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Territory Plan Section  
Planning and Urban Policy  
Environment, Planning and Sustainable Development  
Directorate  
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CANBERRA ACT 2601

## DV328 OAKS ESTATE

The National Trust is concerned about a number of relevant issues in this draft variation.

### 1 Residential RZ1

The adoption of RZ1 for most of the residential area is not unreasonable and will limit but not prevent multi-unit development. However there are repeated references to a village character in the explanatory statement that are not clarified in the precinct code or linked to special characteristics/controls that would enhance and protect this character. If RZ1 is to be applied and a village character achieved then greater detail needs to be prepared and circulated for public comment during the draft variation process.

Further work is needed.

### 2 Commercial CZ4

The proposal for rezoning over 14,260 m<sup>2</sup> of commercially zoned land from CZ5 mixed use to CZ4 local centre does not appear unreasonable. However the impact of rezoning such a large proportion of the area for commercial land next to an increasingly busy road that's affected by flooding, while removing the current prohibition on industrial trades and light industry, is potentially damaging to the heritage values of the area as a whole and its heritage-listed properties (Robertsons' House and The Oaks).

Rezoning would not affect existing uses for individual sheds, warehouses and storage facilities. However these are inconsistent with a local centre, whereas other uses that are permissible in the current CZ5 (hotel, motel, tourist facility, place of assembly) would be compatible yet will no longer be permissible. The total area proposed for CZ4 is significantly greater than a local centre would require and should therefore be cut back accordingly.

The overall approach to the commercial component of Oaks Estate needs more work, and may need some zoning change or clarification.

Respecting Robertsons' House and its heritage within the commercial zone require more than the minor setback rules proposed, which are easily relaxed using the criteria. There must be a defined buffer within the CZ4 zoning to ensure that the scale and massing adjacent to Robertsons' House suits the setting.

Further work is needed.

### **3 Heritage**

The heritage values of Oaks Estate have been highlighted in two previous reports that supported listing the area as a Conservation Area. However this was not supported by the ACT Heritage Council at the time. It is believed that Oaks Estate has significant heritage value as a unique and different part of Canberra that requires official recognition. It could be listed in a similar way to Blandfordia 4 with streetscape and character controls and reasonable freedom to develop new buildings.

The National Trust is prepared to work with EPSDD and ACTHC to achieve this and strongly recommends this action.

Similarly, we would recommend an explicit mandatory buffer for both the heritage-listed Oaks and Robertsons' House, and protective controls on their setting be included in the precinct code.

### **4 Community Hall CFZ**

We understand that rezoning the community hall site to Community Facility Zone (CFZ) would potentially permit 4 storey social housing at some later date. This would be inappropriate in the context of Oaks Estate historically, and inconsistent with its character. The precinct code should be amended to limit land use on this site to a single storey community hall in keeping with its existing use.

The controls that apply to the proposed CFZ need further work in order to prevent inappropriate development.

Yours faithfully

A handwritten signature in black ink, appearing to read 'E J Martin', written in a cursive style.

Eric J Martin, AM