

Australian Capital Territory

Planning and Development (Plan Variation No 334) Approval 2016*

Notifiable Instrument NI2016—91

made under the

Planning and Development Act 2007, section 76(3)(a) (Minister's powers in relation to draft plan variations)

1 Name of instrument

This instrument is the *Planning and Development (Plan Variation No 334) Approval 2016*.

2 Approval of draft plan variation

- (1) I APPROVE under section 76(3)(a) of the *Planning and Development Act 2007* the draft plan variation No 334 to the Territory Plan.
- (2) In this section:

Draft plan variation No 334 to the Territory Plan means the draft plan variation in the schedule.

Mick Gentleman MLA
Minister for Planning and Land Management

18 February 2016

*Name amended under Legislation Act, s 60

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

Schedule

(see section 2(2))



ACT
Government

Environment and Planning

Planning and Development Act 2007

Variation to the Territory Plan No 334

ACT Public Housing Redevelopments -

Red Hill section 25 block 1, section 26 block 1, section 29 blocks 26 to 34, section 31 blocks 1 to 15 and block 49, and section 32 blocks 51 to 55 Red Hill Housing Precinct

Zone changes and amendments to the Red Hill Housing Precinct map and code

Final variation prepared under s76 of the
Planning and Development Act 2007

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1. EXPLANATORY STATEMENT

1.1 Background

1.1.1 Public Housing Renewal Program

Housing is critically important for the ACT community's overall economic and social well-being. Public housing assists Canberrans on low incomes to reach their potential, to make a contribution and to share the benefits of our community.

The role of ACT public housing has changed over time through increased targeting to those most in need. As at April 2015 there were 2,323 clients on the public housing waiting list with a further 869 public housing tenants on the transfer waiting list. The number of people on the public housing waiting list has doubled since 2008. Presently, the waiting time on the priority housing waiting list is 238 days. The demand for public housing is expected to grow. As at April 2015 there were 11,826 public housing properties.

Much of the public housing stock was constructed prior to 1988 when the Territory achieved Self-Government. The average age of the ACT's public housing stock is around 30 years and the Red Hill Housing Precinct is over 50 years old. The ACT has the oldest public housing portfolio in Australia, with consequent impacts on repairs and maintenance requirements.

The dwellings were constructed in response to the requirements of the time, and public housing tenants have different requirements now. The challenge is to renew the public housing stock so that it is better able to meet the needs of public housing tenants.

Many of the older public housing properties are in prominent locations so their redevelopment will result in significant urban renewal outcomes - improvements to urban design quality, creating economic activity, reduced greenhouse emissions, improved use of infrastructure and variety of the built environment.

The replacement public housing will be better designed, more energy efficient and cheaper to operate and maintain. They will better align with tenant demographics, break down aggregations of disadvantage and provide a better distribution of public housing throughout the community. Creating a greater choice of housing across the city makes it easier for people to 'age in place in the community'.

The redevelopment of these public housing sites has the potential to be an exemplar of best practice, to encourage local improvement and as a catalyst for local neighbourhood renewal and value adding to their environs.

Redevelopment of the public housing sites creates economic activity. There will be investment in the development and construction of replacement public housing and further investment in the existing sites once the existing public housing is decommissioned.

Renewal of public housing across the Territory will have benefits for public housing tenants. There will be no reduction in public housing stock and replacement housing will be built first. The distribution of housing will be aligned with tenant and applicant preferences. New public housing will have lower maintenance and operating costs.

The redevelopment of the Red Hill housing precinct will deliver better design outcomes, improved amenity and support Government initiatives, such as improved sustainability, urban renewal and the revitalisation of the public housing portfolio.

Increasing densities around transport routes and commercial centres provides the opportunity to support their on-going viability. It also presents opportunities to work with industry to make centres more viable, accessible, and vibrant.

1.1.1 Background to the Red Hill site

The variation varies the zoning for the area that includes block 1 section 25, block 1 section 26, blocks 26 to 34 section 29, blocks 1 to 15 and block 49 section 31 and blocks 51 to 55 section 32 Red Hill from residential RZ1 suburban zone and the residential RZ2 suburban core zone to RZ5 high density residential zone.

Much of the current site is occupied by Red Hill Housing Precinct, a multi-unit public housing complex that was constructed in 1960 and consists of 144 units which include bedsitters and one, two and three bedroom dwellings. The buildings vary in height from one to three storeys.

The ACT Government intends to redevelop Red Hill Housing Precinct as part of an overall program of revitalising the public housing portfolio. The reasons for progressing with the redevelopment of multi-unit properties, including Red Hill Housing Precinct, are outlined in section 2.1.1.

The Public Housing Renewal Taskforce has been consulting with the community to determine how best to develop the Red Hill Housing Precinct.

Rezoning the site will increase the diversity of housing types in Red Hill and adjoining suburbs providing these residents with increased housing choice.

The proposal varied the Territory Plan to facilitate the construction of a residential development ranging from 2 storeys to 6 storeys.

The Red Hill Housing Precinct was nominated in 2002 for listing on the ACT Heritage Register. On 17 April 2015 the ACT Heritage Council decided to not provisionally register the Red Hill Housing Precinct on the ACT Heritage Register.

1.2 Summary of the Proposal

This Territory Plan variation rezones block 1 section 25, block 1 section 26, blocks 26 to 34 section 29, blocks 1 to 15 and block 49 section 31, and blocks 51 to 55 section 32 Red Hill from the residential RZ1 suburban zone and residential RZ2 suburban core zone to the residential RZ5 high density zone.

The proposal varied the Territory Plan to facilitate the construction of a residential development ranging from 2 storeys to 4 storeys. Landscaped areas are provided for in the draft Territory Plan Variation, as well as limited commercial use on the ground floor levels of buildings fronting Discovery Street, opposite the Red Hill local centre.

The site is directly adjacent to the Red Hill shops. The area is well serviced in terms of public transport and other services such as the Red Hill Primary School and St Bede's Catholic Primary School. The Manuka Group Centre, some 3 kilometres away from the site, is directly accessible by public transport with its broader range of shops, retail, commercial and community services and facilities.

The redevelopment of the site will allow the Community Services Directorate to update the ageing public housing portfolio. It also provides opportunities to develop a diversity of housing stock and types in Red Hill. Local residents will be able to maintain established community links whilst moving into housing that better suits their needs. Urban intensification close to the Red Hill local centre will be achieved whilst maintaining the residential amenity of the surrounding residential areas in accordance with the strategic directions of the Territory Plan.

1.3 The 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 NCP 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 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 the Territory Plan is not inconsistent with the Plan. The area covered by this draft variation is within urban areas identified in the Plan.

1.4 Site Description

The subject site includes block 1 section 25, block 1 section 26, blocks 25 to 43 section 29, blocks 1 to 15 and block 49 section 31 and blocks 51 to 55 section 32 Red Hill. The area of the site excluding the roads is approximately 53,002m².

The Red Hill Housing Precinct area is located on Cygnet Crescent, Lady Nelson Place and Discovery Street. The site is also bounded by La Perouse Street and Monaro Crescent and there are also properties located in Norfolk Street and Endeavour Street. The park bounded by Cygnet Crescent and Lady Nelson place is not included in this draft Territory Plan variation.

The Red Hill Housing Precinct area is surrounded by residential dwellings in the suburb of Red Hill to the west, east and south. These dwellings are generally one to two storeys in height within an RZ1 suburban and an RZ2 suburban core zoning.

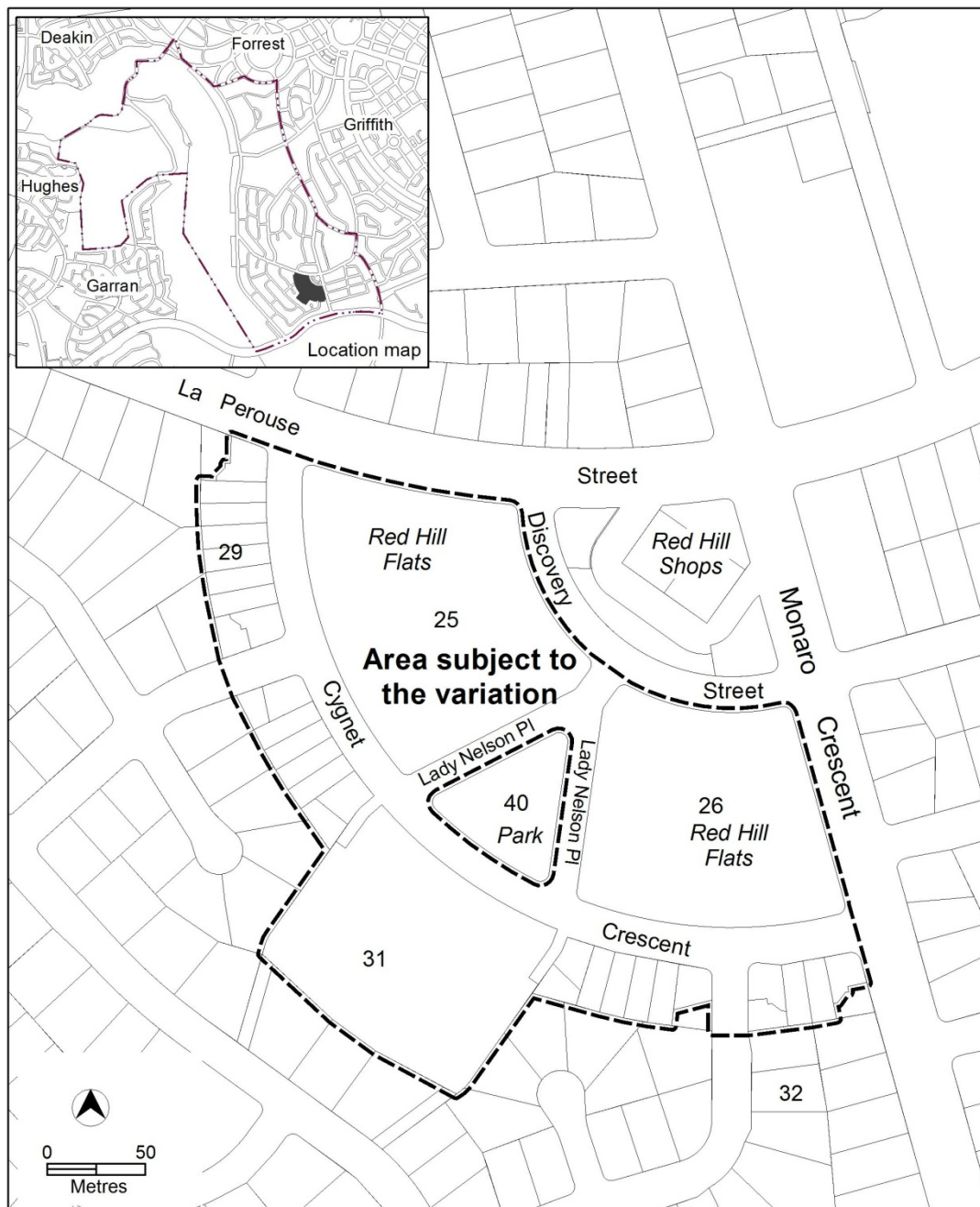


Figure 1: Site Plan

1.5 Current Territory Plan Provisions

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

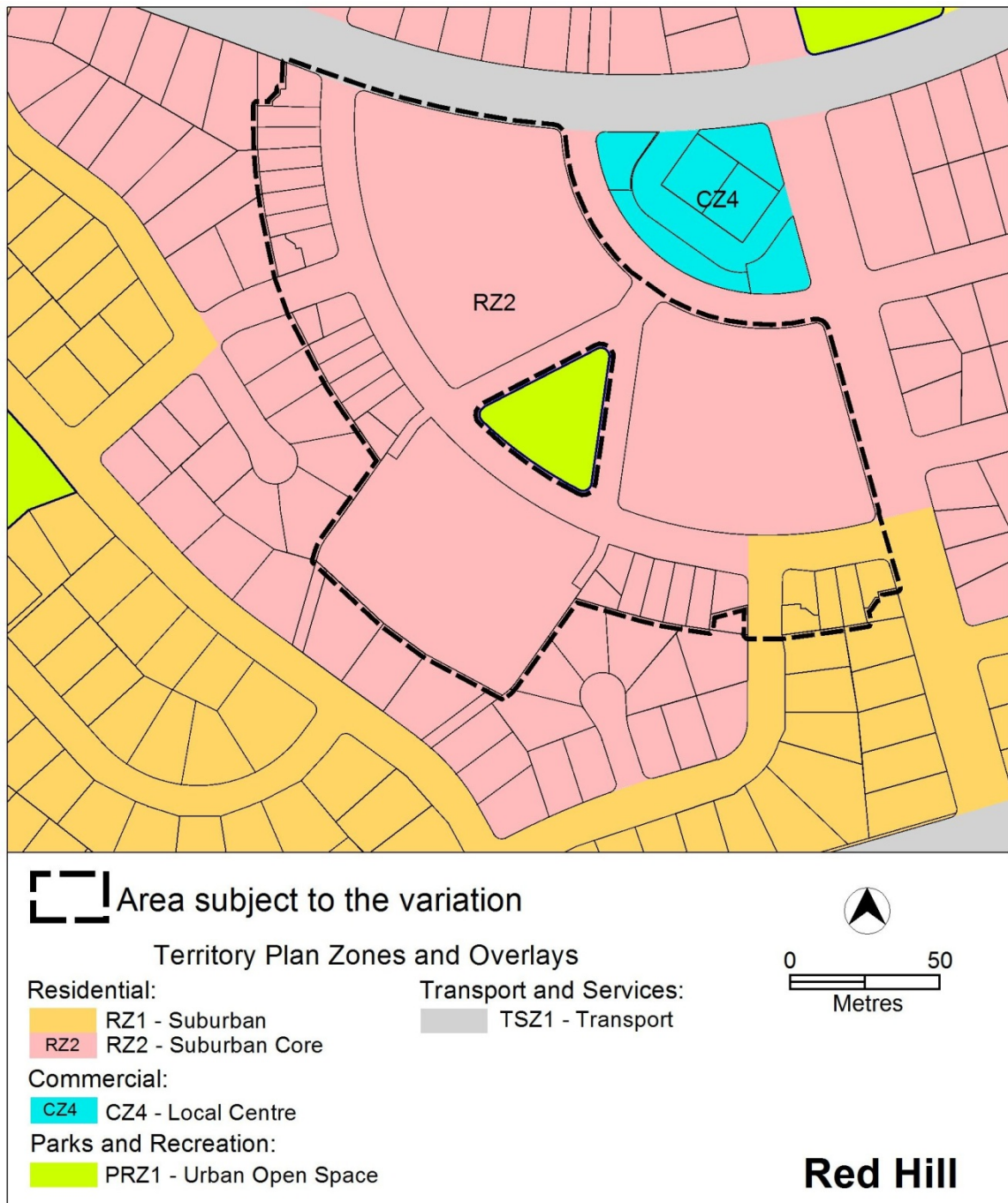


Figure 2 Territory Plan Zones Map

1.6 Changes to the Territory Plan

Detailed changes to the Territory Plan are noted in section 2 of this document.

1.7 Consultation on the Draft Variation

Variation No 334 (DV334) was released for public comment between 2 July 2015 and 31 August 2015. A consultation notice under section 63 of the *Planning and Development Act 2007* (P&D Act) was published on the ACT Legislation Register on 2 July 2015 and in *The Canberra Times* on Saturday 4th July 2015.

A total of ninety seven (97) written submissions were received from 93 individuals or groups, which included submissions from the Inner South Canberra Community Council, Old Narrabundah Community Council and the Red Hill Residents Group.

The main issues raised by submitters included:

- Supporting redevelopment of the site
- Opposition to RZ5 zoning of the site
- Concern about building heights
- Concern about increased density
- Traffic and parking concerns
- Impact on the landscape character of Red hill

The above issues were considered and are detailed in a report on consultation, which is available at www.act.gov.au/recommendedvariations. Changes were informed by the issues raised. The Minister will consider the outcomes of consultation prior to making a decision on this draft variation.

1.8 Revisions to the Draft Variation Recommended to the Minister

No changes were made to the draft variation recommended to the Minister.

2. VARIATION

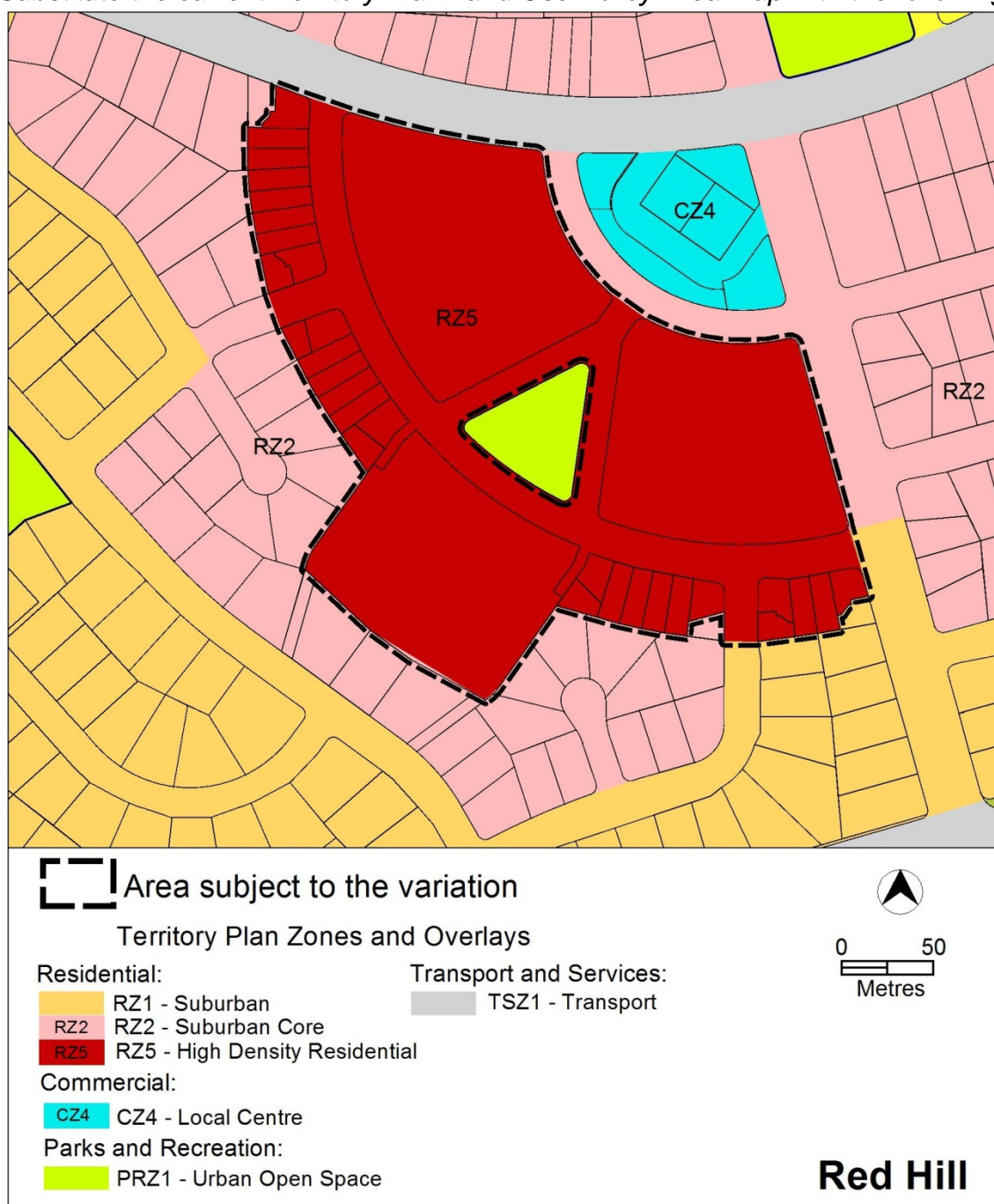
2.1 Variation to the Territory Plan

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

Variation to the *Territory Plan* Map

1. Territory Pan map

Substitute the current Territory Plan Land Use Policy Area map with the following:

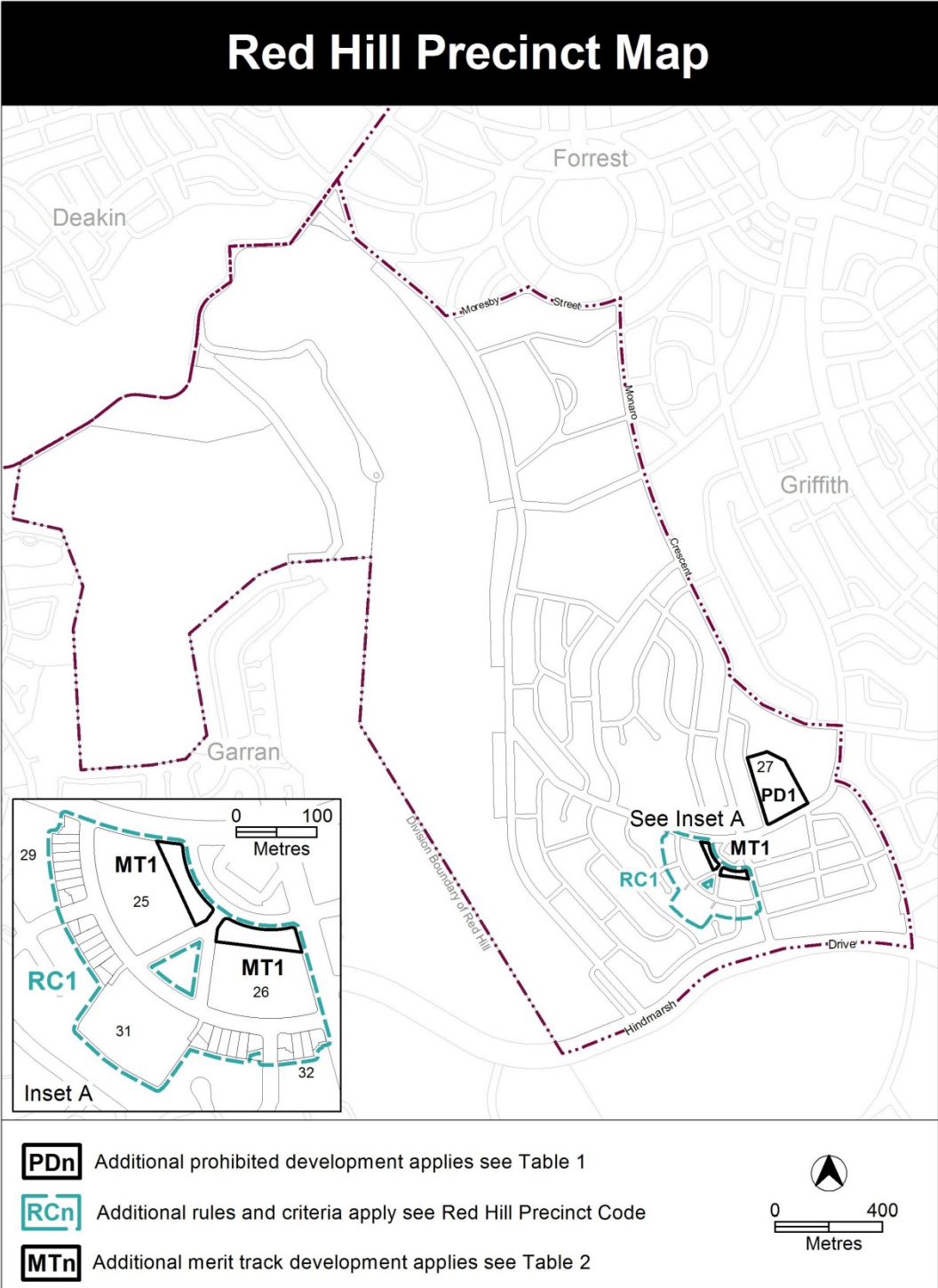


2.2 Variation to the Griffith Precinct Map and Code

Variation to the Red Hill Precinct Map

2. Red Hill Precinct Map

Substitute the Red Hill Precinct Map with the following:



3. Red Hill precinct map – Assessment Track

After Table 1- Additional Prohibited Development

Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	RZ5 high density residential	<i>Business agency office</i>

4. Red Hill precinct code

Insert

RC1 – Cygnet Crescent precinct

This part applies to blocks and parcels within area RC1 shown on the Red Hill Precinct Map.

Desired Character

The desired character for the RC1 precinct is:

- Building facades should be of high quality finish, detailing and visually articulated to avoid a ‘continuous wall’ of development and excessive bulk and scale and provide visual interest and differentiation.
- Development should frame and address Lady Nelson Place Park (Section 40, Red Hill) and the landscape areas through visually interesting facades and providing passive surveillance.

Element 1: Use

Rules	Criteria
1.1 Commercial Uses	
<p>R1</p> <p>Where permitted, <i>business agency</i> and <i>office</i> development must comply with all of the following:</p> <ul style="list-style-type: none">a) be located a maximum of 30 metres from boundary frontage with Discovery Streetb) be located at ground floor levelc) have vehicular access from Discovery Street	<p>C1</p> <p>Buildings afford the opportunity to accommodate non-residential uses at ground floor level.</p>
<p>R2</p> <p>This rule applies to <i>business agency</i> and <i>office</i> in the MT1 area indicated on the precinct map.</p> <p>Development must comply with all of the following:</p> <ul style="list-style-type: none">a) must be located at ground floor levelb) have vehicular access off Discovery Street <p>The MT1 area is measured as a maximum of 30 metres deep from the boundary frontage with Discovery Street.</p>	<p>This is a mandatory rule. There is no applicable criterion.</p>

Element 2: Access

Rules	Criteria
2.1 Site Access	
<p>There is no applicable rule.</p>	<p>C3</p> <p>Additional vehicular <i>site</i> access may be provided from La Perouse Street where all of the following apply:</p> <ul style="list-style-type: none">a) all other vehicular access options have been discountedb) the proposal is endorsed by Territory and Municipal Services Directorate (TAMSD). <p>If TAMSD endorsement is not provided the application will be referred to TAMSD.</p> <p>Note: Regardless of which road additional vehicular <i>site</i> access is provided from, the application will be referred to TAMSD.</p>

Element 3: Height

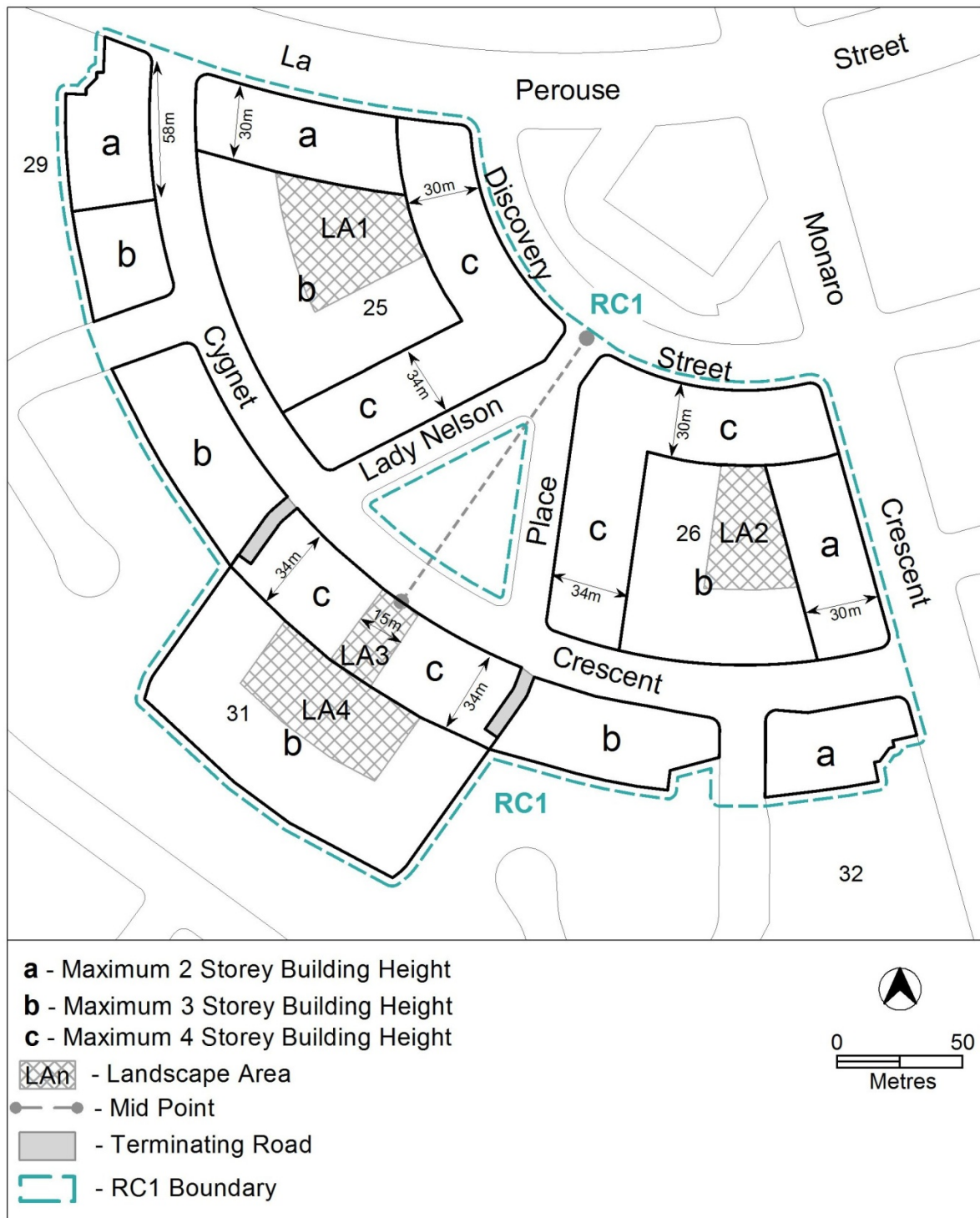
Rules	Criteria
3.1 Building height and storeys	
<p>R4</p> <p>This rule applies to areas 'a', 'b' and 'c' identified in Figure 1</p> <p>The maximum number of <i>storeys</i> permitted are as follows:</p> <p>a) In area 'a' – 2 <i>storeys</i>. Area 'a' is measured as:</p> <ol style="list-style-type: none"> For section 25 and 26 - a maximum of 30 metres deep from the boundaries fronting La Perouse Street and Monaro Crescent For section 29 – the minimum length if the front boundary to Cygnet Crescent is 58 metres. <p>b) In area 'b' – 3 <i>storeys</i>. Area 'b' is the area remaining after excluding area 'a' and area 'c'.</p> <p>c) In area 'c' – 4 <i>storeys</i>. Area 'c' is measured as:</p> <ol style="list-style-type: none"> For section 25 and 26 – a maximum of 30 metres deep from the boundary frontages with Discovery Street and a maximum of 34 metres deep from the boundary frontages with Lady Nelson Place For section 31 –the area between the two terminating roads identified in figure 1 and a maximum of 34 metres deep from the boundary fronting Cygnet Crescent. <p>Plant room set back a minimum of 3 metres from the building facade of the floor immediately below is not included in the number of storeys.</p> <p>Note: This rule replaces any rule/criterion contained in a development code where relating to height in storeys and/or metres.</p>	<p>C4</p> <p>The maximum number of storeys may be increased by 1 <i>storey</i> where the additional storey is:</p> <ol style="list-style-type: none"> Being used predominately for vehicular parking; Is a continuation of a <i>basement</i> which is also being predominately used for vehicular parking; and Is at ground floor level
3.2 Built Form	
<p>There is no applicable rule.</p>	<p>C5</p> <p>Built form is consistent with the <i>desired character</i>.</p>

Element 4: Landscaping

Rules	Criteria
4.1 Landscape area	
<p>R6</p> <p>This rule applies to landscape areas 'LA1', 'LA2', 'LA3' and 'LA4' identified in Figure 1.</p> <p>Landscape areas comply with all of the following:</p> <p>a) development is restricted to:</p> <ul style="list-style-type: none"> i) Landscaping, including deep root planting ii) Public art iii) Unenclosed shade structures iv) Street furniture v) Awnings vi) Signage vii) Bicycle parking viii) Vehicular access and parking (excluding 'LA3') <p>b) are not to be included in the calculation of site open space and principal private open space for adjoining development.</p> <p>This rule does not override the provisions for landscape design contained within a development code.</p>	<p>This is a mandatory rule. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C7</p> <p>Landscape areas are provided in a shape and location generally in accordance with Figure 1 and have a minimum area of:</p> <ul style="list-style-type: none"> a) LA1 – 1300m² b) LA2 – 1000m² c) LA4 – 1500m²

Rules	Criteria
<p>R8</p> <p>This rule applies to LA3 identified in Figure 1.</p> <p>LA3 is provided and has the following dimensions:</p> <ul style="list-style-type: none"> a) A minimum depth of 34 metres from the boundary fronting Cygnet Crescent b) A minimum of 15 metres wide c) Contiguous with LA4 <p>the centre point of LA3 is:</p> <ul style="list-style-type: none"> a) Located equidistant between the terminating roads indicated in Figure 1; and b) aligned lengthways with the midpoint of the Discovery Street and Lady Nelson Place intersection as shown in Figure 1. 	<p>This is a mandatory rule. There is no applicable criterion.</p>
<p>R9</p> <p>This rule applies to the landscape areas 'LA1', 'LA2' and 'LA4' identified in Figure 1.</p> <p>Vehicular parking in landscaped areas is limited to:</p> <ul style="list-style-type: none"> a) 14% of the total area for LA1 b) 18% of the total area for LA2 c) 10% of the total area for LA4 <p>Note: vehicular access and parking is not permitted within 'LA3'.</p>	<p>C9</p> <p>Vehicular parking in landscaped areas must achieve all of the following:</p> <ul style="list-style-type: none"> a) does not dominate landscaped areas b) Provides substantial areas for deep root planting c) Presents a soft landscaped interface to the buildings and/or street <p>In addition 'LA3' and 'LA4' must have unimpeded pedestrian access to one another.</p>

Figure 1: building heights and landscape areas.



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GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήστε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
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