values of adjacent properties. In addition, it is not evident what objective measures will be adopted to

determine whether or not the models concerned are a failure or success. Nor is it evident what recourse will be available to those affected if the judgement is that the project has serious shortcomings.

- Any changes to the Territory Plan should be undertaken only after a proper review of the Plan as a whole. There needs to be a comprehensive approach and a clearly argued justification for changes to be made, rather than the arbitrary, ad hoc approach that is exemplified by DV375.
- The Inner South already has a higher ratio of high-density dwellings than other areas. There are many more new dwellings in the pipeline and the population is expected to raise by 20% in 6 years. We do not need more intensification in RZ1 zones.

Yours sincerely

A solid black rectangular redaction box covering the signature area.

From: [REDACTED]
To: [Terrplan](#)
Subject: Objection to DV375 Demonstration Housing - Manor House Griffith section 31 block 6
Date: Wednesday, 14 April 2021 9:25:35 PM

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Territory Plan Section
Environment, Planning and Sustainable Development Directorate

To whom it may concern

I am writing to strongly object to the proposed variation to allow a 4 unit, 2 storey strata development in an RZ1 zone and request that it be withdrawn.

Whilst I am happy for the Government to explore innovative forms of housing, this project is clearly not innovative in terms of the general understanding of its meaning (i.e. featuring new methods; advanced and original). However, if the Government believes it does demonstrate innovation then it should be built in the higher density RZ2 or RZ3 zones, where less rules would need to be amended to permit such a development, rather than in an RZ1 zone, where it is clearly in breach of the intent of the low density suburban core zoning. My understanding is, that given the size of the block, were it be built in an RZ2 zone, only 3 apartments, not 4 would be permitted.

The project is a blatant 'profit making' attempt by the owners to capitalise on the Demonstration Housing project by suggesting the construction of a small scale housing development, using a clever trick of calling it a 'Manor House'.

By allowing a 'Manor House' development to proceed as part of the Demonstration Project, it signals the government's intention that the 'Manor House' concept can be copied in other locations and simply not remain a 'one off'.

Most homeowners in Griffith have paid a small fortune for properties in the suburb, which is characterised largely by single dwellings with the occasional dual occupancy. Allowing this project to proceed will create 'the thin edge of the wedge' and it will enable other developers with clever lawyers to be able to argue to ACTPLA that the precedent has already been set for them to be able to build their 'Manor House' (4 unit, 2 up and 2 down) development. If this occurs, within a few years, the whole character of Griffith and also the inner South will change and there will be no point in having RZ1 zones. ACT residents need certainty that if they buy in a RZ1 zone it will remain a RZ1 zone.

The ACT Government has already designated areas in our suburb for multi unit dwellings and this 'Manor House' proposal, as part of the Demonstration Project, cannot be allowed to create a precedent for 'one off' rezoning in RZ1 zones.

Kind regards

[REDACTED]
[REDACTED]

GRIFFITH ACT 2603

Sent from [Mail](#) for Windows 10

From: [REDACTED]
To: [Terrplan](#)
Cc: [REDACTED]
Subject: DRAFT VARIATION 375 DEMONSTRATION HOUSE SECTION 31 BLOCK 6 GRIFFITH ACT
Date: Thursday, 15 April 2021 10:22:49 AM

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**DRAFT VARIATION 375
DEMONSTRATION HOUSE
SECTION 31 BLOCK 6 GRIFFITH ACT**

I write in response to your invitation dated 26 February 2021 to comment on the above. I reside at of [REDACTED] Street Griffith ACT.

I am strongly opposed to this development.

In brief, my comments are:

- a. The construction of 4 flats on a single block is a change to the zoning of this area. You can call the new flats “manor” or “demonstration” or “zebra” – the physical and economic reality is 4 dwellings on one site.
- b. The proposal is no new form of housing. A flat is a flat and we need no demonstration to understand what it is or its likely future impact.
- c. The amenity of residents will be appropriated by this development.
- d. Does your proposal mean only one “manor” will be able to be “demonstrated” on each section in Griffith? Can there be multiple “manors” in a section? Is this “Kingstonisation” of Griffith and other nearby suburbs?
- e. There are governance issues with this proposal - the involvement one of the proponents and their engagement in this development.

Four flats on a single block – a new form of housing?

Most residences in this area are single dwellings. I think most people have purchased and reside here because this is the nature of the neighbourhood. You wish to change that permanently.

I take issue that the ‘manor house’ is a new kind of housing development. Simply changing the definitions of what is an “apartment” does not alter the fact that there will be 4 flats on a single block. The magical legislative pen can define as it wishes, but creating an “apartment” alter ego called a ‘manor house’ is somewhat curious. The effect is that you can build 4 flats on a block (and presumably soon ‘super manor house’ will be defined as 3 above ground storeys with 8 units).

Appearance seems more important than reality. The façade approach is crystallised in your comment that a ‘manor house’ “... appears as though it is one large house...” It may appear that way, but it is actually a block of flats. Four flats with the infrastructure needed for all residents is very different from a single house, even if externally it may look the same as other constructs in the area.

There are plenty of blocks of flats in Griffith – for example, Stuart Street, Canberra Avenue and Dawes Street nearby. We thought that was the limit, as was the restriction on dual occupancies to one per section (which also seems to have evaporated).

Would you clarify that the ultimate policy is to have a 'manor house' able to be built on any site in Griffith that is equivalent to SECTION 31 BLOCK 6?

I note the comment in your letter that your proposed changes to Territory Plan that facilitate the building of these flats "will only apply" at SECTION 31 BLOCK 6. Is there an equity issue for other residents/developers who want to build manor houses or super manor houses? What is the long- term plan for Griffith? What disclosures should be making to potential single residence purchasers about what may happen to their neighbourhood?

Will the construction of the flats at SECTION 31 BLOCK 6 have any impact on rates on other properties in the area?

Amenity Appropriation

It is difficult to see any benefits existing residents of Griffith derive from the proposed construction, other than economic rewards the developers, the current residents of SECTION 31 BLOCK 6, may derive.

The benefits may accrue to purchasers of the flats, and I understand there is government policy supporting urban infill. That comes at a price, including increased demand on existing local services and facilities many of which remain in poor condition – for example, dangerous local footpaths, poor street lighting, inadequate local shopping parking, poor storm water runoff (interestingly often on Blaxland Crescent at SECTION 31 BLOCK 6) and aged street trees that present serious risks.

The very aspect of the Griffith neighbourhood that creates the amenity for most residents – mainly single dwellings – is being appropriated with no recompense. With a policy of ongoing infill, that will continue. What makes the neighbourhood attractive to live in is being removed.

Governance Issues

I understand one of the proponents of the construction of flats at SECTION 31 BLOCK 6 is an employee of the organisation responsible for the approval of the proposal.

This proponent was involved in a public forum promulgating the benefits of the development.

It seems to me that there is a serious issue with the direct personal involvement of a person who stands to make a financial benefit from a development being an employee of the Capital Renewal Authority. It is not appropriate for such a conflict of interest simply to be acknowledged – probity would suggest to me that such a person cannot make such a proposal, or at the very least must not be involved in its promulgation having disclosed the conflict (including presumably details of the potential personal financial benefits).


15 April 2021

For the Attention of Territory Plan Section, EPS, GPO Box 158, Canberra, ACT 2601

I am a resident of Griffith/Narrabundah.

I have resided here in this suburb for more than 35 years.

I have been very disappointed with what has been happening in recent years to our "Garden City" and particularly in the suburbs of Inner South Canberra.

I cannot believe that the Territory Plan can be changed just to suit a few people, eg. Leaseholders of particular blocks and the builders of inappropriate structures.

It has come to my notice recently that there is a clear Conflict of Interest in this particular proposal. One of the proponents is currently an employee of the City Renewal Authority and has a working relationship with the planning sections of the SEPSD Directorate.

Speaking with many local and close community people, it is very clear that there are particularly enormous negative feelings for many reasons.

There is no benefit whatsoever to the people living in this area. It is yet another negative reason that will further erode the City characteristics that the residents value. The reason many people purchased properties here over the years.

Why is the Government continuing to allow their guidelines to be changed just at a whim of just a few people? In this case, one person who clearly has a Conflict of Interest.

There needs to be more consultation and openness about this particular plan and the community needs to have more opportunity to debate this.

The Government needs to seriously consider how they can change one RZ1 and allow a plan for four dwellings and nine car parking spaces.

The consequences for adjacent owners and, indeed people living in this area, would be diabolical in many ways.

When buying properties, one of the most important and expensive occasions in one's life, we need to have certainty to believe that down the tract our properties would not be devalued by one proponent who is bending the rules and by openly having a Conflict of Interest.

This cannot possibly be named a Demonstration Housing Project. The only DEMONSTRATION here is what hundreds of people are activating by their own letters and collective signatures objecting.

Please listen to the community on this proposal.

Please do not devalue our community and our Garden City.

Rules are meant to be Rules.

[REDACTED]

Griffith Resident

From: [REDACTED]
To: [Terrplan](mailto:terrplan@act.gov.au)
Cc: [REDACTED]
Subject: Section 31 Block 6, Griffith, Draft Variation 375
Date: Thursday, 15 April 2021 1:46:59 PM
Attachments: [City News 210407 Directorate sees no conflict in housing approval .docx](#)

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Territory Plan Section
EPSDD, GPO Box 158
CANBERRA ACT 2603 terrplan@act.gov.au

Dear Sir/Madam

I have already submitted a form letter objecting to the so-called Manor House proposal, but wish to add a comment in the light of the attached Belinda Strahorn article in *City News* of 7 April 2021. The proposal refers to Draft Variation 375 – Demonstration Housing, Manor House, Section 31, Block 6 (DV375), 20 Blaxland Crescent, Griffith. <https://citynews.com.au/2021/digital-edition-april-8>

A discussion with the proponent, Ms Cindy Cantamessa, is reported as follows:

1. Ms Cantamessa is a project director with the CRA, an authority that sits within the purview of the Environment, Planning and Sustainable Development Directorate (EPSDD) which is responsible for the Demonstration Housing Project.
2. Ms Cantamessa, who has previously worked with the ACT Housing Taskforce and with the Land Development Authority, told “CityNews” she filled out the relevant paperwork declaring any potential conflicts of interest with the authority and the directorate.
3. “I entered this project as an individual with my partner and declared those interests that I worked in the public service,” Ms Cantamessa said.
4. “I’ve been very open about that side of it and have ensured that I would never ever be involved in the Demonstration Housing Project in my own work environment.”
5. “CityNews” does not suggest that Ms Cantamessa has been given any preferential treatment in this process and has secured all necessary departmental approvals.

What is not reported in the article is that three senior planning personalities attended Griffith Narrabundah Community Association meeting on 10 July 2019 in support of Ms Cantamessa’s proposal. I understand the three people involved were [REDACTED]

(Environment, Planning, and Sustainable Development Directorate, EPSDD).

Noteworthy is Ms Cantamessa’s claim that she entered the ‘project as an individual’ (point 3 above). If it is not the intention of the ACT Government to extend the personal support of senior planning officials to all other “individual” Canberra residents who wish to pursue a proposal that breaches existing planning rules, is the Government confident that the community will continue to accept the probity and integrity of its planning processes, and why?

I urge you to withdraw DV375. It is time for the ACT planning authorities to demonstrate some moral courage in order to restore trust in the system.

I would be grateful for a considered response, rather than the usual partisan planning patter.

Yours sincerely,

A black rectangular redaction box covering the signature area.

Directorate sees no conflict in housing approval

By

[Belinda Strahorn](#)

-

April 7, 2021



An image of the proposed demonstration house in Griffith.

A SENIOR public servant has been approved to take part in a government initiative that may see the rezoning of her Griffith property to allow for medium-density units.

Cindy Cantamessa, who works in the Capital Renewal Authority (CRA), and her husband Kevin Earle, are the proponents of the “Manor House” in Griffith, one of six projects across Canberra adopted by the government in May, 2019, as part of its Demonstration Housing Project, an initiative designed to help urban renewal.

The project would involve bulldozing the couple’s family Blaxland Street home in Griffith, to make way for a two-storey, four-unit “Manor House” with nine car park spaces and requires a variation to the RZ1 criteria to allow for medium-density units on a residential block.

Ms Cantamessa is a project director with the CRA, an authority that sits within the purview of the Environment, Planning and Sustainable Development Directorate (EPSDD) which is responsible for the Demonstration Housing Project.

Ms Cantamessa, who has previously worked with the ACT Housing Taskforce and with the Land Development Authority, told “CityNews” she filled out the relevant paperwork declaring any potential conflicts of interest with the authority and the directorate.

“I entered this project as an individual with my partner and declared those interests that I worked in the public service,” Ms Cantamessa said.

“I’ve been very open about that side of it and have ensured that I would never ever be involved in the Demonstration Housing Project in my own work environment.”

“CityNews” does not suggest that Ms Cantamessa has been given any preferential treatment in this process and has secured all necessary departmental approvals.

The CRA, comprising planners, designers, infrastructure and project managers, is charged with “shaping the growth of the central parts of Canberra”, according to its website.

The authority sits within the Environment, Planning and Sustainable Development Directorate (EPSDD), which is headed by director-general, chief planning executive and utilities technical director Ben Ponton.

The EPSDD provides corporate and governance support for the Suburban Land Agency and the City Renewal Authority.

A spokesperson for the ACT government said Ms Cantamessa’s conflict-of-interest declaration was approved by the CEO of the City Renewal Authority in May, 2018, on the basis that the Demonstration Housing Project is “not related to any CRA work” and that the staff member would “exclude herself from any involvement in the assessment process if it was”.

“ACT public service employees are members of our community and most live in Canberra, so they may submit planning applications in the ACT,” the government spokesperson said.

“The ACT government widely communicated the opportunity to be part of the Demonstration Housing Project, which was open to everyone in the Canberra community.”

The spokesperson said all decisions on development applications are made by “independent delegates” in the planning and land authority, with “internal processes guaranteeing” that any “real or perceived conflicts of interest are avoided.”

Jenny Stewart, a Canberra-based professor of public policy at the University of NSW in the Australian Defence Force Academy argues that from a “commonsense ethics perspective” it’s “certainly not appropriate” for a planning public servant to be involved in a development of this kind.

“This should never have been allowed to arise in the first place... the perceived conflict of interest is actually quite a bad one,” Prof Stewart said.

“Members of the public could readily take the view that the public servant concerned has had the inside running in relation to this DA, which concerns a one-off re-zoning of a block in the RZ1 area.

“In any case, I would have thought public servants in the planning area would be barred from being involved in development projects.”

Ms Cantamessa’s “Manor House” proposal has also attracted criticism from unhappy residents of the Griffith Narrabundah Community Association (GNCA) who are opposed to any changes to the planning regulations for RZ1.

The six Demonstration Housing projects are proposed for residential areas currently zoned as RZ1 in Griffith, Forrest, Chifley, Weston, Lyneham and Ainslie.

Each will require a “one-off” variation to the Territory plan from RZ1 – the basic residential zoning – to RZ2 to allow for multiple unit dwellings.

“Why can’t ‘Manor Houses’ be built in RZ2 medium-density residential zones, where the character of the area would not be changed,” Dr David Denham, president of the GNCA said.

Dr Denham said the GNCA is worried about the “future intent” of the Demonstration Housing Project.

“With a precedent for allowing the development of random sites, there will be little to stop the ACT government from turning most of Griffith and other suburbs throughout Canberra into higher-density areas, in effect destroying the existing low-density, separate-housing precincts,” Dr Denholm said.

“Homeowners will not be able to predict where the next high-density development will appear and whatever trust we have in our planning system will be undermined.”

The two-up, two-down “Manor House” style concept is common in NSW but will be a “first” for Canberra, Ms Cantamessa said of her proposal, which uses a 50:50 ratio of greenspace and building on the one block.

“We wanted to put forward a different dwelling type for people who may want to downsize but don’t want to leave their suburb, particularly if they are elderly,” Ms Cantamessa said.

“We have worked hard to ensure the look and feel fits in with the look of Griffith. What we are putting forward looks like one dwelling but it’s four dwellings; it’s a great concept and it’s close to schools and amenities.”

The Demonstration Housing Project requires proponents to present their project to the National Capital Design Review Panel and consult with the community. If a variation to the Territory Plan is successful, the next step is a development application.

From: [REDACTED]
To: [Terrplan](#)
Subject: Objection to DV375 Demonstration Housing 20 Blaxland Crescent Griffith Section 31 Block 6
Date: Thursday, 15 April 2021 4:25:54 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To Territory Plan Section
EPSDD, GPO Box 158
Canberra ACT 2601

Dear Sir/Madam

I am writing to object to the proposed variation to the Territory Plan to enable the development of the Manor House in an RZ1 zone

RZ1 is specifically zoned for low-rise and low-density houses. The Manor house is incompatible with this.

Specifically

- If the intention is to rezone Griffith as RZ2, then please do so professionally, and legally, through the formal transparent process of full consultation, **and not by stealth.**
- A four unit complex on a single house block is simply inconsistent with other developments in the area, and elsewhere in Canberra. From a professional town planning perspective it does not pass any 'pub test' norms. It is a fundamentally unprofessional concept

Transparency and professionalism are essential ingredients in town planning, and should not only be adhered to but demonstrated by you as your code of conduct. And that's what I pay my taxes for!

Sincerely

[REDACTED]

[REDACTED]

Red Hill ACT 2603

15 April 2021

Territory Plan Section
Environment, Planning and Sustainable
Development Directorate
GPO Box 158
CANBERRA ACT 2601

To Whom It May Concern

Draft Variation 375 – Demonstration Housing – Manor House

We are writing to express our objection to the proposed Draft Variation to the Territory Plan (DV 375) that would permit the construction of a ‘Manor House’ on Block 6 Section 31 in Griffith. Comments on the proposed variation are set out below.

1. The term ‘Manor House’ is a misnomer

DV 375 proposes to amend the Griffith Precinct Map and Code to define ‘manor house’ as a new type of development and add it as an additional merit track assessable development at the above block. In plain English, a ‘manor house’ is a large principal residence on a rural estate, generally associated with the English countryside. The term evokes images of an old-worldly, stately and majestic residence overlooking a rural landscape. The proposed development is not at all consistent with this description and the use of the term ‘manor house’ appears to be a marketing ploy by developers, with the support and acceptance of government, to assuage community concerns about the true nature of the development – that is, a contemporary four-unit apartment building on a residential block in a RZ1 Residential zone. This building type is not permitted in a RZ1 Residential zone under the Multi Unit Housing Development Code.

We understand that the New South Wales Government has a Manor House category in its planning code. It is inappropriate for the ACT Government to follow this precedence and adopt in its planning instruments a terminology that is misleading about the true nature and built form of a proposed development.

2. Innovative housing typology or ‘innovative’ planning regulation?

Paragraph 1.1 of Section 2.6.2 of DV 375 states that the ‘proposed development will...contribute towards greater community wellbeing by providing additional housing choices...addressing gaps and demand in the housing market for alternative housing types’. The proposed development represents a housing typology that is prevalent within Griffith. As acknowledged in the Knight Frank Planning Report prepared on behalf of the proponents, units/apartments represent approximately 46% of the housing stock in Griffith. The ‘innovation’ associated with this proposal is not so much the building typology itself, but the siting of this building typology in a RZ1 Residential zone and the efforts taken by the ACT Government to bypass the provisions and goals of its own Territory Plan and associated planning instruments.

The proposed variation will do little, if anything, to address any perceived gaps and demand in the housing market for apartment living in the inner South of Canberra. Prospective purchasers of apartment/unit housing in the Griffith/Manuka/ Narrabundah precinct have a wide choice of established and new building stock, including substantive new developments at the intersection of Captain Cook Crescent and Stuart Street, the Kiara Residences on McIntyre Street, Narrabundah, and along Landsborough Street and Lindsay Street. Nearby

Kingston also contains many apartment complexes. All of these developments provide similar levels of access to community resources and public transport as the proposed development.

The Knight Frank report states that the proposed development seeks to add to the available medium density housing stock (i.e. RZ4-compliant building stock). This is similar zoning to that applicable to the Renaissance development at Manuka. As noted above, the distinguishing feature of the proposal is that DV 375 will permit this density of housing in a RZ1 zone, without changing the existing zoning of the subject land.

The spatial planning and urban design principles outlined in Section 2.6.2 of DV 375 state, *inter alia*:

Higher density development will be encouraged within and near major centres, and in other suitable locations that are well served by public transport.

DV 375 then states, “the proposal is consistent with providing density within the Residential RZ1 Suburban zone”. The relevant principle makes no reference to the specific goal of increasing density in the ‘RZ1 Residential zone’ and evaluation of the proposed housing typology could just as readily have been undertaken in a more appropriate residential zone. As discussed below, this would provide greater community confidence and trust in the ACT’s planning and approvals process.

A key issue appears to that of scale, in particular, the area over which concepts such as ‘medium density’ or ‘higher density’ housing are measured. As noted above, about half of the existing housing stock in Griffith is already medium to high density. Compared to many other suburbs in Canberra, this represents a relatively high density of development. Dual occupancy developments are becoming more prevalent within the Griffith RZ1 zone, resulting in a higher density of development that is generally compliant with existing planning regulations and in line with the objectives of the above principle. A higher density of development can be achieved through the existing mix of residential zoning. It does not necessarily require the imposition of non-compliant RZ4-style development in existing RZ1 Residential zones, and broader government policy objectives can be met without eroding the values and characteristics of these zones.

3. Policy regarding Variations to the Territory Plan

EPSDD’s webpage describing Territory Plan Variations states:

One off or site specific Variations to the Territory Plan are not generally supported unless it can be demonstrated that there is an overriding public benefit or good and that it is consistent with the planning objectives of the ACT Government. Rezoning of residential areas generally occurs as part of a wider review of planning policies rather than on a block by block basis. This ensures broader strategic planning practices and outcomes are implemented and realised.

DV 375 and the proponent’s supporting documentation fail to identify an overriding public benefit or good from constructing the proposed development in a RZ1 Residential zone. As noted above, apartment/unit-housing stock is prevalent across the Inner South and potential purchasers or lessees have abundant choice in this residential category. The development site does not provide a level of access to community and transport services superior to these RZ2 and RZ4-compliant developments. Sustainability components of the proposed development could also be achieved at an alternative site. There is no need to make this one-off or site-specific Variation to the Territory Plan and impose this building type on the existing Griffith RZ1 Residential zone to evaluate and realise any public good or benefit that may arise from this type of development.

Putting to one side the sophistry adopted by the proponent and the government, the proposed development is clearly a scaled-down apartment complex. The Multi Unit Housing Development Code does not permit new apartments to be built on standard RZ1 residential blocks. This policy presumably reflects the 'broader strategic planning practices and outcomes' of the Territory Plan. DV 375 proposes to override the above restriction and planning goals, by simply declaring that 'a building is not an *apartment* if it meets the definition of a *manor house*'¹. Further, the need to change the Griffith Precinct Code to facilitate development on one residential block is evidence of the inappropriateness of the proposal. This type of selective and ad hoc decision-making, which is inconsistent with overarching planning instruments, creates community uncertainty and mistrust in the planning system.

¹ The Territory Plan defines an apartment as a *dwelling* located within a *building* containing two or more *dwellings* and which is not an attached house. This definition is not consistent with the above statement from DV 375, which appears to confuse the meaning of *apartment* with that of a *building*. A more accurate statement would be that a *dwelling* within a *building* containing two or more *dwellings* is not an *apartment* if it meets the definition of a *manor house*.

4. Beneficiaries of the proposed development

The Knight Frank report states that the proposal is "intended to support Canberra's ageing population, demonstrating how this housing typology may increase the options for people wishing to downsize from large capacity houses...allowing them to remain in the area and maintain community connections...The proposal would also be suitable for families seeking to live in a small, community-centric development close to schools".

Where is the evidence that these are the cohorts that will be attracted to this type of development? To the contrary, experience would suggest that some, if not all, of the dwellings, if sold, will be purchased by investors and subsequently rented to third parties. What guarantee is there that the current owners will not retain ownership of all four dwellings and rent them out to whomever they choose? On balance, there is a strong likelihood that the post-development residents will be reflective of the community cohort that is attracted to living in a centrally-located apartment/multi-unit development.

Claims by the proponent that this development typology has been brought forward to support elderly people to stay in the suburb, or meet the needs of people with a disability, are specious. Key design elements to support elderly residents and those with disabilities include adequate access and mobility. The proposed design depicted in the presentation to the Griffith/Narrabundah Community Association indicates that residents would need to use external stairs (in all weather conditions) to enter and exit the underground garage, and second-storey residents would need to use another set of internal stairs to access their dwellings. These design elements are not likely to meet the needs of prospective elderly residents or people with a disability.

Section 2.3 of the Knight Frank report contends that low to medium density buildings such as manor houses 'fill the gap between detached houses and unit blocks providing more affordable housing options and greater housing supply'. Replacing a single residence with four dwellings self-evidently provides a greater housing supply. What is not self-evident is the need for higher density housing in existing RZ1 Residential zones, particularly when the South Canberra Division already has the highest ratio of high-density dwellings across Canberra's eight Divisions.

What evidence is there that the proposed development will provide additional affordable housing options? The Suburban Land Agency administers the Affordable Home Purchase Scheme, which 'provides assistance to households on low to moderate incomes by creating a supply of homes for purchase at affordable prices'. Under the scheme, the maximum price

threshold for a dwelling greater than 105 m² in size is \$434,000. Having regard to current residential prices in Griffith, which substantially exceed this threshold price, the proposed 'manor house' dwellings that are the subject of DV 375 could not possibly contribute to expanding the stock of 'affordable' housing in the ACT. It is unclear how the proposed development will inform evaluation against this criterion of the Demonstration Housing Project.

The clear beneficiaries of the proposed Variation to the Territory Plan are the current lease owners. Under the auspices of a demonstration project, they have the opportunity to develop twice the maximum number of permissible dwellings on a RZ1 Residential block and benefit from their sale. This 'one-off' opportunity will provide a potentially unprecedented return on investment for the current owners. It is concerning, and a clear perceived conflict of interest, for the proponent of the development to include a staff member of the department overseeing the Demonstration Housing Project. This situation should not have been permitted.

5. Evaluation of the proposed development

DV 375 states that 'Demonstration Housing offers a 'hands-on' opportunity to test the effectiveness of different housing types through real examples and future review through post-occupancy assessment'. Any assessment based on a sample size of one is not valid and any decisions based on that assessment are likely to be inherently risky and unsound. A large number of known and currently unknown variables make the proposed development unique. Examples of known variables include: the size and corner location of Block 6 Section 31; the block's proximity to a noisy school environment; the orientation and proximity of the proposed building relative to surrounding properties; building design and quality; solar orientation effects; the existing street character of the property; etc. Unknown variables, which are subject to change over time, include: the number of residents occupying the proposed development; whether they are owner-occupiers or renters; the behavioural characteristics of residents and neighbours; the nature of any relationships with neighbours; the life circumstances (e.g. working/retired) of neighbours and their tolerance of changes to their lived environment (e.g. increased noise levels). It will be incredibly difficult to capture the individual and cumulative effects of these variables and enable the assessment outcomes to be directly translatable to other sites/circumstances.

In the context of government decision-making processes, the assessment will allow, at best, for a 'point-in-time' or short-term analysis of this particular 'manor house' at this particular location. A similar assessment conducted of a different 'manor house' at a different location could have quite different outcomes. This methodology is unsuitable for a process that could have significant and wide-ranging implications for the built form and character of existing low-density residential areas across Canberra.

The government documents supporting the proposed Variation do not specify key elements of the post-occupancy assessment such as:

- What objective and subjective criteria will be used to assess effectiveness, success or failure?
- How will impacts on amenity and landscape character be assessed?
- Who will undertake the assessment?
- Who will be consulted or invited to provide input to the assessment?
- If specific demonstration housing proposals such as the 'manor house' are deemed to meet government objectives, how will the outcomes apply to future planning (e.g. will the assessment make recommendations about the permissibility of these building types in various residential zones throughout Canberra?)?
- Will the assessment outcomes be made available to the community for comment before the process is finalised?
- What is the timeline for the assessment process?

In addition, the documents do not explain how the government will use the outcomes of the assessment process, including the extent and nature of any strategic-level changes to the Territory Plan and associated planning instruments and approvals processes. This is a matter that should, in a timely manner, be brought to the attention of Griffith residents and other residents across Canberra that may be affected by any proposed strategic changes to the types of permissible building types in residential zones.

6. Building form and consistency with suburban character

The Knight Frank report acknowledges that Griffith contains an 'abundance of charming early twentieth-century' houses, some of which are heritage listed. The report goes on to state that the proposed development is strongly influenced by the existing character of Griffith residences and that 'consideration has been given to the integration of modern and traditional aesthetics employed in the Griffith Community Centre'. I dispute the implication that the proposed development is in keeping with the existing character of traditional Griffith residences and that the proposed development will not introduce new built forms into the locality. The building form depicted in the Knight Frank report is like no other residential dwelling in the neighbourhood. For all intents and purposes, the building looks exactly like a small-scale apartment complex, not a large two-storey house as claimed.

With a gross floor area of 881.6 m², the proposed development would be the largest residential building in the area. Retention of a hedge and a couple of trees does not ensure a 'harmonious interaction with the streetscape'. Based on the proponent's own depictions, the bulk of the second-storey will be clearly visible from surrounding viewpoints. Comparing the aesthetics and physical features of the proposed development to community-based utilitarian facilities such as the Griffith Community Centre (Knight Frank, p11), the former Griffith High (sic) School, and the Baptist Care aged care facility (Knight Frank, p20), only highlights the disparity of design between the proposed development and surrounding residences.

Noise impacts are a particular concern, as are issues relating to visual oversight of neighbouring properties. A key design element of the proposed development (and presumably all buildings of this typology) is the provision of individual outdoor terraces, which will presumably be used for outdoor dining and entertaining. Second floor terraces, such as that proposed for the two-bedroom dwellings, will overlook adjoining properties and facilitate the spread of noise when these areas are being used. Second floor terraces, particularly those serving as the principal outdoor dining or entertaining area, are not common features of regular two-storey houses and represent a substantive difference in the built form of this housing typology and its consequential impacts on the amenity of neighbours.

Another key difference between typical two-storey residences and the 'manor house' design is that, whereas the second floor of most two-storey houses is typically devoted to sleeping accommodation (i.e. bedrooms), the second floor of the proposed development will be used for all normal internal residential activities. These activities, particularly if undertaken with open windows or doors, have the potential to create intrusive noise at neighbouring properties.

Rule 32 under Subdivision 13.4 of DV 375 states '*Subdivision under the Unit Titles Act 2001 to provide separate title to each dwelling is permitted*'. Although it may be implied, the Variation does not clearly state whether the proposed 'manor house' will be treated as a unit title property subject to the *Unit Titles Act 2001* and the *Unit Titles (Management) Act 2011*. Clarification of the ownership arrangements and responsibilities of the individual lessee(s) or owner's corporation would provide greater certainty about the ongoing maintenance of common land, the street character and the amenity of Block 6 Section 31.

7. Precedence and community faith in the planning and approvals process

Griffith community members are understandably anxious and uncertain about the potential precedent the proposed development and associated Demonstration Housing Project may set for future decision-making under the Territory Plan.

The Territory Plan Statement of Strategic Directions includes the following Spatial Planning and Urban Design Principle:

- 2.5 A wide range of housing types will be permitted in *identified residential areas* close to centres and major transport routes to increase choice; maximise opportunities for affordable housing; and secure some intensification of development consistent with maintaining residential amenity. Outside of these areas, planning policies will protect the typically low density, garden city character of Canberra's suburban areas.

Has the ACT Government formally determined the 'identified residential areas' referred to in Principle 2.5? How are residents to interpret the government's support for the 'manor house' development in this regard? That is, has the government made, at least, an interim decision that the Griffith RZ1 residential zone is, or is suitable to be listed as, an 'identified residential area' within the context of Principle 2.5?

If developments such as the 'manor house' are to be permitted more broadly across Griffith, will the existing RZ1 residential zoning be changed (noting that, for some unstated reason, the government has decided not to change the RZ1 zoning of Block 6 Section 31)? Alternatively, will relevant planning instruments specify rules and criteria that identify the characteristics of blocks deemed suitable for the development of a 'manor house'? If so, will the zoning of those individual blocks be changed (e.g. to RZ4)? Under either scenario, it can be anticipated that property developers/speculators will be attracted to purchase blocks on which this building typology may be allowed. This is likely to further increase already high property prices in the area, and change the long-term character of pockets or larger areas of the existing RZ1 Residential zone.

As noted in the Knight Frank report, the Territory Plan controls development of multi-unit housing on standard and RZ1 to ensure suburbs such as Griffith generally retain a low-density suburban form and character. If the proposed development is considered by government to be a success, will existing planning policies designed to protect the typically low-density character of the Griffith RZ1 residential zone continue to apply to standard and RZ1 blocks in this area? If the Griffith RZ1 zone is deemed to be an 'identified residential area', the wording of Principle 2.5 appears to imply that the government will no longer be committed to protecting its existing form and character through existing planning policies (i.e. typical low-density housing would only be protected *outside of these...[identified residential]...areas*).

The ACT Government needs to justify why it is necessary to increase the density of housing in the Griffith RZ1 Residential zone, particularly given the abundance of multi-unit and dual occupancy developments in other residential zones within the suburb and in surrounding areas (and noting that several dual occupancy developments have also been built or approved in the RZ1 zone). These high and medium-density housing developments share the same community and transport access characteristics of the RZ1 Residential zone.

The purchase of a home is the biggest single investment most people will make. This decision is taken having regard to many factors, including the character of the immediate and local area, the nature and condition of neighbouring properties, the proximity of services and amenities, the location of the property in relation to other land uses, and an understanding of existing, proposed and potential future developments, particularly those

on adjoining or nearby blocks. Residents rely on the planning system to provide certainty on these matters. The proposed DV 375 erodes certainty and public confidence in that system. This is evidenced by the fact that the government needs to vary multiple planning instruments to make the development lawful. Residents living on blocks adjoining Block 6 Section 31 could not reasonably have anticipated these variations or that a multi-unit apartment complex could be built next door. Nor could they have envisaged that four families (or groups of residents) would be permitted to reside on a single block that currently is occupied by one family. This level of occupancy has the potential to change substantially the amenity of adjoining properties.

Community trust in the planning and development approvals systems is already low in light of, for example, approvals such as those granted to the developers of 16 Landsborough Street. Transparency as to how community comments and concerns are taken into account in the decision-making process is particularly poor, and decisions that permit non-compliant development are not explained to DA respondents. Quite reasonably, many Griffith residents are concerned that the precedent set by DV 375 could ultimately result in a similar development being built next door to them. The uncertainty created by DV 375, and the lack of clarity about how the ACT Government may change existing zoning and/or building regulations in the RZ1 Residential zone on the basis of the Demonstration Housing Project, further erodes community trust in the planning system.

Although not members of the Griffith/Narrabundah Community Association, we are familiar with the association's submission on the Draft Variation and support the statements made therein.

Yours sincerely

A black rectangular redaction box covering the signature of the sender.

Griffith ACT 2603

From: [REDACTED]
To: [Terrplan](#)
Cc: info@gnca.org.au
Subject: Objection to DV375 Demonstration Housing - Manor House 20 Blaxland Crescent, Griffith Section 31 block 6.
Date: Thursday, 15 April 2021 5:43:04 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Territory Plan Section,

I write to object in the strongest possible terms to the proposed construction of the 'Manor House' at 20 Blaxland Crescent in Griffith.

The section of Griffith where the Manor House is planned falls within the RZ1 zoning overlay. This specifically prohibits developments like the one planned. I purchased my house, which is located nearby to 20 Blaxland, partly because it was within the RZ1 zone, therefore avoiding a development like this going up next door to me.

The ACT Government arbitrarily breaking the rules gives me no confidence that further 'one-off' developments won't be approved once the precedent has been set. It is also mystifying that the Government would identify this location when Griffith already has existing RZ2 zoned areas - why isn't this proposed property being proposed in one of them?

Furthermore, as per media reporting, the fact that the owner and proposed developer of the 20 Blaxland property is an employee of the ACT Government's Capital Renewal Authority points to a significant perceived conflict of interest. The EPSDD overriding the rules for a development owned by one of its own members is a terrible look that any reasonable person can see should have never been considered in the first place. This further reduces my trust in a government that I have made a significant net financial contribution to over the past 19 years.

Please reconsider this terrible proposal.

Yours sincerely,

[REDACTED]

Griffith

Draft Variation 375

B6 S31 Griffith

email to terrplan@act.gov.au;

The online documentation which accompanies this proposed Draft Variation to the Territory Plan refers to one of the proposals which have been accepted as part of the Demonstration Housing Project. Described as the “Manor House”, the proponents proceed to state that:

“Design excellence is important to us. [Accordingly] (w)e have engaged an architect ... to design our house so that it responds to the unique character of houses in our suburb”.

Background materials indicate that the recent Demonstration Housing Projects, which grew from a workshop of some 37 participants, purported to be representative of the local community, were required to be scrutinised by the National Capital Design Review Panel. *

A Design Review Panel document, titled “Design Principles for the ACT” (August 2019) states, as follows:

For the consideration of context and character, good design will:

- Respond and contribute to its context, distinctive characteristics of a local area and a sense of place. Context is the key natural and built features of an area, their relationship and the character created when combined.”

For the consideration of visual appearance, good design will:

- Inform all scales, from the articulation of building form through to materiality and detail, enabling sophisticated, integrated responses to the complexities of local built form and landscape character.

These ‘good design’ principles are echoed in EPSDD background documents which also reinforce the call for excellence in design quality while aspiring to options for public and affordable housing.

Yet, what part of this proposed “Manor House” project responds to the sense of place and the distinctive characteristics of the local Griffith Narrabundah area? For the information of the decision makers, these much valued local characteristics were identified by the NCDC when the suburb was referred to as an area of “Territorial Significance.”

Indeed, instead of responding to the sense of place and contributing to the local community, the proposed “Manor House” project, the catalyst for Draft Variation 375, would simply provide for new dwellings for wealthy buyers to the detriment of the surrounding neighbourhood.

Meanwhile, the suburb of Griffith has already lost a significant number of public housing blocks which are in the process of being replaced by dense, ‘upmarket’ multi-unit developments. Affordable housing is being driven out of the inner south to the long term detriment of the whole community.

This proposed Draft Variation to the Territory Plan must be refused.

* **Note:** The ACT Architect, who is a member of the Design Review Panel, is also reported to be involved with the “Manor House” project. Surely this is an unqualified conflict of interest?



Contact: [REDACTED]

16 April 2021

**Territory Plan Section
EPSDD, GPO Box 158
CANBERRA ACT 2601**

terrplan@act.gov.au

ACTPLA Notifiable Instrument 2021 – 92, *Planning and Development Consultation Notice (Draft Variation No 375) Consultation Notice 2021.*

**DRAFT VARIATION TO THE TERRITORY PLAN DV375 - DEMONSTRATION HOUSING -
'MANOR HOUSE' 20 BLAXLAND CRESCENT, GRIFFITH, BLOCK 6 SECTION 31**

My representation is to refuse this draft variation which proposes to amend the **Multi-unit Development Code** and the **Griffith Precinct Map and Code** to define 'manor house' as a new type of development and add it as an additional merit track assessable development at Griffith S31 B6.

It is distressing and reprehensible that Demonstration Housing could proceed in Griffith without government identifying the limits and boundaries of intensification for the suburb. Housing Choice policy development can be formed through expert evidence-based advice and community consultation rather than ad hoc experimentation driven by developers seeking to benefit from financial gain. Choosing an expensive block of land is not a guarantee of high quality urban infill.

Over a period of more than forty years I have lived in Barton, Red Hill and currently for more than twenty years have resided in a heritage house in Kingston. I am familiar with the suburb of Griffith and the specific site. It is pertinent to note there have been major changes of increased residential infill within the inner south during this period of time.

It is admirable that the ACT Government has in 2018 set the direction of having 70% of our new housing within our existing urban footprint and that new ways of living could apply to different areas across Canberra. But it is apparent that this project has already failed to achieve its objective because the urban infill continues to be focussed on the more expensive inner suburbs and cannot result in the sought after aging in place or affordable housing which is severely lacking in Canberra.

The types of dwellings of the Demonstration Projects to include duplexes, townhouses, terrace houses, dual occupancies, and the most recently introduced term of manor houses are intended to provide opportunities for increased density within established residential areas on smaller sites. "Manor House" may well be a good idea but Blaxland Crescent is the wrong location.

My objection is specific to Griffith because it is already an atypically dense suburb and is adjacent Kingston which has 87% apartment living and less than 15% tree canopy. With increasing availability of work from home and the future of light rail to Woden with associated urban infill, many other suburbs of Canberra should have been considered before the inner suburbs with their existing urban infill and aging infrastructure.

Historically, developer driven proposals of significant densification have already resulted with apartments throughout the most expensive inner suburbs and approaches to Canberra. For government to now select the suburbs of Forrest, Griffith, Lyneham and Ainslie, with only Chifley and Weston for aging in place townhouses outside of the inner areas, suggests an unfortunate continuation of such developer driven proposals. The selection hardly represents a “range of locations” as claimed by EPSD.

It would appear that a consequence for the suburbs selected for this “salt and pepper” approach of block specific variation that constitutes a significant change to planning policy, will be that they will be identified by prominent large dwellings out of character with the established surrounding housing and not in line with the zone objectives for RZ1. Such is the case for the proposed “Manor House” manor house at Griffith.

The “Manor House” manor house proposal is inconsistent with the following RZ1 objectives to;

- a) *Provide for the establishment and maintenance of residential areas where the housing is low rise and predominantly **single dwelling and low density** in character;*
and
- b) *Protect the character of **established single dwelling housing** areas by limiting the extent of change that can occur particularly with regard to the original pattern of development and the **density of dwellings***

Furthermore, the Blaxland Crescent “Manor House” manor house proposal of four dwellings on a single block doubles the housing density of the current dual occupancy dwellings of the RZ1 area of Griffith. The government determination for saturation with dual occupancy to be 30% has long since been achieved for Griffith. The lesser impact on the suburb would be to achieve increased medium density infill by increasing the number of blocks in the RZ1 area available for dual occupancy in the first instance. At present the macmansions being erected as single dwellings don’t necessarily increase the number of occupants as could two separate dwellings on the one block.

Key concerns of my objection include the need to protect residential amenity and character, making sure there is enough space on blocks for landscaping, and good design of the built form. The Blaxland Crescent proposal would be appropriate if located in IZ2 – suburban core zone. The RZ2 was intended specifically to cater for **multi-unit development that is low to medium density in character particularly in areas close to facilities and services in commercial centres** [from RZ2 zone objective (a)]. Within 500m there are such areas available near to Griffith shops and opposite Manuka Centre.

The recent rezoning of the Dairy Road development, continuing urban infill in Red Hill, Forrest, Yarralumla, Manuka, Griffith and Kingston and future planning for a new suburb of East Lake will significantly intensify residential use in the inner south. The area of East Lake is shown as an urban intensification area in the *ACT Planning Strategy 2018*. The most attractive parts of the Foreshore are two storey town houses. Similar choices could be continued to the Causeway and East Lake.

The Blaxland Crescent variation, DV 375, is tantamount to introducing a zoning change by stealth without the current more restrictive planning processes which protect existing dwellings and give certainty to prospective home buyers moving into the RZ1 area. It is feared, if approved, that this proposal would be the thin edge of the wedge with more manor houses to pop up throughout Griffith and most likely other suburbs of the inner south.

When government decision makers supported the establishment of major waste facilities for the inner south suburb of Fyshwick they made a costly mistake. Planners failed to listen to the existing residential and business community who knew their own suburb. The projects were developer driven with claims of benefit for Canberra. Availability under the Territory Plan and alignment with various waste policy and current freight strategy documents did not guarantee that locating the proposed development in the inner south suburb had merit.

How is the current “Manor House” manor house proposal for Griffith any different in approach to the waste proposals above? Particularly, when the owner of the property for redevelopment to increase from one to four residences is an employee of the EPSD City Renewal Authority and may be expected to benefit from insider knowledge. This is not a matter of declaration of interests but of actual financial gain to be made.

Consider the public interest. This term is used to distinguish between proposals that would only benefit the proponent and those that will have a broader benefit to the community.

Documents such as the ACT Planning Strategy, as well as the Strategic Directions in the Territory Plan, are used to help determine if a proposal meets the policy intent or planning direction for an area and therefore whether a proposal will have a benefit to the broader community. A proposal would need to demonstrate that it is consistent with the future direction of the city and that it was not just a benefit to the specific block and landowner – therefore being in the public interest.

The point being that there has to be a stronger case than only the legislation which requires variation to achieve the application. Most important is proving that the proposed development is to the broader public good which is supported by community decision.

Following the three years of Fyshwick planning debacle, trust in government plummeted. With regard to the “Manor House” manor house it does appear that so much planning has already been applied to this proposal that an approved variation followed by an approved DA is simply a matter of course. I have no confidence in this process nor the EPSDD.

My representation to you is simply that you listen to our community for it is those people who wear the burden of your poor ad hoc planning and ill-considered developer driven decisions.

Sincerely

[Redacted signature]

[Redacted signature]

Phone: [Redacted phone number]

Territory Plan Section
EPSDD, ACT Government
E terrplan@act.gov.au

To whom it concerns

**RE: Draft Variation to the Territory Plan 375
Demonstration Housing – Manor House - Griffith Section 31 Block 6**

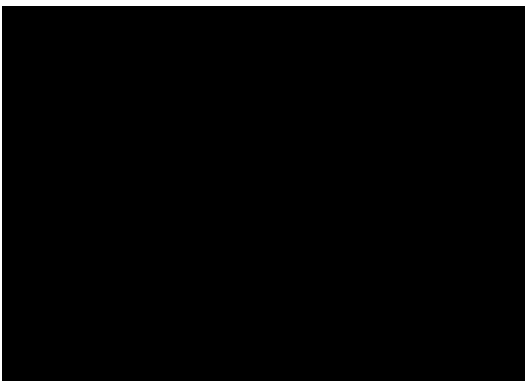
I am writing to provide my support for the proposed changes to the Territory Plan that will make amendments to the Multi-Unity Housing Development Code and the Griffith Precinct Map and Code.

These changes will allow the development proposal to proceed for the purposes of showcasing the attributes of the manor house typology, and this is warmly welcomed. As an architect and urbanist with many years practicing in the ACT I am acutely aware of the critical need nationally for more flexible and diverse housing solutions, and no more so than in Canberra where dwelling configurations have largely been limited to the single suburban house, townhouses and apartments.

Polite and considered in form and scale, in-fact well within the existing allowable plot ratio and building envelope controls, the proposal makes a respectful addition to the character of its established leafy suburban setting. Utilizing the skill and expertise of Rob Henry FRAIA, a local architect who understands the DNA of Canberra, the design approach successfully delivers four dwellings in a landscaped setting that will provide all the amenity and street appeal Canberran's expect for our beautiful garden city.

I look forward to this development being realised and experiencing first hand all the benefits that a manor house will offer the conversation about urban infill, greater housing choice and creating liveable and sustainable communities.

Yours sincerely



City, ACT 2601



11 April 2021

From: [REDACTED]
To: [Terrplan](#)
Subject: Objection to DV375 Demonstration Housing - Manor House
Date: Friday, 16 April 2021 9:57:45 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern

I wish to strenuously object to the proposed 'Manor House' currently proposed for Blaxland Crescent in Griffith, ACT.

I am extremely concerned that a development which would actually require a variation to the Territory Plan would actually even be considered. It makes one wonder about the value of having a Territory Plan in place when it can be disregarded and altered at whim to allow for changes to the current RZ1 zone.

The currently regulations were put in place to protect the character and nature of the suburb and restrict it to low rise and low density housing, as is appropriate for the area. The proposed Manor House is inappropriate for the area and clearly inconsistent with current regulations, put in place to preserve the nature and value of the area. There is no need for intensification in this area as other areas are available which are suitable for that purpose.

If such a change to variation was made to allow this development, I would be concerned it would set a terrible precedent and be the beginning of other such applications which would impact the value and appeal of the neighbourhood and threaten its current status.

As a Griffith resident, I am extremely concerned about the implications of such a change and disregarding current principles and practices and the negative impact, both financially and aesthetically this would have on my neighbourhood. I have chosen to live in this suburb for its current values and such a change would threaten that value, now and into the future. Residents such as myself need certainty about the areas we are investing in and that they won't be devalued at whim by such a development.

We should be able to trust the government will stick to its word and the conditions of its own Territory Plan.

I urge you to deny this application.

Yours sincerely

[REDACTED]

[REDACTED] Griffith ACT 2603

From: [REDACTED]
To: [Terrplan](#)
Cc: [REDACTED]
Subject: OBJECTION: DV375 Demonstration Housing - Manor House 20 Blaxland Crescent, Griffith Section 31 block 6.
Date: Friday, 16 April 2021 4:15:34 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Territory Plan team

I write to strenuously object to the rezoning proposed under DV375 to build a “Manor House” at 20 Blaxland Cres, Griffith.

As a resident of [REDACTED], I object to the dressing up of a special deal for an employee of the Capital Renewal Authority to rezone their own property and redevelop it as - let's be clear - out-of character FLATS, on a street of residential houses, under the guise of ‘demonstration housing’ - is reprehensible and frankly reeks of corruption and abuse of the system by an insider.

The so-called ‘manor house’ model is pure spin. This is just a way for the owner to make money, by building four residences on a single suburban block.

As a resident who has mortgaged himself significantly to live on a beautiful street, specifically zoned for houses - and who pays very high rates and extortionate land tax (at a time I have had to temporarily lease out my house due to overseas work assignments) I feel I have the right to expect better from the ACT Government.

To add insult to injury, the proposed development is in no way sympathetic to the existing properties of Frome Street. We did not receive the flyer/invitation to community consultation the owners apparently distributed, so have not had the opportunity to provide feedback through that process.

I would appreciate your advice on the timeframe for decision-making on this proposal and whether the neighbouring residents will have another opportunity for consultation.

Let's avoid special deals for ACT Government employees and retain the garden character of this precious precinct.

Many thanks for taking these views into account as you consider the proposal. I would be happy to elaborate on my concerns and am contactable any time via this e-mail address.

Regards

[REDACTED], Griffith

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[REDACTED]

From: [REDACTED]
To: [Terrplan](#)
Subject: DV375 Demonstration Housing - Manor House
Date: Friday, 16 April 2021 2:37:41 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To Territory Plan Section:

I am writing to express my **STRONG OBJECTION** to the proposed development **DV375 Demonstration Housing - Manor House** for the following reasons:

(1) I am a local homeowner. My bordering neighbours also have houses of similar size, block size, and (sometimes) age. I have no doubt that this approval will lead to others. I do not want to live next door to an apartment block, even if it is "innovative" housing.

(2) The Territory Plan clearly denotes the areas where higher density housing are earmarked & there is plenty of this type of space in the Inner South suburbs. These are the areas where similar units exist already (not the block where the proposed development is located). I disagree with apartment blocks dotted around the suburb here and there, through one-off approvals to vary the Plan.

(3) This is simply the greed of one homeowner maximising the money they can make on redeveloping their property.

(4) The idea that the development fits within the character of the neighbourhood and within the envelope of a single residential dwelling is simply nonsense. The block goes from having a single house with maybe 5-6 occupants & 2-3 cars to four 3-bedroom units. How many occupants per unit? 3-4? How many cars? 2-3? In other words, 12-16 occupants and 8-12 cars. When one of the benefits of the development is that it is "close to schools", it is clear that the apartments will be housing families and not necessarily retired couples.

(5) People purchase a home knowing what the plan is for the neighbourhood. It is a huge investment, then to see hundreds of thousands of dollars knocked off the value of their property because the neighbour gets a one-off approval to vary the Plan. It is just not fair or reasonable. The zone is RZ1 - what exactly does that mean if it can be varied to accommodate ONE homeowner.

(6) I fully disagree that the design is in character with other homes in Griffith. I disagree with the developer's comment in the Canberra Times (25/05/2019) that the single family homes in the area are "wasted space". The space around the home **IS** the character. Not to mention that to me the design is plain & just pretty ordinary.

(7) The Community Consultation Report (29 October 2019) indicates that the owner undertook a letter box drop to 650 residents in the area. I reside 2 blocks away from the proposed development. We did not receive this letter. Had we received the letter we would have expressed our opposition then. So I question the apparent community support for the development as expressed in the Community Consultation Report.

(8) I am extremely concerned about reports (Canberra CityNews, 07 April 2021) that the homeowner is a former employee of the ACT Land Development Authority. I agree with the comments in that article that it is inappropriate for a public servant to be involved in this development - despite any declared potential or perceived conflicts of interests in the process. The declaration of the conflict is no indication of how it was managed.

[REDACTED]

From: [REDACTED]
To: [Terrplan](#)
Subject: Objection to DV375 - Manor House, Griffith
Date: Friday, 16 April 2021 1:00:05 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

We strongly object to this proposal to change the current Territory Plan to allow a four, two storey, apartment style units in Griffith's RZ1 Zone.

We DO NOT OBJECT TO LOW LEVEL INTENSIFICATION - namely dual occupancies - ie TWO separate dwellings, on separate titles, on a single block. Dual occupancies done well, do not have adverse effects on neighbors and allow the suburb to retain its current COHERANT appearance of independent low level housing .The proposed manor house type of development in RZ1 Zoning is way too dense for any RZ1 Zone, plonked, beside and between, existing homes,

Given that intensification can be achieved by tasteful dual occupancies there is no justification for this, or any manor style, developments in Griffiths current RZ1 Zone.

Yours faithfully

[REDACTED]

[REDACTED]



P.O. Box 4082
HAWKER ACT 2614
secretary@friendsofhawkervillage.com
Phone: 0435 534 998

Territory Plan Section,
Environment, Planning and Sustainable Development Directorate,
ACT Government,
CANBERRA ACT 2601
By email: terrplan@act.gov.au

DRAFT VARIATION 375 – MANOR HOUSE – GRIFFITH S.31 B.6

The Friends of Hawker Village (FoHV) was formed in 2010 to protect and enhance the residential, suburban and environmental qualities of the Hawker Group Centre and its four catchment suburbs of Hawker, Page, Scullin and Weetangera. Since then, we have seen the quality of our suburbs decline due to inadequate maintenance of public spaces including nature strips, lack of enforcement of parking rules and loss of greenery, especially trees, on suburban blocks due to increased building size and hard surface coverage, along with densification in RZ2 areas. All of these contribute to the heat island effect and highlight the contradiction in the aim to reduce impacts on climate change whilst, at the same time, accommodating a rapidly growing human population without further loss of habitat and native species.

The “manor house” proposed here is akin to the mansion house format used when London was densified a century ago. This is defined in the Macquarie dictionary as a block of flats. This is essentially what the Griffith proposal is – a block of flats with a common building entrance. The style has long been used in big cities such as Sydney. Examples from across the last century are evident in many Sydney suburbs and are notable for the lack of any greenery other than, maybe, a small strip of grass and a shrub or two. One of the proposed planning changes in this DA is to include a definition of manor house with the note that “A building is not an apartment if it meets the definition of manor house”. FoHV considers this to be verbal trickery.

Policy appears to be driving residents into smaller, less independent dwellings with minimal garden space. Land and established properties are, accordingly, becoming more expensive as developers are prepared to pay more for a single block that can be densified. The ACT Government appears to consider that individuals no longer have any right to a home garden where they can relax and unwind after a day’s work. This proposal is a total violation of the RZ1 concept.

The proposal

The particular block is 1,166 sq.m. on a corner of two roads. The current single house will be replaced by four dwellings on two levels. The proponents have been careful to keep the development within the existing RZ1 limits of plot ratio. FoHV notes, however, on page 35 of the Planning Report, the statement by the owners that the National Capital Design Review Committee “encouraged us to ‘push the planning rules’ further and enter the setback area in order to increase the communal foyer area”. Whilst the proponents are to be admired for their desire “to prove that our Manor House can be delivered within the planning envelopes for RZ1”, this indicates the strong likelihood that further erosion of the current planning rules will inevitably occur in the future.

All nine parking spaces will be in the basement. Although there will be less land devoted to cars and driveways, there will be more traffic movements. Inevitably, some residents will choose to park on the road or nature strip during the day, rather than shuttling back and forth from the basement. The fact that there are eight tandem car parks increases such a likelihood. The fact that a basement will need to be dug out increases the inevitable disruption to the neighbourhood during construction. It also significantly increases the cost of the development.

Dwellings

The proposal will have a gross floor area (GFA) of 881.6 sq.m which covers the central hallway, two units with two bedrooms and two with three bedrooms. It is not clear how this GFA will be distributed but the units will be relatively small. Presumably, there will be provision in the hallway for a small elevator or stairchair to cater for older residents with movement limitations.

The Planning Report observes that “This proposal is intended to support Canberra’s ageing population, demonstrating how this housing typology may increase the option for people wishing to downsize from large capacity houses ... (it) would also be suitable for families seeking to live in a small, community-centric development close to schools.” This is a fine intention; the difficulty is how compatible residents can be assured over time, as owners depart and new ones arrive.

The project will be unit-titled, so that each dwelling is owned separately with the four unit owners responsible for maintenance of the common property, including the basement garage. There is potential for a mixture of resident types to be in conflict with resultant distress in such a shared situation. How this can be moderated in privately-owned dwellings within the one building without an independent manager is not obvious.

Proposed Changes to Territory Plan

The Explanatory Statement to the DV includes:

“It is proposed to amend the Griffith Precinct Map and Code for Griffith section 31 block 6 by:

- inserting a definition of manor house
- adding ‘manor house’ as an additional merit track development
- allowing a basement beneath a two storey manor house
- limiting height to two storeys above ground level (not including a basement)
- adding a criterion to make sure that the manor house appears as two storeys from street frontages
- limiting the number of dwellings to a maximum of four

- allowing dwellings to be unit titled

It is also proposed to amend the residential zones Multi Unit Housing Development Code to:

- exclude 'manor house' from dwelling replacement provisions

The DV refers to the following item in 2.6.2 ACT Planning Framework, Statement of Strategic Directions *2.5 A wide range of housing types will be permitted in identified residential areas close to commercial centres and some major transport routes to increase choice; maximise opportunities for affordable housing; and secure some intensification of development consistent with maintaining residential amenity. Outside of these areas, planning policies will protect the typically low density, garden city character of Canberra's suburban areas. The proposed development will allow greater diversity of housing and will assist with containing urban expansion by supporting urban infill. The proposed development has been designed to minimise the heat island effect and storm water run-off.*

FoHV disagree that these outcomes will necessarily be achieved in all situations. In particular, this proposal will not protect the typically low-density, garden city character of Canberra's suburban areas. Rather, it will inevitably undermine the current RZ1 character. Further, this type of development is also not appropriate for RZ2. These are flats by another name and they are currently not permitted in RZ2 and are not wanted in RZ2.

The implication that each individual proposal will require a variation to the Territory Plan as well as a development application is cumbersome and will inevitably lead to softening of the RZ1 provisions overall. This might well be the intention. It is highly likely that only the wealthier parts of Canberra and the heritage-listed areas will, ultimately, be the only remnants of the current RZ1 vision - at least, the vision held by most people who are not planners or developers.

Given the current Planning Review is underway, FoHV can only assume that the presentation of this DV at this time is experimental and designed to get feedback to assist with decision-making re options for inclusion in the review. We fervently hope that the decision-making is thoroughly informed by the desire to create a 21st century city not a copy of the old cities around the world.

16 April 2021

Territory Plan Section
Environment, Planning and Sustainable Development Directorate
terrplan@act.gov.au

OBJECTION TO DRAFT VARIATION 375

I object strongly to the proposed Draft Variation 375 – Demonstration Housing, Manor House, Griffith section 31 block 6 (DV375), and urge that it be withdrawn. It demonstrates appallingly bad planning policy, has wasted many hours of Environment Planning and Sustainable Development Directorate (EPSDD) officers' time, and presents serious integrity challenges which the Directorate appears to be both unaware of and has no plans to manage.

The Draft Variation (DV) proposes to amend the Griffith Precinct Map and Code to permit a new type of development, 'manor house', to be constructed at Block 6, Section 31, Griffith, located in the middle of the Griffith low rise and predominantly single dwelling and low density character RZ1 Suburban Zone. A 'manor house' is defined in the DV as a building of three or four dwellings, each of which is attached to at least one other by a common wall or floor/ceiling and with at least one dwelling above another. Height is limited to two storeys plus basement. Those dwellings on the second floor would normally meet the definition of apartment, but the DV definition defines them as not being apartments, thus circumventing the ban on apartments in RZ1 and RZ2. This proposal is part of 'Demonstration Housing' which is intended to deliver high quality design, build quality, housing choice, environmental sustainability and medium density infill.

Efficacy, Efficiency and Equity of the proposed Variation

It used to be thought desirable to evaluate possible policy initiatives with regard to the efficacy, efficiency, and equity of their outcomes. So how does this proposed Variation rate both absolutely, and compared with an obvious alternate, such as appropriate amendments to the MUHDC rules applicable to RZ2 or RZ3 redevelopments designed to permit 'Manor House' style structures being built in suitably zoned areas.

The DV is only efficacious if the Government's ambitions are limited to facilitating the construction of only one 'manor house' in the RZ1 Suburban Zone in the whole of Canberra. If the Government is determined to proceed with this then some block specific modification of the planning rules would be required, and locating these in the Griffith Precinct Map and Code is probably preferable to inserting the necessary changes into the Multi Unit Housing Development Code (MUHDC) (and certainly less noticeable). It would not be an efficacious approach if the Government hoped to use the "success" of this Demonstration House to rezone a number of larger blocks in RZ1 to permit similar redevelopments. That said, the public benefits of either

objective remain hard to see, and the naïve observer may conclude that there are none, or that at the very least, they have been greatly overstated.

Improving housing choices through individual single block specific amendments to the planning rules is not an efficient way to remove impediments in planning regulation. If it were intended that this were to be the only block in Canberra where a four-apartment block of apartments would ever be constructed, then possibly this one-off approach might be defensible. But if this were the intention then just what would building this apartment block demonstrate, and how will it lead to better planning rules for Canberra? There are of the order of 150,000 individual tilted residential blocks in Canberra. How many of these are to have special individual rules applied to them if the Government decides that the ‘Manor House’ is a good concept? Clearly it would be far better to put the effort into appropriately amending the relevant MUHDC rules. This latter approach would offer a much higher yield of compliant redevelopments per hour of effort put into changing the rules.

The proposal to amend the planning rules applicable to a single block is clearly not equitable. While the leasees of the block in question will secure the opportunity to enrich themselves by undertaking a development not permitted to any other leasee in Canberra (and let us not pretend that the driver behind this proposal is not fiscal gain), their neighbours will suffer a loss of amenity, and loss in the resale value of their property which will now be adjacent to a higher density development than might be expected in the RZ1 zone. Neither is the proposal equitable in its treatment of all owners of similar blocks in RZ1, none of whom will be able to redevelop their blocks in a similar manner.

As the DV is only marginally efficacious, and neither efficient nor equitable, it should be withdrawn, and possibly redrafted after the Government’s objectives have been reassessed.

Proposed Site inconsistent with RZ1 Zoning

The site of the proposed Manor house redevelopment is in the middle of the RZ1 Suburban Zone, Zone Objective a) of which provides that “housing is low rise and predominantly single dwelling and low density”. RZ1 Zone Objective b) is to “Protect the character of established single dwelling housing areas by limiting the extent of change that can occur particularly with regard to ... the density of dwellings”. Clearly the proposal is consequently in direct conflict with the first two Zone Objectives of RZ1. If these two Zone Objectives are to be ignored, why bother to have a zoning system?

The proposal is less inconsistent with the Zone Objectives of RZ2, the Suburban Core Zone. Zone Objective a) states that this will “contains a mix of single dwelling and multi-unit development that is low to medium density in character particularly in areas close to facilities and services in commercial centres”. However, to allow the proposed development in RZ2,

certain rules in the MUHDC would need to be amended (Rule 3, which forbids apartments; Rule 12, which restricts the density of dwellings in RZ2 (the proposed site would only be large enough for 3 dwellings); and Rule 14 which requires dwellings to be adaptable, which is impossible for the upstairs dwellings without a lift), in addition to the amendment of MUHDC Rule 5 Replacement Housing, and the block specific rule changes via the Griffith Precinct Map and Code, already proposed in the DV.

Note that rezoning the block to RZ2 would not be sufficient, despite the assertions made on p. 7 of the DV that the site is close to both Griffith shops and Manuka, and close to public transport. As the site is not part of the RZ2 Zones surrounding either Manuka or Griffith shops, it was clearly not considered conveniently close enough to either facilities or public transport when the RZ2 zones were being designated. Were these propositions in the DV to be accepted, then a very large proportion of the RZ1 housing in Griffith (and indeed other suburbs in the Inner South) would be just as conveniently located to facilities and public transport as is this block, and the current clear distinction between the roles and locations of RZ1 and RZ2 zones would become obscure. But perhaps this is an unheralded objective of the DV?

It is not clear what is being Demonstrated nor what is to be Evaluated

The DV indicates that the selected demonstration projects are to showcase best-practice in one or more of the seven areas listed at p.4. But the construction of four-unit apartment blocks is not a new art. The design is centuries old, and the building techniques are well known. A qualified Quantity Surveyor could provide an accurate estimate for the cost of construction on any designated site. The only innovation feature of this proposal is for the rezoning of a single block to permit a one-off redevelopment which is totally unsuited for the RZ1 planning zone within which it is located. How is the success of this proposal to be assessed? Will Environment, Planning and Sustainable Development Directorate (EPSDD) evaluate the public (not the private!) gains from this activity against the benefits from directing the same time and effort to alternatives such as already suggested identifying and removing possible problems in the MUHDC which might be holding back redevelopments in the RZ2 zone, for example? We look forward to publication of the results of any such evaluation.

In addition, the DV also notes on p. 4 that the Demonstration Housing project offers scope for “future review through post-occupancy assessment”. What would be the issues to be considered in this post occupancy assessment, and what would constitute success or failure? These need to be made public now, to avoid any risk of post factum “adjustment” of objectives and benchmarks (no doubt always done for the best of reasons, of course). And if the assessment indicated that the redevelopment did not meet the required benchmarks, what action would be taken? Would neighbours and others who had suffered loss of amenity or value be compensated, and if so, how? We look forward to publication of further information on these issues.

Integrity considerations

The DV raises significant integrity issues. As the outcome of the proposed block specific rezoning of a single block in the RZ1 zone by EPSDD would permit the leasees to redevelop that block to a considerably greater density than is permitted in RZ1, it is possible (even probable) that the leasees could make a substantial financial gain. Where a person stands to make a gain as a result of the outcome of a Government decision it is desirable that the responsible Directorate acknowledges the possibility that some people do not always act as they should, and consequently take steps to ensure that any such decisions are made, and can be publicly demonstrated to have been made, in accordance with appropriate standards of probity and integrity. A probity plan is thus essential.

While not an exhaustive list, some obvious steps that should be taken include identifying all critical decision points in the process of making the decision or action (and/or deciding which of a range of proposals is permitted to proceed), recording the person who makes each of these decisions, and requiring the decision maker to provide written reasons for their decision. There must also be a standard procedure to identify and appropriately handle conflict of interest situations. An integrity unit independent of the decision making Directorate should be authorised to inspect and investigate any decision to ensure that no one involved with the decision received any benefit in cash or in kind. This is all cumbersome, time consuming and expensive, but essential for public trust. In this regard, having the Director General place his hand on his heart and swear on Scouts Honour that all his staff are as honest as the day is long is not an adequate integrity plan.

In relation to possible conflicts of interest, current EPSDD procedures appear confused, if press reports are to be trusted. We are told that Ms Cantamessa, one of the proponents of the Manor House proposal, made a conflict of interest declaration, which was then approved by her boss, the CEO of the City Renewal Authority (CRA), because the Demonstration Housing Project was “not related to any CRA work”. Surely it would be preferable for the officer in charge of the Demonstration Housing project to have made the determination as to whether Ms Cantamessa’s involvement as a proponent of the Manor House proposal constituted a conflict of interest, and imposed any rules that they believed were appropriate. After all, Ms Cantamessa’s boss can only be expected to be more concerned with keeping his staff happy than with the integrity of the Demonstration Housing project, and any conflict of interest involving Ms Cantamessa would not have had any impact on her work for the CRA. Some revision of the EPSDD rules here is clearly overdue.

In relation to the need for a probity plan, those with longer memories might recall that in May 2014 the ACT Auditor General’s Office published a report into ‘Single Dwelling Development Assessments’ by EPSDD. As part of this report seven dwelling approvals were

examined by the Auditor General’s Office, and it was found that two (28.6%) should not have been approved.

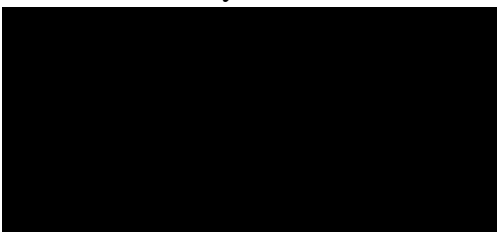
The report made a number of recommendations. Recommendation 12 (Chapter 5) recommended as a High Priority that *“The Environment and Sustainable Development Directorate should improve the transparency of its decision-making, by requiring that assessing officers document their considerations against key mandatory rules that a single dwelling Development Application is assessed against.”* Recommendation 14 (Chapter 5) recommended that *“The Environment and Sustainable Development Directorate should include risks relating to improper influence as part of its current review of its Risk Management Plan, and develop a timetable to expedite implementation of this plan.”*

EPSDD’s response to a final draft of the report was merely *“the Environment and Sustainable Development Directorate has reviewed the proposed report and has not identified any factual errors that require correction.”* I am not aware of any subsequent action by EPSDD in relation to implementation of the recommendations. This suggests that development of a Probity or Risk Management Plan may well now be an urgent need within EPSDD

In view of the severe shortcomings of DV375 and the apparent confused thinking behind it, the DV should be withdrawn.

Thank you for the opportunity to comment on this issue.

Yours faithfully



8 April 2021

OBJECTION to Draft Variation to the Territory Plan DV 375

My understanding is that DV 375 proposes to vary the Territory Plan for **one development** in an RZ1 location. DV 375 will make amendments to the Multi Unit Housing Development Code and the Griffith Precinct Map and Code. This will enable the two proponents to demolish an existing, established single level, family home to develop a two storey, four apartment building with nine carparks. Amusingly, labelled a *Manor House*, the proponent's intention is to develop this site on Block 6, Section 31 located in an RZ1 zone in the suburb of Griffith.

This proposal cannot proceed and must be withdrawn.

The only winners in this Variation appear to be the proponents/lessees of the block in question. My serious concerns are not only shared by many residents of Griffith/Narrabundah and the inner south, but must also concern EPSDD as a planning authority. My reasons for objecting to this development are outlined below:

1. The Demonstration Housing Project

There has been little community consultation on *the demonstration housing project*.

There was very little available information on the *demonstration housing project* until recently.

There is no indication of the evaluation criteria that will apply the *demonstration housing project*.

There is no indication of the timeframe for the evaluation or how it will be undertaken.

There is no transparency, no objectivity, no public confidence and no independent reporting structure for *the demonstration project*.

Hopefully, the ACT Integrity Commission and Mr John Hoytink, the Commission's CEO will have a more considered and informed perspective.

The Demonstration Housing Project's Manor House is not innovative or something new. It's a four-plex apartment block labelled a *Manor House* by the proponents.

If the *Demonstration Housing Projects'* solution is for apartments named *Manor House*, they can travel to Sydney and view such apartments. Such apartment blocks are everywhere in NSW. NSW already has a *Manor House* category in its planning code. How is this proposed development anything new? Is the *demonstration housing project* so naïve or does *the demonstration project* think Canberrans' are that ill-advised?

Why was this *Manor House* chosen by the *Demonstration Housing Project*? What influenced this decision, where is the transparency and the rationale? This must not be approved under the ruse of the *demonstration housing project*.

2. Intensification of the Inner South

The inner south is rapidly reaching capacity. Griffith and surrounding suburbs were once *Area of Territorial Significance* and Griffith had its own *Neighbourhood Plan*. The existing infrastructure was never constructed, nor was it envisaged to house so many Canberrans.

In 2018, the South Canberra Division already had the highest ratio of high-density dwellings in Canberra's eight Divisions. Since then, over 2000 diverse, new dwellings are in the pipeline. This does not even take into consideration the many developments at Kingston Foreshore. Any further intensification without new planning rules to maintain sufficient tree-planting space will further erode the Garden City characteristics that the community and residents value most.

There is no need to place this project in an RZ1 area. Much simpler to use RZ2/3 zones, where minimum changes to the planning rules would be required, saving serious tax payer dollars.

3. Change to the Territory Plan

DV375 does not even comply with ACT Government's own guidelines!

The Territory Plan states that land in RZ1 is to be:

Single dwelling housing that complies with and provides for the establishment and maintenance of residential areas where the housing is low rise and predominantly single dwelling and low density in character, except where exempted from requiring development approval by section 20 and schedule 1 of the Planning and Development Regulation 2008. (Refer definition of RZ1, page 2.)

The Government's own guidelines are resolute:

"One off or site-specific Variations to the Territory Plan are not generally supported unless it can be demonstrated that there is an overriding public benefit or good and that it is consistent with the planning objectives of the ACT Government." (https://www.planning.act.gov.au/planning-our-city/territory_plan/varying-the-territory-plan).

There is no public benefit to Canberrans in the proposed construction of this development in an RZ1 residential zone. As outlined above, this proposed development FAILS to comply with the Government's own planning rules for that zone. If it is essential to build a Manor House, build it in an existing RZ2 zone.

Why is this development receiving special consideration, resulting in the unique situation of having changes made to the Territory Plan for one specified block? Two storeys, four dwellings and nine car parks to be built next door to family homes does not provide Canberrans with any confidence, certainty or trust.

No neighbour could possibly envisage that a residential, single storey, family home in a stated RZ1 location could become such an enlarged strata titled building development. How could the lessees of the adjacent blocks ever foresee this government's trickery when they purchased their home? Like me, many residents purchased their family homes in the inner south for good reason – amenity, gardens, character, privacy, location, village shops, schooling etc. An educated guess suggests the appeal of being located within the proximity of a two storey, four apartments and nine carparks would not figure in that reasoning. Nor would any Canberran believe DV 375 to be possible.

There must be some level of integrity and legitimacy! Home owners do not want the astonishment of a four-unit two-storey, apartment-style development with nine car parks built next door and impacting on their privacy and amenity.

This proposal is an excellent example of an already failing planning system. It simply adds a further layer of complexity and complication to an already under resourced and over extended Directorate that comes under constant criticism. DV375 encourages Canberrans to look further afield to NSW where investment in the family home can provide certainty, trust and confidence. The Mayors of Queanbeyan-Palerang, Yass Valley, and Cooma-Monaro can't thank ACT Government enough. Further lost revenue for the ACT.

4. Change the Griffith Precinct Code

Having to change the Griffith Precinct Code because of what is being proposed on one block in Griffith, indicates the inappropriateness of the proposed Variation.

As per the Guidelines "Precinct Codes contain special provisions that apply to individual suburbs or geographical areas, for instance setbacks, active frontages and building height limits."

https://www.planning.act.gov.au/planning-our-city/territory_plan/codes

Why should the Griffith Precinct Code be different? The Griffith Precinct Code must provide and value characteristics for the entire suburb. Having to change this Code because of what is being proposed is deeply concerning! Some may say outrageous! How is this good planning? Changing the code for one block is more an example of what NOT to do. This simply illustrates very poor planning, very poor planning outcomes and a very poor outcome for the owners and residents of Griffith/Narrabundah.

5. NO community support for the Manor House

The Griffith demonstration housing project has been the subject of keen debate among residents and neighbours. The words in DV 375 paragraph 1.1 about community consultation are very misleading. All residents have expressed grave concern about the potential impact of this project on their properties, families, privacy and amenity. There is no confidence and trust in the residential zoning system in the ACT.

I understand the proponents have met twice in 2019 with the *Griffith Narrabundah Community Association* with an entourage of high level bureaucrats. The developers gave a short presentation outside the Butchers at the Griffith Shops. Add a letter box drop to a few nearby streets and that's it. I only became aware of this debacle through the GNCA. Not through proponents. I only live a few streets away from the proposed development. Following an article in the *City News*, I now understand that the proponent/developer is a senior member of the EPSD Directorate! How is this possible?

There is no benefit to the community, this development does not and will not comply with RZ1 criteria. Changing the guidelines for one block is a total farce. This could set a precedent to change the use of any block in the suburb and elsewhere in Canberra. How can the government and EPSDD even consider this proposal?

6. Legal Action

If I was one of the neighbours I would be commencing legal action. I would personally encourage residents of Griffith to fight and appeal any proposed changes to the Territory Plan of this nature. I would be happy to be a hefty contributor to their *fighting fund* or *Facebook go-fund-me page*? These actions by ACT Government are deplorable and disgraceful in encouraging such development in an RZ1 area. Simply inform the developer to build in RZ2.

7. DV375 will degrade the character of the local area

Why were the proponents encouraged to undertake such a futile course of action, proposing to build in an RZ1 zone? The proponents suggest that the design is sympathetic. If this was the case they would not continue to proceed with DV 375 in an RZ1 zone.

8. Conclusion

Only the owners of this block will benefit, there are no special needs concessions, no lift for people with disabilities, no cheaper housing option/NO alternative. Just a massive impost on ACT taxpayers. Why is the government willing to change the Territory Plan on behalf of the proponents? The pretext of running an architectural design project is very misleading. There is no valid reason for a Variation to the Territory Plan, the Griffith precinct Code and the Multi-Unit Housing Development Code.

This proposal suggests a win for the proponents and a loss of integrity for ACT Government and the Planning Directorate. The residents and the community of Griffith/Narrabundah must have faith, trust and confidence in any changes to the Territory Plan. Changes must provide clarity, certainty, and equity to residents. Simply, DV 375 must be rejected.

I was of the understanding that there is a current review of the ACT's planning process? Why pre-empt the outcome of this major government initiative?

Like the GNCA, I believe that the composition of the planning zones should be guaranteed by primary legislation. Part of the implied compact between Government and governed is that foundational elements of the property ownership system, such as the zoning scheme, should not be subject to piecemeal change by the Government of the day. Furthermore, the public sees no urgent requirement for the changes proposed in DV 375.

This proposal does not respect the characteristics of highly valued, low density features and characteristics of RZ1 living. This proposal cannot be supported while it is situated in an RZ1 location. This proposal has no merit and no community support. Many residents of Griffith/Narrabundah are total against this proposed development and changes to the Territory Plan.

Residents value their privacy, amenity and village location. This area was once recognised as an area of Territorial Significance, Griffith exemplified the garden city, many parts remain a heritage area, a quaint village atmosphere. This development will not add any value to Griffith or the inner south.

It would appear the only people to benefit will be the proponents.



15 April 2021

From: [REDACTED]
To: [Terrplan](#)
Cc: [REDACTED]
Subject: Draft Variation – 375 Demonstration Housing – Manor House Griffith Section 31 Block 6
Date: Friday, 16 April 2021 2:30:51 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Draft Variation – 375
Demonstration Housing – Manor House
Griffith Section 31 Block 6

I write in response to notification received of proposed Draft Variation to the Territory Plan 375 (DV375).

I object to the proposed Variation to the Territory Plan for the purpose of redeveloping Section 31 Block 6 Griffith – 20 Blaxland Crescent, Griffith.

Approval for one-off variations to the Territory Plan for blocks in RZ! Zones is currently not granted without a perceived benefit to the community. There is no possible benefit that this redevelopment proposal could provide to the community. On the contrary, it will put further pressure on already inadequate and ageing infrastructure . For example, broken, dangerous footpaths; Blaxland Park which has been entirely neglected; insufficient parking at local shops etc. The only beneficiaries of this proposal would be the proponents/developers. Furthermore, a “one-off” approval for this proposal would obviously preclude future development applications from anyone else. This is an equity issue.

According to the ACT Government’s Multi Unit Housing Development Code, this project would be “excluded from dwelling replacement provisions”. Why is this?

There is no need to demonstrate a “Manor House”. In essence it is a development comprising four flats – this is neither new nor innovative. There is no shortage of examples of such housing – no need for further “demonstration”. Included in the proposed plan are “raised vegetable gardens”, and solar panels. Similarly, these are not recent innovations such that the community could benefit from being

demonstrated to.

In 1993 the ACT Government approved the construction of a dual-occupancy dwelling on Section 31 Block 1 - 25 Lefroy Street, Griffith. At the time, the community was “guaranteed” that this development would be a “one-off,” that ACT planning regulations allowed for only one dual-occupancy per Section in a RZ1 Zone – which this is. Clearly, the proposed “Manor House” would contravene these decisions. What possible confidence could the community have in there not being further “Manor Houses” built in this same Section. If this proposal were to go ahead then it would not be unreasonable for other residents of the same Section to seek to do the same thing. Such a precedent could well lead to the whole area being completely redeveloped into something that is contrary to the nature of the suburb.

What would be the impact on residential rates as a result of the development?

It is noted in the submission that one of the proponents is currently employed in the City Renewal Authority. The proponent states that she would “never, ever” be involved in the approval of this development and that, therefore, there would be no conflict of interest. This may be so, however having access to detailed information regarding planning regulations, approval criteria etc. that other members of the community might not, could be seen as advantageous.

There has been considerable public interest and concern about the Manor House proposal. After lengthy consideration, and contrary to statements put forward by the proponents, there is overwhelming disapproval for the project.





Inner South Canberra Community Council

Territory Plan Section
Environment, Planning and Sustainable Development
ACT Government
terrplan@act.gov.au

Dear Sir/Madam

Draft Variation 375

The Inner South Canberra Community Council welcomes the opportunity to comment on Draft Variation 375. The ISCCC represents a federation of the eight residents' associations operating in inner south Canberra.

DV 375 proposes to vary the Territory Plan, amend the Multi Unit Housing Development Code and change the Griffith Precinct Map and Code so that one 'Manor House' can be built on Block 6 Section 31 in an RZ1 zone in Griffith. This is occurring under the umbrella of the 'Demonstration Housing Project', which aims to deliver medium-fill demonstration housing that could be used for *'high quality medium density infill'*.

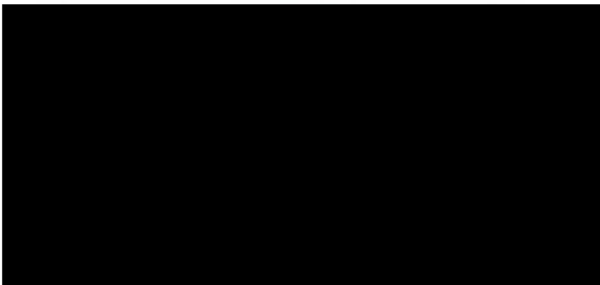
This particular development is proposed to be a 4-unit 2-storey building with 9 car parks. As such, it would not comply with the planning rules for RZ1, which is a residential zone for low-rise, low density housing. When one of the broad aims of the current review of the Territory Plan is to simplify the planning system, this proposal appears to be a very complex way to proceed, particularly when there is only one apparent beneficiary - the lessees of the subject block.

Our reasons for seeking the withdrawal of DV375 be withdrawn are as follows:

- *'One off or site-specific Variations to the Territory Plan are not generally supported unless it can be demonstrated that there is an overriding public benefit or good and that it is consistent with the planning objectives of the ACT Government.'* - to quote the government. This proposal is pre-empting the current review of the Territory Plan.
- The Government should not be changing the residential planning regulations for one block, based on the pretext of running an architectural design project.
- If a 4-unit Manor House can be built on this site, they can be built anywhere throughout the suburbs. Cramming a Manor House into an RZ1 zone is not high quality living.
- The largest investment for most families is the purchase of a home. It is crucial they know what could be built next to them. Families need certainty and trust in the planning system. They do not want the *surprise* of a four-unit two storey, apartment-style dwelling with 9 car parks built next door and impacting on their privacy and amenity.

- In 2018 the Inner South already had the highest ratio of high-density dwellings of Canberra's 8 Districts. Since then, over 2,000 new dwellings are in the pipeline, excluding the developments at Kingston Foreshore. There is no need for more intensification.
- There is no need to test a Manor House in the ACT. They have already been built in NSW. It should be a simple job to visit some of the sites there.
- The only beneficiaries, if the Manor House was to be built, would appear to be the proponents, who live there already and could sell the units.
- The project is supposed to '*test the effectiveness of different housing types through real examples and future review through post-occupancy modelling.*' We have not been told when the testing will be done, what criteria will be used for evaluation or who will do it.

Yours faithfully



Chair
16 April 2021

From: [REDACTED]
To: [Terrplan](#)
Subject: Draft Variation to Territory Plan DV375
Date: Thursday, 15 April 2021 10:45:34 PM
Attachments: [manor house proposal.001.bmp](#)

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam

I wish to raise my strongest objections to this proposed draft variation. See below for my considered reasons. This is yet another example of this Government's killing off the Griffins' vision of a well integrated landscaped and environmentally friendly modern city in the interests of the Government's ideological urban agenda and developers' greed. These interests have essentially rode roughshod over the interests and demands of many in the community.

address



Your prompt written
confirmation of
receipt is
appreciated.

Territory Plan Section
EPSDD, GPO Box 158
CANBERRA ACT 2601
terrplan@act.gov.au

Dear Sir/Madam

Draft Variation to the Territory Plan - Objection to DV375 Demonstration Housing - Manor House 20 Blaxland Crescent, Griffith Section 31 block 6.

I am writing to object to the proposed Variation to the Territory Plan required for the development of a so called a 'Manor House' in an RZ1 Zone.

The RZ1 is specifically zoned for low rise and low-density houses. The proposed Manor House is incompatible with the objectives for RZ1 and the other dwellings in the vicinity.

- The largest investment for most families is the purchase of a home. It is crucial they know what could be built next to them. Families need certainty and trust in the planning system. They do not want the surprise of a four-unit two storey, apartment-style dwelling with 9 car parks built next door and impacting on their privacy and amenity.
- The Inner South already has the highest ratio of high-density dwellings in Canberra's 8 Districts. There are over 2000 new dwellings in the pipeline and the population is set to rise by 20% in 6 years. We do not need more intensification in RZ1 zones.
- Any single block changes to the Territory Plan should wait until the review of the Territory Plan is completed.
- Once the precedent has been set for increased intensification of random blocks, there is little to stop the ACT Government turning most of Griffith and other suburbs into higher density areas. In effect, turning RZ1 zones into Swiss Cheeses, with no one able to forecast where the next hole/development will appear.
- One-off or site-specific Variations to the Territory Plan are not generally supported unless it can be demonstrated that there is an overriding public benefit or good and that it is consistent with the planning objectives of the ACT Government. These are yet to be determined in the current review of the Territory Plan. This block should not be re-zoned until the review is complete.
- Many residents in the Inner South, are concerned that changing the planning rules to allow further construction/development of more units will reduce the value of existing family houses and increase, noise levels, local traffic and parking in the streets. It may also increase road safety risks.
- ACT Government is proposing to change the residential building regulations (Territory Plan) at taxpayer expense, for one block, based on the pretext of running an *architectural design project*.
- Canberrans need certainty and trust when purchasing the family home, not government-driven spot rezoning in their backyards.

I can be contacted on (m)...

My email address is.....

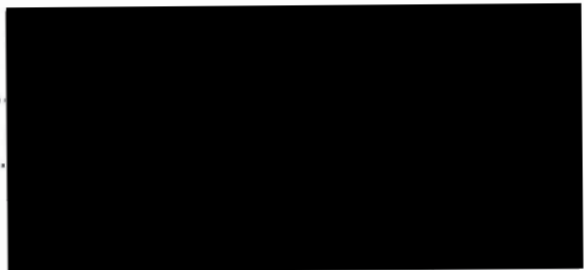
Signed name.....

.....Date.....

Printed name....



address.



Territory Plan Section
EPSDD, GPO Box 158
CANBERRA ACT 2601
terrplan@act.gov.au

Dear Sir/Madam

SUPPORT FOR

Draft Variation to the Territory Plan ~~Objectives to~~ DV375 Demonstration Housing - Manor House 20 Blaxland Crescent, Griffith Section 31 block 6.

I am writing to ~~object to~~ ^{express my support for} the proposed Variation to the Territory Plan required for the development of a so-called a 'Manor House' in an RZ1 Zone.

The RZ1 is specifically zoned for low rise and low-density houses. ~~The proposed Manor House development is incompatible with the objectives for RZ1 and the other dwellings in the vicinity.~~ ^{It should be abolished and merged with RZ2.}

- The largest investment for most families is the purchase of a home. It is crucial ~~they know what could be built next to them.~~ Families need certainty and trust in the planning system. They do not want ~~the surprise of a four-unit two storey, apartment-style development with 9 car parks built next door and impacting on their privacy and amenity.~~ ^{that every family has access to affordable housing}
- The Inner South already has the highest ratio of high-density dwellings in Canberra's 8 Districts. There are over 2000 new dwellings in the pipeline here and the population is set to rise by 20% in 6 years. ~~We reject further intensification in Griffith RZ1 zones.~~ ^{This is gospel and should continue.}
- Any single block rezoning must wait until the review of the Territory Plan is completed ~~as per the government's own words.~~
- Once the precedent has been set for rezoning random blocks, there is little to stop the ACT Government turning most of Griffith and other suburbs into higher density areas. ~~In effect, turning RZ1 zones into Swiss Cheeses, residents will not be able to forecast where the next hole/development will appear.~~ ^{Hopefully future medium density projects will force less bureaucracy!}
- Many residents in the Inner South, are concerned that ~~changing the planning rules to allow further construction/development of more units will reduce the value of existing houses and increase noise levels, local traffic and parking in our streets and possibly impact on safety.~~ ^{are too expensive!}
- ACT Government is proposing to change the residential building regulations (Territory Plan) at taxpayer expense, for one block, ~~based on the pretext of running an architectural design project.~~ ^{for the purposes} - let's continue to enable innovative approaches to development.
- Canberrans need ~~certainty and trust when purchasing the family home, not government-driven spot rezoning and developments in their backyards.~~ ^{a mix of housing options, Yes in my backyard!}

I can be contacted on (n [redacted])

My email address [redacted]

Signed name [redacted]

Date 9/3/2021

Printed name [redacted]

- The community associations don't reflect the full breadth of our area's residents
- 9 car parking spaces might be a bit much!

7 April 2021

TO

Territory Plan Section

Environment, Planning and Sustainable Development Directorate

GPO Box 158

Canberra ACT 2601

FROM



RE

Territory Plan DV 375 Demonstration Housing Manor House 20 Blaxland Crescent - objection

Greetings,

I object to the above DV because

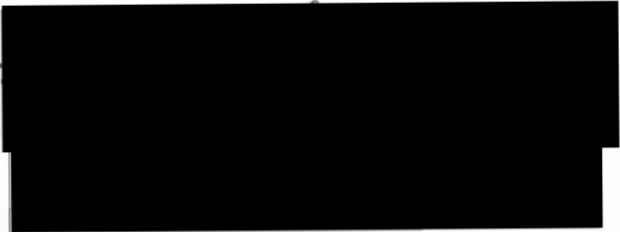
- (1) this proposed four-plex, misleadingly named "Manor House", has no place in RZ1 which is for low-rise and low density houses
- (2) one-off exceptions like this are disruptive and unfair and will set neighbour against neighbour which is the last thing government should encourage
- (3) it will demonstrate nothing except that government is prepared to spot-change its own rules for the benefit of one leaseholder and to the detriment of all the neighbours.

This DV should be disallowed because it is bad.

Thank you,



address..



Territory Plan Section
EPSDD, GPO Box 158
CANBERRA ACT 2601
terrplan@act.gov.au

Dear Sir/Madam

Draft Variation to the Territory Plan - Objection to DV375 Demonstration Housing - Manor House 20 Blaxland Crescent, Griffith Section 31 block 6.

I am writing to object to the proposed Variation to the Territory Plan required for the development of a so called a 'Manor House' in an RZ1 Zone.

The RZ1 is specifically zoned for low rise and low-density houses. The proposed Manor House is incompatible with the objectives for RZ1 and the other dwellings in the vicinity.

- The largest investment for most families is the purchase of a home. It is crucial they know what could be built next to them. Families need certainty and trust in the planning system. They do not want the surprise of a four-unit two storey, apartment-style dwelling with 9 car parks built next door and impacting on their privacy and amenity.
- The Inner South already has the highest ratio of high-density dwellings in Canberra's 8 Districts. There are over 2000 new dwellings in the pipeline and the population is set to rise by 20% in 6 years. We do not need more intensification in RZ1 zones.
- Once the precedent has been set for intensification of random blocks, there is little to stop the ACT Government turning most of Griffith and other suburbs into higher density areas. In effect, turning RZ1 zones into Swiss Cheeses, with no one able to forecast where the next hole/development will appear.
- One-off or site-specific Variations to the Territory Plan are not generally supported unless it can be demonstrated that there is an overriding public benefit or good and that it is consistent with the planning objectives of the ACT Government. These are yet to be determined in the current review of the Territory Plan. This block should not be re-zoned until the review is complete.
- Many residents in the Inner South, are concerned that changing the rules to allow for the construction of units will reduce the value of existing family houses and increase the noise and local traffic in the streets. This may increase road safety risks.
- ACT Government is proposing to change the residential building regulations (Territory Plan) at taxpayer expense, for one block, based on the pretext of running an architectural design project.
- Canberrans need certainty and trust when purchasing the family home, not government-driven intensification re-developments in their backyards.

This development should be in a new suburb, like Whittleton

I can be contacted on (m).....

My email address is.....

Signed name. (m)..... Date 13/4/21.....

Printed name. (m).....



[REDACTED]
Narrabundah

ACT 2064
[REDACTED]

Andrew Barr
barr@act.gov.au

Dear Chief Minister

We would like to express to you as one of our group of Legislative Assembly members, our objection to the proposed demonstration housing project the 'Manor House' at 20 Blaxland Crescent, Griffith Section 31 block 6.

Primarily, we are not opposed to reasonable proportionate medium or even higher density development in Narrabundah, Griffith, Forrest (Manuka) suburbs. We live opposite the Kiara development, have been watching the re-building of the street scape on Lindsay Street, observed many Mr Fluffy houses be replaced and seen the main roads become high rise (Canberra Avenue etc). In the main these have been done well to a high and aesthetically pleasing standard within the Territory Plan and existing zoning.

However, we take exception to the so call one-off rezoning of an RZ1 Block in this project. It is clear to us and many others in the electorate that this is not an experiment in design but a prototype for replication as urban in fill. It is not urban renewal as is being portrayed by the planning authorities. These suburbs housing stock, especially the Canberra reds, cannot sustain the continues battering of excavator blade, that happens all too often once they change hands. Surely there are sites with adequate zoning in Garran, Curtain, Hughes, Philip, Weston Creek across the Woden Valley, that would better fit the experiment / prototype? These places are in need for urban renewal / in fill and more affordable options for residence to up or downsize.

Our concern is that exception becomes the rule, and another expedient measure is given to a very few to gain at the expense of the wider community and future residence. These changes will have an impact for decades, why repeat mistakes made in other cities? In Melbourne's suburbs like Balwyn, Kew and many others, the residence and planners have now realised the loss of what once made these areas desirable places to buy into and live. They are now overcrowded, have inadequate recreation space, schooling, public transport, and car parking.

Thank you for your consideration of our views, we look forward to your response.

Kind regards

[REDACTED]

[REDACTED]

CC: Members for Kurrajong, Andrew Barr, Elizabeth Lee, Shane Rattenbury, Rachel Stephen-Smith
Rebecca Vassarotti

From: [REDACTED]
To: [Terrplan](#)
Subject: Objection to DV375 - Manor House 20 Blaxland Crescent Griffith
Date: Tuesday, 13 April 2021 11:18:29 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi

I wish to object to DV375 demonstration housing – Notifiable Instrument NI2021-92.

I appreciate the need to increase population density and affordable housing in Canberra, however this is not the way to do it.

I have looked closely at the plan and claimed benefits. The increase in density on a single block is so large that I simply do not believe the assertion that it will present as a single dwelling. There are already many multi-unit dwellings in the area – and it is simply not possible to construct a 4-unit dwelling with 9 (!) carparks in a way that presents as a single dwelling.

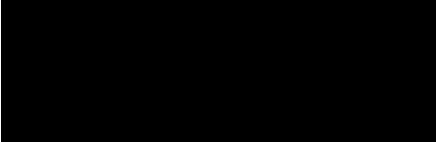
There is already a high ratio of high-density dwellings in the inner south – is it the highest in Canberra? The RZ1 Zone – for low rise and low density homes – is being steadily eroded. A development of this size only exacerbates that change.

We have invested our savings into building a high-quality family home in Narrabundah. We welcome the development on units on Goyder Street – they are an appropriate use of space that was no longer needed for its previous purpose. However, it is not appropriate to allow so many high-density developments of existing homes. We have close friends in Griffith who have invested their savings into their family home – and it is now threatened by a 3-unit development next door. We are frightened of dense infill taking place on the north side of our home, and simply do not believe the assertions that this is a one-off demonstration. Surely “success” will be measured by repeating the same thing nearly?

The single-unit and low-density dual occupant developments that have been approved to date are generally sympathetic to the character of the Griffith Narrabundah area, and justified within an RZ1 zone. When we (and our friends) redeveloped our blocks, we needed to comply with tight requirements to preserve that character – to the benefit of our neighbours. However developments of this size simply overturn that approach. We already know about the increases in traffic and loss of amenity that is occurring with infill and new developments – that is a cost of the need to increased population density. But this approach - of being able to so significantly increase density on a random block - is not needed and threatens the very nature of the inner south. It betrays the trust that families place in the ACT Government and planning system.

Please acknowledge receipt.

[REDACTED]



13 April 2021

To Whom it May Concern,

MANOR HOUSE – DRAFT VARIATION 375 - 20 BLAXLAND CRESCENT GRIFFITH SECTION 31 BLOCK 6

We are writing to object to the draft variation 375 for the Manor House proposed within Griffith. The proposal is to replace a house that is zoned as RZ1 with a two-storey dwelling which will include four apartments, and nine basement car park spaces.

As per the Planning and Development Act 2007, an RZ1 zone typically allows for low rise, and low-density homes that are not permitted to be subdivided or unit titled. This proposal does not meet the objectives of an RZ1 zone. According to your website, the zone objectives are to provide control over what is to be built on a block of land, and therefore we are unclear why this proposal should go ahead if the first criteria of an RZ1 zone is not being met.

At an information session held at East Hotel in September 2019, we were told that these proposals are one-offs and not to be used elsewhere in the RZ1 residential zone. If this variation is approved, it will set a precedent and pave the way for future homes zoned as RZ1 to be converted to apartment blocks. This approach provides no control or visibility over where these types of developments will appear, and therefore this will remove homeowners' confidence in what type of community they are buying into.

One of the claimed benefits that was mentioned during the information session was that the Manor House is key for those that are looking to downsize their home but stay within the community. From all the materials we have been provided and discussions we have participated in, it became evident that the purchases would not be governed, and therefore these apartments would be treated as any other apartment. There are already many new developments in both older and newer areas of Canberra. It is difficult to understand what this proposal brings that is different to the existing developments within Canberra. It is also difficult to understand if this is a one-off proposal, why a showcase of this type of housing is required.

When buying a home, buyers don't just consider the house and the block it sits on. Part of buying a home includes buying into the area and community. That is, the decision is also based on the character of the suburb, the houses in the neighbouring and adjacent streets, and the community.

We are next door to 20 Blaxland Crescent and only learnt of this proposal after we moved in. When we bought our house, we knew that there was an older house on either side. We expected there would potentially be work done to both at some point in time, which we accepted. However, we never envisaged that we would be potentially living next to an apartment block that could house more than twenty people, along with nine cars excluding visitors to these apartments. If this was known at the time, we would not have purchased the house. The development would change our environment to a higher density area, increasing the traffic congestion and noise levels, which are already higher than an average house due to St Edmund's College being located across the road. This will also have a negative effect on existing house prices.

Planning rules are in place to ensure that people have confidence knowing what they are buying into. By bending or changing the rules, this does not place any trust in the planning association and encourages people to bend or change the rules to other policies of their choosing.

If you would like to discuss further, we can be contacted on via email [REDACTED] and/or [REDACTED]

Please confirm the receipt of our objections and cc the Secretary of the GNCA at info@gnca.org.au.

Regards

[REDACTED]



23 March 2021

The Manager
Territory Plan Section
EPSDD
GPO Box 158
Canberra ACT 2601

Email: terrplan@act.gov.au

Dear Sir/Madam

Draft Variation to the Territory Plan – Objection to DV 375 Demonstration Housing – Manor House 20 Blaxland Crescent Griffith Section 31 Block 6

1. I refer to the draft variation (**DV**) to the Territory Plan (**the Plan**) for Section 31 Block 6 at 20 Blaxland Crescent Griffith (**subject block**) and Notifiable Instrument NI2021-92.
2. I live in Narrabundah and regularly walk by the subject block en route to Kingston shops. I often attend cricket and football games on St Edmund's oval.
3. On balance, for the reasons explained below, I **oppose the variation**. Demonstration Housing (**DH**) is a laudable objective (ES para 2.1) and I understand the desire of the lessee(s) of the subject block to 'age in place'¹ but a manor house should be developed consistent with the Plan.

My understanding of the DV

4. I am a member of the Griffith Narrabundah Community Association and received information about the proposed development from them. I have studied the relevant documents including those discovered by my own searches.² I have tried to accurately piece together the relevant facts and properly interpret the labyrinthine ACT planning laws because the documents raise several questions.
5. The DV varies the Plan by excluding the proposed development from relevant building and site controls (3.1.1) and altering the Griffith Precinct Code (3.1.2-5) (the **GF Code**). So this DV allows a 'one-off' development (paras 7-9 below).

¹ Statement by lessee of subject block on internet accessed 23 March 2021.

² e.g. *Canberra Times* 25 May 2019 <https://www.canberratimes.com.au/story/6150098/future-homes-taking-shape/> accessed 23 March 2021

6. There are two manor houses being built as part of the DH Project in residential areas in Ainslie and Griffith.³ At this time there are no plans for any more DH buildings.⁴ This project will be evaluated by someone.⁵
7. The Griffith Precinct map in the GF Code shows the single subject block floating in the midst of a large RZ1 zone with its own special characterisation. The subject block is not being re-zoned (DV Figure 2). The proposed development is obviously inconsistent with the other buildings in the zone in which it sits and contrary to the stated governance outline in the Plan (1.1).⁶ The insufficient explanation for the variation is in the Explanatory Statement (ES) and supporting online documents.⁷
8. It is axiomatic that ACT residents rely on the Plan when buying their homes, which are often the largest purchase of their lives. Their savings are invested in their homes. When they buy in a residential zone they do not expect a single adjacent block to be reclassified (but not re-zoned) into a special project apparently to meet the needs of an individual neighbouring lessee and a general government and community desire.
9. While the ACT government and community may want to explore the DH option it is unfair to place the burden of that exploration on one RZ1 area unless there are no alternatives. In this case an adjacent RZ2 zone is a viable alternative. Is this the only lessee or developer in the inner south willing to try a DH manor house development? Has this option been tested on the open market? Where is the background to this particular one-off DV explained?

My suggestions

10. I suggest that:
 - a. the variation to the TP be delayed until the review of the TP is complete (and see para 13 below); and
 - b. consideration be given in the review to inserting a presumption in the Plan that one-off variations to the Plan (such as this DV) only be promulgated and approved in defined exceptional circumstances (see e(iii) and para 13 below); and
 - c. this DH Manor House Project be conducted in an RZ2 zone (for example, in one that is very near to the subject block) and not on the subject block that is in a RZ1 zone; and
 - d. that the guidelines for testing the efficacy of the Project be publicised prior to any Project being approved and proceeding, including approval of the DV (and see para 6 above); and
 - e. if the Project is to proceed based on the format proposed in this DV then:
 - i. the definition of manor house not be buried in the Griffith Precinct Code (see 14(a) below); and
 - ii. The apparent lacuna in general controls for building and site controls be remedied (see 14(b) below)

³ <https://www.planning.act.gov.au/urban-renewal/demonstration-housing-project/whats-new/whats-new-items/territory-plan-variations-proposed-for-manor-house-and-stellulata> accessed 23 March 2021

⁴ <https://www.planning.act.gov.au/urban-renewal/demonstration-housing-project> accessed 23 March 2021

⁵ Id and see para 10(d) below.

⁶ Comparison from site inspection and plans available online.

⁷ See n 3 and 4 above.

- iii. the ES be revised to contain a complete description of the Project and its context (see 14(c) below) to fully justify this extraordinary one-off variation to the Plan; and
- iv. the inclusion of the Project as a merit track development in the Griffith Precinct Code be removed (see 14(d) below); and
- v. the register that contains a name or names of the Project lessee(s) be reconsidered (see 14(e) below).

My main reason for opposing the DV

- 11. My main reason for opposing the DV is that it is a manipulation of the Plan to achieve an individual outcome. The DV does not change the zoning of the subject block (DV Figure 2) but its effect is to allow a change in the character of the building on the block, despite the assertion that this is not happening (ES).⁸
- 12. Its effect will be contrary to the Plan's RZ1 zone objectives including by failing to protect the character of an existing single dwelling housing area and ensuring the development respects neighbouring properties.
- 13. The ES insufficiently explains why the usual practice of not supporting one-off variations to the TP is being ignored in this instance. A more honest and transparent method would be to have a more open conversation about the parameters for reclassification of RZ1 Zones, especially near schools. This could occur while the Plan is being reviewed.

Particular aspects of DV of concern

- 14. The particular aspects of the DV documents that concern me are as follows:

- a. Manor house is not defined in the TP (Part 13). The new definition of the term is to be in the Definitions in the Griffith Precinct Code (sub cl 3.1.4)

'Manor House' appears to be defined to meet the exact needs of this particular development. In my experience the distortion of legislation, legislative instruments and soft law for an isolated exigency is risky.

Manor house is defined as *a building containing three of four dwellings, where:*

- a) *Each dwelling is attached to another dwelling by a common wall or floor, and*
- b) *at least one dwelling is partially or wholly located above another dwelling, and*
- c) *the building contains no more than two storeys excluding the basement.*

The note states that a 'building is not an apartment if it meets the definition of a manor house'. But a note is not part of an Act (*Legislation Act 2001 s.2A, s. 127*) and cannot change the plain meaning in the Plan.

Apartment is defined as *a dwelling located within a building containing two or more dwellings and which is not in an attached house* (TP part 13) and is multi

⁸ <https://www.planning.act.gov.au/urban-renewal/demonstration-housing-project/projects-with-a-site/manor-house>

unit housing that means the land is used *for more than one dwelling and includes but is not limited to dual occupancy housing*' (TP part 13). A manor house appears to fit within the definition of an apartment except for the note.

The fact that the manor house is specifically excluded from Multi Unit General Controls Element 3 suggests that it is recognised as a multi unit development. Is it not included in that part of the Plan because it is a one-off and has to fit within the RZ1 zone?

- b. There appears to be a lacuna in the General controls for building and site controls for the manor house. DV subcl 3.1 states that the General Controls, Element 3 for multi unit housing do not apply to manor houses. So a dwelling on a standard block is being replaced by four apartments, each with their own title (DV 13.4), but because it 'will appear as one house' it is not going to be subject to the building and site controls generally applied to multi unit housing.

If the multi unit general controls do not apply then which controls do apply? Is it the single dwelling housing code general controls? Single dwelling housing is defined as 'the use of the land for residential purposes for a single dwelling only' so the manor house does not fit that definition.

- c. The DV's definition of manor house permits wide scope for developments. It currently limits the number of dwellings to a maximum of four and confines the building to two storeys. Element 13 Rule 13.2 requires the manor house to appear as a large house. However there is still scope within these parameters to build very large complexes on traditional suburban blocks. What are the controls on the storey heights since the multi use general controls do not apply?
- d. The inaccurate description in the ES (p.7 part 2.5 dot points 2 and 3) that 'the development will appear as if it is one house and will therefore fit in with the low-density character of the surrounding area' and will have 'the look and feel of a large single dwelling house' misleads.

In the inner south the earth is often scorched and large two storey McMansions are thrust onto single dwelling blocks to occupy most of the block. The proposed building appears to be two conjoined McMansions, and more, because it has nine underground car parking spaces. Although Element 13 Rule 13.2 criteria require that it look like a large house and that the basement parking not be directly visible from street frontages it is obvious that a four apartment building with underground parking will not sit quietly on the block and 'fit in' with the surrounding area.

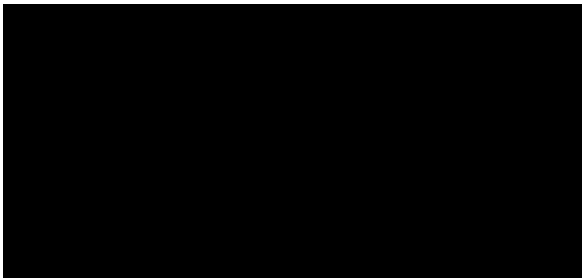
- e. The inclusion of the manor house development as an additional merit track development (Subcl 3) should not occur. This Project is a new type of development and needs close supervision and control. It is not subject to the general multi use controls. It is located in the middle of multiple single dwelling one storey houses in an RZ1 zone. It is a multi unit dwelling but is not recognised as one. It is not consistent with the Plan.

- f. A monopoly seems to be created in Element 12 Rule 12.1 that says a manor house development can only be undertaken by the DH Project lessee identified on a register published on an ACT government website. If there are only two such projects then will only two names appear on the register? Is the main qualification for the inclusion on the register a desire and willingness of a lessee to build a manor house on their land? Presumably there is an open process for approval of suitability for a DH project? But if there are no plans for more DH projects then is the register never to be expanded? Is there a right of appeal against a decision to exclude someone from entry on the register?
- g. What are the lease variation arrangements? Is another use being added? Where is this to be added? Does building a DH give a lessee a lease extension advantage? If yes, is that publicly known?

Conclusion

- 15. It is counterproductive to destroy trust in government. Our community – and government – can do better than this.

Yours faithfully





Territory Plan Section EPSDD, GPO Box 158 CANBERRA ACT 2601

Dear Sir/Madam

Draft variations to the Territory Plan - Objection to DV375 Demonstration Housing - Manor House 20 Blaxland Crescent, Griffith section 31 block 6.

I am writing to object to Draft Variation 375, which will apply only to only one block in Griffith, so that a so-called Manor House can be constructed in an RZ1 Zone. The RZ1 typically allows for low rise and low-density houses or homes that are not permitted to be subdivided or unit-titled. The proposed Manor House would not be compatible with the surrounding dwellings or the character of an RZ1 residential zone. My reasons for objecting to this development are: *Our*

- The proposed two-storey structure with 4 flats and 9 basement car park spaces would not be compatible with the other dwellings in this part of Griffith, where RZ1 rules apply.
- Once the precedent has been set for rezoning random single blocks, there is little to stop the government turning most of Griffith and other suburbs into higher density areas. In effect, this would turn RZ1 zones into Swiss Cheeses, with no one able to forecast where the next hole will appear.
- The largest investment for most families is the purchase of a home. It is crucial they know what could be built next to them. Families need certainty and trust in the planning system. They do not want the surprise of a four-unit two storey, apartment-style dwelling with 9 car parks built next door and impacting on their privacy and amenity.
- The Inner South already has the highest ratio of high-density dwellings in Canberra's 8 Districts. There are over 2000 new dwellings in the pipeline and the population is set to rise by 20% in 6 years. Why do we need more intensification?
- Many residents in the Inner South, are concerned that changing the rules to allow for local intensification will reduce the value of existing houses and increase the noise and local traffic in the streets.
- Canberrans need certainty and trust when purchasing the family home, not government-driven spot rezoning in their backyards.

[Redacted signature area]

Please confirm the receipt of my objection and cc the Secretary of the GNCA at info@gnca.org.au



address.



Territory Plan Section
EPSDD, GPO Box 158
CANBERRA ACT 2601
terrplan@act.gov.au

Dear Sir/Madam

Draft Variation to the Territory Plan - Objection to DV375 Demonstration Housing - Manor House 20 Blaxland Crescent, Griffith Section 31 block 6.

I am writing to OBJECT to the proposed Variation to the Territory Plan required for the development of a so called a 'Manor House' in an RZ1 Zone.

The RZ1 is specifically zoned for low rise and low-density houses. The proposed Manor House development is incompatible with the objectives for RZ1 and the other dwellings in the vicinity.

- The largest investment for most families is the purchase of a home. It is crucial they know what could be built next to them. Families need certainty and trust in the planning system. They do not want the *surprise* of a four-unit two storey, apartment-style development with 9 car parks built next door and impacting on their privacy and amenity.
- The Inner South already has the highest ratio of high-density dwellings in Canberra's 8 Districts. There are over 2000 new dwellings in the pipeline here and the population is set to rise by 20% in 6 years. We reject further intensification in Griffith RZ1 zones.
- Any single block rezoning must wait until the review of the Territory Plan is completed as per the government's own words.
- Once the precedent has been set for rezoning random blocks, there is little to stop the ACT Government turning most of Griffith and other suburbs into higher density areas. In effect, turning RZ1 zones into *Swiss Cheeses*, residents will not be able to forecast where the next hole/development will appear.
- Many residents in the Inner South, are concerned that changing the planning rules to allow further construction/development of more units will reduce the value of existing houses and increase noise levels, local traffic and parking in our streets and possibly impact on safety.
- ACT Government is proposing to change the residential building regulations (Territory Plan) at taxpayer expense, for one block, based on the pretext of running an *architectural design project*.
- Canberrans need certainty and trust when purchasing the family home, not government-driven spot rezoning and developments in their backyards.

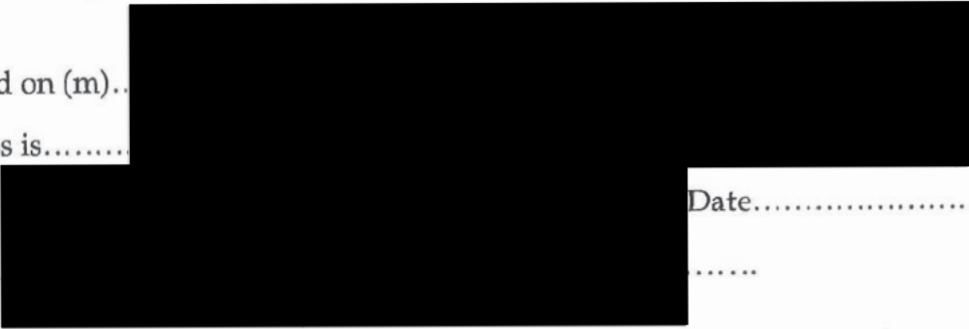
I can be contacted on (m)...

My email address is.....

Signed name.....

Date.....

Printed name.....



Planning Report

Block 6 Section 31 Griffith 20 Blaxland Crescent ACT 2602

31 March 2020

Under instruction from
**ACT Government - Strategic Projects and Infrastructure
Environment, Planning and Sustainable Development Directorate**
For the purpose of
Informing a Proposed Territory Plan Variation



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Project Number J-116102 – Site 2 (V2)

Quality Management			
	Name	Date	Signature
Revised by	Rohan Burnside	31/03/2020	RB
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Enquiries should be addressed to Knight Frank Town Planning.

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1. Executive Summary

Increased housing choice is an integral part of the ACT Government's priority of urban renewal that creates viable, safe and attractive communities. The proposed development at Griffith forms the second part of the ACT Government's Demonstration Housing Project that aims to showcase how the ACT can deliver a compact and active city through innovative planning, design and delivery. How the strategic planning policy context contributes toward justifying the change is expanded in part four.

Knight Frank Town Planning has prepared this planning report to support the proposal by Earle and Cantamessa for a residential development at Block 6 of Section 31 Griffith. This report is to inform consideration by the Planning and Land Authority on preparing a Territory Plan Variation. The requirements associated with varying the Territory Plan are set out in Part 5.3 of the Planning and Development Act 2007 (the Act). This Planning Report forms part of the documentation required under the Act and will become a 'background paper' that will support the Territory Plan Variation.

The scope followed in this report has been guided by a 'scope for a planning report' document as provided by EPSDD. This planning report supports a variation to the Territory Plan for Block 6 Section 31 Griffith as detailed at part two.

The Territory Plan controls development of multi-unit housing on standard and RZ1 blocks to ensure suburbs such as Griffith generally retain a low-density suburban form and character. The need for the proposed policy change is driven by a range of factors, such as changing housing preferences, changing lifestyle choices, climate change and improved housing choice and design. The need for the proposed policy change is expanded in part three.

This Planning Report provides a balanced assessment of the net impacts of the proposed plan variation and suitability of the block for this development in part six. An accompanying Traffic Assessment Report can be found at attachment B.

Public consultation has been undertaken by the proponent and the inputs from this process are included at attachment A.

1.1 Title Details and Relevant Lease Clauses

Current Registered Crown Lessee

Cindy Jane Cantamessa
Kevin Eric Earle

Title Description

Block 6 of Section 31 Griffith

Lease Commenced

26 April 1946

Relevant Lease Clauses

<i>3(d) Clause</i>	<i>Purpose</i>	<i>To use the said land for residential purposes only;</i>
------------------------	----------------	--

1.2 Town Planning Details

Local Government Area and Planning Scheme

ACT Government – ACT Territory Plan 2008

Principal Land Use Zoning

RZ1: Suburban

Block Type

Standard

Block area

1,166m²

Precinct Code

Griffith Precinct Map and Code

Zone Development Codes

Residential Zones Development Code
Multi-Unit Housing Development Code

General Codes

Parking and Vehicular Access General Code

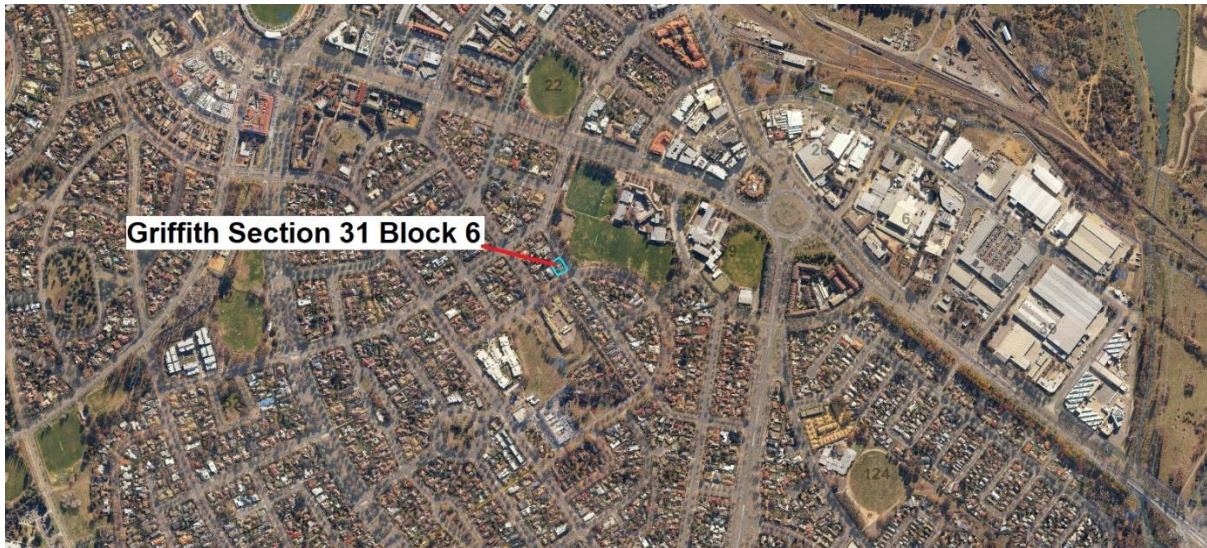
2. Description of the Proposed Territory Plan Variation

The manor housing typology as exemplified by the Earle and Cantamessa proposal is not common in Canberra due to planning restrictions. The proposed variation approach will limit this type of development to Block 6 Section 31 Griffith.

1.1 The site and local context

Griffith is an established Inner South garden suburb within the ACT. In addition to the local Griffith shopping strip, Griffith contains the Manuka Shopping Centre, one of the earliest group shopping areas built in Canberra. Griffith is one of Canberra's oldest suburbs, with several of its streets designed according to Walter Burley Griffin's original designs for Canberra. The suburb has 20 parks covering nearly 12% of the total area.

Figure 1 Site within the context - ACTMAPi



Griffith is in a central location, has easy access to the CBD, the abundance of charming early twentieth-century, heritage-listed houses and mature deciduous street trees.

Figure 2 Site within the local context - ACTMAPi



The modestly sized Griffith Local Centre is a popular shopping area with busy restaurants. The character of residential areas in Griffith reflects a garden suburb ethos. There is relatively little diversity in housing with properties in Griffith dominated by separate houses, reflecting the predominant typology. 48.3% of housing in Griffith are detached houses and 45.8% are units. This proposal seeks to add to medium density stock, which is only 5.5% of total housing stock.

Block 6 Section 31, (20 Blaxland Crescent) Griffith is located opposite St Edmund's College. It is a 450m walk to a bus stop on Stuart Street or 1km to Wentworth Avenue, both serving the city every 15 minutes. The corner block is flat and rectangular shaped, with an area of 1166m², a frontage of approximately 30m to Blaxland Crescent and 40m to Frome Street. The site possesses partially impeded northern exposure, no significant trees in the construction zone

and a driveway with a verge crossing on both Blaxland Crescent and Frome Street. The block is close to Griffith shops. The block currently contains a single storey residential single dwelling house. The block comprises leased Territory land zoned RZ1 Suburban.

1.2 The proposal, intended development and use

Earle and Cantamessa have owned Block 6 Section 31 Griffith for several years and will act as the proponent for this development.

The proposal is part of the Demonstration Housing Project which is designed to promote additional types of housing by constructing and testing a variety of innovative housing proposals. This proposal is intended to support Canberra's ageing population, demonstrating how this housing typology may increase the options for people wishing to downsize from large capacity houses which had previously suited their family size allowing them to remain in the area and maintain the community connections they have developed over the years. The proposal would also be suitable for families seeking to live in a small, community-centric development close to schools.

Earle and Cantamessa's intended development consists of a two-storey building containing a basement car park and two units on the ground floor, each with another unit directly above on the first storey. The proposal embraces garden city values and is consistent with the established street character, setbacks, scale, built form, street presentation and integrated landscape. The character of the development is respectful of street frontage (with a single address) with a gross floor area of 881.6m².

Figure 2 Earle and Cantamessa Manor housing street perspective



Access is proposed by the existing southern verge crossing with individual entrances to each dwelling from a central passage and stair linking pedestrian access to the northern boundary. Development on this site assessed within the Single Dwelling Development Code would be limited to 50% plot ratio. While the number of dwellings is increased, the plot ratio will be 45.37% (i.e. the floor area is less than what is currently permitted under the existing zoning),

allowing the development to retain the appropriate character of a low-density residential development and maintain consistency with the zone objectives.

Figure 3 Earle and Cantamessa Manor housing Landscape Plan



Garden areas surround the building to the west, north and east, allowing for outside circulation around the boundaries and access to Frome Street and Blaxland Crescent main shared area and each of the individual dwellings. The proposal seeks to make the best use of valuable garden space, by creating an attractive setting and space which will allow for informal recreation and landscape space.

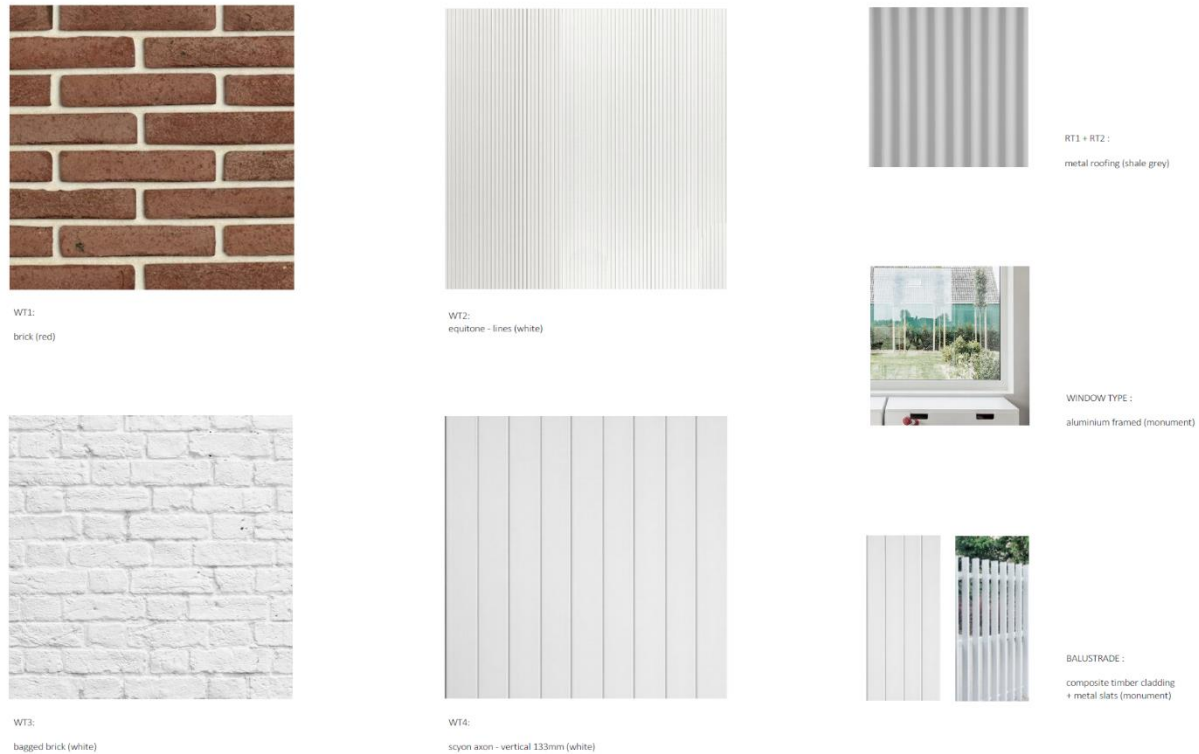
Driveway surface area and space dedicated to car movement is kept to an absolute minimum and where possible paving is porous to allow water to penetrate the soil and minimise stormwater run-off.

The proposed development is strongly influenced by the existing character of Griffith residences and considerate of a harmonious interaction with the streetscape. The proposal will retain the existing hedge and garden to continue the amenity to residents and neighbours, while creating a pleasing visual impact from the street.

The proposal will fit within the scale, bulk, height and footprint of what is currently allowable for a single residence within the Territory Plan. Materials are selected to match the widely

distributed use of Canberra red bricks in the suburb, while consideration has been given to the integration of modern and traditional aesthetics employed in the Griffith Community Centre (at the Griffith local centre).

Figure 4 Material options - Rob Henry Architect



This proposal is designed to serve the objective of the Demonstration Housing Project by demonstrating the potential for this typology to be compatible, legitimate, sensible and sensitive for the suburban zone (RZ1) in general. The proponents hope that their proposal may be constructed as an example to the rest of the ACT, inspiring further development of the manor housing typology and serving more people in various life stages.

1.2.1 Current Planning Policy

As it currently stands, the Territory Plan would prohibit the proposed development because it does not meet the requirements of various rules and criteria. The following section of this report addresses the current policy conflicts within the Residential Zones Development Code and Multi-unit Housing Development Code in relation to the development as proposed.

1.2.2 Residential Zone Development Code

The proposal is non-compliant with two rules from within the Residential Zones Development Code.

1. Rule 17 prohibits subdivision to provide a separate title to a secondary residence, including under the Unit Titles Act. The proponent intends to unit title the development, which would not comply with this rule.
2. Rule 38 prohibits subdivision except where all dwellings on the block were subject to development application, approval and lawful construction each occurring on or

before September 2003. The proponent intends on unit titling the development, which would not comply with this rule.

1.2.3 Multi Unit Housing Development Code

The proposal is non-compliant with two rules from within the Multi-unit housing development code.

1. Rule 10 limits the number of dwellings on a standard block in RZ1 to 2. The Manor House proposes 4 dwellings and Block 6 Section 31 Griffith is a standard block in RZ1. The proposed development does not comply with this rule.
2. Rule 16 prohibits basements below any 2-storey element of a dwelling on standard blocks in RZ1. The Manor House proposes a basement below a 2-storey element and Block 6 Section 31 Griffith is a standard block in RZ1. The proposed development does not comply with this rule.

1.3 Proposed Changes to the Territory Plan

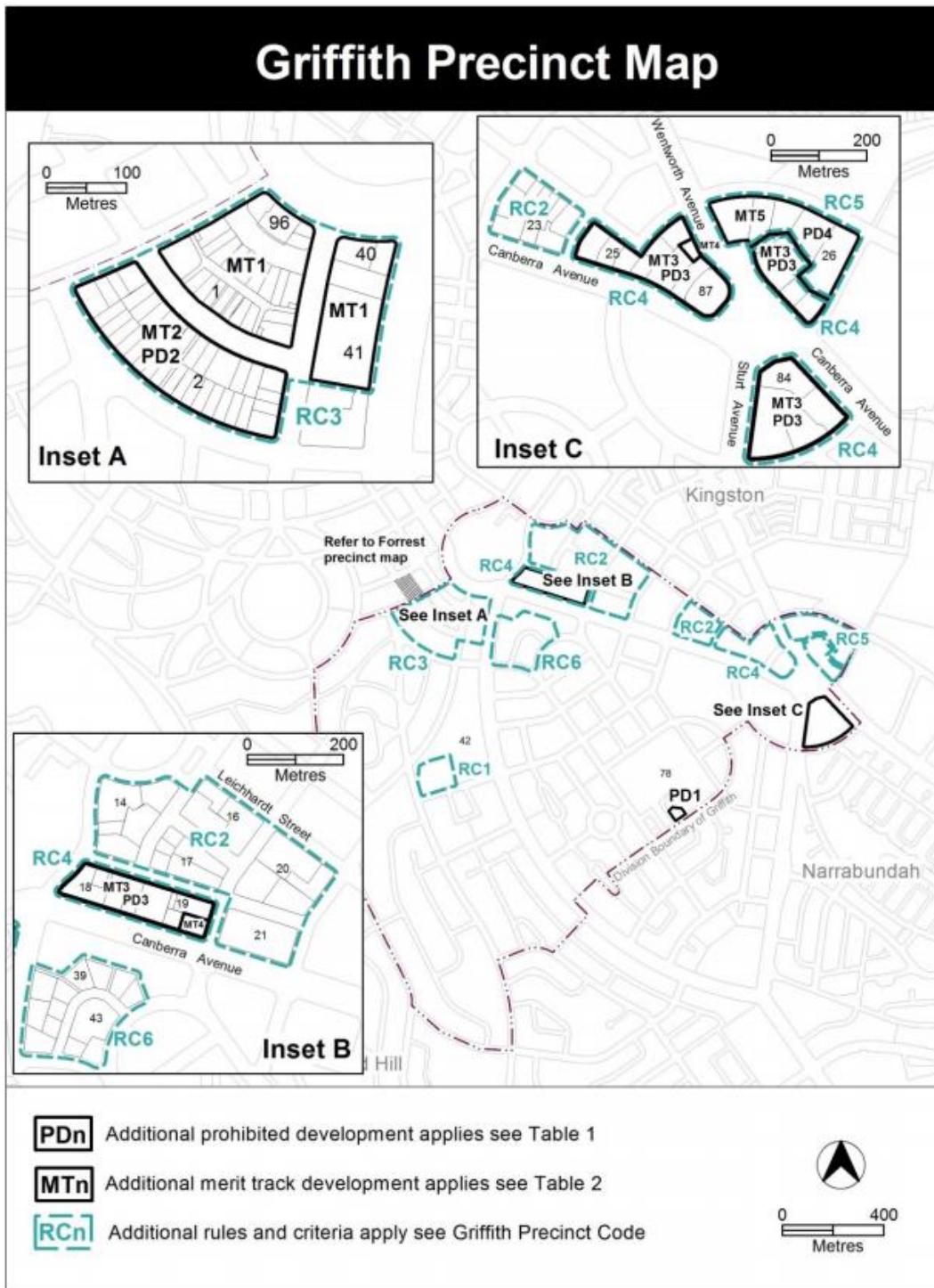
1.3.1 The Griffith Precinct Map and Code

The existing Griffith Precinct Map illustrates six areas within Griffith in which alternate rules and criteria apply. Where a precinct code differs from another code within the Territory Plan, the stipulations of the precinct code take precedence.

In order to allow the proposed development on Block 6 Section 31 Griffith, we propose a replacement Griffith Precinct Map, amended to include the addition of an outline surrounding Block 6 Section 31 Griffith.

An attached legend will contain a new line indicating the additional rules and criteria that apply to Block 6 Section 31 Griffith.

Figure 5 Griffith Precinct Map, Territory Plan 2008



Current Griffith Precinct Code map to be revised.

1.3.2 Additional rules and criteria

We propose varying the Territory Plan to include a new part titled 'RC7 – Demonstration Housing Block' within Griffith Precinct Map and Code.

To address the current non-conformances of the proposed Demonstration Housing Project for this site and provide exemptions and specific provisions to relevant rules and criteria, we would suggest a brief paragraph outlining the purpose of Demonstration Housing and highlighting the highly localised nature of these exceptions. All the new rules should apply only to Block 6 Section 31 as outlined below.

1. The first rule should state that Rule 17 of the Residential Zones Development Code does not apply to the block identified and add the subdivision is permitted to provide separate title to up to four residences.
2. The second rule should state that Rule 38 of the Residential Zones Development Code does not apply to the block identified.
3. The third rule should state that Rule 10 of the Multi-unit housing development code does not apply to the block identified and potentially add that the maximum number of dwellings permitted on the block within RC7 is four.
4. The fourth rule should state that Rule 16 of the Multi-unit housing development code does not apply to the block within RC7. Instead, basements are permitted below 2-storey elements on the block identified within RC7.

Introduce a Demonstration Housing-specific Manor House definition into the Griffith Precinct Code:

“A Manor House is a building containing three or four dwellings, where:

- a) each dwelling is attached to another dwelling by a common wall or floor, and
- b) at least one dwelling is partially or wholly located above another dwelling, and
- c) the building contains no more than two storeys excluding the basement.

A building is not an apartment if it meets the definition of manor house.”

2. Justification for Policy Change

A discussion of changes in the economic, social, natural and physical environment that have necessitated these changes has been broken down into individual consideration of the Demonstration Housing Project, Earle and Cantamessa's proposal in particular, the concept of manor housing and the broader planning initiative taking place in other jurisdictions that support compact city planning, increased use of urban infrastructure and addressing climate change.

2.1 Benefits of the Demonstration Housing Project

The ACT Government is aiming to ensure housing is designed and delivered to best serve people in various life stages and diverse household groups. This social driver is complimented by the parallel intention to deliver density and design in residential development that contributes to meeting the zero net emissions target by 2045. Demonstration Housing Projects must showcase one or more of seven goals:

1. Excellence in design quality;
2. Carbon neutral buildings;
3. Medium density infill;
4. Innovative planning and engagement approaches;
5. Innovative housing products and typologies;
6. Close partnership with industry bodies; and
7. Options for public and affordable housing.

The Demonstration Housing Project presents an opportunity to test the effectiveness of alternative housing designs over time, illustrating how well-considered design can best achieve infill while retaining high-quality green space and integrate into the local neighbourhood, how housing can respond to different demographic needs, and the effectiveness of community engagement in delivering urban renewal.

2.2 The Earle and Cantamessa Project

The ACT Government has selected Earle and Cantamessa as a Demonstration Housing Project to demonstrate the suitability of the manor house typology for the Canberra community.

A manor house is a single building comprising of three or four dwellings on one block. NSW introduced legislation in 2018 allowing manor housing, terrace houses and dual occupancies be approved where proposed for blocks meeting certain characteristics and within certain zones. In NSW a manor house can be up to two storeys in height (not including the basement), and each dwelling must be attached by a common wall or floor. Depending on the layout and design of the property, one dwelling will be partially or wholly located above another dwelling.

The existing use of Block 6 Section 31 for a single-dwelling residential home is known to be viable, and the performance of this use on the site suggests viability of the similar use which is the subject of Earle and Cantamessa's proposal. The current planning provisions relating to

this site and RZ1 Suburban zoning greatly limit other potential uses to residential development with a lower dwelling density than the subject proposal.

2.3 Benefits of the manor housing concept

As part of the Demonstration Housing Project, the proposed manor housing design will provide the community, government and industry the opportunity to better understand and demonstrate the utility and capacity for integration of non-traditional housing types, thereby informing the strategic approach to supplying desirable and amenable housing to the ACT in future. The Earle and Cantamessa proposal aims to contribute to showcasing how innovative planning, design and delivery can benefit Canberra's future through a more compact and active city.

To accommodate Canberra's growing and ageing population, manor housing may help meet the demand of population growth. Low rise medium density buildings such as manor houses fill the gap between detached houses and unit blocks providing more affordable housing options and greater housing supply.

2.4 Opportunity costs

The proposed variations would allow a development on Block 6 Section 31 Griffith that would preclude development of the site for other purposes. Without these proposed variations, the provisions as they currently stand limit the opportunity for this site to a relatively narrow range of low-density residential development, which could be said to characterise the current use. As such, there is a reasonably low loss of opportunity on this site.

3. Strategic planning policy context

3.1 ACT Planning Strategy 2018

The 2018 ACT Planning Strategy identified goals relating to housing the forecast growth in population. The Strategy stated that in 2018 Canberra had the second lowest population density of the major Australian capital cities. According to the strategy, population density was approximately 1,062 people/km², about three quarters of Adelaide's density of 1,400 people/km². The Strategy discussed the 'ACT Housing Attitudes and Intentions Survey 2016' from Winton Sustainable Research Strategies survey findings that of 170,000 private homes, 63% of housing was low density dwellings, with 18% medium density and 19% higher density.

The strategy described ACT Government interaction with residents to inform goal setting and the resulting information:

Liveable cities offer diverse housing options that are accessible to all. Canberra has added approximately 65,000 new dwellings in the last 25 years and will need to almost double that with more than 100,000 new dwellings over the next 25 years. Single detached dwellings make up approximately 65% of our existing housing stock. Historically Canberra has been dominated by detached housing on large blocks of land. More recently, there has been a consistent supply of multi-level apartment buildings; however, there has been limited supply in medium density housing options.

People are living in smaller family units, with growing numbers of one and two-person households. While the ACT has benefited from a strong economy, rising house prices are making it increasingly difficult for young people to obtain home ownership. Increasing the supply of well-located and designed medium density housing to the housing mix will help respond to changing demographic and community needs.

The Housing Choices project and the Collaboration Hub consultation undertaken in 2018 provided a comprehensive body of information about what is important to people. It highlighted the importance of achieving balance in keeping the things we value while providing an increased diversity of products and more affordable housing options. The consultation indicated the need to investigate the changing needs of the community, including a range of medium density and dual occupancy housing.

For Canberra to remain desirable as a city of choice for living and working in, we need an expanded diversity of housing in the right locations that is affordable and reflects the changing needs of our community.

The community has clearly articulated that our future housing must be:

- 1 diverse—offering choice in location and housing type*
- 2 respectful of our landscape and existing neighbourhood character*
- 3 affordable to the whole community*
- 4 of high-quality design and construction*
- 5 working to minimise our ecological footprint.*

The Demonstration Housing Project also responds to the recommendations from the Housing Choices Collaboration Hub. The Collaboration Hub members helped to develop the assessment criteria for the Demonstration Housing proposals.

The ACT Government has selected Earle and Cantamessa's proposal as a Demonstration Housing Project to test whether their manor housing model will be suitable more generally in the Canberra community. As the second project within the Demonstration Housing Project, Earle and Cantamessa's proposed development of Block 6 Section 31 Griffith offers an opportunity to pave the way for other members of the community who wish to achieve a similar housing form.

3.2 Statement of Strategic Directions

The Governance chapter of the Territory Plan indicates that variations are guided by the Statement of Strategic Directions. A response to each of these directions is provided below.

4.2.1 Principles for Sustainable Development

3.2.1.1 General Principles

The variation proposed in this planning report represents an opportunity to contribute toward greater community wellbeing and environmental quality, as evinced by the design characteristics which respond to and build on the character of the local area. It responds to the ageing population by designing all dwellings to Liveable Housing Design Guidelines - Silver, providing a housing option for people who want to downsize, age in place or have higher mobility needs such as people with a disability, and who want remain close to local friends and family, and the existing community networks that they have established in the area. The community has been consulted and engaged with the motives, reasoning ideas and aspirations of the proponent, Earle and Cantamessa.

The Demonstration Housing Project is of metropolitan significance, providing a key contribution to addressing gaps in the housing market for emergent demand for alternative housing typologies.

Should the proposed variation be approved, the Territory's strategic pursuit of sustainable, social and environmental objectives will be enhanced. The proposed variation strategy allows for the innovative nature of the project, and ongoing opportunities, to balance the pursuit of sustainable social and environmental objectives with other priorities. The project is designed specifically to improve the housing choices for future generations and extensively employs design principles that contribute to the conservation of the environment.

3.2.1.2 Environmental sustainability

The proposed variation to the Territory Plan will allow greater diversity in housing development and assist to contain urban expansion and increase active travel including making greater use of public transport. The proposed variation will reinforce the Territory Plan's focus on environmental sustainability outcomes. The site has been designed to minimise urban heat island effect and storm water runoff (proposal is achieving over 50% landscape area and is using permeable paving where possible).

The proposal is also seeking to achieve an energy efficient rating of 'code+1' and will incorporate solar panels with battery storage. The proposal has also been designed around solar passive principles and retention of deep root planting areas. Additional sustainable features such as enabled electric car charging and dedicated bike storage will be included. This project could act as an example of the type of environmental qualities that all developments should aim for.

3.2.1.3 *Economic sustainability*

The proposed variations are unlikely to have a significant impact on the future Territory Plan approach to economic sustainability.

3.2.1.4 *Social sustainability*

The variation contributes towards facilitating development which promotes active living through preserving open space, encouraging mixed land use and density, providing supportive infrastructure that encourages regular physical activity and ensuring environments promote social inclusion, and are equitable. It will also contribute to providing more housing around existing sporting and community facilities, and strengthen Canberra as an inclusive, diverse, resilient and inclusive city.

These provisions also contribute directly to the provision of affordable and accessible housing throughout the city, as well as the modification or redevelopment of existing stock to meet emerging social needs. These provisions would further facilitate development which promotes community vitality and safety.

4.2.2 Spatial planning and urban design principles

3.2.1.5 *Urban areas*

The proposed variation allows for the development, within a tightly controlled distribution, of a slightly higher density house without impacting on Canberra's overall character as a series of discrete urban areas within a landscape setting of hills, ridges and other open spaces. The variations promote the diversity of housing types in each town with convenient, linked access prioritising active travel to centres, community facilities and open space.

The strategic directions of the Territory Plan includes the objective of ensuring a wide range of housing types will be permitted in identified residential areas close to centres and major transport routes to increase choice; maximise opportunities for affordable housing; and secure some intensification of development consistent with maintaining residential amenity. While noting that some members of the community have raised concerns about the proposal (Attachment A), these variations will contribute directly to this strategic priority without detracting from the typically low density, garden city character of Canberra's suburban areas.

The variation, if adopted, would promote and enable development that encourages use of public transport, walking and cycling, including commuter cycling.

3.2.1.6 Urban Design

The variation proposes provisions that will directly promote high quality, innovative, creative design of residential development with the aim that it will encourage these desirable features throughout the Territory. These provisions will allow for developments with high-amenity, quality design outcomes within residential areas.

There are no applicable Structure or Concept plans.

There is no need for an Environmental Impact Statement referral under the Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth) or Planning and Development 2007 Act, approval of a tree protection plan, heritage or contamination investigations to achieve the interim or long-term variation approaches.

4. Public Consultation

Public consultation has been carried out by Earle and Cantamessa. Their public consultation report is attached. Issues raised include privacy, surveillance, carparking, design quality in keeping with the suburb of Griffith and the number of dwellings. Some community members raised suggestions for design modifications that improved the proposed development and they have been introduced into the proposal.

The attached public consultation report indicates that at the time of consultation, some members of the public were concerned that this proposal indicates a future change to the number of dwellings permitted to be constructed in residential zones (RZ1) more generally. Regarding the proposal in question, the report indicates that objections were limited to sight lines from the development into neighbouring blocks, the impact on car parking of increased dwelling numbers and the aesthetic harmony with existing buildings.

5. Impact Assessment

An impact is a positive or negative effect of a development on a given area and/or resource that has been identified as important and significant. The proposed variations will limit the distribution of this development by specifying that it may only take place on the subject block.

5.1 Impacts on physical features

The suitability of Block 6 of Section 31 Griffith for this scale and form of residential development is evidenced by the dominant existing housing type in Griffith and Section 31 specifically. The capability of the land to accommodate residential development is evidenced by similar buildings occupying the site and adjacent blocks currently. 45 Blaxland Crescent, approximately 200m from the subject site, contains an aged care facility introducing comparable density in the immediate vicinity. The former Griffith High School introduced a 3 to 4 storey building element, which has become an accepted part of the local area.

The proposed development will require excavation to allow for the basement car park, foundations and services. The impacts are considered to be minimal, resulting in a low risk rating. Some trees on site will be impacted by the proposed development, but largely they will

be retained- the landscape plan shows retention of existing trees to enable consistency with the street character. Limiting the basement area to the building outline promotes opportunities for deep root planting. The risk of negatively impacting the vegetation is therefore also considered low. It is reasonable to assume that soils on Block 6 may readily be removed using conventional earthmoving equipment. Methods for cutting, excavation and removal of soil from the site may be considered and conditioned in the assessment of the development. It is considered unlikely that the proposal will affect ground water hydrology. Any impacts would be minimal, being limited to the site boundaries. This aspect therefore has a negligible risk rating.

The proposals will be subject to design and siting development applications which will allow the Authority to fully consider the impact of anticipated development on local topography. Any mitigation such as landscaping will be considered at that time.

5.2 Impacts on physical infrastructure

We believe that the replacement of one dwelling with four dwellings will not have a significant increased overall load on sewerage, water, gas, electricity, stormwater and telecommunications infrastructure. Detailed assessments of this infrastructure and its capacity to serve additional dwellings may be sought from appropriately qualified engineers and will be considered at the site servicing design phase.

5.3 Potential hazards

The site is located within the existing urban boundary and has not been declared a designated bushfire prone area. The site is also remote from identified 'ember zones' as defined by the ESA's Strategic Bushfire Management Plan for the ACT (2009) and has been identified by the same document as having a low likelihood of bushfires starting and spreading.

Within this context the likelihood of impact is remote. For bushfire to affect the subject site, it would have also affected the rest of the suburb and the broader surrounding area. However, should bushfire eventuate at this scale, the consequence could be catastrophic. This results in a medium risk rating.

Opportunities for mitigation should this situation occur are limited and are generally reliant on the ACT Government's implementation of the Strategic Bushfire Management Plan for the ACT. The development will be constructed to all relevant statutory requirements, including those within the Building Code of Australia.

Regarding flooding, the site sits within the existing urban boundary and is relatively level with a slight fall across the site. There are no known surface waterways either on or in the vicinity of the site. Within this context the likelihood of a flood event occurring is remote to unlikely, and the consequence for the site minor, resulting in a very low to negligible risk.

5.4 Impacts arising from built form

Impacts arising from built form must be considered within the context of the existing surrounds. Existing development within Griffith is characterised by low level, small scale residential development. Two storey development is present in the immediate vicinity of the site.

The development will not introduce new built forms into the locality. The proposed development will not alter the character of the site because the use and scale are the scale as that of multiple blocks within the same section and throughout Griffith.

The local street scene is strongly influenced by garden suburb principles. The proposal's on site landscaping, open space and verges, create a park-like environment that encourage people to be part of the community. Impacts on these values will be negligible as the height and scale of buildings and the retention of existing trees. Elevational treatments, setback and articulation combine to break up the mass and reduce the apparent scale, ensuring that street scene values are maintained along the frontage.

5.5 Impacts on local amenity

6.5.1 Noise

The site sits within a suburban context and is remote from noise producing activities. Noise will be generated from both construction and operational sources. Construction noise is a feature of development, will be temporary and localised, and will be managed relative to Environment Protection Authority legislative requirements.

The more intensive use of the site will generate a higher ambient noise level. Operational noise generated by the proposed residential development will be broadly commensurate with existing surrounding residential activities. Internally generated noise may be mitigated by appropriate noise attenuation measures integrated into the design.

6.5.2 Odour

The site sits within a suburban context with no known odour issues.

Odour may be generated by construction activities but will be temporary and localised. Odour associated with the longer-term operation of the site will be commensurate with the residential activities proposed on Block 6. Odour is proposed to be managed by design, and the appropriate placement and treatment of waste receptacles illustrated in the site plan. No odour impacts are anticipated arising from the proposed variation of the Griffith Precinct Code.

6.5.3 Light spill impacts

Light spill in the locality is minimal and highly localised, reflecting its suburban context and the residential character of surrounding activities. Light spill will emanate from the dwelling consistent with the spill generated by existing residential development on Blaxland Crescent. The setback and screening by vegetation of the house will reduce light spill impact and maintain amenity of the street.

6.5.4 Safety

The proposal will marginally increase the local population. An increased population in this location will provide increased surveillance and is therefore likely to have a net positive impact on safety. The development application will consider and respond to the Territory's Crime Prevention through Environmental Design General Code. The landscape plan illustrates the

inclusion of native vegetation planting planned for the private open spaces along the northern boundary.

5.6 Natural values

6.6.1 Ecological values

The site is set within an established suburban context. Vegetation to be removed is predominantly exotic and has no significant ecological value. The impact of the proposal will therefore be certain, but extremely localised and with minimal impacts. While numerous common fauna species are likely to periodically occur on the site, the site does not support habitat which has the potential to be of significance for any of the flora or fauna species listed as threatened pursuant to either the EPBC Act or the Nature Conservation Act 2014, with the potential to occur in the locality. Therefore, the proposed development of the site is considered highly unlikely to impact upon any ecological values of currently legislatively recognised conservation significance.

6.6.2 Air quality

The ACT Air Quality Report 2012 presents the result of ambient air quality monitoring in the ACT for the 2012 calendar year and assesses them in accordance with the requirements of the National Environmental Protection (Ambient Air Quality) measure (AAQ NEMP).

Monitoring results from two stations, one in Monash and one in Civic, demonstrate that Canberra's air quality has been excellent in the past compared to other capital cities. Recently, this has been compromised due to the impacts of surrounding bushfire activity, where air quality has temporarily exceeded the moderate range. Prior to this, the major impacts on Canberra's air quality (in 2012), came from the accumulation of combustion particles from wood heaters in cold, highly stable air, hazard reduction burns and dust storms. With the exception of PM_{2.5}, all measured parameters are compliant with the AAQ NEPM standards.

There were three exceedances of the PM_{2.5} 24-hr advisory reporting standard which occurred in May and July 2012. These exceedances were attributed to domestic wood heater emissions in winter. Air quality impacts from the proposed development residential use are unlikely and would have minimal impact.

5.7 Social and cultural impacts

Community values and priorities which have been expressed through prior consultation are discussed in Earle and Cantamessa's community consultation report at attachment A. There are no particular cultural, ethnic or religious communities that will be impacted by the proposed development. This variation will allow a development which will form one part of the Demonstration Housing Project which aims to have a net positive impact on the Canberra community by providing a starting point for innovative solutions to housing families of different sizes and means.

The subject site is not registered under Section 41 of the Heritage Act 2004.

5.8 Traffic Assessment Report

A Traffic Assessment Report has been prepared by AECOM and accompanies this report at attachment B.

AECOM found that the impact on traffic of the proposed development would be within tolerance of local infrastructure capacity.

AECOM's analysis led to the following conclusions:

1. The on-site supply of 9 spaces is expected to be adequate for the proposed development.
2. The site has an expected traffic generation of approximately 3 vehicles in the peak periods which is not expected to have any effect on the surrounding network.
3. There is adequate capacity in the surrounding existing road network to accommodate the traffic generated by the proposed development.
4. Provision is made for all access arrangements to operate safely and efficiently in compliance with AS2890.1

ATTACHMENT A

COMMUNITY CONSULTATION REPORT

Manor House Development

A Demonstration Housing Project

**Block 6 Section 31
Griffith**

29 October 2019



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1. Purpose

This report details all pre-application community consultation activity that has informed the Manor House Development Application proposal.



2. Site Particulars

2.1. Site Description

Site Address	Block 6 Section 31 Griffith
Site Area	1,166m ²
Site Description	Corner block with an existing single storey residential dwelling
Surrounding and Adjoining Development	The site is opposite St Edmunds College. The site is also adjacent to the M16 Gallery and Blaxland Park.
Road System & Access	The site is located on the corner of Blaxland and Frome Street. Vehicle Access is from Blaxland Street and pedestrian access is proposed from Frome street.
Services and Amenities	The site is walking distance to the Griffith Shops and the bus stops in Stuart Street.

2.2. Site Location

The site location is highlighted in the map below.

MANUKA SHOPS
(5MIN BIKE RIDE)

FYSHWICK MARKETS
(7MIN BIKE RIDE)



3. Statutory Requirements

Section 138AE of the Planning and Development Act 2007 states that prior to lodging a development application for a prescribed development proposal, the proponent of the proposal must consult the community about the proposal.

Regulation 20A prescribes the following development: -

- (a) a building for residential use with 3 or more storeys and 15 or more dwellings;
- (b) a building with a gross floor area of more than 5000m²;
- (c) a building or structure more than 25m above finished ground level;
- (d) a variation of a lease to remove its concessional status.

Whilst our development does not meet these the requirements of Regulation 20A(a) we considered it important to undertake pre-application public consultation on our Manor House Development given we are proposing a new housing typology in Canberra.

As part of our development we were intent on demonstrating an innovative approach to planning, including best practice community engagement.

4. Pre-DA Consultation Process

4.1. Community Engagement

We commenced our engagement with our immediate neighbour (Block 5 Section 31 Griffith) early in the process of the Demonstration Housing Project Expression of Interest (EOI). In June and July 2018, we informally advised our neighbour, when we met walking our dogs, that we were submitting an EOI. At the time we only had one neighbour as our other neighbour on Blaxland Street (Block 7 Section 31 Griffith) had demolished their house and were rebuilding whilst they were working overseas.

In September 2018 when we were advised that we had progressed to Stage 2 (Request for Proposal), we informed our neighbours in Blocks 5, 8 and 9 Section 31 Griffith. We advised both by letter and door knock that we had submitted an EOI and now been invited to progress to Stage 2. Block 7 was still being built and the neighbour in Block 4 was elderly and about to enter an old age home, so we did not contact them.

As the process was still a Request for Proposal (RFP), we felt that it was important to inform our immediate neighbours that we had entered a submission in the Demonstration Housing Project. We were keen to gauge their reaction and felt at the time we would not progress submit to the RFP if our neighbours objected. Our neighbours stated that they supported the concept of urban renewal and housing choices provided the design was high quality, reflected the character of Griffith and incorporated sustainable design principles. As our neighbours were not opposed to our proposal, we progressed our proposal and submitted documentation as part of Stage 2 RFP.

When we were advised that we were successful, in May 2019, we commenced engaging again with our neighbours. We undertook a letter drop and door knock to advise them of the outcome.

Now that we had been selected, we also felt that it was appropriate to contact our Community Association and inform them of our success. We telephoned the President of the Griffith Narrabundah Community Association (GNCA) and briefly outlined our proposal and committed to meet later with the GNCA.

As design quality is important to us, we asked to present to the National Capital Design Review Committee. This is a committee chaired by the Government Architect and includes invited industry design experts. We presented our concept in early June 2019 and were commended on our proposal. The committee considered *'that our proposal has the potential to add a new model to Canberra's housing and retain 'the garden city' spatial relationship between the block and the built form.'*

We also presented our successful proposal to the GNCA at their meeting in July 2019. At the meeting the Government Architect explained to the GNCA the merits of our concept. Members attending the meeting raised concerns regarding the intent of the Demonstration Housing Project with respect to the long-term intentions for the Territory Plan. Concerns were also raised regarding apartments in RZ1. We undertook for our architect to meet with our immediate neighbours to further discuss our design.

In September 2019, we and our architect, met with our neighbours and discussed our plans and their immediate concerns. We were able to demonstrate that our design did not oversee their backyards. We also noted their comments on carparking and undertook to provide a visitor car space on site. Other issues raised by our neighbours were noise from the driveway and mechanical

service equipment. We explained that our development was small and would only use a 'residential' garage door and that plant equipment would be in the basement. Our new neighbour in Block 5 Section 31 Griffith noted these points but stated they were opposed to any changes to the planning rules for RZ1.

We met again with the GNCA in September 2019. Members of the ACT Demonstration Housing Project Team also attended the meeting. At the meeting, the GNCA stated they were opposed to any changes to the planning regulations for RZ1. Again, they reiterated their concerns about the future intent of the Demonstration Housing Project. At the meeting we showed the GNCA how our proposal did not encroach in the block setbacks. We showed how we met the height and plot ratios for a single residential dwelling and informed the GNCA if we were building a single residence house, we would meet the planning requirements. We explained how we were testing that our residence 'read' from the streetscape as a single residence. We described our dwelling as a 'two up, two down.' We ended our presentation by advising the GNCA that we would now commence broader community consultation within our neighbourhood and that all our documents and drawings were available on the ACT Government website.

In October 2019, after the school holidays, we undertook a letterbox drop to inform members of our community that we would conduct community engagement at the Griffith shops. We letter dropped to 650 houses in our area. We also conducted drop in sessions on Wednesday 23 October 2019 and Saturday 26 October 2019. Whilst there were a small number of GNCA officials who attended and again expressed their concerns regarding planning changes, there was support for our development and agreement that our corner location was a good location for a Manor House. Many people liked that we had worked within the residential code footprint, respected the character of Griffith and kept the trees and hedges. Many people stated that the Manor House responsibly addressed urban renewal. People recognised that the community would be concerned by the change and expressed a desire to understand the broader intent of the Demonstration Housing Project and how it would be applied across the ACT Territory Plan.

4.2. Best Practice Consultation

A check list of our consultation actions against best practice principles is detailed below.

Best Practice Principle	Response	Check
<p>Ensure people living in areas immediately surrounding the development and the wider community (as appropriate) are informed of the intended consultation process and consulted on the proposal.</p>	<p>We informed our immediate neighbours of our proposal throughout the Demonstration Housing Project Expression of Interest. We kept our neighbours up to date throughout this process.</p> <p>We informed the GNCA of our proposal after we had been advised that we were successful and presented several times to the GNCA on our design as we developed our drawings.</p>	<p style="text-align: center;">✓</p>
<p>Ensure people from a diverse demographic (age, gender, race, religion and/or physical abilities as appropriate) have the opportunity to view and make comment on the proposal.</p>	<p>We published our documents and drawings on the ACT Government website. The documents uploaded on the ACT Government website were all accessible.</p> <p>We undertook a letter box drop to 650 residents in</p>	<p style="text-align: center;">✓</p>

	<p>our area. The flyer provided information on our development and a link to further information. The flyer invited our community to drop in and view our proposal and make comment.</p> <p>The timing of the distribution of the flyer and the drop in session was selected after the school holidays to ensure that our community would receive the flyer and be available to attend the sessions. We choose a public area at the Griffith shops and conducted several face to face sessions to ensure opportunities for our community to drop past, chat, ask questions and view our plans.</p>	
<p>Conduct face-to-face engagement sessions that are accessible to a diverse cross- section of the community.</p>	<p>We held one on one discussions with our neighbours on our proposal and sought feedback on our design.</p> <p>We met with the GNCA several times to discuss our design.</p> <p>We undertook a letter box drop to 650 residents in our area. The flyer provided information on our development and a link to further information. The flyer invited our community to drop in and view our proposal and make comment.</p> <p>The timing of the distribution of the flyer and the drop-in session was selected after the school holidays to ensure that our community would receive the flyer and be available to attend the sessions. We choose a public area at the Griffith shops and conducted several face to face sessions to ensure opportunities for our community to drop past, chat, ask questions and view our plans.</p>	<p>✓</p>

<p>Make available to the community conceptual drawings with appropriate dimensions/measurements including, at minimum:</p> <ul style="list-style-type: none"> > a site plan (showing parking areas, access and egress, waste areas and communal spaces) > indicative floor plans > elevations > shadow diagrams if there are likely to be shadow impacts > perspectives > landscaping plans > proposed materials and finishes 	<p>We published our documents and drawings on the ACT Government website.</p> <p>One of our documents was a Frequently Asked Questions data sheet which clearly spoke about our development in plain English</p>	<p style="text-align: center;">✓</p>
<p>Make available to the community a plain English statement explaining the proposal, including any departures from the Territory Plan, a response to the zone objectives and key design elements of the proposal.</p>	<p>We published our documents and drawings on the ACT Government website.</p>	<p style="text-align: center;">✓</p>
<p>Make the documentation required by points 5 and 6 available for the public to view online on the proponent's website or another appropriate location</p>	<p>We published our documents and drawings on the ACT Government website.</p>	<p style="text-align: center;">✓</p>
<p>Provides accurate details of the nature and extent of consultation undertaken.</p>	<p>Refer our community engagement record</p>	<p style="text-align: center;">✓</p>
<p>Provide copies of what the community was shown during the consultation process.</p>	<p>We published all our documents and drawings that we showed the community on the ACT Government website.</p>	<p style="text-align: center;">✓</p>
<p>Provide a summary of how the community responded to the proposal and the main comments.</p>	<p>Refer our community engagement record and the report on our Community Conversation conducted 23 and 26 October 2019.</p>	<p style="text-align: center;">✓</p>
<p>Details how the submitted design responds to the community's concerns and, in particular, the main issues raised, with meaningful changes highlighted.</p>	<p>Refer our community engagement record and the report on our Community Conversation conducted 23 and 26 October 2019.</p> <p>Refer to our report how our development responds to the Multi-unit development code.</p> <p>Refer our design drawings.</p> <p>We advised our community at the face to face</p>	<p style="text-align: center;">✓</p>

	sessions, as well as our neighbours when we consulted with them, that more opportunities to provide feedback on the design of our development would be available as part of the DA process.	
Alignment of the proposal submitted to that shown to the community.	Our proposal has been consistent to the concept presented as part of the Demonstration Housing Project and that which we have informed the community.	✓

5. Community Consultation

A record of our community engagement is at [Attachment A](#). The record details our conversations with our neighbours, meetings and correspondence with the Griffith Narrabundah Community Association, media articles on the Demonstration Housing Project which mentioned our project and engagement activities we undertook to inform the broader Griffith/Narrabundah community on our development.

All our documents and designs were made publicly available on the ACT Government website. Information on our proposal ([Attachment B](#)), a feedback survey form ([Attachment C](#)) and a flyer which we distributed ([Attachment D](#)) were published on the ACT Government website and provided at public community drop in sessions. Our design drawings were also hosted on the ACT Government website and exhibited at our public community drop in sessions.

A record of the issues raised is recorded in our Community Conversation Report 23 and 26 Oct 19 which is at [Attachment E](#).

6. Matters Raised

6.1. Immediate Neighbours

Generally, matters raised by our immediate neighbours were:

- Privacy
- Surveillance
- Carparking
- Design quality in keeping with the suburb of Griffith, and
- Number of dwellings.

We were able to demonstrate to our immediate neighbours that there would be no impact upon their privacy. Nor would they be impacted upon by surveillance into their back yards. Our architect discussed our design with our immediate neighbours and was able to illustrate the view lines from windows and balconies. We noted we would include a visitor car space on site and that we were 'above code' in the number of car spaces allocated in the basement. We also advised our

neighbours that our architect was an award-winning architect and his reputation would also be judged by our development. We explained to our neighbours that we had presented our concept design to the National Capital Design Review Committee who supported our proposal.

6.2. GNCA

Matters raised by the GNCA related to the broader planning intent of the Demonstration Housing Project. The GNCA are opposed to the Demonstration Housing Project and any changes to the RZ1 code. We advised the GNCA that this is a matter for the ACT Government to respond to and we are merely proponents, selected through an Expression of Interest, who are proposing a new housing typology to be tested in the ACT.

6.3. Griffith/Narrabundah Community

Some of our community were concerned about the development and the intent behind the Demonstration Housing Proposal. They were also concerned over changes to the Residential Zoning rules related to the number of dwellings proposed by our development and the potential impact upon neighbourhood amenity and carparking. They queried why the Territory was undertaking the Demonstration Housing Project and how it would be applied in the future within the planning system.

Others, while not supportive of our proposal due to concerns regarding future planning amendments, acknowledged that our development was an appropriate response to our site and location. The corner location of our site was generally agreed upon as an appropriate location for a Manor House. People commented upon the good solar outcome from building orientation.

There were also many of our community who supported our development and indicated that they would like to live in a Manor House as this provided them an opportunity to 'age in place' within our suburb. These members of our community valued the sustainability initiatives of our development (retention of hedges, high quality trees, deep root zones and garden). They also indicated they would prefer to live in a small complex within our neighbourhood rather than a large multi-unit complex. In relation to the design and character of our development, most people acknowledged our contemporary design response to the character of Griffith. Our development was described by many at the consultation as a good concept with appropriate proportions which provided sustainable design. People liked that we had retained our high-quality trees, hedges and the garden. They also noted the efforts we had taken in the material palette to fit into the character of Griffith but noted that more and more modern houses are replacing the older redbrick homes.

Whilst the majority supported our development and acknowledged that our site was appropriate, some people did suggest that future planning changes to allow Manor Houses would need be carefully applied across Canberra. They were interested to understand how the ACT Government would evaluate the success of the Demonstration Housing Project and apply the lessons learnt to the future planning of Canberra.

6.4. National Capital Design Review Committee

The National Capital Design Review Committee commended our proposal. The committee considered *'that our proposal has the potential to add a new model to Canberra's housing and retain 'the garden city' spatial relationship between the block and the built form.'* They encouraged us to 'push the planning rules' further and enter the setback area in order to increase the communal foyer area. As we wished to prove that our proposal may be delivered within the planning rules (setback, height, building envelop and Gross Floor Area) for RZ1, we have chosen not to explore the

committee's suggestion. We consider it important to prove that our Manor House can be delivered within the planning envelopes for RZ1.

7. Conclusion

Overall it may be concluded from our community consultation that there is:

- support that our corner block is a good location for a Manor House development,
- support that our design is sustainable,
- support that our development provides a housing choice not currently provided in Canberra.

There is some concern, particularly from our local Community Association, about the future intent behind the Demonstration Housing Proposal and how the planning rules would be applied in the future. The Association is uncomfortable that our block is zoned RZ1 and we are demonstrating a housing typology that challenges the number of dwellings which can be delivered on the block, even though our development fits within the envelop for a single residential dwelling.

8. Attachments:

- A. Community Engagement Record
- B. Manor House Information – Questions and Answers
- C. Manor House Feedback Survey
- D. Letterbox Flyer
- E. Community Conversation Report 23 and 26 October 2019

ATTACHMENT B

Traffic Assessment Report

Block 6, Section 31 Griffith

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Traffic Assessment Report

Block 6, Section 31 Griffith

Client: Knight Frank Town Planning

ABN: 95 159 090 294

Prepared by

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Quality Information

Document Traffic Assessment Report

Ref

Date 30-Jan-2020

Prepared by Alex Miles

Reviewed by Tim Heffernan

Revision History

Rev	Revision Date	Details	Authorised	
			Name/Position	Signature
A	31-Nov-2019	Draft submitted for review		
B	30-Jan-2020	Client comments addressed		

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1.0 Introduction

1.1 Background

Knight Frank (ABN 17 004 973 684) have briefed AECOM Australia Pty Ltd (ABN 20 093 846 925) to prepare a traffic assessment report for the proposed Manor House development at Block 6, Section 31 Griffith.

1.2 Purpose of this Report

This report sets out an assessment of the anticipated transport implications of the proposed development including consideration of the following:

- i. existing traffic and parking conditions surrounding the site;
- ii. suitability of the proposed parking in terms of supply (quantum) and layout;
- iii. pedestrian and bicycle requirements;
- iv. the traffic generating characteristics of the proposed development;
- v. suitability of the proposed access arrangements for the site;
- vi. the transport impact of the development proposal on the surrounding road network

1.3 Scale of this development

Table 1 located below provides a short summary of the site and the planned developments scale. Figure 1 shows the site location from ACTmapi.

Table 1: Site Summary

Site	Block 6 Section 31 Griffith
Site Area	1166m ²
Current zoning	RZ1: SUBURBAN
Proposal type	<ul style="list-style-type: none"> - Small scale housing development - Four unit development consisting of: <ul style="list-style-type: none"> o 2 three-bedroom units o 2 two-bedroom units

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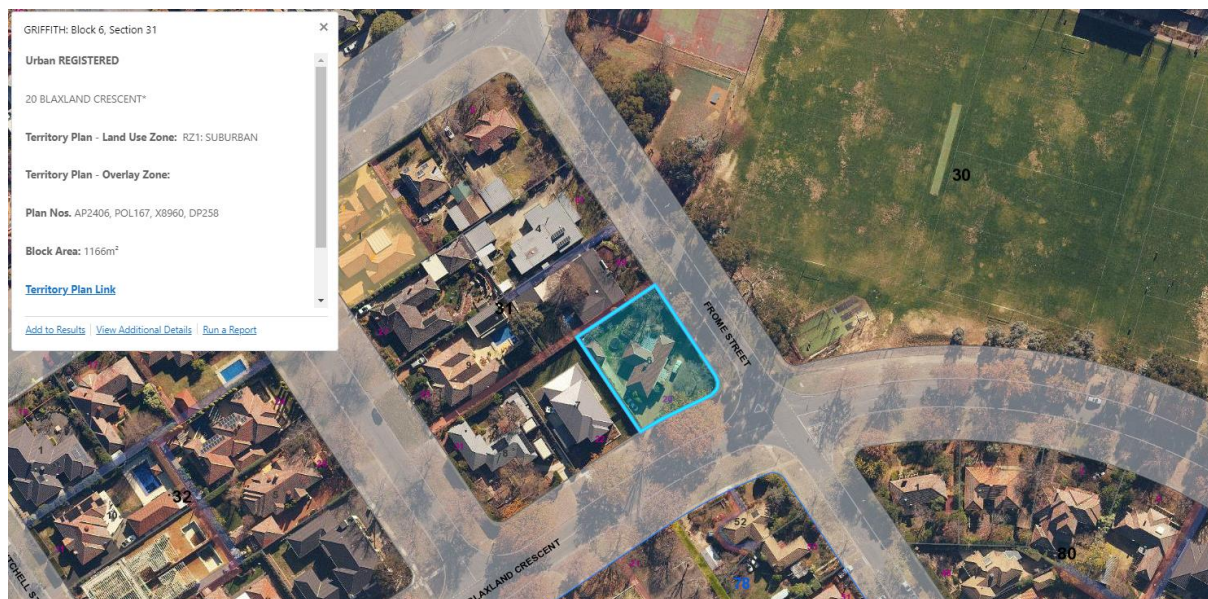


Figure 1: Location of development site (Source: ACTmapi)

1.4 Justification for Transport Effects Form

From the Transport Impact Assessment Guidelines single dwelling residential developments less than 40 units are not required to provide a Transport Impact Assessment. Instead for this development a Transport Effects form is provided.

2.0 Transport Effects Form

2.1 Development/Site Location Details

The development location is for Block 6, Section 31 located in Griffith. The street address is 20 Blaxland Crescent, Griffith, 2603, ACT. The development is a small-scale development consisting of four units.

The site access proposed utilises the existing access location but enlarges it to improve accessibility. Actual sight distances when entering a lane of traffic were measured from a desktop review. They were then compared with desirable sight distances indicated in AS2890 and Austroads Part 4: Un-signalised and Signalised Intersections. Both directions were identified as being compliant with:

- Approximately 200m sight distance to the South-West
- Clear sight of the intersection of Blaxland Crescent and Frome Street (approximately 30m) to the North-West

The desirable sight distance for a 50 km/h posted speed limit is 97m. However as turning movements are expected to be completed at slower speeds and with increased care it is expected that the distance of 30m to the site access will be sufficient.

The ramp access to the site has a total length of 16.075m (including transitions) of which 8.66m of this is at a gradient greater than 1:5 (20%). This complies with the regulations for private or residential ramps from AS/NZS 2890.1:2004. The transitions are 2 metres or greater in length and are compliant with AS/NZS 2890.1:2004.

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2.2 Existing Site

The existing site houses a 4-bedroom single dwelling located on a relatively large block in Griffith. As the site is primarily residential it is expected that traffic typically arrives and leaves the site during the AM and PM peak periods.

2.3 Development

This is a small-scale housing development consisting of four units. Two of these are two-bedroom units and the other two are three-bedroom units. As the site is primarily residential it is expected that traffic will typically arrive and leave the site during the AM and PM peak periods.

2.4 Surrounding Road Network

The site is located on the corner of Blaxland Crescent and Frome Street.

Blaxland Crescent functions as an access street and is aligned in north-south direction in the vicinity of the site. It is a two-way small access street and is aligned in a north-south direction in the vicinity of the site with a width of approximately 9m.

Frome Street functions as an access street and is aligned in north-south direction in the vicinity of the site. It is a two-way small access street and is aligned in a north-south direction in the vicinity of the site with a width of approximately 6.3m.

The nearest intersections to the site are:

- intersection of Frome Street and Blaxland Crescent about 30m north-east of the site access
- intersection of Blaxland Crescent and Lefroy Street about 65m south-west of the site

2.5 Local amenity and public transport considerations

The site is located within 400m of the R6 rapid bus route and within 800m of the stop on Canberra Avenue which services multiple routes. The site is also about 1km from the Fyshwick fresh food markets and the Manuka shopping precinct.

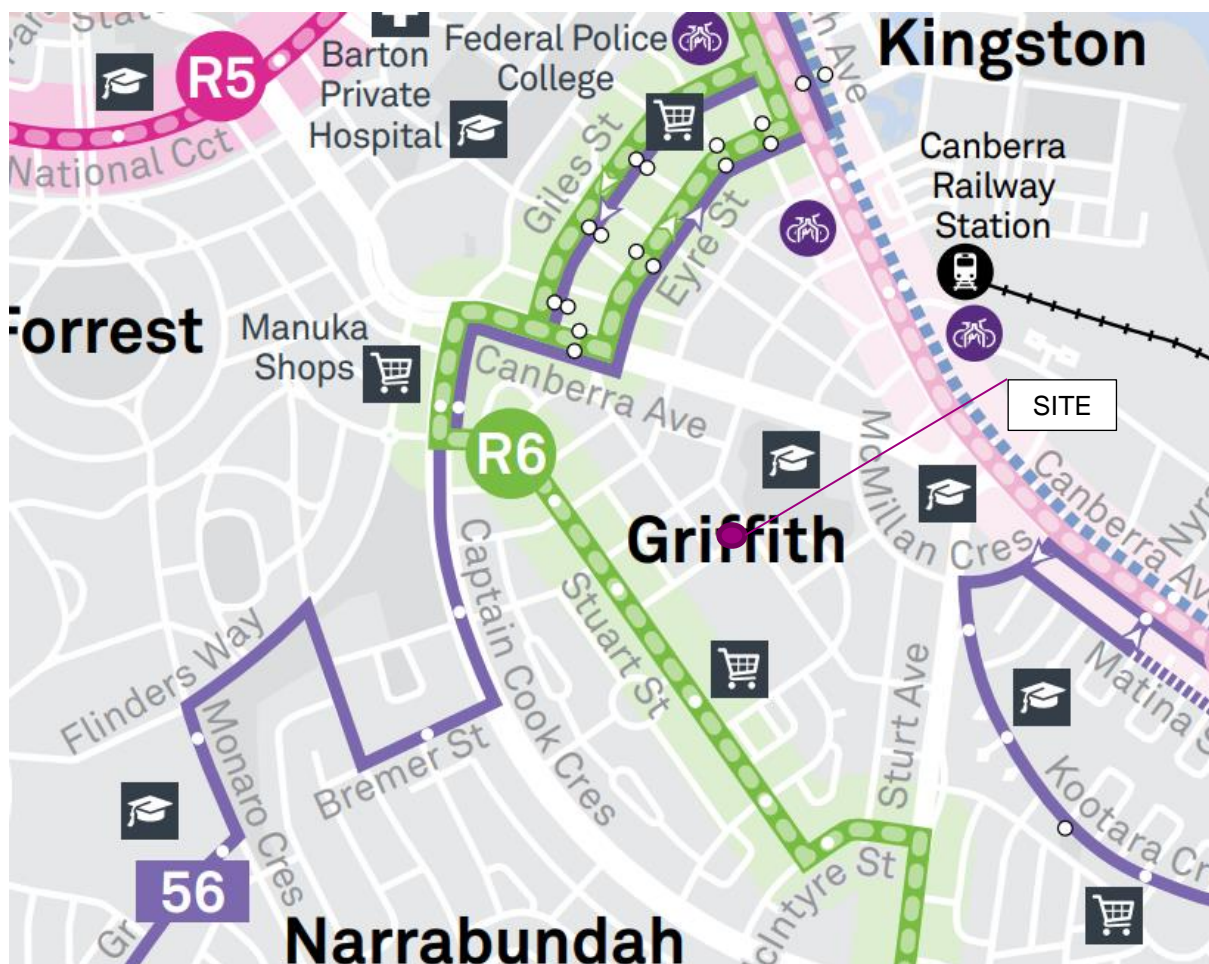
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Figure 2: Public Transport and local amenity

The suburb has footpaths along most road frontages including connections to the Griffith and Manuka Shops.

2.6 Traffic Generation

The traffic generation for the development was determined based upon rates from the Territory Plan (2008) and data from other sources such as empirical surveys.

The existing dwelling as a standalone dwelling with garage and 4 bedrooms could be expected to generate 8 trips per day and 0.8 trips in the weekday peak period. The future site is expected to have a lower generation rate per dwelling and contains provision for 2 car spaces per unit. The future site is expected to generate up to 24 trips per day or approximately 3 trips in the weekday peak period. This is an increase of approximately 2 vehicles in the peak hour or one additional vehicle every 30 minutes.

2.7 Traffic Distribution

It is expected that the site will primarily generate and distribute traffic out to Canberra Avenue. Canberra Avenue is an arterial road and the addition of a 3 additional peak period trips is unlikely to cause significant concern.

2.8 Parking

The car parking provision requirements for various types of developments are detailed in the Parking and Vehicular Access General Code. For the units the code outlined the following requirements:

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- One (1) parking space per single bedroom dwelling; and
- A minimum average provision of 1.5 spaces per two-bedroom dwelling, provided that each two-bedroom dwelling is allocated a minimum of one (1) parking space and each two (2) bedroom dwelling is allocated no more than two (2) parking spaces;
- Two (2) parking spaces for each dwelling with three or more bedrooms;
- One (1) visitor space per four (4) dwellings or part thereof where a complex comprises four (4) or more dwellings;

The development requires 8 car parking spaces of which 7 are provided for the residents of the four units and 1 space is provided for visitors. there are 8 tandem car parks and one visitor space. The arrangement of the tandem spaces limits the ability to share the car spaces between the two-bedroom units and hence provision is rounded to two spaces per dwelling resulting in an overall provision of 9 spaces.

Storage cages are provided for each of the four units which is sufficient to provide bicycle storage.

3.0 Conclusion

The analysis and relevant discussion in this report led to the following conclusions:

- The on-site supply of 9 spaces is expected to be adequate for the proposed development.
- The site has an expected traffic generation of approximately 3 vehicles in the peak periods which is not expected to have an effect on the surrounding network.
- There is adequate capacity in the surrounding existing road network to accommodate the traffic generated by the proposed development.
- Provision is made for all access arrangements to operate safely and efficiently in compliance with AS2890.1