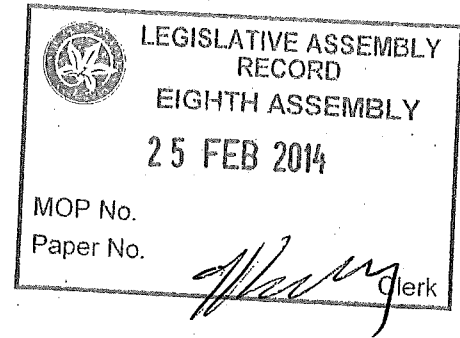


2014



LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

GOVERNMENT RESPONSE TO THE
STANDING COMMITTEE ON PLANNING, ENVIRONMENT AND
TERRITORY AND MUNICIPAL SERVICES – SPECIAL REPORT NO 3

DRAFT VARIATION 308
Cooyong Street Urban Renewal Area

Circulated by the authority of
Minister for the Environment and Sustainable Development
Simon Corbell MLA

Special report

The special report advised that the Standing Committee on Planning, Environment and Territory and Municipal Services was unable to agree upon a report, and to present a summary of its proceedings.

Response

The special report and summary of proceedings are noted.

Special report – dissenting report – Mr Gentleman MLA and Dr Bourke MLA

Recommendation 1

Mr Gentleman and Dr Bourke recommend that draft variation to the Territory Plan proceed subject to the recommendations set out in this [dissenting] report.

Response

Agreed.

Recommendation 2

Mr Gentleman and Dr Bourke recommend that land be rezoned to allow higher density residential development and mixed-use development.

Response

Agreed.

Recommendation 3

Mr Gentleman and Dr Bourke recommend that the Community Services Directorate conduct a Community Facilities Needs Assessment.

Response

Noted. A Community Facilities Assessment was undertaken (Attachment E to the Planning Report – Community Facilities Assessment June 2010) which assessed the impact of the proposed rezoning of the land and the associated loss of community facility land. This assessment considered demographic issues as well as an analysis of the existing supply and demand for community facilities in the area. The assessment noted that the existing facilities on Section 57 are not extensively used and with the exception of St Patrick's Church are not directly used by the general community. The assessment concluded that the rezoning of the land will have no impact on the availability of community space.

DV 308 also contains a requirement that a minimum of 5,800 square metres of space for community facilities is to be provided on the site. This could include space for community meeting rooms, associated with other community uses such as a place of worship.

Recommendation 4

Mr Gentleman and Dr Bourke recommend that the proponent works with ESDD to undertake further analysis of the likely traffic and parking impact and the outcomes of the study are included in any future development application.

Response

Agreed. Further analysis of the traffic and parking implications of the development will be undertaken at the detailed design stage. Any outcomes of the study will be taken into account when submitting development applications for the site. Development applications are assessed against the

relevant codes which apply at the time the Development application is submitted. This includes the parking and vehicular access general code.

Recommendation 5

Mr Gentleman and Dr Bourke recommend that the proponent investigate options to facilitate greater use of sustainable transport options.

Response

Noted. The draft variation is consistent with the ACT Planning Strategy and the Transport for Canberra policy which promote urban intensification in strategic locations. These include areas with proximity to the city and town centres and along major transport corridors. This can reduce reliance on the motor vehicle and encourage use of public transport, cycling and walking as alternative transport.

More people will live closer to where they work, where they shop and where there are cultural, recreational and commercial services. This provides an opportunity to reduce reliance on the motor vehicle and encourage use of public transport, cycling and walking as alternative transport.

DV308 requires offsite works including improvements to the footpath environment along Cooyong Street and linkages into Braddon also allows for improved cycle/pedestrian usage.

Extensive cycle storage and parking areas with possible charging points for electric vehicles are proposed as part of the redevelopment of the site and will be considered at the detailed design stage.

Recommendation 6

Mr Gentleman and Dr Bourke recommend that the height of buildings be reduced.

Response

Agreed in part. The maximum building heights in the draft variation are entirely consistent with building heights in the city. The draft variation requires that these building heights are stepped down to the interface with the RZ1 suburban zone in Braddon and with the RZ4 medium density residential zone in Reid.

The ultimate development on the site will be subject to the requirements of the Braddon and/or Reid precinct codes as well as the relevant provisions of the other applicable codes of the Territory Plan.

In addition to complying with the building heights, development on this site will be required to comply with the plot ratio provisions, the relevant setbacks and the provisions for desired character in the precinct codes. The multi unit housing development code will also apply. Accordingly, development on the site will be required to comply with provisions to protect solar access, privacy and the like.

The dissenting comments to the Standing Committee report made specific reference to the need for the taller building elements proposed for the corners of Ainslie Avenue and Cooyong Street to be consistent with surrounding character.

It is considered that the potential impacts of the taller building elements could be reduced if the two 15 storey buildings are reduced to a maximum building height of 12 storeys. This will achieve the following:

- A stepping down from RL617 building height in the city
- An associated reduction in density and scale of buildings on these two sites
- Further protection of the Ainslie Avenue corridor and associated views to Mt Ainslie.

Accordingly, the draft variation has been amended to reduce these taller building elements from 15 storeys to 12 storeys. The plot ratios have also been revised to reflect the reduced building heights.

Recommendation 7

Mr Gentleman and Dr Bourke recommend that the development ensure compliance with the requirements of RL617.

Response

Agreed. The building heights have always been entirely consistent with the requirements of RL617.

Recommendation 8

Mr Gentleman and Dr Bourke recommend that the Conservator of Flora and Fauna conduct a further review of the trees to be included in the redevelopment.

Response

Agreed. This further review has been conducted by the Conservator of Flora and Fauna. The Conservator advises that the seven registered trees should remain on the register and that there are no other trees that are of a registrable quality. The Conservator identified a number of trees across the site that have high value and should be considered for retention. The Conservator's

comments in relation to these trees pose design related responses. For this reason the Conservator's comments are more appropriately considered at the detailed design stage as part of a development application.

Recommendation 9

Mr Gentleman and Dr Bourke recommend that the proponent investigate the impact on the proposed development of the non-sale of the Catholic Church site.

Response

Noted. This is a matter essentially beyond the scope of the processes for variations to the Territory Plan. Notwithstanding this, the sub-division pattern contained in the draft variation allows for the redevelopment of Section 52 Braddon to proceed without Section 57 being developed.

It is a matter for the various lessees of Section 57 to determine whether they wish to proceed to develop the site. Accordingly, there may be implications for the future development on the site. In this regard, the Community Services Directorate advises that it was always understood that the Catholic Church may not proceed with the sale of Block 7 Section 57 Braddon. The sale was considered by the Community Services Directorate as it provided an opportunity to develop part of the site for public housing before commencing the redevelopment of Bega and Allawah Court. Tenants that chose to remain on the site would only have to make one move. If the sale does not proceed, alternative development options will be considered, with the aim of only requiring the tenants to make one move.

Recommendation 10

Mr Gentleman and Dr Bourke recommend that the Community Services Directorate develop a communication and consultation strategy to inform and advise current public housing residents on the site.

Response

Noted. This is a matter beyond the scope of the processes for variations to the Territory Plan.

The Community Services Directorate advises that it has consulted with the public housing tenants at Bega and Allawah Court throughout the planning study. This consultation will continue. A Communications Strategy has been prepared and will be updated as the development of the site proceeds.

Recommendation 11

Mr Gentleman and Dr Bourke recommend that a high level of public housing continue to be supported in the new development.

Response

Noted. This is a matter beyond the scope of the processes for variations to the Territory Plan.

The Community Services Directorate has advised that the previous Minister for Housing announced that 10 per cent of the units constructed on the site will be made available for public housing tenants. Based on the proposed redevelopment this amounts to 115 units, just over 50 percent of the number of units within Bega and Allawah Court.

Draft Standing Committee Report 2 – DV308 Cooyong Street urban renewal area

In September 2013, the Chair of the Standing Committee tabled a draft report no. 2 of the Standing Committee in relation to DV308 – Cooyong Street urban renewal area. The Legislative Assembly referred the draft report back to the Standing Committee for endorsement. Rather than endorsing the draft report the Standing Committee prepared the Special Report No. 3 outlined above.

It is noted that the dissenting comments to the special report reflected the recommendations in the draft report No.2. These recommendations have therefore been addressed in full above.

However, the draft report No. 2 – Appendix C also included dissenting comments from Mr Coe MLA and Mr Wall MLA. No specific recommendations were made in these dissenting comments. Rather, three (3) alternative options were suggested for the Government to consider. These three options are responded to in full in the following sections.

City Planning

DV308 should be considered in the context of the City Plan and should be delayed until this Plan is completed.

Response

Disagreed. DV308 is entirely consistent with the current ACT strategic planning framework as detailed in the draft variation. DV308 is also acknowledged in the draft City Plan as a planning project currently underway.

Rezone the site to the RZ5 high density zone and exclude any mixed use or commercial uses

The site should be included in the RZ5 high density zone thereby excluding any mixed use or commercial uses.

Response

Disagreed. Part of the site will be included in the RZ5 high density residential zone. However, the CZ5 mixed use development zone is essential to the redevelopment of the site to ensure the continuation of a range of existing community uses on the site, including church uses. The small scale

commercial uses are also considered essential to meet the convenience retailing needs of the proposed residents and to activate the key frontages in the development.

Government as property developer

The blocks should be sold as a development opportunity, perhaps with a strict precinct code and an option for Housing ACT to purchase units for use by Housing ACT.

Response

Noted. The provisions of the precinct code have been prepared on the basis of planning and site considerations. All such proposals are considered on their planning merit and in accordance with the requirements of the *Planning and Development Act 2007* regardless of the proponent.

In this instance, the proponent is currently the Community Services Directorate, but there is nothing to prevent the site being sold to a developer as recommended in the dissenting comments. It is noted that the Catholic Church has indicated it may not sell its portion of the site. If this is the case then part of the site may well be developed by another entity. However, this matter is entirely outside the scope of DV308.