

Australian Capital Territory

Planning and Development (Plan Variation No. 298) Notice 2011

Notifiable Instrument NI2011-152

made under the

Planning and Development Act 2007, section 76(3)

1 Name of instrument

This instrument is the *Planning and Development (Plan Variation No. 298) Notice 2011*.*

2 Plan Variation No. 298

On 1 February 2011, the Minister for Planning approved a draft of the attached plan variation under s 76(3).

Neil Savery
Planning and Land Authority

11 March 2011

*Name amended under Legislation Act, s 60

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au



Planning & Development Act 2007

Variation to the Territory Plan No. 298

Structure Plan, Concept Plan and Zone
Changes—Holt section 99 part block 11
(Belconnen Golf Course)

February 2011



Table of Contents

1.	EXPLANATORY STATEMENT	1
1.1	Background	1
1.2	Summary of proposal	2
1.3	National Capital Plan.....	2
1.4	Site description	3
1.5	Current provisions in the Territory Plan.....	4
1.6	Changes to the Territory Plan	5
1.7	Consultation on the exhibited draft variation	5
1.8	Revisions to the exhibited draft variation.....	6
1.9	Interim Effect.....	6
2.	VARIATION.....	7
2.1	Variation to the Territory Plan Map.....	7
2.2	Variation to the Territory Plan written statement	8

1. EXPLANATORY STATEMENT

1.1 Background

The parks and recreation PRZ2 restricted access recreation zone makes provision for a range of facilities which will meet the sporting and recreational needs and demands of the community and are appropriately located for the potential users of the facility.

The site was originally developed as part of an 18-hole golf course in the 1980s. The course was expanded to a 27-hole course in the 1990s. At the same time the concessional lease over the site was discharged and two residential estates were developed and named Woodhaven and Wiluna. In 2003 the use of the nine holes at the subject site was discontinued because of declining membership and increasing watering costs.

The planning report has been prepared by the proponent for block 11 (part) section 99 Holt (October 2009) and it recommended that the site is considered suitable for residential use. The proponents intend to develop approximately 330 dwellings of various housing types to a maximum of two storeys at the site. Its proximity to the two residential estates—Woodhaven and Wiluna—will enable the development to be connected to an existing neighbourhood. The mix of housing types is expected to meet some demands of Canberra's ageing community.

The site of the existing clubhouse on Britten-Jones Drive is proposed to be used as a community hub for residents of the estate. The hub may include a range of uses that are ancillary to the estate including recreational facilities and limited commercial uses including a health facility, office and shop.

The planning report includes a discussion about the possible future location of the golf course clubhouse which is positioned at the eastern side of the golf course on Spofforth Street. The location and scale of a relocated clubhouse can be assessed against the existing provisions of the Territory Plan and is therefore not considered as a part of this variation.

1.2 Summary of proposal

This draft variation proposes to amend the Territory Plan map by changing the parks and recreation PRZ2 restricted access recreation zone at Holt section 99 block 11 (part) to residential RZ1 suburban zone to enable residential development.

The proposal is to develop approximately 330 dwellings of various housing types to a maximum of two storeys at the site. Its proximity to the two residential estates—Woodhaven and Wiluna—will connect it to an existing neighbourhood.

The draft variation proposes to include a future urban area overlay at the site and 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*.

1.3 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 (the Plan) and to keep the Plan under constant review and to propose amendments to it when necessary.

The Plan, 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* also requires that the Territory Plan is not inconsistent with the NCP. The area proposed for rezoning is within the urban areas as defined by the NCP.

The NCA was consulted during the preparation of this draft variation and its comments are included at 2.7 Consultation with Government Agencies.

1.4 Site description

The variation applies to part of block 11 section 99 Holt. The land is located to the west of the suburb of Holt in the district of Belconnen and can be accessed from Stockdill Drive (see **Figure 1.1**). The site is Territory land and is currently leased to Woodhaven Investments. The subject site is approximately 23 hectares at Belconnen golf course.

Belconnen golf course and the two residential estates adjoin the site along the northern and eastern boundary. The land to the west of the site is currently open farmland. It is zoned non urban NUZ1 broadacre zone and is able to be developed for a range of uses. The land to the south of the site is also open farmland and is predominantly zoned non urban NUZ3 hills, ridges and buffer (see **Figure 1.2**).

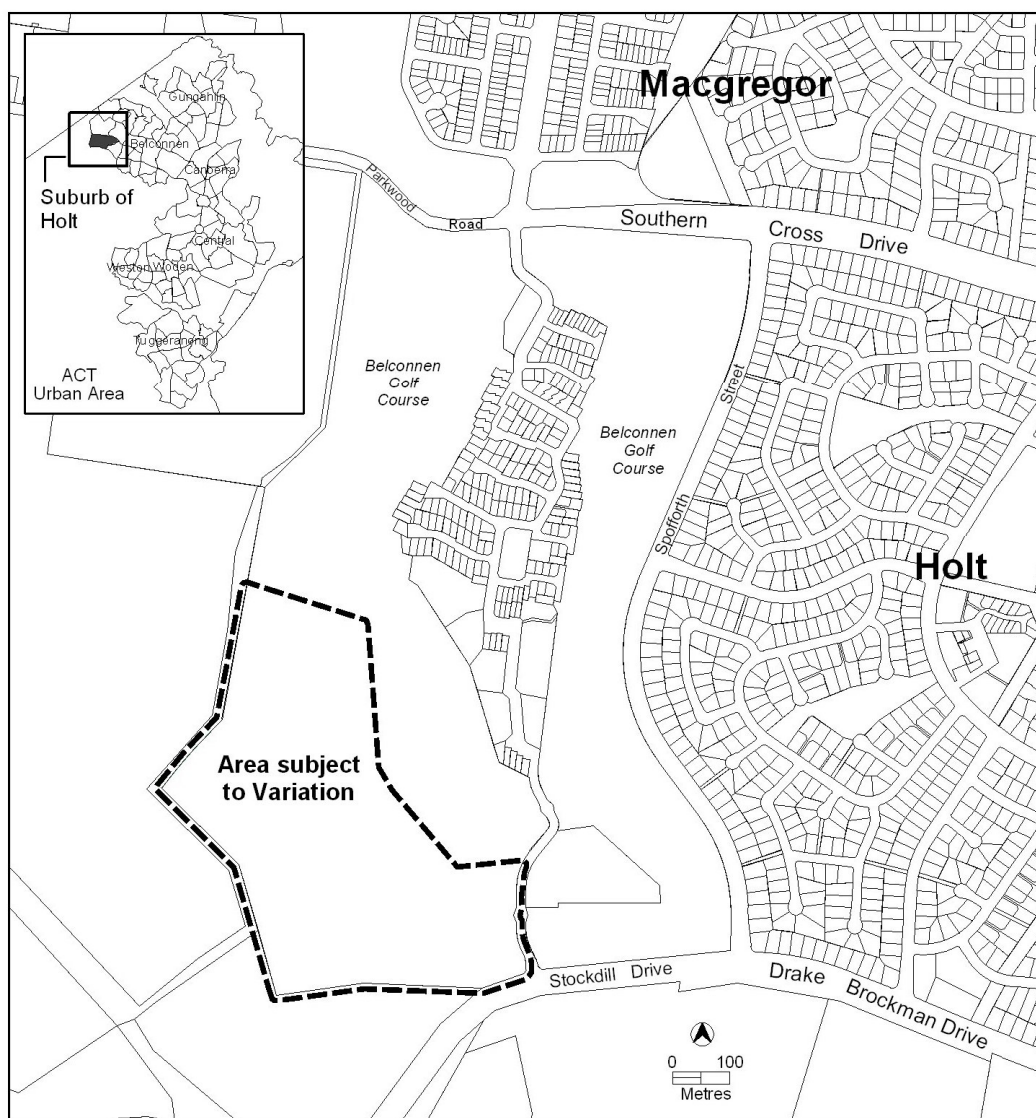


Figure 1.1 Location of area subject to draft variation

The map indicates the proposed site boundaries as accurately as possible but these may be adjusted following detailed surveys.

1.5 Current provisions in the Territory Plan

The area subject to the variation and the current Territory Plan zoning is indicated in Figure 2. The site is currently zoned parks and recreation PRZ2 restricted access recreation.

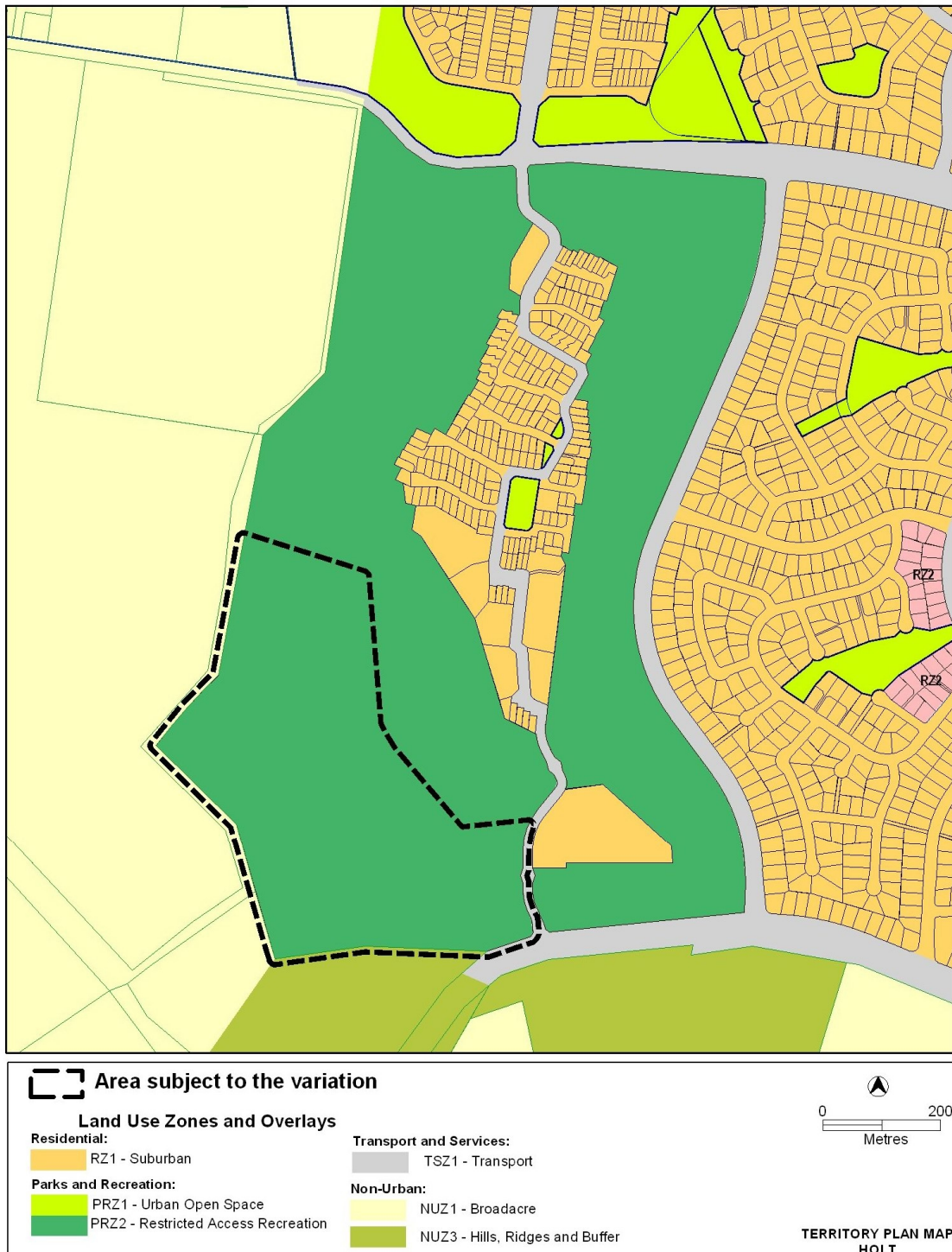


Figure 1.2 Current zoning in Territory Plan of area subject to variation

1.6 Changes to the Territory Plan

The changes to the Territory Plan Map and Written Statement are detailed in section 2 of this document.

1.7 Consultation on the exhibited draft variation

Draft variation number 298 was released for public comment on 26 March 2010 and a consultation notice under section 63 of the *Planning and Development Act 2007* was placed in the ACT Legislation Register on 25 March 2010 and a notice published in the Canberra Times on 27 March 2010.

Written comments were invited by 17 May 2010. A total of 22 written submissions were received including 19 individual submissions, one from Belconnen Magpies Sports Club Ltd, one from a community group (ACT Equestrian Association Inc) and a petition with 58 signatures.

The key issues raised in support of the proposal relate to:

- provision of aged targeted housing
- provision of affordable housing
- increased housing supply
- effective communication by the proponent
- general benefits to the Canberra community from the proposed development of the estate and redevelopment of the golf course.

Key issues raised against the proposal relate to:

- potential traffic problems in streets adjoining the development
- golfer and resident safety
- tree removal
- location and suitability issues
- subdivision design
- ineffective communication strategy
- appropriateness of the proposed zone
- ensuring development outcomes and the continued operation of the course and facilities
- disruption to the golf course from additional residential areas
- concern regarding club viability
- interface with adjoining uses and cross border considerations
- continued access to the existing water supply.

These issues were addressed in the report on consultation that was prepared by ACTPLA under s 69 (2) of the *Planning and Development Act 2007*.

1.8 Revisions to the exhibited draft variation

After analysis of the public submissions during the draft variation consultation period and comments received from referral agencies minor changes were made to the exhibited draft variation to the explanatory statement. Minor changes were also made to paragraph two under policies for development of future urban area in the Structure Plan and to rule R1 of the proposed concept plan to ensure the relocated/ undergrounded transmission is on appropriately zoned land.

No changes were made to the draft variation following consideration of the Standing Committee on Planning, Public Works and Territory and Municipal Services Report No. 8 Variation to the Territory Plan No.298.

The following changes were made in response to the ministerial direction to ACTPLA under section 76(3)(b)(iii) of *Planning and Development Act 2007*:

1. The location of the entrance to the site in rule R6 in the Holt section 99 block 11 (Belconnen golf course) Concept Plan was clarified by adding the underlined text:

R6 The entrance to the estate is to be located off Stockdill Drive
 within the area as shown in Figure 2.

2. Minor editorial changes were made to the text, as indicated below:

- a) A word was substituted in paragraph 5, 1.1 Background, 1 Explanatory Statement in Draft Variation No. 298

The planning report includes a discussion about the possible future location of the golf course clubhouse which is positioned ~~position~~ at the eastern side of the golf course on Spofforth Street.

- b) The last sentence of paragraph 3 under the subheading Application in Introduction to Holt section 99 block 11 (Belconnen golf course) Concept Plan was omitted because it inaccurately stated would be possible to depart from a provision in the Territory Plan.
 - c) The term 'draft variation' was substituted with 'variation' in several places within the document to acknowledge the variation had been approved.
 - d) In the concept plan, 'Future Urban Area' was substituted for 'area subject to the variation' as the site description in Figure 1 and 'Holt' was substituted for the full block identification details in the heading of Figure 2.

1.9 Interim Effect

The draft variation was not given interim effect and therefore section 72 of the *Planning and Development Act 2007* does not apply. The current Territory Plan will continue to apply while the variation remains in draft form.

2. VARIATION

2.1 Variation to the Territory Plan Map

The Territory Plan map is varied as indicated in **Figure 2.1** for the area shown as subject to the variation. The map indicates the proposed land use zone boundaries as accurately as possible, but these may be adjusted following detailed surveys.

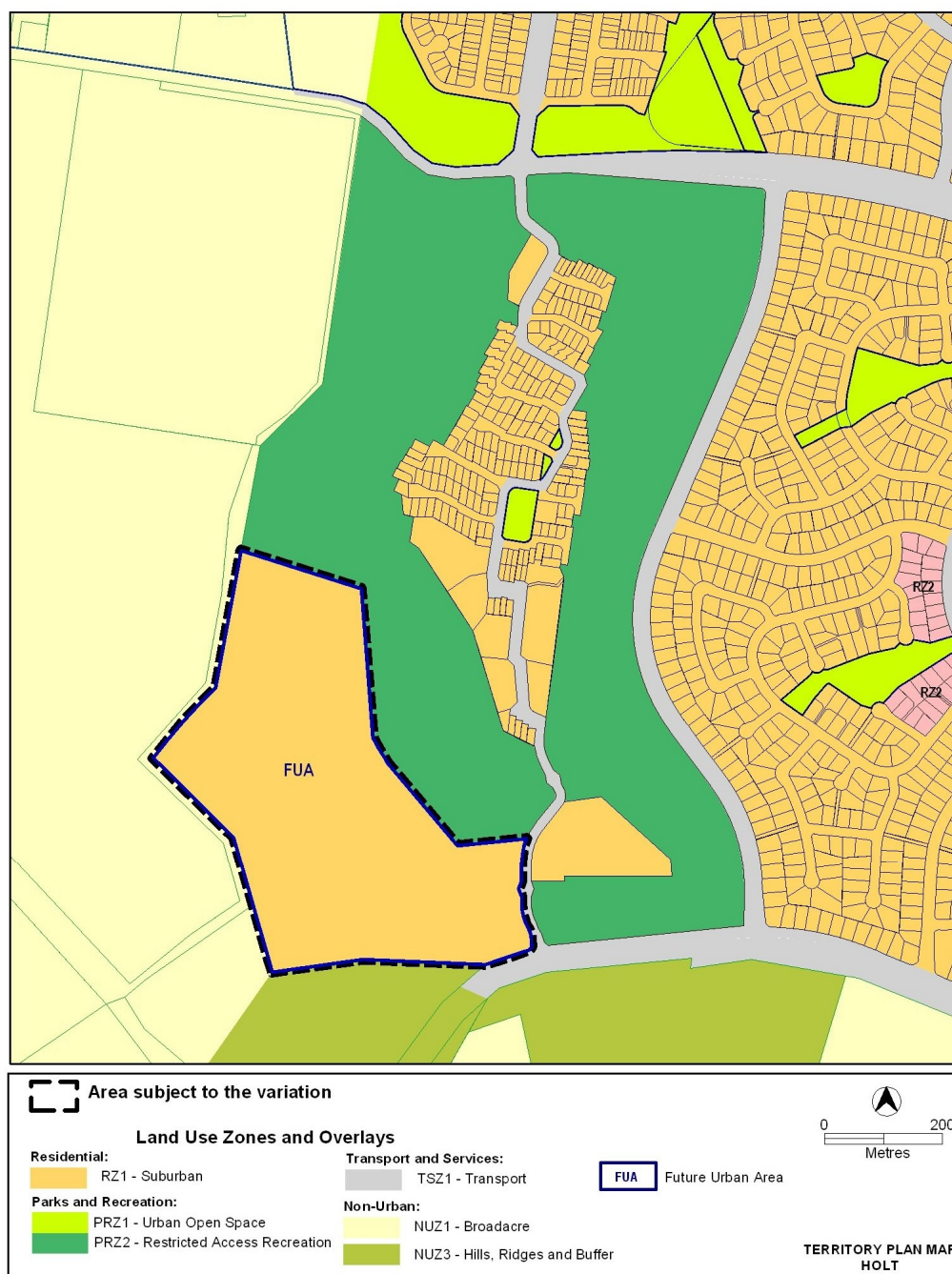


Figure 2.1 Territory Plan map for area subject to variation

2.2 Variation to the Territory Plan written statement

The Territory Plan is varied:

Variation to Residential RZ1 – Suburban zone development table

1. **Assessable Development table, under the heading Specific areas have additional developments that may be approved subject to assessment. These areas and the additional developments are listed below**

Insert the following

Holt section 99 block 11 (part)	SHOP	Holt section 99 block 11 (Belconnen Golf Course) Concept Plan Residential Zones – Multi Unit Housing Development Code
---------------------------------	------	---

Variation to Structure Plans

2. **after Molonglo and North Weston structure plan**

Insert the following

Holt section 99 block 11 Structure Plan (see **Appendix A**)

Variation to Concept Plans— Precinct Codes for section 93 of the *Planning and Development Act 2007*

3. **after Coombs and Wright concept plan**

Insert the following

Holt section 99 block 11 Concept Plan (see **Appendix B**)

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-għajnunja 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



Holt section 99 block 11 (Belconnen Golf Course) Structure Plan

1. INTRODUCTION

This structure plan sets out the principles and policies that apply to development at the future urban area on section 99 Holt in accordance with section 91 of the *Planning and Development Act 2007*.

2. APPLICATION

This structure plan applies to the future urban area shown in Figure 1. Land that ceases to be part of the future urban area after the application of section 96 of the *Planning and Development Act 2007* ceases to be affected by this structure plan.

3. PROHIBITED DEVELOPMENT

For the purposes of section 136(2) of the *Planning and Development Act 2007*, development by an entity that is not the Territory or Territory entity is not prohibited.

4. PRINCIPLES FOR THE DEVELOPMENT OF FUTURE URBAN AREA

1. The development will accord with the principles contained in the Statement of Strategic Directions in the Territory Plan (see figure 1).

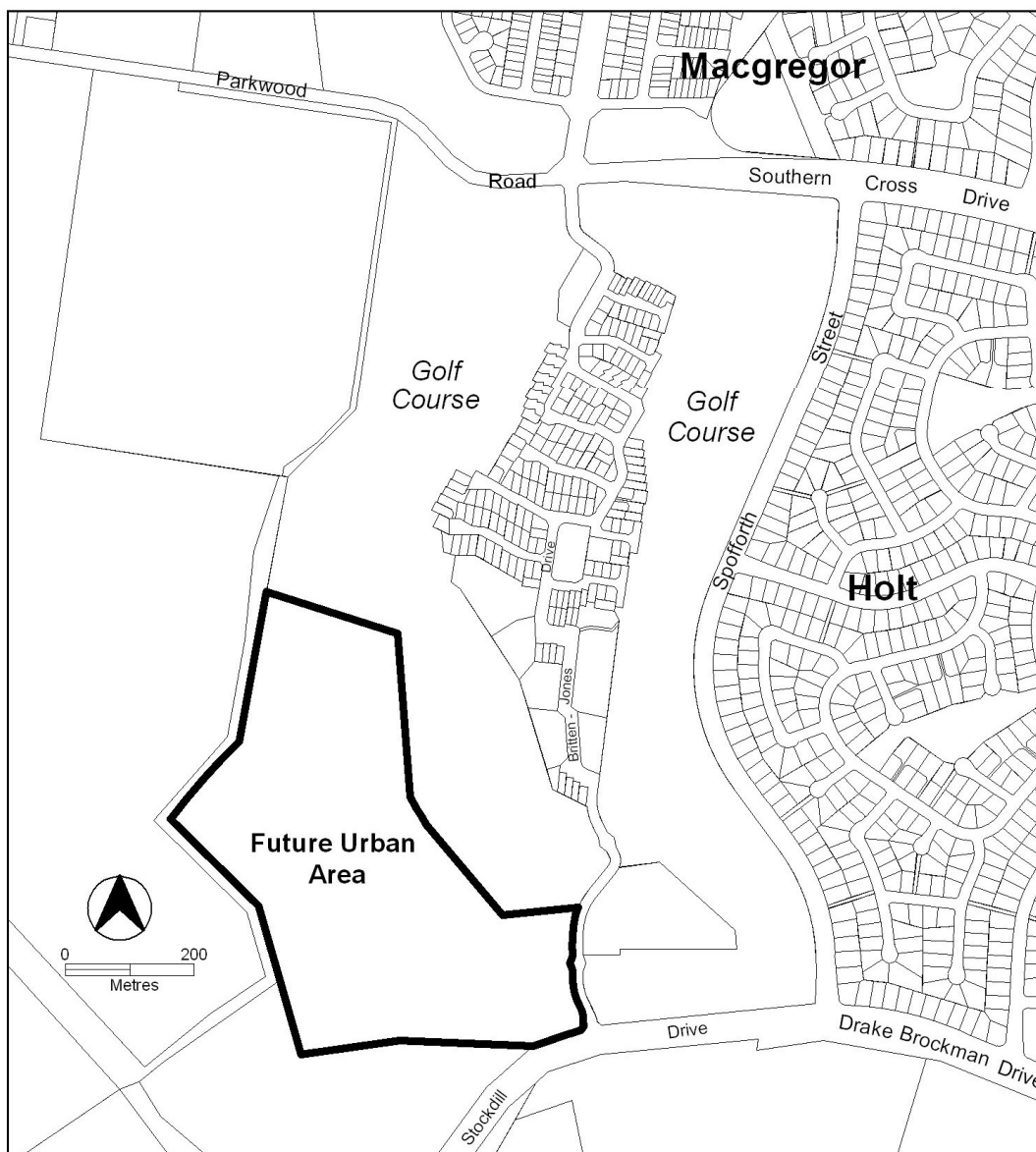


Figure 1: Future urban area at commencement of Holt section 99 block (11 part) Structure Plan

5. POLICIES FOR THE DEVELOPMENT OF FUTURE URBAN AREA

5.1 General

2. Residential development within the future urban area shown in Figure 1 will be in accordance with the residential RZ1 suburban zone in the Territory Plan.

Notes:

1. The future urban area will diminish as development proceeds. Land that ceases to be part of the future urban area through the application of s96 of the *Planning and Development Act 1997* ceases to be affected by this structure plan.

2. The nature and extent of the RZ1 zone under the Territory Plan will be confirmed after land ceases to be part of the future urban area.

5.2 Bushfire protection

3. Buffers for bushfire protection are to be provided to the satisfaction of the Emergency Services Agency (ESA) along the western and southern boundaries of the site.

5.3 Residential

4. Dwellings abutting the rural interface be constructed to satisfy Bushfire Attack Level 19 of Australian Standard of construction of buildings in bushfire-prone areas (AS 3959: 2009) and that other dwellings at the estate be constructed to satisfy Bushfire Attack Level 12.5 (AS 3959:2009) as noted in the corrigendum to the Planning Report November 2009—Bushfire protection requirements based on AS3595:2009 or as agreed by the ESA.

5.4 Road and movement network

5. The estate is to be provided with an entrance from Stockdill Drive and not from Britten Jones Drive.
6. An access way for cycle use and pedestrians is to provide a connection between the main entry off Stockdill Drive to the nearest bus stop.
7. A secondary access point to the site for emergency access and egress is to be located and constructed to the satisfaction of ESA.

5.5 Infrastructure

8. Provision will be made for the relocation and undergrounding of the overhead 132 kilovolt transmission lines to enable contiguous residential development.

5.6 Community activity centre

9. Provision for a community activity centre with ancillary uses of shop, health facility, office and store is to be located close to the intersection of Stockdill Drive and Britten Jones Drive. Shop of no more than 200 m² gross floor area may be included within the community activity centre.

5.7 Open space and landscape

10. The provision for open space for active recreation will accord with the relevant Territory guidelines.
11. Landscape buffers will be provided to screen urban development from Stockdill Drive.



Holt section 99 block 11 (Belconnen Golf Course) Concept Plan

Contents

INTRODUCTION.....	1
PART A – LAND USE	3
Element 1. Land use plan	3
Element 2. Community precinct	3
PART B – SUBDIVISION	5
Element 3. Dwelling yield.....	5
Element 4. Bushfire protection.....	5
Element 5. Road network.....	5
Element 6. Infrastructure.....	5
Element 7. Open space and landscaping	6
PART C – BUILDINGS AND STRUCTURES.....	6
Element 8. Community precinct	6

Introduction

Application

This plan applies to land at **Holt section 99 block 11 (part)** in the district of Belconnen, as shown on **Figure 1**.

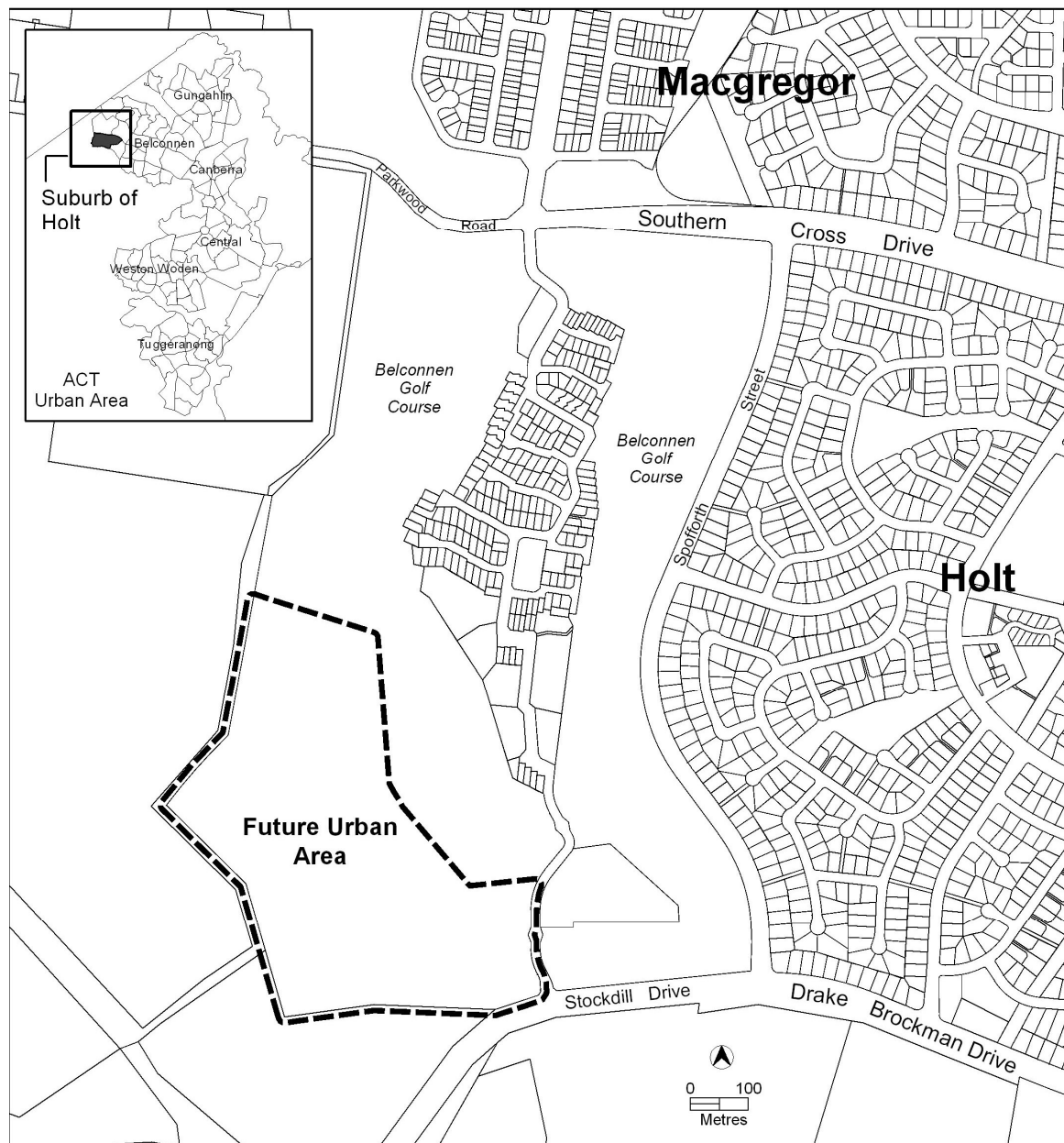


Figure 1: Location of Holt section 99 in district of Belconnen

Part A Land Use and Part B Subdivision of this plan apply only to the future urban area (FUA) within Holt section 99 block 11 (part). The FUA will be removed following the approval of the estate development plans and finalisation of the zone boundary under section 96 of the *Planning and Development Act 2007*.

This plan contains **rules**, which provide definitive controls for development, and **criteria**, which provide provisional controls for development. In some instances rules are mandatory. Mandatory rules are marked by the words “This is a

mandatory requirement. There is no applicable criterion” in the criteria column. Non-compliance with a mandatory rule will result in the refusal of a development application. In other instances the words “There is no applicable rule”. In this case the proposal is assessed against the relevant criterion. Where both rule and criterion apply, compliance with the rule is deemed to satisfy the particular requirement.

Purpose

The purpose of this plan is to:

- guide the design and assessment of estate development plans (subdivision proposals) at Holt section 99 block 11
- guide the development of individual blocks in concert with other relevant codes under the *Territory Plan*

Desired planning outcomes

The purpose of the development controls (i.e. rules and criteria) is to:

- provide diverse housing types, densities and affordability to meet the changing needs of households and to encourage the formation of a diverse community
- ensure the appropriate protection of existing high value trees
- incorporate principles of contemporary best practice for energy efficiency, water conservation, solar access and ecological sustainability
- provide a legible road network that integrates safe and adequate pedestrian and cycle access throughout the site and connectivity to adjacent areas
- employ stormwater management measures
- encourage efficient use of water through water sensitive urban design
- adopt bushfire protection measures appropriate to the site
- relocate 132 kilovolt transmission line to enable contiguous development
- if developed as a community title scheme, capacity to provide for community facilities that incorporates small scale commercial uses

Code hierarchy

This concept plan is deemed to be a **precinct code** under section 93 of the *Planning and Development Act 2007*.

More than one type of code may apply to a particular development proposal. Occasionally inconsistencies between the provisions arise, particularly where a precinct code seeks to apply special provisions in response to particular local circumstances or planning issues. Where this occurs, a **precinct code** prevails over a **development code** and a **general code**, but only to the extent of the inconsistency.

Part A – Land use

Note: The land referred to in this part is shown on **Figure 2**.

Rules	Criteria
1. Land use plan	
<p>R1</p> <p>The land use plan submitted with an estate development plan (EDP) is to show an easement for the 132kV transmission line within a transport and services TSZ2 services zone or parks and recreation PRZ2 restricted access recreation zone and the remaining land within the future urban area overlay as RZ1 suburban zone.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
2. Community precinct	
<p>R2</p> <p>If a community activity centre is proposed for the site then the estate is to be developed as a community title scheme and the centre is to be located in the community precinct (as identified by 'area proposed for community activity centre' in Figure 2).</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C3</p> <p>The community precinct may include a community activity centre and a range of ancillary uses including both indoor and outdoor recreation facility and limited commercial uses (shop, health facility, office and store) to serve the community title scheme.</p>

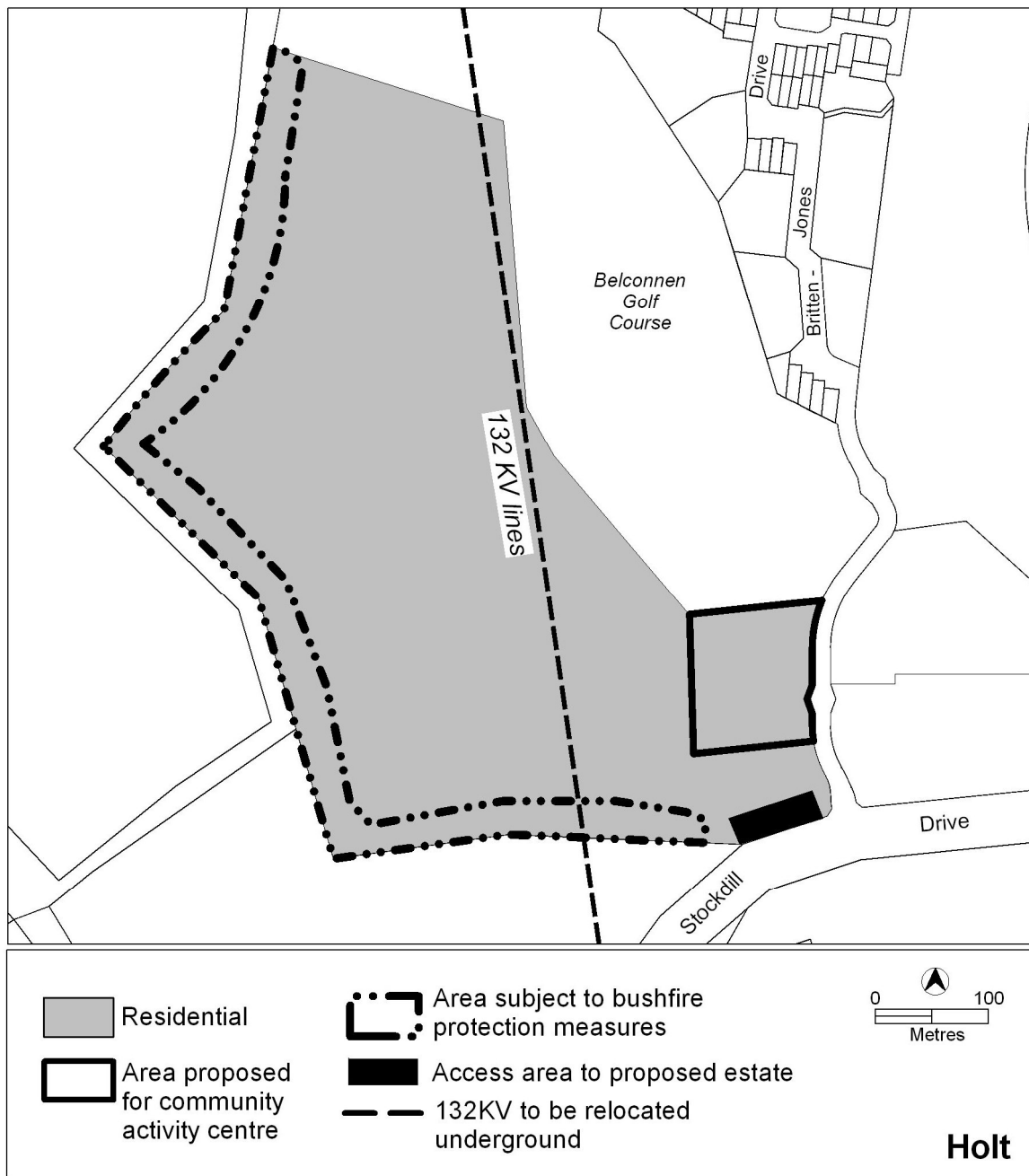


Figure 2: Concept Plan for Holt section 99

Part B – Subdivision

Note: This part should be read in conjunction with:

Residential Subdivision Development Code

Guidelines for the Preparation of Estate Development Plans

Water Ways: Water Sensitive Urban Design General Code.

Rules	Criteria
3. Dwelling yield	
<p>R4</p> <p>The estate provides a range of dwelling types, densities and block sizes which results in the construction of between 300 and 350 dwellings.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
4. Bushfire protection	
<p>R5</p> <p>EDP identifies the bushfire protection measures, including higher construction standards required of buildings in bushfire prone areas as endorsed by the ACT Emergency Services Agency.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
5. Road network	
<p>R6</p> <p>The entrance to the estate is to be located off Stockdill Drive within the area shown in Figure 2.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C7</p> <p>The development is to incorporate a continuous pathway, which provides a slope which allows access for persons with a disability, between the estate and the location of the closest bus stop.</p>
<p>R8</p> <p>A second vehicular access point to the estate for emergency use is to be provided and endorsed by the ACT Emergency Services Agency.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
6. Infrastructure	
<p>R9</p> <p>The 132 kilovolt transmission line, as shown in Figure 2, is to be relocated and undergrounded in accordance with ActewAGL requirements.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

7. Open space and landscaping	
There is no applicable rule.	<p>C10</p> <p>A buffer area is provided between Stockdill Drive and residential blocks which contains landscape treatment of a similar scale and width as the existing treatment for the perimeter of the golf course.</p>

Part C – Buildings and structures

8. Community precinct	
Rules	Criteria
<p>R11</p> <p>If a community activity centre is included in the estate then the ancillary uses of shop, health facility, office and store may be integrated into the centre provided all of the following are met:</p> <p>a) total combined gross floor area of shop, health facility and office is to be no greater than 300m² and within this area, total gross floor area of shop is to be no greater than 200m²</p> <p>b) total gross floor area of store is to be no greater than 500m².</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>