

Australian Capital Territory

# Planning and Development (Plan Variation No 261) Notice 2009

**Notifiable Instrument NI2009- 107**

made under the

**Planning and Development Act 2007, section 76(3)**

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**1 Name of instrument**

This instrument is the *Planning and Development (Plan Variation No 261) Notice 2009*.

**2 Plan Variation No. 261**

On 18 March 2009, the Minister for Planning approved a draft of the attached plan variation under s 76 (3).

Neil Savery  
Delegate of the Planning and Land Authority  
18 March 2009



Planning and Development Act 2007

# Variation to the Territory Plan No. 261

Part Blocks 2 and 3 and Block 5  
Section 75 Watson  
Changes to Commercial CZ6  
Leisure and Accommodation  
Zone

March 2009



Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

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# 1. EXPLANATORY STATEMENT

## 1.1 Background

The Commercial CZ6 Leisure and Accommodation Zone provides for indoor entertainment and recreation facilities, clubs, drink establishments, restaurants and commercial accommodation (such as hotels and motels, serviced apartments and tourist resorts).

The specific location of sites within this zone reflected existing uses. Recent studies and investigations on this site and others within this zone have shown there is more than adequate supply of land for these purposes. Furthermore many of the uses can also be accommodated within other Commercial zones.

The Australian Heritage Village was built on part Block 3 as a tourist facility 23 years ago. More recently a service station and a motel were built on part of the site adjacent to the Federal Highway, while part of the site remains vacant. The site has been the subject of various tourist and recreation related uses over its life, and now would require significant refurbishment to function as originally intended.

The Planning Study prepared by the proponents recommended that the site is considered suitable for residential use, consistent with the 'residential intensification' radius of the Spatial Plan. Its proximity to other new residential development in North Watson will enable the site to become part of a newly developing neighbourhood.

More recently the ACT Government released an Action Plan for Affordable Housing (the Action Plan) and the concept design for redevelopment of the site is intended to achieve an outcome that will be consistent with the Action Plan. The proposal includes part Block 2 Section 75 Watson, which is currently unleased Territory Land, and the ACT Government, has agreed to a direct grant of part Block 2 to the lessees of the adjacent block, Block 3 Section 75 Watson. As part of the direct grant process the proponents have demonstrated that affordable housing provision could be achieved on the site. It is anticipated that the blocks will be consolidated to form one parcel of land subject to the draft variation being approved.

It is proposed to include Block 5 Section 75 Watson in this draft variation as the site has memorial plantings and is considered appropriate to be zoned as Parks and Recreation PRZ1 Urban Open Space.

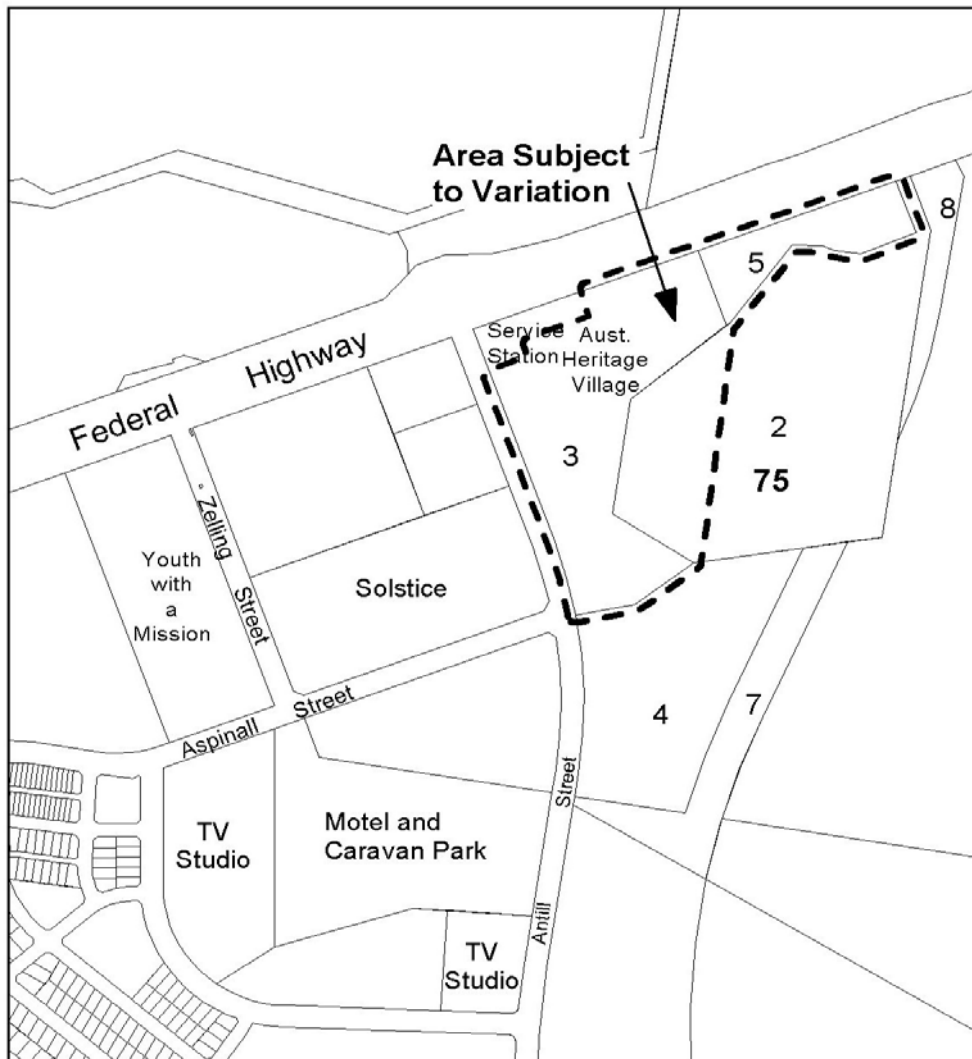
## 1.2 Site Description

The site (**Figure 1.1**) is located on the eastern corner of the intersection of the Federal Highway and Antill Street Watson and has a frontage to Antill Street. The Canberra Nature Reserve adjoins the eastern and south eastern boundaries of the site. The part of Block 2, in the Commercial CZ6 Leisure and Accommodation Zone is landlocked between Block 3 and the Canberra Nature Reserve and has no direct access off Antill Street or the Federal Highway.

There are a number of blocks surrounding the site with uses such as multi unit housing, communications facilities for both Prime and Southern Cross Ten television studios, the Carotel Motel, Youth with a Mission and various parcels of undeveloped and unleased Territory Land.

Several blocks west of Antill Street are subject to the Commercial CZ6 Leisure and Accommodation Zone allowing for mixed uses including residential where identified in the CZ6 Leisure and Accommodation Zone Development Table.

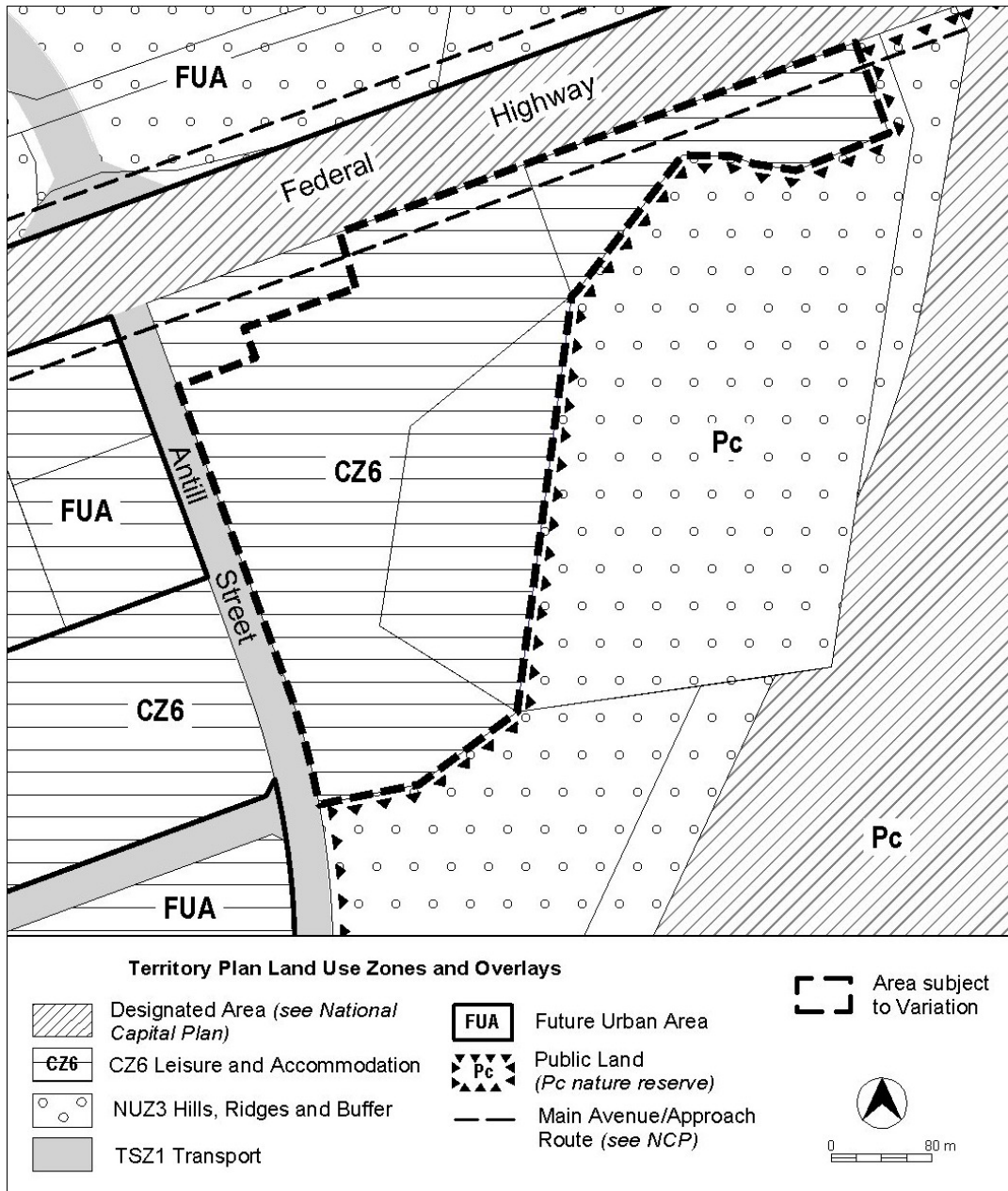
The area fronting the Federal Highway in Block 3 has a service station and a motel, which are currently in operation. An existing building for Clancy's Colonial Inn is not in use. A craft shop is still operational on Block 3.



**Figure 1.1 - Location of Site and surrounding uses**

### 1.3 Territory Plan Zones Map

The Territory Plan Map zone for the area subject to this variation is shown in **Figure 1.2**.



**Figure 1.2 Territory Plan Zones Map**

## 1.4 Changes to the Territory Plan

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

## 1.5 Consultation on the Exhibited Draft Variation

Draft Variation No. 261 was released for public comment on 12 October 2007 and a consultation notice under section 19 of the *Land (Planning and Environment) Act 1991* was published in the ACT Legislation Register on 12 October 2007, in the Canberra Times on 13 October 2007 and in the Chronicle on 16 October 2007. Written comments were invited by 26 November 2007. On this basis the draft variation is taken to have been publicly notified under the *Planning and Development Act 2007* (see sections 63 and 435 of the Act).

A total of 433 official written submissions were received objecting to the proposal as a result of consultation on the draft Variation (408 in standard letter format and 25 individual/organisation submissions).

Main issues raised by submitters related to:

- Loss of Australian Heritage Village
- Infrastructure capacity
- Traffic impacts
- Impacts on native flora and fauna
- Lack of access to shops, facilities, and public transport
- Lack of maintenance of existing buildings
- Lack of public consultation
- Need for space for arts community/social/tourist venue on northside
- Bushfire risk and protection
- Detrimental impacts on visual amenity
- Affordable housing issues
- Preference given to developer
- Part Block 2 (adjoining Canberra Nature Park) – direct sale
- Urban sustainability
- Loss of land zoned for Leisure and Accommodation purposes
- Social issues and noise impacts
- Requirements for a preliminary assessment/ Environmental Impact Statement
- Heritage values
- Alternate land use proposals

These issues were addressed in the ‘Report on Consultation’ that was prepared by the Authority in conjunction with this plan variation document submitted to the Minister.

## **1.6 Revisions to the Exhibited Draft Variation**

After analysis of the comments received during the consultation period on the draft Variation and the transition to the new Territory Plan and *Planning and Development Act 2007* (the Act), the following changes have been made to the exhibited draft Variation:

- The revised draft Variation has been reformatted to incorporate the terminology and references to zones as per the new Territory Plan and requirements under the Act but maintaining the policy intent of the redevelopment proposal as provided in the exhibited draft Variation document;
- The title of the Variation has been revised to refer to Part Block 3 Section 75 Watson;



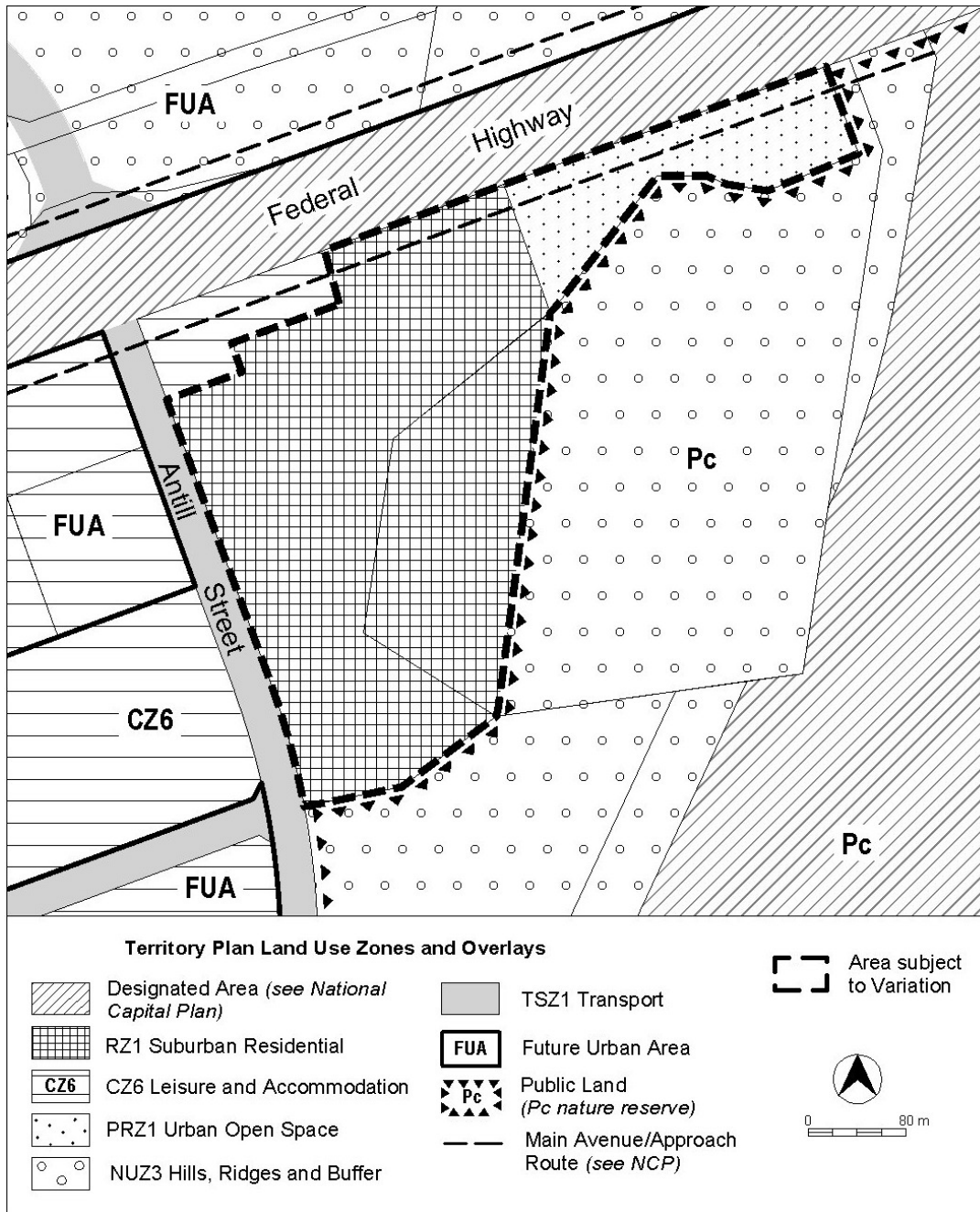
## **2. VARIATION**

### **2.1 Variation to the Territory Plan Map**

The Territory Plan map is varied as shown in Figure 2.1 for the area shown as subject to the variation as follows:

- Remove part Blocks 2 and 3 Section 75 Watson from Commercial CZ6 Leisure and Accommodation Zone and replace with Residential RZ1 Suburban Zone.
- Remove Block 5 Section 75 Watson from Commercial CZ6 Leisure and Accommodation Zone and replace with Urban Parks and Recreation PRZ1 Urban Open Space Zone.

The Variation map indicates the proposed land use policy boundaries as accurately as possible but may be subject to adjustments following detailed surveys.



**Figure 2.1 Revised Territory Plan Map**

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