



**Mick Gentleman MLA**

MINISTER FOR PLANNING  
MINISTER FOR ROADS AND PARKING  
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS  
MINISTER FOR CHILDREN AND YOUNG PEOPLE  
MINISTER FOR AGEING

MEMBER FOR BRINDABELLA

LEGISLATIVE ASSEMBLY  
RECORD  
EIGHTH ASSEMBLY

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No. 9  
Page No.

Mr Tom Duncan  
Clerk  
Legislative Assembly for the Australian Capital Territory  
London Circuit  
CANBERRA ACT 2601

Dear Mr Duncan

Thank you for your letter of 23 September 2015 attaching Petition No. 12-15 lodged by Mr Doszpot, MLA on behalf of 548 Australian Capital Territory residents.

The petition brings to the attention of the Assembly the view that the density of housing proposed by the Government through Draft Variation 334 for the Red Hill Public Housing site (DV334) is unacceptable, as is the proposal for 4 and 6 story buildings on it. The petition calls upon the Assembly to request those Ministers responsible for DV334 to redraft it in consultation with the community, based on RZ2 zoning on all boundary areas and RZ3 zoning with a maximum of 3 storeys at the central area of the site, with existing development codes applying to the whole of the residential areas of the site without variation. The petition also calls for a holistic and accurate assessment of impact to roads, traffic, parking, sewerage, water and drainage.

The petition asks for those Ministers responsible for DV334 to redraft it in consultation with the community. There is actually no statutory power for Ministers to draft Territory Plan variations. The planning authority is authorised under the *Planning and Development Act 2007* (the Act) to draft Territory Plan variations on its own initiative or at the request of the Minister.

ACT LEGISLATIVE ASSEMBLY

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In respect of consultation, the minimum requirements for public consultation are stipulated in the Act and have already been greatly exceeded in relation to DV334. Non-statutory pre-consultation took place from July 2014 to April 2015 and statutory public consultation was undertaken in relation to DV334 from 2 July 2015 to 17 August 2015 with an extension of time for submissions to 31 August 2015. Consultation took various forms and included:

- Letters to Red Hill residents advising of proposed zoning changes and times of meetings, Design Workshops and drop-in information sessions;
- Advertisements in the Canberra Times, Chronicle, the *Time To Talk* website and Economic Development website; and
- Presentations to local Community Councils

A total of fifty one (51) written submissions, six form letters and six submissions from community organisations were received from the community during the non-statutory consultation period. Ninety seven (97) written submissions were received during the statutory public consultation period. The majority of these submissions were from individuals (93 submissions). A number of submissions were made by community organisations.

This indicates a significant engagement by the public with the consultation process in relation to DV334 and in my opinion, additional public consultation is not warranted. Also, concerns expressed by the public have been incorporated by way of changes to DV334. These changes included reducing the heights of the buildings near Beagle Street from four to three storeys, and concentrating the taller elements at the centre of the site, around Lady Nelson Park and along Discovery Street, opposite the Red Hill local centre. The height of buildings permitted under DV334 is 'stepped down' towards the edges of the site adjacent to existing residences. There will be another opportunity for the public to comment on any proposed development at the development application stage.

I would now like to address the more specific requests made in the petition.

Firstly, a request is made that the zoning should be based on RZ2 with a maximum of two storeys on all boundary areas and RZ3 with a maximum of 3 storeys at the central area of the site, with existing development codes applying to the whole of the residential areas of the site without variation.



Although the zoning is being changed to RZ5 under DV334, a precinct code is included that limits the height of buildings to a level lower than usually found in RZ5. Under DV334, the maximum height allowed is six storeys with the taller buildings being concentrated at the centre of the site. Any part of a building above four storeys must be setback from the parapet of the 4 storey building. This design feature helps to reduce the bulk and mass of buildings. The precinct code includes a range of site specific measures, including the provision of landscaped areas, and specified setbacks, designed to guide the future redevelopment of the site and to minimise potential impacts on the existing established areas of Red Hill. They will apply along with a full suite of provisions already contained in the relevant Territory Plan codes at the time of a development application. DV334 is not varying any development codes in the Territory Plan.


Secondly, the petition requests the responsible Ministers to provide a holistic and accurate assessment of the impact of the development on roads, traffic, parking, sewerage, water and drainage. Assessments have been done in relation to these matters and, in my opinion, those assessments are adequate for the Territory Plan variation process. An initial traffic study indicated that generally the surrounding road network has the capacity to manage increased traffic generated by the proposed development. As a result of comments received about this study, an additional traffic study was undertaken. The results of the additional traffic study correlated with the original traffic study. DV334 was reviewed by all the relevant ACT Government agencies and service providers including ActewAGL and Icon Water. There were no specific objections or issues raised in relation to infrastructure servicing for the site as part of the proposed rezoning.

DV334 is part of the Government's public housing renewal program. The Red Hill Public Housing Precinct is one of the multi-unit public housing properties identified for replacement under the program. The residences were built for a growing public service more than 50 years ago and they no longer meet the needs of today's public housing tenants. This is particularly the case for people with a disability, ageing tenants or tenants with children. At 6.6 hectares, the site is of a size and proportion to accommodate higher density residential development. The site represents approximately 1.5 per cent of the Red Hill suburb, and is centrally located close to employment, transport and services.

DV334 is consistent with the ACT Planning Strategy, and the redevelopment of the Red Hill housing precinct is included in the ACT Planning Strategy as a short term action. It will provide more cost effective and sustainable living options by improving the existing housing stock and establishing more choice in housing types. It will also help to create a more compact, efficient city through urban intensification. Increasing housing diversity allows people to live in dwellings that are better suited to their needs, without having to move out of their neighbourhood. It also brings new people/families into the area, further regenerating the suburb.

I appreciate the concerns raised through this petition, and I trust that the planning and land authority has demonstrated to the citizens of the Australian Capital Territory that the concerns of the public, and the probable impacts of a development of this nature, have been carefully considered in the drafting of DV334.

Yours sincerely



Mick Gentleman MLA  
Minister for Planning  
12<sup>th</sup> December 2015