

27 April 2018

Applications Secretariat  
Planning and Land Authority  
Environment and Planning Directorate  
Dickson, ACT  
[By email to [EPDCustomerservices@act.gov.au](mailto:EPDCustomerservices@act.gov.au)]

**Deakin: Development Application 201833330. Block: 1 Section: 30.**

**Proposal:** PROPOSAL FOR 8 DWELLING MULTI UNIT DEVELOPMENT, DECONCESSION OF CROWN LEASE AND VARIATION TO PURPOSE CLAUSE. Demolition of the existing building; Construction of 8 new two storey dwellings for supportive housing, attached garages, landscaping and associated works; Deconcessionalise the Crown lease; Vary the purpose clause to permit supportive housing.

I write on behalf of the Deakin Residents' Association Inc. (DRA) to submit comments on the above proposal, which envisages the construction of 8 new dwellings on the site currently occupied by the St Luke's Anglican Church, which as a consequence will require a variation to the existing Crown Lease.

**The Deakin Residents' Association Inc.**

The Deakin Residents' Association Inc. is a non-profit association incorporated in the Australian Capital Territory. The DRA's objectives are:

- To enhance the residential, suburban, social and environmental qualities of Deakin, consistent with garden city planning principles.
- To contribute through community discussion to planning and land management in the ACT as it impacts on Deakin residents.

Membership is open to any resident of Deakin or holder of a residential lease in Deakin.

## Public Consultation

The DRA convened a public meeting on 16 August 2017 to discuss the proposal. The meeting was attended by more than eighty people. Consultants representing the proponents (Purdon Planning and COX Architecture) addressed the meeting. Comments, and questions followed from the floor. A record of the meeting is on the DRA website at:

<http://deakinresidents.asn.au/wp/wp-content/uploads/RECORD-OF-DRA-PUBLIC-MEETING-held-16-August-2107.pdf>

The main points arising from the public meeting held on 16 August 2017 were:

- most attendees were supportive of the proposed redevelopment;
- some attendees sought further information about the nature of the leasing arrangements, for example, would it be possible for people to sub-lease their units, e.g. to people under 55? Also, what happens when someone dies and the unit has to be resold/sublet?;

- other attendees asked about the range of concessions available to the lessee (Trust), e.g. reduced rates, and whether the community and taxpayer would be picking up these costs:
- nearby residents in particular were interested to know when it was envisaged construction would commence and how long it would take until completion;
- it was also suggested that the Anglican Church might consider the erection of a commemorative plaque to recognise the significant contribution made by the Church to the community over more than 50 years.

In addressing the above matters, Purdon Planning said that they would take some of the questions on notice as the Trust was still working out its precise business model and that once further information was available, this would be posted on their website.

As to timing, it was indicated by Purdon Planning that once approval was granted, demolition and construction would usually be between 9 and 12 months.

## Release of the DA

Following the release of the DA, on Sunday 8 April 2018 the DRA distributed a flyer to each residence in the streets adjacent to the St Luke's Anglican Church site and posted flyers at the Deakin shopping centre. The flyers drew attention to the DA on the EPSDD-Planning website, outlined the key features of the proposal and sought comments/questions.

## Comments

Apart from one comment (see below in relation to Stormwater), the issues of main interest to home owners in the vicinity of the St Luke's site, and to the DRA, are basically along the same lines as raised at the public meeting held on 16 August 2017.

- in this context, it is noted that the information about the proposal on the Purdon Planning website does not appear to have been updated since shortly after the meeting on 16 August 2017.

## The Lease

The preamble to the DA states that the proposal will require:

*"Deconcessionalise the Crown lease; Vary the purpose clause to permit supportive housing"*

DRA notes that the requirement to change the lease is described in different ways in the documents. The terms used include amend; surrender; remove: deconcessionalise and vary – as follows:

"It is proposed that all aspects and clauses that relate to the concessional status of the lease, including reference to 'special purposes' lease, that do not typically form part of a 'market' lease are to be amended to reflect the clauses and aspects of a typical market lease.

It is proposed that the existing Crown Lease be surrendered and a "market" lease issued with the following purpose clause:

- (a) "Supportive housing"

(Document 33, page 17)

"Remove concessional lease status" (Document 3)

“remove concessional status of Crown lease” (Document 5)

“a lease variation to permit supportive housing and remove the concessional status of the Crown Lease” (Document 33, page 4)

“The proposed Crown Lease variation seeks to remove the concessional status and permit use of the site for supportive housing” (Document 33, page 4)

“Variation of the Crown Lease to deconcessionalise and permit use of the site for supportive housing” (Document 33, page 14).

On behalf of Deakin residents, DRA would appreciate clarification of what changes to the existing Crown Lease will actually be required in order for the Development Approval to go ahead.

Further what charges will be imposed by the ACT Government to effect the change in the Lease.

- Document 45, a letter from Colliers International to EPSDD dated 30 January 2018, gives an amount of \$350,000 for the “Discharge of Lease Concession”.

Is this amount of \$350,000 the actual agreed charge by the ACT Government to effect the required change to the existing Crown Lease?

and

Following the change to the Lease, will the Anglican Diocese of Canberra and Goulburn continue to be afforded any particular ‘concessions’ in respect of reduced Rates or other charges?

### **Tenancy**

The stated aim of the proposal is to provide supportive housing to be marketed to over 55-year olds as ‘ageing-in-place’ residences.

It is recognised that this aim/objective is a matter for the lessee to implement and monitor.

The DRA requests, however, that the EPSDD asks the proponents of the scheme keep the DRA informed of how in practice they plan to achieve this aim/objective.

A question, however, for EPSDD is whether any of the planned 8 units on the site might be considered for ‘public housing’?

### **Stormwater**

The DRA would like to remind EPSDD and Purdon Planning/COX Architecture, that the dip in the road in Newdegate Street – opposite Nos 47, 49 and 50 – has in the past been subject to flooding during heavy rain. While substantial new stormwater works carried out a few years ago has helped to overcome the previous flooding problem, the DRA asks that the Stormwater Management/Master Plan (Document 44) be reviewed to ensure no additional stormwater runoff is channelled down Newdegate Street or down the footpath that runs in front of 1 Macartney Crescent and 50 Newdegate Street).

### **Timing**

Residents, through the DRA, would appreciate being kept informed of progress with the DA application.

### **Conclusions**

Based on feedback to the DRA, local residents are supportive of the proposal as set out in DA201833330. The matters raised in this submission relate to:

- the process for changing the existing Crown Lease to allow for the construction of 'supportive housing' and the charges involved;
- the manner by which the Lessee proposes to achieve the aim of marketing the units to over 55s;
- whether any units might be taken up for 'public housing';
- no stormwater runoff from the property; and
- the timing of demolition and construction.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "G. Wilson".

George Wilson  
President