

STANDING COMMITTEE ON PLANNING, PUBLIC  
WORKS AND TERRITORY AND MUNICIPAL SERVICES

**Variation to the Territory Plan No.298 – Holt  
Section 99 Part Block 11 (Belconnen Golf Course)**

Structure Plan, Concept Plan and Zone Changes

NOVEMBER 2010



## Committee membership

|                            |              |
|----------------------------|--------------|
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| Ms Caroline Le Couteur MLA | Deputy Chair |
| Mr Alistair Coe MLA        | Member       |

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## Resolution of appointment

On 9 December 2008, the ACT Legislative Assembly agreed by resolution to establish general purpose standing committees to inquire into and report on matters referred to it by the Assembly or considered by the committee to be of concern to the community, including:

(e) a Standing Committee on Planning, Public Works and Territory and Municipal Services to examine matters related to planning, land management, proposed capital works projects in the public sector, including works undertaken by territory owned corporations, municipal transport services, heritage and sport and recreation.

The Assembly agreed that each standing committee can consider and make use of the evidence and records of the relevant standing committee appointed during the previous Assembly.<sup>1</sup>

The Assembly also agreed:

6 (3) If the Assembly is not sitting when the Standing Committee on Planning has completed consideration of a report on draft plan variations referred pursuant to section 73 of the *Planning and Development Act 2007* or draft plans of management referred pursuant to section 326 of the *Planning and Development Act 2007* the Committee may send its report to the Speaker, or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publication and circulation.<sup>2</sup>

## Terms of reference

Section 73 (2) of the *Planning and Development Act 2007* states:

The Minister may, not later than 20 working days after the day the Minister receives the draft plan variation, refer the draft plan variation documents to an appropriate Committee of the Legislative Assembly together with a request that the Committee report on the draft plan variation to the Legislative Assembly.

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<sup>1</sup> Legislative Assembly for the ACT, *Minutes of Proceedings No. 2*, 9 December 2008, pp14–18, <<http://www.parliament.act.gov.au/downloads/minutes-of-proceedings/08MoP02.pdf>>

<sup>2</sup> Legislative Assembly for the ACT, *Minutes of Proceedings No. 2*, 9 December 2008, pp14–18, accessible at <<http://www.parliament.act.gov.au/downloads/minutes-of-proceedings/08MoP02.pdf>>

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VARIATION TO THE TERRITORY PLAN NO.298 – HOLT SECTION 99  
PART BLOCK 11 (BELCONNEN GOLF COURSE)

## RECOMMENDATIONS

### RECOMMENDATION 1

3.26 The Committee recommends that the proponent maximises solar orientation for the development.

### RECOMMENDATION 2

3.32 The Committee recommends that ACTPLA ensure open space provisions within the development are adequate for the proposed dwelling density and suitable for a variety of recreational and relaxation uses.

### RECOMMENDATION 3

3.49 The Committee recommends that the design of the estate facilitates future bus access.

### RECOMMENDATION 4

3.50 The Committee recommends that ACTION investigate offering bus services to the estate.

### RECOMMENDATION 5

3.56 The Committee recommends that mature remnant native trees in good condition be retained within open space wherever possible.

### RECOMMENDATION 6

3.57 The Committee recommends that the Variation to the Territory Plan No. 298 – Holt proceed, subject to the recommendations above.

VARIATION TO THE TERRITORY PLAN NO.298 – HOLT SECTION 99  
PART BLOCK 11 (BELCONNEN GOLF COURSE)

# 1 INTRODUCTION

- 1.1 Both Federal and ACT law and policy govern planning in the ACT. The *Australian Capital Territory (Planning and Land Management) Act 1988* (Cwlth)<sup>3</sup> establishes the National Capital Authority, which prepares and administers the National Capital Plan. The Act also enables the Legislative Assembly to make laws to establish a statutory planning authority – now the ACT Planning and Land Authority (ACTPLA)– and for that authority to prepare and administer a Territory Plan.<sup>4</sup>
- 1.2 The object of the Territory Plan is to ensure, in a manner not inconsistent with the National Capital Plan, that the planning and development of the ACT provides the people of the ACT with an attractive, safe and efficient environment in which to live, work and have their recreation.<sup>5</sup> The ACT *Planning and Development Act 2007* (the Act) requires the Territory Plan to set out the planning principles and policies in a way that gives effect to sustainability principles, including policies that contribute to achieving a healthy environment in the ACT.<sup>6</sup>
- 1.3 The Territory Plan includes a statement of strategic directions, a map, objectives and development tables applying to each zone as well as a series of general, development and precinct codes. It also includes structure plans and concept plans for the development of future urban areas.
- 1.4 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 Non Urban), precincts and overlays.

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<sup>3</sup> Accessible via: <<http://www.comlaw.gov.au/ComLaw/Legislation/ActCompilation1.nsf/all/search/FF4122C876FCA3D5CA2572D700834EF2>>

<sup>4</sup> *Australian Capital Territory (Planning and Land Management) Act 1988* (Cwlth), Section 25.

<sup>5</sup> *Planning and Development Act 2007*, Section 48.

<sup>6</sup> *Planning and Development Act 2007*, Section 49.

- 1.5 Recognising that land use policies may change over time, the Act provides for variations to the Territory Plan, prepared by the ACT Planning and Land Authority for stakeholder comment. There can be a number of versions of a Draft Variation depending on the consultation program.
- 1.6 Under the Act the Minister has the discretion to refer a Draft Variation, within 20 working days of receiving it, to an appropriate committee of the Legislative Assembly for consideration and reporting. Currently the Standing Committee on Planning, Public Works and Territory and Municipal Services is the appropriate Committee.<sup>7</sup>
- 1.7 The Minister must not take action in relation to the draft plan variation until the committee of the Legislative Assembly has reported on the variation, unless the committee has not reported on the variation by the end of the period of six months starting on the day after the day the variation is referred.<sup>8</sup>
- 1.8 Following the Committee's tabling of its report in the Legislative Assembly, the Minister must take the findings of the Committee into account before making his decision in relation to the draft plan variation.<sup>9</sup> If the Minister approves it, he will table the proposed variation and associated documents in the Legislative Assembly.<sup>10</sup> Unless wholly or partially disallowed by the Assembly on a motion for which notice has been given within five sitting days, the variation will commence on the date nominated by the Minister.<sup>11</sup>
- 1.9 If the Minister does not refer a draft plan variation to an appropriate committee of the Legislative Assembly, the Committee is not prevented from considering the draft plan variation documents.<sup>12</sup>

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<sup>7</sup> *Planning and Development Act 2007*, section 73.

<sup>8</sup> *Planning and Development Act 2007*, section 75.

<sup>9</sup> *Planning and Development Act 2007*, sub-section 76(4) a.

<sup>10</sup> *Planning and Development Act 2007*, section 79.

<sup>11</sup> *Planning and Development Act 2007*, section 83.

<sup>12</sup> *Planning and Development Act 2007*, section 73(3).

## 2 THE PLANNING VARIATION

### Overview

- 2.1 Draft Variation to the Territory Plan 298 proposes to rezone part of Block 11, Section 99 Holt from a restricted access recreation zone (PRZ2) to a residential suburban zone (RZ1) to enable residential development of around 330 dwellings. The area proposed for rezoning is part of the Belconnen Golf Course, primarily consisting of nine unused holes of the course. The variation proposes to insert a site-specific structure plan and concept plan into the Territory Plan to guide the development and assessment of a comprehensive estate development plan. The concept plan is deemed to be a precinct code under section 93 of *the Planning and Development Act 2007*.

### Consultation by the Proponent

- 2.2 The Committee notes that Madison, the majority shareholder in Woodhaven Investments Pty Ltd (the registered proprietor of the Belconnen Golf Course) and proponent of the development, undertook an extensive consultation process prior to the statutory consultation conducted by ACTPLA.
- 2.3 Madison began its consultation with key stakeholders in 2003, including special interest groups, community groups and the wider community. It originally sought to develop the unused holes 19 to 27 of the golf course as an aged care facility, providing Independent Living Units through to high-level care.<sup>13</sup> The consultation particularly focused on the needs of the Golf Club Committee and its members. The Committee notes that Madison received 'isolated opposition' from some members and amended its proposal in relation to specific concerns, generally related to golf course amenity.<sup>14</sup>

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<sup>13</sup> Submission 4, p2.

<sup>14</sup> Submission 4.

- 2.4 Madison also commissioned an independent survey by Market Attitude Research Services to gauge community opinion on the proposed development. Three hundred randomly selected households in adjacent suburbs, primarily in Holt, were interviewed. The survey found that '70% of respondents supported retirement and ecologically sustainable housing of the type proposed' on this part of the golf course site.<sup>15</sup>
- 2.5 A drop-in information session was also conducted by Madison on 25 August 2009 with 32 people in attendance. The key issue raised at that meeting related to the relocation of the golf clubhouse. The proposed development was not opposed.<sup>16</sup>

## **Consultation by the ACT Planning and Land Authority**

- 2.6 On 26 March 2010 ACTPLA released Draft Variation 298 for public comment, inviting comments until 17 May 2010. ACTPLA received 22 written submissions, 19 from individuals, one from the Belconnen Magpies Sports Club Ltd, one from the ACT Equestrian Association Inc and a petition with 58 signatures.
- 2.7 ACTPLA in conjunction with Madison held a public drop-in session on 27 April 2010 to provide the community with an opportunity to ask questions and seek clarification on the Draft Variation, in order to assist them to have the necessary information so they could make a public submission.<sup>17</sup>
- 2.8 The key issues of public concern included:
- Provision of aged targeted housing;
  - Traffic considerations;
  - Golfer and resident safety;
  - Tree removal;

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<sup>15</sup> Submission 4, p3.

<sup>16</sup> Submission 4.

<sup>17</sup> *Transcript of Evidence*, 13 October 2010, p3.

- Appropriateness of the location and proposed zoning;
- Subdivision design;
- Continued operation of the course and facilities, with minimal disruptions and access to water supply;
- Club viability; and
- Interface with adjoining land uses.

## Consultation by the Standing Committee on Planning, Public Works and Territory and Municipal Services

- 2.9 On 2 August 2010, pursuant to section 73 (2) of the *Planning and Development Act 2007*, the Minister for Planning, Mr Andrew Barr MLA, referred Draft Variation to the Territory Plan 298 to the Standing Committee on Planning, Public Works and Territory and Municipal Services for consideration and subsequent report to the ACT Legislative Assembly.<sup>18</sup>
- 2.10 The Committee considered the submissions on Draft Variation 298 lodged in response to ACTPLA's statutory consultation process.
- 2.11 An invitation for public submissions to the Committee was advertised in The Chronicle on Tuesday 24 August 2010 and in The Canberra Times on Wednesday 1 September 2010. The Committee also notified the local media of the inquiry via a media release on 24 August 2010. Additionally, on 18 August 2010 the Committee invited a wide range of stakeholders to provide written submissions on the proposed Draft Variation by 30 September 2010. Late submissions were accepted up to 11 October 2010. The Committee received 12 submissions and two additional comments (details at Appendix A).
- 2.12 Submissions were primarily in favour of the proposed development and the Variation to the Territory Plan.<sup>19</sup>

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<sup>18</sup> Letter from the Minister for Planning to the Standing Committee on Planning, Public Works and Territory and Municipal Services, received 3 August 2010.

<sup>19</sup> Submissions 2, 4, 5, 6, 7, 9, 10, 11.

2.13 The Committee held public hearings on 13 and 15 October 2010 and heard from the following witnesses:

- Mr Andrew Barr MLA, Minister for Planning;
- Mr Garrick Calnan, Manager, Development Policy, ACTPLA;
- Ms Sonya Moser, Development Policy, ACTPLA;
- Mr Jon Burrows, General Manager, Magpies Club;
- Mr David O’Keeffe, Managing Director, Madison Group;
- Mr Paul Cohen, Town Planning Consultant, Campbell Dion Pty Ltd; and
- Mr Christopher Watson, concerned individual.

### 3 COMMITTEE COMMENTS

- 3.1 Some of the main concerns raised in submissions and at public hearings related to the status of holes 19 to 27 and golf course viability, the remoteness of the location and public transport access, dwelling design and market demand for the type of development proposed as well as water access for the golf course and bushfire considerations.

#### The Golf Course

- 3.2 The Committee notes that holes 19 to 27 of the golf course were closed in 2003 by the lessee, the Magpies Club, due to the costs and difficulty watering the additional area over the summer period and the small amount of play on the course.<sup>20</sup> At that time the course was operating 27 holes it was running at a loss, however, Mr Jon Burrows, General Manager of the Magpies Club, advised the Committee that the club has since been able to operate at a modest profit and re-invest in capital equipment.<sup>21</sup>
- 3.3 The Committee was advised that the Magpies Club and its golf committee support the development and have focused on ensuring that any disruption to golfing activity from a development would be minimal.<sup>22</sup> The club is also particularly supportive of the development as the proponent has agreed to invest in the golf course facilities to assist the club to compete with the larger golf clubs in the Belconnen area. The agreement to upgrade the course has been clarified via a Memorandum of Understanding between the Magpies Club and Madison (the proponent).<sup>23</sup>
- 3.4 Mr Burrows also advised the Committee that the development would not affect the size or length of the golf course and it would be maintained as a full championship 72-par, 18-hole golf course.<sup>24</sup>

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<sup>20</sup> Submission 11.

<sup>21</sup> Submission 11.

<sup>22</sup> *Transcript of Evidence*, 13 October 2010, p17.

<sup>23</sup> Submission 11.

<sup>24</sup> *Transcript of Evidence*, 13 October 2010, pp12-13.

## Golf Course Viability

- 3.5 One submission to the Committee highlighted the need for golf clubs to be more financially sustainable by, for example, modifying existing facilities to operate club premises as function/conference/restaurant/sports business facilities.<sup>25</sup>
- 3.6 The Committee notes that one reason the Magpies Club is in support of the proposed development is that, as part of its MOU with Madison, new infrastructure will be provided for the golf club.<sup>26</sup> Mr Burrows advised the Committee that the Magpies Club, and in particular their golf committee, support the proposed development on the old 19 to 27 holes
- ... because it will give us better infrastructure and, hopefully, more members and more green fee players and make the whole enterprise, the golf club, a little bit more sustainable.<sup>27</sup>
- 3.7 The Committee heard that the infrastructure will include a new clubhouse, improved fringes and new irrigation to replace the 30 year old piping.<sup>28</sup> Mr Burrows highlighted that the new clubhouse was a particularly important part of their business:
- ...the golf clubs that are struggling do not really have social clubs that get used or clubhouses that get used very well. That is a very important part of the business for us—that we get that little bit of trickle through, whether it is local builders or whatever. We get a little bit of that now, but nowhere near enough. The facilities are getting pretty old up there. The clubhouse is very old; it needs a fair bit of money spent on it.
- 3.8 Mr Burrows noted that improving the bar, the food and creating an appealing place for the public to hold social events and for golfers, particularly on corporate days, would potentially attract more social visitors and players.<sup>29</sup>

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<sup>25</sup> Submission 1.

<sup>26</sup> Submission 11; *Transcript of Evidence*, 13 October 2010, p12.

<sup>27</sup> *Transcript of Evidence*, 13 October 2010, p12.

<sup>28</sup> *Transcript of Evidence*, 13 October 2010, p14.

<sup>29</sup> *Transcript of Evidence*, 13 October 2010, p14.

- 3.9 Other submissions to the Committee also supported the notion that the proposed development would assist the viability of the golf course, adding to potential membership. They also highlighted to the Committee that the golf course would also be a good amenity for future residents.<sup>30</sup>

## Water Security

- 3.10 Ongoing access to water for the golf club was an issue raised in two submissions to the Committee and at one public hearing.<sup>31</sup>
- 3.11 The Committee heard from Mr Burrows that ongoing access to water was initially one of the few concerns the golf club had regarding the development.<sup>32</sup> He advised, however, that the water supply from the Molonglo sewerage works will continue to be available and is enough to maintain 18 holes. Mr Burrows advised the Committee that water is also available from a dam at the far end of the course near Parkwood Road which holds significantly more water than the one referred to as the 'main dam' - a very small dam which will be affected by the development.<sup>33</sup> The 'main dam' is used primarily as a holding pond where water is pumped up from the Molonglo sewerage works. The Committee was advised that although the main dam will change shape if the proposed development proceeds, the final dam capacity will be similar to its existing size.<sup>34</sup>
- 3.12 The golf club is therefore confident it will have adequate ongoing access to water for the 18 hole course.<sup>35</sup>

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<sup>30</sup> Submission 9, 10.

<sup>31</sup> Submission 1, 3; *Transcript of Evidence*, 13 October 2010, pp15-16.

<sup>32</sup> *Transcript of Evidence*, 13 October 2010, p13.

<sup>33</sup> *Transcript of Evidence*, 13 October 2010, p15.

<sup>34</sup> *Transcript of Evidence*, 13 October 2010, p16

<sup>35</sup> *Transcript of Evidence*, 13 October 2010, p16

## Aged-targeted Housing

- 3.13 The proposed future development on part of Block 11, Section 99 Holt aims to include a mix of housing types ‘to meet some demands of Canberra’s ageing community’.<sup>36</sup>
- 3.14 The Committee notes, however, that the subject area is not proposed to be zoned as an aged care facility or for community use. Whilst Madison suggests that the site will be targeted to the needs of older Canberrans, ACTPLA acknowledges ‘that there are no planning restrictions regarding the demographic characteristics of future owners, nor would this be possible or enforceable.’<sup>37</sup> Madison similarly acknowledges that no constraints such as an age requirement will be placed on purchasers, however the nature of the housing on offer and the precinct design is expected to appeal particularly to ‘active adult’ retirees or those nearing retirement.<sup>38</sup>

## Universal and Adaptable Design

- 3.15 A large number of submissions to ACTPLA and to the Committee supported the Draft Variation because the proposed development will be accessible and designed with ‘respect to the principles of universal design.’<sup>39</sup> The active adult dwellings will also be designed as adaptable housing and ‘will accord with the requirements of the Access and Mobility General Code (Territory Plan 2008)’ where applicable.<sup>40</sup>
- 3.16 The Committee was advised that universal design relates to making a dwelling permeable and readable from the point of view of the resident or ‘...putting things in relation to each other in a commonsense way so that people can intuitively find a way from one part of a house to another.’<sup>41</sup> The Committee

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<sup>36</sup> ACTPLA, *Draft Variation to the Territory Plan No.298, Structure Plan, Concept Plan and Zone Changes – Holt, Section 99 Part Block 11 (Belconnen Golf Course)*, July 2010, p1.

<sup>37</sup> ACTPLA, *Report on Consultation, Draft Variation to the Territory Plan No.298*, July 2010, p8.

<sup>38</sup> Submission 4; *Transcript of Evidence*, 13 October 2010, p20.

<sup>39</sup> Submission 5, 6, 7, 9.

<sup>40</sup> Submission 4, p6.

<sup>41</sup> *Transcript of Evidence*, 13 October 2010, p24.

notes that universal design requires dwellings to be equitable and 'usable by persons with diverse abilities.'<sup>42</sup>

- 3.17 Additionally, the Committee notes that around 95 per cent of the dwellings in the estate will be designed to meet the adaptable housing standard, to a 'C' standard<sup>43</sup>, meaning all essential features are incorporated.<sup>44</sup> This entails wider doorways, panelling in wet areas for grab rails to be affixed in the future and the 'capacity to have variations made to it to facilitate disabled living in some cases'.<sup>45</sup> Those dwellings that will not meet the standard are limited due to the topography on some parts of the site where car accommodation may be underneath a single level dwelling.<sup>46</sup>

### Single Storey Housing

- 3.18 The Committee also notes that submissions particularly supported the development because it proposes solely single storey dwellings.<sup>47</sup> Real Estate Institute of the ACT (REIACT) advised the Committee that despite media reports indicating that the ageing population is increasingly moving into units, from their experience "Boomers" are actually 'reluctant high-rise dwellers, preferring in fact to live in accommodation that provides single level living with access to some yard space'.<sup>48</sup>
- 3.19 The Housing Industry Association ACT (HIA) and REIACT both noted that there is a shortage of single level townhouses and villas in the ACT and suggested that it was due to current planning controls and guidelines.<sup>49</sup> Additionally, REIACT highlighted that diversity of housing 'can only occur within the planning constraints', noting that the cost of land and development

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<sup>42</sup> Submission 4, p5.

<sup>43</sup> *Transcript of Evidence*, 13 October 2010, p24.

<sup>44</sup> *Australian Standard AS4299* (1995) -Adaptable Housing.

[Class A means all essential and desirable features are incorporated. Class B means all essential and 50% of desirable features are incorporated including all those identified as 'first priority' desirable features.]

<sup>45</sup> *Transcript of Evidence*, 13 October 2010, p23.

<sup>46</sup> *Transcript of Evidence*, 13 October 2010, p24.

<sup>47</sup> Submission 5, 6, 7, 9.

<sup>48</sup> Submission 6.

<sup>49</sup> Submission 5 & 6; *Transcript of Evidence*, 13 October 2010, p20.

rights and conditions mean other dwelling types are not viable for developers to produce.<sup>50</sup>

- 3.20 The Master Builders Association of the ACT advised that the proposed development would offer a range of single storey affordable housing types suitable for retirees.<sup>51</sup> The Committee notes that single storey housing may be more accessible and therefore more appealing to those potentially wanting to downsize and age in place, without living in a specific aged-care development.
- 3.21 The Council on the Ageing ACT advised that this development would add to the current housing choice and offered an age-appropriate alternative 'to the traditional free standing family home' including smaller gardens and accessibility.<sup>52</sup> The Minister for Planning also acknowledged that there is an overabundance of accommodation catering to a particular household structure and that the proposed accommodation caters for an area of need in the market.<sup>53</sup>
- 3.22 The Committee notes that the proposed development would offer a housing choice that, according to the proponent and HIA, does not currently exist, or is extremely rare, in the current housing market but is in high demand.<sup>54</sup>

### **Sustainability**

- 3.23 One submission to the Committee highlighted the need for the proposed development to be sustainable, particularly addressing passive and active solar orientation, topographical efficiencies, block sizes and densities.<sup>55</sup> The Committee was similarly advised by Mr Christopher Watson, a concerned individual, that the subdivision design needs to comply with passive solar.<sup>56</sup>

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<sup>50</sup> Submission 6.

<sup>51</sup> Submission 9.

<sup>52</sup> Submission 7.

<sup>53</sup> *Transcript of Evidence*, 13 October 2010, p10.

<sup>54</sup> Submission 5; *Transcript of Evidence*, 13 October 2010, p20.

<sup>55</sup> Submission 1.

<sup>56</sup> *Transcript of Evidence*, 15 October 2010, p35.

- 3.24 The Committee heard that, when it comes to sustainability, Madison intends 'for the development to be more than just meeting minimum requirements'<sup>57</sup> of six-star energy ratings and water-sensitive urban design. The Committee notes that the proposed development will be designed to include a number of sustainability initiatives including the collection of rain water and on-site treatment of waste water. Stormwater is intended to be used to maintain the public areas of the estate.<sup>58</sup>
- 3.25 The Committee was also advised that the proponent is in discussions to negotiate the possible installation of photovoltaic panels on roofs of all suitable dwellings.<sup>59</sup>

## RECOMMENDATION 1

- 3.26 **The Committee recommends that the proponent maximises solar orientation for the development.**

### **Affordable housing**

- 3.27 In addition to the sustainability initiatives, the Committee notes that Madison intends for more than 10 per cent (the minimum) of dwellings in the proposed development to be affordable, particularly for their target market of residents in the surrounding suburbs looking to downsize.<sup>60</sup>
- 3.28 Mr David O'Keeffe, Managing Director of Madison, advised the Committee that residents in the immediate vicinity of the proposed estate have made up the majority of inquiries about the proposal. He highlighted that surrounding suburbs 'have some of the least expensive housing in the ACT' and possibly the 'lowest median house prices in the ACT' at around \$350,000.<sup>61</sup> In light of this, Mr O'Keeffe advised the Committee that Madison intended to pitch the development at an affordable price, below the existing house prices by around 10 per cent, to accommodate the additional costs of buying including agents'

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<sup>57</sup> *Transcript of Evidence*, 13, October 2010, p19.

<sup>58</sup> *Transcript of Evidence*, 13, October 2010, p19.

<sup>59</sup> *Transcript of Evidence*, 13 October 2010, p20.

<sup>60</sup> *Transcript of Evidence*, 13 October 2010, pp22-23.

<sup>61</sup> *Transcript of Evidence*, 13 October 2010, p22.

fees, stamp duty and moving costs for those selling up homes for which they are likely to be debt free.<sup>62</sup>

- 3.29 The Committee notes that the dwelling design, sustainability initiatives and affordable pricing are all positive aspects of the proposed development.<sup>63</sup>

### **Open Space**

- 3.30 The Committee notes that the proponent intends to include ‘a range of open spaces for the amenity of residents’<sup>64</sup> within the common property of the estate. The open space will include off-street cycle and pedestrian networks.<sup>65</sup>
- 3.31 The Committee supports the provision of shared open space for the recreation and relaxation of residents.

## **RECOMMENDATION 2**

- 3.32 **The Committee recommends that ACTPLA ensure open space provisions within the development are adequate for the proposed dwelling density and suitable for a variety of recreational and relaxation uses.**

## **Location**

- 3.33 Submissions to the Committee and ACTPLA raised concerns about the remoteness of the site from local commercial and community centres, suggesting that it is unsuitable for an ageing demographic.<sup>66</sup> Mr Christopher Watson highlighted to the Committee that, from the furthest corner of the estate, a walk to the Holt local centre would be approximately two kilometres and around one kilometre to the nearest existing bus stop, requiring residents to be extremely car dependent.<sup>67</sup>

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<sup>62</sup> *Transcript of Evidence*, 13 October 2010, pp22-23.

<sup>63</sup> Submission 4, pp5-6 & 11, pp9-10; *Transcript of Evidence*, 13 October 2010, pp19-20, pp22-24.

<sup>64</sup> Submission 4, p5.

<sup>65</sup> Submission 4, p7.

<sup>66</sup> Submission 1, 3, 12.

<sup>67</sup> Submission 12; *Transcript of Evidence*, 15 October 2010, p34.

- 3.34 The Committee notes that the development will primarily be targeted at an active adult community, with dwelling designed to be single storey and adaptable to facilitate residents ability to age in place.<sup>68</sup> The Committee also notes that retirees are increasingly remaining active and displaying a preference for independent living<sup>69</sup> so may be more active than residents in a specific aged-care facility.
- 3.35 The Committee heard from ACTPLA that other areas of Canberra are similarly remote from local facilities<sup>70</sup> The Committee acknowledges that the residents may be relatively car dependent due to the remote location of the proposed estate but believes public transport should cater for those who are not active and are not car owners, and to encourage the use of public transport by all residents. This issue is discussed in more detail below.

## Transport and Access

- 3.36 The Committee notes that some submissions believe the current plan to rezone subject land to an RZ1 zone does not appear to take into account public transport access and needs of future residents, and the long distances to local services.<sup>71</sup> The Committee also heard that the only public transport consideration noted in the proposed estate is a continuous pathway<sup>72</sup> to the nearest existing bus stop which is over one kilometre from the farthest end of the estate.<sup>73</sup>
- 3.37 The Committee is aware that the Residential Subdivision Development Code<sup>74</sup> requires dwellings to be within a maximum safe walking distance from existing or potential bus routes as follows:

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<sup>68</sup> Submission 4; ACTPLA, *Draft Variation to the Territory Plan No.298, Structure Plan, Concept Plan and Zone Changes – Holt, Section 99 Part Block 11 (Belconnen Golf Course)*, July 2010.

<sup>69</sup> Submission 6; *Transcript of Evidence*, 13 October 2010, p28.

<sup>70</sup> *Transcript of Evidence*, 13 October 2010, p5.

<sup>71</sup> Submission 3, 12.

<sup>72</sup> *Transcript of Evidence*, 13 October 2010, p5.

<sup>73</sup> Submission 12; *Transcript of Evidence*, 15 October 2010, pp33-34.

<sup>74</sup> *Residential Subdivision Development Code*, Territory Plan, pp22-23.

| Rules                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Criteria                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>4.1 Bus Stop Location and Design</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>R43</b></p> <p>a) At least 90% of dwellings are within 400 m safe walking distance from an existing or potential bus route, or 200 m safe walking distance from an existing or proposed demand-responsive or community bus service route. In addition, at least 90% of dwellings are within 500 m from the nearest existing and proposed bus stop.</p> <p><b>OR</b></p> <p>b) at least 90% of dwellings are within 750 m of a high frequency trunk service bus stop that has, or is projected to provide, a minimum of eight outbound buses an hour during the morning peak.</p> | <p><b>C43</b></p> <p>A network of public transport routes is provided that takes account of:</p> <p>a) projected travel demand</p> <p>b) distribution of likely demand</p> <p>c) scale and time of demand</p> <p>d) characteristics of travellers</p> <p>e) travel time</p> <p>f) operating characteristics</p> <p>g) cost of providing the service.</p> |

3.38 The Committee heard that the current proposal for the estate does not provide for 90 per cent of dwellings to be within 400m or 500m walking distance from the nearest existing bus stop as required under the Residential Subdivision Development Code.<sup>75</sup> Additionally, no high frequency buses currently service Spofforth Street.

3.39 The Committee notes that there are a number of options to improve public transport accessibility to the estate which should be considered, including extending local ACTION services up to the estate entrance, providing a loop within the estate as part of an ACTION bus route or providing of a community bus to give residents easy access to the nearest existing bus stop.

3.40 The Planning Report on the proposed development notes that:

An ACTION bus servicing the community centre would be a desirable outcome, with a community bus servicing the subdivision itself. This would require a higher standard of road (collector) to the community facility.<sup>76</sup>

<sup>75</sup> *Transcript of Evidence*, 15 October 2010, pp33-34.

<sup>76</sup> Campbell Dion, *Planning Report on a Proposal to vary the Territory Plan – Block 11 (Part) Section 99 Holt*, November 2009, p33.

- 3.41 The Committee notes that this proposal would allow approximately 60 per cent of the proposed dwellings to be within 400m of a bus stop.<sup>77</sup>
- 3.42 The Committee also supports the proposal for a community bus to service the subdivision and notes that a community bus may also be a good opportunity to provide the residents of Wiluna and Woodhaven estates with improved public transport access.
- 3.43 The Planning Report further notes that:
- A more desirable outcome would be to have the ACTION bus able to service to the central roundabout to enable all dwellings to be within 400m of a bus service. ACTION has previously advised that it would be prepared to provide this service should there be sufficient demand to warrant this service.<sup>78</sup>
- 3.44 The Committee was advised by ACTPLA that it would ultimately be 'up to ACTION...as to whether they choose to serve this area with public transport'<sup>79</sup> and will be determined by demand.<sup>80</sup>
- 3.45 The Committee notes that some forethought is required if public transport is going to be possible within the proposed estate. To enable a future bus route enter the estate the streets must be designed to meet Rule 48 and Criteria 48:

**Rule 48**

The geometry of streets identified as bus routes are suitable for turning, stopping sight distance, grade and parking requirements of buses (as determined from appropriate design documents) has a carriageway width of 7.5m or within ranges specified in Tables 4 and 5.

**Criteria 48**

Bus routes have a carriageway width to allow for the movement of buses, unimpeded by parked cars, safely accommodate cyclists, and avoid cars overtaking parked buses.<sup>81</sup>

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<sup>77</sup> Campbell Dion, *Planning Report on a Proposal to vary the Territory Plan – Block 11 (Part) Section 99 Holt*, November 2009, p39.

<sup>78</sup> Campbell Dion, *Planning Report on a Proposal to vary the Territory Plan – Block 11 (Part) Section 99 Holt*, November 2009, p33.

<sup>79</sup> *Transcript of Evidence*, 13 October 2010, p5.

<sup>80</sup> *Transcript of Evidence*, 13 October 2010, p7.

<sup>81</sup> *Residential Subdivision Development Code*, Territory Plan, p23.

- 3.46 The Committee notes that this estate is primarily aimed at an ‘active adult community’ and therefore assumes that the potential residents of the estate may not be as car dependent as a more traditional retirement or aged care facility. The Committee is aware however, that as it currently stands the proposed subdivision plan does not identify suitable bus access. The proposal does appear to create car dependency as walking distance to existing public transport is lengthy and therefore not encouraging.
- 3.47 Finally, the Committee notes that providing adequate bus access from the community facilities or through the estate itself will reduce the likelihood of residents crossing fairways to reach Spofforth Street in a more direct manner. This should in turn reduce safety concerns, as raised in submissions to the Committee.<sup>82</sup>
- 3.48 The committee believes that the provision of footpaths to bus services encourages healthy exercise for residents as well as having wider environmental advantages.

### **RECOMMENDATION 3**

- 3.49 **The Committee recommends that the design of the estate facilitates future bus access.**

### **RECOMMENDATION 4**

- 3.50 **The Committee recommends that ACTION investigate offering bus services to the estate.**

## **Bushfire Threat**

- 3.51 One submission to the Committee raised concerns about bushfire safety as the proposed development will be on the fringe of urban development and is in an area that has previously been subject to real bushfire threat.<sup>83</sup> The golf course was apparently designed to act as a buffer from bushfire threats for the existing residential area.<sup>84</sup>

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<sup>82</sup> Submission 3.

<sup>83</sup> Submission 8.

<sup>84</sup> Submission 8.

- 3.52 The Committee was advised by ACTPLA that they considered the bushfire risk very seriously and sought advice from the Emergency Services Authority (ESA) before moving forward with the Draft Variation. They advised that the ESA is satisfied that there are adequate provisions in place to deal with the issue including buildings along the boundary to be built to higher construction standards as required of buildings in bushfire prone areas.<sup>85</sup> That standard is endorsed by the ESA and is a mandatory rule in the estate development plan.<sup>86</sup>
- 3.53 The Committee was also advised by Mr O’Keeffe that a detailed report was prepared by Renaissance Forestry for the planning study, dealing with the bushfire risk.<sup>87</sup> The Committee notes that all dwellings within a 20 metre inner asset protection zone will be constructed to meet Australian Standard AS3959 Level 2.<sup>88</sup> This requirement exceeds the recommended construction standard to withstand the fire intensities that may be expected at the development site.<sup>89</sup> Dwellings within an additional 100m inner asset protection zone will be constructed to meet AS3959 Level 1. An outer 80m asset protection zone will also be slashed or grazed.<sup>90</sup>
- 3.54 The Committee notes that the proposal appears to have adequately addressed potential bushfire risks.

## Tree Removal

- 3.55 The Committee notes that the Conservator of Flora and Fauna identified that there are ‘numerous mature remnant native trees that have been assessed as being in good condition and these trees should be retained within open space areas wherever possible.’<sup>91</sup> The Committee supports this recommendation.

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<sup>85</sup> *Transcript of Evidence*, 13 October 2010, p10.

<sup>86</sup> *Transcript of Evidence*, 13 October 2010, p11.

<sup>87</sup> *Transcript of Evidence*, 13 October 2010, p21.

<sup>88</sup> Campbell Dion, *Planning Report on a Proposal to vary the Territory Plan – Block 11 (Part) Section 99 Holt*, November 2009, p50.

<sup>89</sup> Renaissance Forestry, *Bushfire protection requirements for a proposed development at Part Block 11 Section 99 Holt ACT*, February 2009, p7.

<sup>90</sup> Campbell Dion, *Planning Report on a Proposal to vary the Territory Plan – Block 11 (Part) Section 99 Holt*, November 2009, p50.

<sup>91</sup> ACTPLA, *Report on Consultation*, Draft Variation to the Territory Plan No.298, July 2010, p17.

**RECOMMENDATION 5**

- 3.56 **The Committee recommends that mature remnant native trees in good condition be retained within open space wherever possible.**

**RECOMMENDATION 6**

- 3.57 **The Committee recommends that the Variation to the Territory Plan No. 298 – Holt proceed, subject to the recommendations above.**

Ms Mary Porter MLA

Chair

3 November 2010

## Appendix A Submissions

### List of Submissions

| No. | Author                                                 |
|-----|--------------------------------------------------------|
| 1   | Jack Kershaw                                           |
| 2   | ACT-Monaro District Golf association (James Hourigan)  |
| 3   | Trevor Davison and Philip Hagan                        |
| 3b  | Trevor Davison and Philip Hagan [additional Comments]  |
| 4   | Madison (David O’Keeffe)                               |
| 5   | Housing Industry Association Ltd, ACT (Stuart Collins) |
| 6   | Real Estate Institute of the ACT (Michael Wellsmore)   |
| 6b  | REIACT [additional comments]                           |
| 7   | Council on the Ageing ACT (Paul Flint)                 |
| 8   | Keith Ian Minto                                        |
| 9   | Master Builders Association of the ACT (Jerry Howard)  |
| 10  | Jerry Howard                                           |
| 11  | Magpies Club (Jon Burrows)                             |
| 12  | Christopher Watson                                     |

**22** VARIATION TO THE TERRITORY PLAN NO.298 – HOLT SECTION 99  
PART BLOCK 11 (BELCONNEN GOLF COURSE)

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<sup>1</sup> ACT Land Development Agency Annual Report 2009-10, p.8.

<sup>2</sup> Standing Committee on Planning, Public Works and Territory and Municipal Services public hearing on Holt DTPV298, 13 October 2010.

## Appendix B Additional Comments – Caroline Le Couteur MLA

### **Additional Comments on Draft Variation to the Territory Plan No. 298 – Structure Plan, Concept Plan and Zone Changes – Holt Section 99 Part Block 11 (Belconnen Golf Course)**

I have a number of concerns about this development. I have given consideration to recommending that it not proceed. However, given Canberra's demand for housing and the likelihood that the alternative to development here would be development of more greenfield sites in the Molonglo Valley, I think that on balance the development should proceed with my additional recommendations.

#### **Social Mix**

The Land Development Agency's Annual Report quotes Phillip Thalys, principal of Hill Thalys Architecture and lead architect on the Canberra Brickworks, recently calling for a departure from monoculture housing to "all sorts of different housing, not simply mixed together awkwardly, but designed together, so you can have everything from free-standing houses to one bedroom apartments, if not in the same block, certainly in close proximity to each other".<sup>1</sup>

This development is aimed at a monoculture of 'active adults' which I understand to mean baby boomers. I am concerned that this is likely to lead to long term problems as the residents age. There is very poor public transport provision and no local services for the ageing population.

**Recommendation 1: The development should include a mix of household and dwelling types.**

#### **Greenhouse gas reduction targets**

I am concerned that this development does not even consider the recently passed ACT commitment to reduce greenhouse gas emissions by 40% by 2020. I asked about this during the Committee's public hearing with ACTPLA regarding the development.<sup>2</sup>

**MS LE COUTEUR:** No. My understanding is that shortly the Assembly is likely to pass a greenhouse gas reduction target of 40 per cent by 2020. Certainly, the Labor Party have said that this is their intention. So I think we can probably assume that before anything is actually done physically in this development that will be the ACT's target. Certainly, one would expect that this would be in operation in 2020. In 300

new houses, have you thought at all about how this is consistent or not with a 40 per cent reduction of greenhouse gases in the ACT? Or is this something that does not enter your—

**Mr Barr:** The modelling for that policy decision is taken in light of anticipated future population growth. You cannot look at each territory plan variation in the context of whether it is going to be a net contributor or otherwise to greenhouse gas emissions. Ultimately, we know we have to plan now for somewhere in the order of 80,000 additional Canberrans by 2030, so by 2020 presumably about 40,000 people, just through natural population increase—births exceeding deaths.

The projections around that greenhouse gas emissions target are based on a growing population. The question then becomes one of opportunity cost, I suppose, around where within the city new development will occur. One would also want to look at some of the triple-bottom-line elements of this in that sustainability, as I am sure we all agree, is measured more than just in terms of environmental sustainability. We would want to be more efficiently utilising existing infrastructure and locating people close to existing services.

I understand the direction of the questioning but I think it is perhaps beyond the scope of a territory plan variation of this nature to be able to give you a figure that will say, “This will lead to so many extra tonnes of carbon emissions.” Obviously, there will be some, but what we can confidently say is that the emissions from development in Canberra in 2010 or later will be considerably less than under previous policy settings, be it 10 years ago, 20 years ago or 30 years ago. We have all collectively made some decisions about what levels of sustainability we want to build into future urban development. This will have to comply with those standards.

**Mr Calnan:** There are a number of policy initiatives that have already been put in place like the six-star energy rating. This development, if it is approved, will have to comply with those. In terms of the location, whilst it is on the edge of Belconnen, it is a similar distance from central Canberra as other similar sorts of greenfield developments in Gungahlin. As I mentioned earlier, whilst this particular development is not adjacent to the local facilities in Holt, it is a similar distance to the distance from the edge of other suburbs to the local facilities that serve those. It is really about the future policy settings that are put in place. We cannot foreshadow those in this variation. There will be other mechanisms that will do that. But this development will need to comply with those—with any policy settings that are put in place by the government to achieve those sorts of outcomes.

**Recommendation 2: ACTPLA should ensure that the development is consistent with reducing the ACT’s greenhouse gas emissions by 40%.**

### Transport

There is no bus service in the proposed development area. There is a bus stop at the outskirts but this is up to a kilometre from some houses in the development. This is not consistent with normal estate development provisions which specify that residences should be within 400m of a bus stop. The nearby development in the middle of the existing estate does not have a bus service either. In fact I was informed by fellow committee members that the road system of the existing estate is not capable of taking normal ACTION buses as it is too narrow and windy. This should not be repeated in any new developments, especially ones specifically for aged care or independent living units.

<sup>1</sup> ACT Land Development Agency Annual Report 2007-10, p.6.

<sup>2</sup> Standing Committee on Planning, Public Works and Territory and Municipal Services public hearing on Holt DTPV298, 13 October 2010.

Given peak oil and climate change, I believe it is essential that developments should be built to include public transport services, or at the minimum, allow for future service provision.

**Recommendation 3: A bus service should be provided as part of the development. If the ACT Government is not able to do so, then the development should not proceed.**

**Recommendation 4: The existing estate should be modified to allow a bus service and the bus service should be provided to both the new and existing development. The modifications to the road network to allow a bus service should be at the expense of the developers.**

A handwritten signature in cursive script, reading 'Caroline Le Couteur'.

Caroline Le Couteur MLA

3<sup>rd</sup> November 2010