



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

**STANDING COMMITTEE ON PLANNING, PUBLIC WORKS AND
TERRITORY AND MUNICIPAL SERVICES**

(Reference: [Draft variation to the territory plan
No 307 Griffith—change of zoning](#))

Members:

**MS M PORTER (The Chair)
MS C LE COUTEUR (The Deputy Chair)
MR A COE**

TRANSCRIPT OF EVIDENCE

CANBERRA

TUESDAY, 13 DECEMBER 2011

**Secretary to the committee:
Ms V Strkalj (Ph: 6205 0435)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

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Amended 9 August 2011

The committee met at 9.10 am.

FANNING, MS MARGARET, President, Griffith/Narrabundah Community Association

DENHAM, DR DAVID, Vice-President, Griffith/Narrabundah Community Association

CASTELLO, MS MARGUERITE, Secretary, Griffith/Narrabundah Community Association

THE CHAIR: I would like to welcome you all to the fourth public hearing of the Standing Committee on Planning, Public Works and Territory and Municipal Services inquiry into draft variation to the territory plan No 307. Today the committee welcomes representatives of the Griffith/Narrabundah Community Association. Thank you very much for appearing before us. We have perhaps started slightly late, but we will give you your full hour. Have you all read the blue privilege card?

Ms Fanning: Yes.

THE CHAIR: Could you indicate that you understand its contents and accept it?

Ms Fanning: Yes.

THE CHAIR: Thank you. Would you like to make an opening statement before members of the committee ask questions?

Ms Fanning: Yes, thank you, Madam Chair. I would like to make an opening statement on behalf of the association. We thought it would be helpful if we made an opening statement drawing attention to what we see as the key points in our submission. We have put in a detailed submission, of course, but we thought it would be helpful if we drew your attention to what we feel are the main points.

As you would be aware from the strength and number of submissions that have been made initially in response to DV307 when it was first released by ACTPLA, there is enormous concern, both to our association and to the local community generally, about what is being proposed.

But it is not just a local issue; the issues raised by the draft variation have wide-reaching implications, both for the preservation of the Griffin legacy and for the future development of Canberra generally. That point is made very clearly in many of the submissions. We believe it is vital that due weight is given to these considerations.

I would like to highlight two key overarching issues and make some comments on them. The first of these issues relates to concessional leases. In the case of concessional leases, proper consideration needs to be given to alternative uses where the original purpose for which the lease has been granted is no longer considered viable. Alternative uses have to be explored, and we believe they have not been adequately explored in this case.

The second key issue—this is absolutely central—is whether the existing zoning of block 15 is appropriate and, if not, what the most appropriate zoning might be. It is

our very strongly held view that there are several options that would be available to the committee to recommend—that is, there are several options that would represent sound planning approaches and consistency with the territory plan but that RZ4 is not one of them. I would like to expand on that.

Neither ACTPLA nor ESD in their reports and submissions have shown that the rezoning that is being proposed from CZ6 to RZ4 is justified. One crucial area where they have failed to make a case is in terms of consistency with the spatial plan and the principles that are set out in the statement of strategic directions in the territory plan. At page 12 of our submission, we have commented in some detail on this, noting that the spatial plan is very clear about where intensification will occur. I quote:

Rather than being dispersed throughout the suburbs, intensification will occur at major employment centres—Civic, the town centres and Barton—along the major Griffin legacy boulevards of Northbourne Avenue and Constitution Avenue and in major urban renewal sites, such as Kingston and Fyshwick. And existing low density residential areas will generally not be subject to residential intensification.

We have also noted that it is inconsistent with the principles in the statement of strategic directions. Principle 2.5 states:

A wide range of housing types will be permitted in identified residential areas close to commercial centres and some major transport routes ... Outside of these areas, planning policies will protect the typically low density garden city character of Canberra suburban areas.

In addition, it is inconsistent with a number of other principles identified in our submission: 1.3, 1.18, 1.6 and 2.16. And 2.16, I think, is worth quoting:

Retention of Canberra's unique landscape setting, including the integration of natural and cultural elements that create its 'garden city' and 'bush capital' qualities, will be accorded the highest priority. Special attention will be given to safeguarding visual amenity, protecting vegetation and other important features within the established urban landscape, and ensuring the high quality of environmental design in new developments or redevelopment.

But DV307 is totally inconsistent with this. It does not give the highest priority to retaining Canberra's landscape setting. It does not safeguard visual amenity. It will not protect vegetation, and it will impact on the present environmental design of section 42—that is, the flood retention system.

So if the committee wishes to recommend approval of the Brumbies application for rezoning of block 15, it would, in effect, have to turn its back on some of the significant elements in the territory plan.

The proposed rezoning is also inconsistent with assurances that have been given by the government at the time of the garden city variation that zoning for multi-unit developments would be restricted to areas within 200 to 300 metres of local or group centres or adjacent to arterial roads and major transport routes. Block 15 is not within 200 to 300 metres of a local or group centre. It is not on or near a major arterial road

or a major transport route. It is surrounded by residential areas, including the heritage registered area of Blandfordia 5, as well as open space, part of which is also heritage listed, as you know. It is 700 metres from the Manuka shopping centre and one kilometre from the Griffith local centre.

Some of the other claims that have been put forward in justification for the proposal also do not stand up to scrutiny. There is the claim that it is desirable because it will offset population decline. ESD has been persisting with the line that because the current population of the inner south is still somewhat less than it was in the 1960s, any sort of urban intensification is justifiable. But this does not have due regard to the large increase in population that has occurred over the last 40 years—and there is a graph in the submission which demonstrates that; it is on page 21—and the projected further increases that will occur as a result of new developments.

It ignores the increases that have occurred over the last 30 years—and there has been a strong trend line upwards over that period—and the projected further increases that will occur as a result of new developments on the Kingston foreshore and other areas that have already been zoned for medium-density development and in the new area of East Lake. It seems certain that the population in due course—and I suggest that is not very far off—will exceed the 1960s level without any assistance from a redeveloped block 15.

The argument is also being put that rezoning to RZ4 is a good idea because of proximity to employment, commercial centres and public transport. But contrary to the impression that ESD is trying to create, Griffith is just not as close to employment, commercial centres and major public transport routes as many, if not most, of the other suburbs in the inner south and north. Deakin, Forrest, Yarralumla, Ainslie, O'Connor, Campbell, Dickson, as well as Barton, Reid, Braddon, Turner and Kingston are all as close as, and in some cases closer than, Griffith is to major employment and commercial centres. So if that argument is accepted, this is really an argument for rezoning the inner south and the inner north generally. But if that is the position, there should be a public debate about it. It should not be done as a one-off.

In fact, we think that the rezoning of this particular block will make very little difference to the number of workers who are able to live close to their place of work. The reality is that people live in the inner south for a variety of reasons, many not related to work, and that residents of the inner south work in all sorts of locations, including the airport, Tuggeranong, Woden and Belconnen, as well as the inner south and inner north, and that is demonstrated by official figures. As far as transport is concerned, block 15 is not on a major transport route.

It is also suggested that there is a need for redevelopment of this block to increase housing choice and housing diversity, but there is already a very wide diversity of choice in the area. For some years now, detached single houses have accounted for less than one-half of the total housing stock in Griffith. There is certainly no shortage of apartments in the area, and the stock of apartments in Griffith and other parts of the inner south is being added to on a regular basis. In our submission we have given details of a large number of apartment complexes which are currently becoming available or are currently under construction. So the Brumbies' proposal is not going to provide increased diversity; it is going to provide more of the same.

It is also claimed that the development is required for those wanting to age in place. But it is far from clear that the development that is being proposed would be suitable for those seeking to downsize and age in place. They are proposing a three-storey building, and there is no automatic requirement for lifts in a three-storey building. It is not close to shops or other services. Manuka is 700 metres away, and the Griffith shops are further. This is rather too far to be a comfortable walk for many older people, and it is not on a public transport route.

It has also been argued that this proposed redevelopment is desirable because it is on what is described as an island site. But this argument does not stand up, either. How can it be good planning if the proposed development is separated from everything surrounding it? Good planning should surely blend in with the current streetscape, not be isolated from it.

We have also commented on many other reasons why RZ4 is not the right zoning for block 15, and I will just mention them very briefly. First, spot rezoning would set an undesirable precedent. Having a look at the territory map would reinforce this. You may have a copy in front of you, but if you do not, I would like you to have a look at that.

That map shows different zonings by colour coding; RZ4 and RZ5 are shown by medium to deep red. You will see that, without exception—without exception—in the inner north and inner south, and probably everywhere else but I have focused on this, RZ4 developments are contiguous with major centres or local shopping centres or are on a major avenue. You can see those clusters of red around deep blue, which are the main commercial centres. Now look at that little blue dot in the middle of the green area in Griffith. There is nothing like that anywhere near; nor is there anything like that in any of the other suburbs. So it would be an absolute first to do this. It would also conflict—sorry, do you have any questions about that?

THE CHAIR: No. I think members are just having a look at the different red dots and making some observations; that is all.

Ms Fanning: Yes. My next point is that it would conflict directly with aims to preserve the Griffin legacy, because of its impact on the landscape and the way in which it would seriously detract from the garden city character of the area. We have emphasised in our submission that block 15 is a significant part of a major corridor of open space, parks and sportsgrounds that runs from Red Hill to the lake and that has existed since early Canberra days.

It would have adverse impacts on the heritage values of Blandfordia 5 and the Griffith oval; it would destroy the integrity of Griffith park; it is inconsistent with the Griffith neighbourhood plan; it would result in the loss of many trees and have adverse impacts on traffic flows; and it would exacerbate the potential for flooding.

The flood danger is not receiving the attention that it should. In our submission we have commented in some detail on this issue. ESD seem to have looked at this simply in terms of technical capacity to construct a building that can withstand flooding. But this is only one aspect of the issue, and in many ways it is not the most important one.

Consideration needs to be given to the impact of the development on flood potential in other areas close to the stormwater channel and the dangers this poses.

The facts are these. Firstly, the large area of new hard surface will result in significant additional run-off, which will add to the volume of water that has to be handled by the existing drainage and stormwater systems. Secondly, the increased run-off will be exacerbated by the displacement factor caused by the building mass of the new apartment complex, and particularly an underground basement, which is what is envisaged. These are really serious matters, given that warnings by climate scientists are that the intensity of extreme weather events is likely to greatly increase over coming years.

We suggest that this issue really requires further independent examination. Until this is done, it would seem extremely imprudent to embark on the proposed rezoning, especially as the development being contemplated is unnecessary as well as objectionable on other grounds.

We noted in our submission recent instances of flooding, such as those which followed heavy rains about a year ago. We have a video of this which we can make available to you, but I understand that it has already been sent to the committee by other people. I urge you to have a look at it if you have not already done so. As I think probably everyone is well aware, on Sunday night there was another heavy downpour—not especially heavy, though, by overall standards. Nevertheless, it had a very demonstrable effect. I have got some photographs here taken of the area on Sunday night as it was happening. This was not nearly as dramatic event as the one a year ago, but nevertheless you can see what is happening really within a few minutes of that rain coming down.

THE CHAIR: Thank you.

Ms Fanning: There was flooding on the site; the intersection of Flinders Way and La Perouse Street was awash; and there was a lot of flooding further downstream at Telopea Park. So this is not a rare event. It could be a lot worse. It seems to us that it would be negligent to allow rezoning for a residential development on a flood-prone block knowing that there is a strong likelihood that such a development would exacerbate the flood potential both for nearby areas, including residences in those areas, and areas downstream. If you look at one of the diagrams or maps in the consultant's report, it shows that flood area extending up to the houses in Flinders Way and elsewhere. That, I think, would be the same further downstream in the residential areas near Telopea Park.

I want to make a brief mention of financial aspects. In our submission we have not addressed to any extent the financial aspects of the proposal, but we do think it is something that the committee should be looking into, given that the Brumbies have made it clear that the proposal is driven by their desire to redevelop the block with the aim of strengthening their financial position and generating sufficient funds to finance the development of new high-quality facilities elsewhere. The taxpayer, of course, is a key stakeholder in the whole proposal, and information about who will benefit and the extent of the benefit to the Brumbies and the developer on the one hand and the government on the other is information that should be in the public arena. Claims that

the Brumbies do not have a business plan are difficult to take seriously, and we would urge you to pursue this matter further.

I come back to the question of what is the most appropriate use of the block. We have argued that the first step should be to explore possible alternative sporting uses of block 15 and whether there is unmet demand by sporting organisations. But if there are no suitable organisations interested in using the land for purposes consistent with the current zoning, the government should consider using the land for other community purposes and rezoning the land to, say, a community facility zone, sport and recreation, open space or a combination of these, to enable that to happen.

In our submission we have given some suggestions of ways in which it might be used if the rezoning were for community facility uses. These include a childcare centre, a preschool, another sort of small school, a senior citizens centre, a day care hospice or other small-scale health facilities. The size of the block might, indeed, permit more than one use.

We have also said that rezoning for residential development is not a preferred option. But if the committee were to decide that there is a case for providing land for new dwellings, we would strongly argue that that need should be met by rezoning the block RZ1. We have mentioned that one possible way in which the block could be used is for housing for the independent aged. We have given some examples in Griffith and elsewhere of successful redevelopments which have provided small cottages for the independent aged. We would urge you to look seriously at this sort of option.

To sum up, there are a number of matters which we feel need to be explored further before you come to a decision: firstly, the extent of interest in alternative uses for the land; secondly, the financial aspects; thirdly, the need to get an independent assessment of the flood dangers; and fourthly, we suggest, the Heritage Council should be asked to carry out a study of the heritage significance of block 15 in the context of its being an integral part of Griffith park and its role in the Griffin legacy, both of which I have already mentioned.

Those issues are dealt with to some extent in our submission and also in the submission made by Mr Powell. We believe that such a study would provide a basis for making an informed decision as to whether or not block 15 should be placed on the heritage register. I might mention that our association is giving consideration to writing to the Heritage Council on this matter and making an application seeking provisional registration.

Finally, whatever view you finally reach on the appropriate future zoning, we strongly recommend that certain caveats be included. The first of these is that a boundary change be made to ensure the retention of a 25-metre wide corridor to enable adequate linkage between the existing areas of open space. That would make excellent sense in any case, given that this is flood-prone land, and that is the most flood prone part of it, and unsuitable for development of any kind.

The second caveat that we would like to see is that the current two-storey height limit that applies to block 15 be maintained.

The third caveat is that no landfill or basement excavation should be carried out in the defined areas of the stormwater retention basin on the grounds that, firstly, landfill would increase the depth of the main channel, and therefore accelerate stormwater discharge, and secondly, excavation for a basement car park would destroy the groundwater recharge system on which the trees depend in times of low rainfall. I also note in this connection that the overall retention basin is really as much a landscape design as it is a civil engineering design.

Our fourth caveat that we suggest to you is that the Conservator of Flora and Fauna should carry out a more detailed scientific assessment of the tree and associated natural drainage and groundwater recharge system so as to define an exclusion zone on block 15 within which no tree removals for regulated trees can take place, including no disturbance of the underground root and drainage networks.

THE CHAIR: Thank you, Ms Fanning. Does either of the other two members wish to make a comment? No. We will go to members of the committee for questions. Ms Le Couteur.

MS LE COUTEUR: Thank you. I have puzzled about what we should do with this for a long time. This is only a suggestion, as I have been trying to think what can happen. The Brumbies clearly have a desire to exit the site and have an expectation—whether it is reasonable or not is to be discussed, I guess—of financial recompense. What about a land swap? When you look at the map you have shown us, there is a park just over the road. With the site that we are talking about, you have gone through the flood issues. I think that whatever happens, I would agree with you that they are issues. What if there was residential on the park next door—if, in effect, it became a land swap? Would that address any of your issues?

Ms Fanning: I am not sure which one you mean by the park next door?

MS LE COUTEUR: I was talking about the park in Austin Street. There is a park and playground.

Ms Fanning: In Wells Garden?

MS LE COUTEUR: I do not know if that is its name. It is off Austin Street.

Ms Fanning: Yes; that is Wells Garden.

MS LE COUTEUR: I have been wracking my brains for some—

Ms Fanning: That is a defined park, I think.

MS LE COUTEUR: It is clearly a park.

Ms Fanning: Yes. I think that there would be a lot of problems with that and the precedents that that would set. We have thought about the possibility of a land swap ourselves. The area that occurred to us is a block at Manuka which is zoned as a community facilities zone, which is where the Manuka occasional childcare centre is.

MS LE COUTEUR: That is the one at the end?

Ms Fanning: It is on Flinders Way right next to the Plaza.

Dr Denham: It is the yellow dot on the map.

MS LE COUTEUR: It is on the end?

THE CHAIR: It is a yellow dot.

Dr Denham: Yes, it is the yellow square on the—

MS LE COUTEUR: It is the one on the end of this green part there?

Dr Denham: Yes, that is correct.

MS LE COUTEUR: Not the other yellow?

Dr Denham: That is correct.

MS LE COUTEUR: Near Manuka?

Ms Fanning: Yes.

MS LE COUTEUR: That was what I was going to say, the one at the end of the green part?

Ms Fanning: Yes.

MS LE COUTEUR: That is where the site in question is located?

Ms Fanning: Exactly. Now that—

MS LE COUTEUR: I agree. That is the other—

Ms Fanning: Currently that has a childcare centre on it. And the rest of that block is not being utilised, except for some parking. That is right next to the Manuka group centre. I imagine that, at some stage, there would be pressure to redevelop that for commercial purposes. So it would seem to make sense to swap the community facility zone land there to block 15 and for the CZ6 zone to go down there. And it may be in the course of that its purpose is broadened for other purposes as well.

If that could be done and it would be open to the government to offer the Brumbies the lease on that, that seems to us to be a win-win situation for everyone. I think in the long term that would be a better location for the childcare centre. Where that zone is down at Manuka is an appropriate site for commercial development. If the government see it as appropriate for the Brumbies to benefit from that, I imagine there would be significant potential benefits. We would certainly support serious thought being given to this.

I might say that we have not consulted the childcare people, but I would have thought block 15 would be a very good place for a childcare centre, and there may be room also for something else to be on block 15, which would be consistent with that sort of community facility use. And the area that is subject to flooding could be kept as recreational area. So it would be a mixed use but one that would be of benefit to the community generally and one that would be appropriate to the site, the site constraints and the residential area around it.

THE CHAIR: Mr Coe.

MR COE: Cardno Young has undertaken a flood study report, which is included in the submission put forward by the Brumbies. Do you have doubts about the validity or the accuracy of that information?

Dr Denham: I would like to comment on that. It is a very superficial report, for several reasons. The most important one is that it does not provide the input function of what the rainfall is going to be. When you model for flood, you have got to have how much rain is going to fall over what period of time in the catchment. And then the model flows from that, with topography. They do not say what they have used for that in the modelling to get that. So you do not know how they have done it. It does not relate to any climate change considerations and, as you know, with the world getting warmer, there is more water vapour in the atmosphere. The rainfall is going to increase and the likelihood of extreme events is going to go the same way. What we recommend is that someone with a bit more expertise than what appears to be in that report have another look at it, because it is just so superficial now.

The final one, as Margaret said, is that the runoff areas are now built on more than they were when the last one was done. While we are on that, Wells Gardens is also a flood channel down there. And that is why it has not been built on. If you go down to the Brumbies, there is that creek which divides the heritage bit from the other one. They were pretty smart, these people who designed the early characteristics of the city.

Ms Fanning: One further point on the flood potential, I do not think the Cardno Young analysis really takes properly into account the impact of the excavation for a basement car park either. They seem to be looking mainly at where the building should be sited and the way in which the building might be constructed to withstand flood rather than the impact on other areas of a new building. There are two sets of considerations there.

THE CHAIR: Did you have any further questions on that, Mr Coe?

MR COE: Not on the flooding.

THE CHAIR: Ms Le Couteur.

MS LE COUTEUR: The pictures you have shown of what you think is desirable but possible from the residential point of view all show one-storey elements, but of course the area around has two-storey elements in it, particularly as you get closer to Manuka. The houses around Manuka itself are all two storeys. Have you looked at all at the

possibility of development of a bit more compact nature but not higher apartments? I am thinking of the sorts of things that you may well have seen in terms of proposed developments around East Lake, which I know are not happening at this stage, but possibly some of you went to those consultations. They were talking about not high but fairly compact and what would look like fairly—

Ms Fanning: Mews-type developments, I think they are talking about.

MS LE COUTEUR: Yes, I do not really like the word “mews”, because it is very ill defined.

Ms Fanning: Townhouse.

MS LE COUTEUR: Townhouse, terrace house, row houses, that sort of concept.

Ms Fanning: Yes, you are right. There are some two-storey houses directly opposite; so, to that extent, a townhouse development would not be inconsistent with that. If one is thinking, though, of housing for the independent aged, most would counsel that having a one-storey building is more appropriate for that, because people are not wanting to climb up and down stairs. As I have mentioned, we think that is one of the problems with a three-storey building. If there are walk-up areas and you do not have lifts—and, as I said, there is no requirement per se to have a lift in a three-storey building—they are not really suitable for people over a certain age, certainly not those wanting to age in place. ACTPLA and ESD made quite a point about that. They are looking for developments where people can age in place. And one then has to think about the suitability of houses for that.

I agree that a lot of the development around Manuka is two storeys but, in fact, there is a complex of housing for this independent aged group in Bougainville Street, up towards Empire Circuit. There was an area there of housing that was redeveloped in that way, and I think we have mentioned that in our submission. So they are not all two storeys.

Yes, it could be that two-storey townhouses could be an option. It is just that, in the context of housing for the independent aged, these cottages have been done very successfully, including in the area. There is a development between Flinders Way and Grant Crescent that has been redeveloped like that too.

THE CHAIR: Can I ask a supplementary to Ms Le Couteur’s? With regard to that suggestion, I am still not clear whether you think that is a suitable location, though. In the submission that you made to us verbally and in this submission you said that you felt that it was not an area where people could age in place because it was not on a transport route, it was not close to the shops and it was too far for a person of that age, perhaps, to walk. Are you recommending it as a suitable place for people to age in place or not?

Ms Fanning: We did say that it was not our preferred option. But we qualified that by saying that if the committee came to the view that housing rezoning was the way the government should go, then we thought it should be RZ1 and not RZ4. But we were not putting it forward as our preferred option. That is really for the reasons that you

have mentioned. Our preferred option is using it for some sort of broader community purpose, for sport and recreation or for some other community facilities, some of which are consistent with the current zoning and others would require rezoning to community facility zone or sport and recreation.

THE CHAIR: In your discussions with the community, as the association representing, I presume, the views of that community, have you had any approaches from small sporting clubs or other community groups that have expressed interest in using the site?

Ms Fanning: No, we have not, nor have we undertaken any investigations ourselves, because I think that is something that is really more appropriate for a government agency to do.

THE CHAIR: I just wondered, in the meetings that you had with the community, whether that had been raised.

Ms Fanning: No, but I might say, though, that only just a year ago a new community hall was completed next to the Griffith shops and it quickly became evident that there were many people who were interested in using this hall. We were not aware of a large demand before it was put up but we, as an association, were not able to get a booking there for our meetings. Even though we approached them before the hall was opened, all the week evenings, which is when we would have our meetings, were put on permanent booking. It is used for all sorts of purposes, and my impression is that it is pretty heavily used. So I think there is demand and need for these sorts of things when the facilities are made available.

Our suggestion is that the relevant government agencies should be in a position to be able to make inquiries or there could be a notice in the paper of expressions of interest which would test the extent of interest. We are not able to do that sort of thing obviously, because we are not in a position to be offering this. But we do think that there would be ways of testing interest, and calling for expressions of interest would be one way of doing that.

THE CHAIR: Mr Coe.

MR COE: Pushing aside the physical or environmental impact of any potential changes, broadly speaking, would having houses there be a better fit with the community than having an elite sports team, which is currently there?

Ms Fanning: I think the community has always enjoyed having an elite sports team there. The association has never had any problem with the Brumbies being there. I think the community has enjoyed having them there and will be sorry to see them go. It is a pity that something could not have been worked out that was able to meet the requirements of it being kept as a public open space as well as a sports ground used by the Brumbies. They have always been very welcome. That has not been the issue at all.

I am a member of the Brumbies. I go to all their games. I love the Brumbies. And so do many people in our association. That has never been the issue. It was the question of the sort of redevelopment that was being proposed, and what they have in mind is

just not suitable for the area.

Ms Castello: I would just like to pick up on “elite sport” and come back to the fact that it was originally set up as a bowling club, which is very much a community sporting activity. It reinforces the fact that people who have lived in the area a long time—I have been there a while, but there are others who have been there a lot longer—have always lived with some sort of sporting facility there.

When you talk about an elite sporting organisation, these days they require very different space facilities and accommodation facilities—hence the original proposal from the Brumbies when they wanted to redevelop the oval adjoining where they currently are because they needed bigger headquarters, they needed facilities for the medical teams, the physios et cetera. It is a very different business from just a sporting team, a sporting club or a community sporting club, which is what has always been there.

MR COE: On that notion that it is a sporting facility, it is only a sporting facility for the relatively few players in that team at present.

Ms Castello: Yes.

MR COE: So to that end what loss is there in terms of the sporting change or sporting impact if that space is not available for the Brumbies to use?

Ms Castello: The community is not losing a sporting facility because we do not use it; we do not have access to it. What we are losing are all the other aspects of the whole area. The proposal for 150 apartments is very different to the current arrangement. That is what is being lost.

Ms Fanning: It is true that it has not been open for public use in the last few years, but that area of land was originally set aside for a bowling club at a time when bowling was popular. There were lots of bowling clubs. In fact, I think all of the original Canberra suburbs had a bowling club. The land was allocated for use by the community in that sense. It was land that was put aside for a bowling and sporting club.

Fashions change and bowling is no longer popular in the way that it was. But when the Brumbies came there, it was with the intention that the bowling club continue. For various reasons, eventually that did not happen. The bowling club went into voluntary administration, I think, and the Brumbies took it over, but originally when the Brumbies moved there, and for some years, the bowling club continued. So it is only in the last three or four years that there has not been a bowling club there. I think it is about that time; I may not be exactly right.

This is really an opportunity to put it back to the use that was originally intended—land for sporting and recreational use by the community. There has been a period of time, which was the product of an agreement between the Canberra south bowling club, when the Brumbies bought out the bowling club and it was not available for wider use by the public in the way that it had been previously. But I would argue that it is now an appropriate time for it to go back to the use for which it was intended.

THE CHAIR: Ms Le Couteur.

MS LE COUTEUR: As you are aware, under the current zoning there a range of uses, apart from the current use, and the Brumbies have put in a DA for a hotel, which was stopped by interim effect. Are there any uses to which the site could be put under the current zoning that you would feel would be desirable or preferable?

Ms Fanning: Under the current zoning?

MS LE COUTEUR: Under the current zoning. I think your comments about land swaps are very interesting. The committee could make a comment about it, but the committee could not achieve a land swap. The situation is that if we were to say no to this, that the zoning stay as is, is that a place that you would like to be, given that there is nowhere else that we can definitively get to?

THE CHAIR: Are you clear what Ms Le Couteur is saying?

Ms Fanning: I would just like to clarify that. You could make recommendations, I imagine, about appropriate future uses.

MS LE COUTEUR: Absolutely. We could make recommendations about almost anything. I have no idea what recommendations we will make; I do not know. What I am trying to say is: what we can be absolutely sure about is that there would be two potential options where we do have a degree of choice. We can say, “Yes, we think that basically this is going in the right direction and it is approved,” or we can say, “No, it’s got enough problems and it’s not approved.” Those are two options which are both feasible.

Another other option is to write recommendations. The minister will look at them but he may or may not do anything with them. But they cannot be assured by the committee. The only two things the committee can be pretty confident about is status quo or change. My question is: if it was status quo, from your point of view—and given the options that that involves: things like hotels, a large, enclosed gym or fairly heavy, high density aged persons accommodation—is that actually preferable to the proposals in the draft variation?

Ms Fanning: It is the case with any zoning in the way possible uses have been allocated to zones. It may not be the best possible system, but the reality is that we have a system where in almost any zoning there is a wide range of uses, some of which are much more appropriate to a particular block than others. In the case of the CZ6 zoning, ACTPLA has already indicated that it regards a number of those uses as inappropriate. I think it is on record as saying that it did not regard a hotel as an appropriate use.

Just looking at the uses that are possible in that area, it includes indoor and outdoor recreation facilities. We certainly think there are a range of uses, as I have already indicated, that would be suitable. It also includes community use. It also includes parkland. It includes restaurants. I do not think that we would have a problem with any of those uses. But we would with a car park, for example, which is one of the uses.

A zoological facility is another one.

MS LE COUTEUR: That would be interesting.

MR COE: A little game park there.

MS LE COUTEUR: Yes, I would like to see a few lions.

THE CHAIR: Giraffes.

Ms Fanning: An artists' craft workshop—

Dr Denham: Whatever you recommend, I think the key thing is that that green corridor is maintained. There are lots of things that could go in there that would be acceptable, certainly more acceptable than the present proposal. The way it is structured at present with that block going right up to the stormwater easement—and, in fact, even the poplar trees along there inside that block—I think needs to be changed. That walkway from Manuka is really a fantastic facility which everybody uses. I know that the CEO of the Brumbies said he only saw one or two people using that area while he was there, but then he should not really have been looking out of the window. He should have been down at his desk plotting his future moves on the field. I would like to just re-emphasise that. That is critical with what happens to that block.

Ms Fanning: I think, also, the other point is that at least under the current development code—I am mindful that these things can change—the current rules are that there is a two-storey height limit. One of our concerns is about the height of buildings that are permissible in RZ4. Another concern relates to this excavation for a basement car park.

Amongst our concerns, two of the issues are the height and size of the proposed development that would be allowable in RZ4 zoning and the effect that basement car parking, which would be an integral part of such a development, would have not just on the immediate area but, as we were talking about before, on flooding potential, the impact on the trees nearby and so on. These are the main reasons, or some of the main reasons, why we are concerned about an RZ4 development.

The CZ6 is for smaller sorts of operations and activities. At least under the rules that pertain in the current development code, a number of these, we think, would be quite appropriate.

THE CHAIR: We need to finish now as it is 10 past 10. Thank you very much, Ms Fanning, Ms Castello and Dr Denham, for appearing before us this morning. The secretary will be sending you a transcript of the hearing this morning so that you can have a look at it to see if there is anything that has been inaccurately transcribed. Members are free to ask you further questions by correspondence if we want to, and we will do that if we wish.

FIRTH, DR DIANNE, Acting Chair, ACT Heritage Council

THE CHAIR: Good morning, Dr Firth, and welcome to this fourth public hearing of the Standing Committee on Planning, Public Works and Territory and Municipal Services' inquiry into draft variation of the territory plan No 307. Thank you for appearing before us as the acting chair of the ACT Heritage Council.

Are you familiar with the privilege statement on the blue card and do you understand the privilege implications of the statement?

Dr Firth: I do.

THE CHAIR: Thank you very much. Do you have some opening remarks you would like to make?

Dr Firth: I would like to state that I am also a fellow of the Australian Institute of Landscape Architects and an associate professor of landscape architecture at the University of Canberra. I am here in my capacity as acting chair of the Heritage Council.

We have responded to the proposed rezoning with a statement that it was acceptable provided that a condition was appended to any approval for this lease variation which would require the retention of trees on the common boundary, providing sufficient distance from these trees during planning and development to allow their continued good health and replacing these trees when they reach the end of their lifespan.

The reason for that variation was that in the heritage register the feature intrinsic to the heritage significance of the oval is that its historical landscape setting, including the perimeter ring of mature deciduous plantings, forms an immediate and unimpeded aesthetic backdrop to the oval. So our concern was the visual effect of that boundary.

THE CHAIR: With regard to the trees?

Dr Firth: With regard to the trees; so when you actually look at the assessment process, and why the oval reached the level of high significance to go on to the register, there were four key areas. You only need one to reach the threshold for registration, but we found four. One was that this oval, which is adjacent to the site that we are talking about, exhibits outstanding design and aesthetic qualities valued by the community or a cultural group. We have gone through and we have the evidence supporting that.

The second is that it is highly valued by the community or a cultural group for reasons of strong or special religious, spiritual, cultural, education or social associations. Its associations tie in very strongly with the whole development of Canberra and what we are calling now the Griffin legacy, but it is that historic development of the north of Canberra.

The third point is that it is a rare or unique example of its kind and it is rare or unique in its comparative intactness. This is where part of our letter of December 2010 came from; we do not want anything that will remove that integrity. In terms of enabling

development to occur, yes, but do not lose the values that keep the oval at this level of significance.

The fourth reason for registering it is that it has strong or special associations with person/group/event/development or cultural phase of our local or national history, and it reaches a high level on that as well. So we have a very special place here.

Our registration was for the oval, but I think you have heard this morning how it is not just a one-block section; we have got two blocks on our section. It is actually a larger place that fits within something that has been identified within the territory plan, that was identified, prior to that, under previous legislation, and we are now looking at changes that perhaps are not considered within the broader condition.

I would also like to say that we have currently started the assessment on the registration for Telopea Park and Manuka Oval. You cannot really look at this without going back to block 15 and our oval that we have registered. We are dealing with blocks and sections in bits rather than really understanding the purpose of what has been pointed out as this drainage system, which was understood by Griffin without understanding the site, by looking at contours. We have Sullivans Creek, we have the drainage line that comes through Glebe Park and we have this one that came off Red Hill—main drainage lines.

Griffin incorporated these within the city plan and then later, through the Federal Capital Advisory Committee, the Federal Capital Commission and then the National Capital Development Commission, all of these planning bodies developed the city realising where we had issues to do with drainage and accessibility. It is built there into the territory plan. And here we are going through looking at variations to the territory plan that are somehow losing the objective or the purpose of why we have these green spaces.

THE CHAIR: Dr Firth, can I just take you back to the heritage question for which you are appearing before us today. Block 15, though, is not heritage listed.

Dr Firth: No.

THE CHAIR: I just wanted to make that clear.

Dr Firth: No. Its adjacency is our concern.

THE CHAIR: It is adjacent to, and I understand the reasons for the perimeter that you have strongly emphasised; I am sure all members do. But block 15 itself is not heritage listed.

Dr Firth: No.

THE CHAIR: Okay. That is why we asked you to appear before us today, so we could understand the implications of the heritage listing. Ms Le Couteur.

MS LE COUTEUR: Can I take it from your statements that if there was a precinct code, for instance, for block 15 such that the developable boundary was taken back so

that the trees could not be affected, with enough space for their roots, from your assessment of the heritage point of view it would not impact on the oval adjacent; that that would be a satisfactory outcome?

Dr Firth: A satisfactory outcome would be the maintenance of that tree buffer, and to actually achieve that we have not spelled out how to do it. We have left that for others. But the proposals that we have seen would not achieve it.

MS LE COUTEUR: No. I have a slightly different question. Walking down there I thought that if there were to be more people there you possibly would end up wanting to make the track in the middle a bit more formal. Would that be an issue from a heritage point of view? I am not talking about anything other than a walking track but it might require a bit of bitumen on it.

Dr Firth: The outcome that we are requiring is that the integrity of these trees be maintained, and it is quite possible to have walking tracks through it, so it is medium scale so that you can, from the other side of the oval, see those trees as an integral group. What happens on the ground plain, whether it is a gravel surface pathway, bitumen or whatever, so long as it does not harm the trees there is no concern from a heritage point of view.

MR COE: At an earlier hearing, we saw a photo, which was submitted as an exhibit, I think by Mr Powell, which showed the vista of oval No 1 with the tree line that you are talking about. If those trees were simply in the foreground and then behind those trees you had a three-storey building, does that impact the heritage value or—

Dr Firth: So long as you could not see the buildings.

MR COE: Right. So, if the building is visible in the background as opposed to simply retaining the trees in the foreground, that would be a significant issue?

Dr Firth: Yes.

MR COE: From your understanding of the proposal, would the height of the building exceed the height of those trees?

Dr Firth: No. But what is of concern to us is the excavation for the car park, because that has serious implications for groundwater recharge. It changes water direction and it would need a statement of heritage effect to have reasonable confidence that it would not be detrimental to those trees. So how far back do you go? Many of those trees are on that adjacent block. This is where the issue is. If you have to go back 15 metres from the boundary to enable you to develop your three storeys with underground car park, is it still viable? It is an issue for a developer. There is always this sort of push, push, push to get closer to the trees. Yes, the surface rooting is—whatever. But will there be adequate soil moisture to enable those trees to survive?

It takes 50 to 60 years to get trees to that stature. A three-storey block of apartments might be nine to 12 metres high. Those trees are 18 to 20 metres high, but you are looking at two generations to get to that. So you cannot just remove the trees and say, “Oh, we’ll plant advanced plant material.” It is going to take 50 years for them to get

back to what we have got. We have an asset there.

THE CHAIR: I actually do not think there is any question of removing those trees.

MR COE: Not that it is directly relevant, but what is the lifespan of those trees?

Dr Firth: Some of them we could look at 200 years—in that location—because we have deep alluvial soil and we have a reasonable level of soil moisture, even after 12 years of drought.

THE CHAIR: If an arborist was on site during the excavation of the underground car park and any other excavation work that needed to be done, what would you think of that?

Dr Firth: That might be okay, but you only have to look at what is happening to the footpath out here and the plane trees—

THE CHAIR: I am asking if there was an arborist on site. I have no idea if there is an arborist on site out there.

Dr Firth: There are.

THE CHAIR: If there was an arborist on site, would that, I guess, ease your mind?

Dr Firth: No. An arborist can tell you about the health of the existing tree and whether it needs pruning or not. They cannot advise you on construction techniques and how they may affect the roots of the trees per se.

THE CHAIR: In your opinion?

Dr Firth: In my opinion. But within the fraternity of horticulturalists, arborists, landscape architects, there are people with expertise. They are limited in Canberra, but we do have people with knowledge. You cannot just say, “We will employ an arboriculturalist to oversee the work.” In our citation we have that any works that have a potential impact on significant fabric shall be guided by a professionally documented assessment and conservation policy relevant to that area or component. It is called a statement of heritage effect. It is more than just one person being on site to oversee the work. This is a document that is read by people from different areas of expertise within that so that there is a considered judgment, not just someone who is employed on a paid basis to oversee some construction work being done.

THE CHAIR: Just to clarify, Dr Firth, you are talking about work that happens beforehand to advise the person that would be on site to supervise?

Dr Firth: The statement of effect is done alongside the development application.

MS LE COUTEUR: Would you have an idea of how a recommendation or something that would go into a precinct code, I assume, could be written so that it would successfully protect the trees? Maybe this is something you can take as a question on notice, because it is the sort of thing which potentially the committee

could look at.

Dr Firth: If the developer is clear on the requirement to keep those trees, the architect working on the building can often work with people with the statement of heritage significance and people with knowledge. So it comes back to having good information on soil, moisture and water flows. Cardno Young are a reputable firm but they probably were not briefed adequately. First of all, you have to have an adequate brief, then you have to bring a team together to work on it, so that if a development proposal is really wanting to progress, it is done with full knowledge and it addresses the concerns of the various agencies. But often it slows down the process and it is expensive.

MR COE: As a committee, we have to provide recommendations. Of course, none of us are arborists, horticulturists or anything along those lines. Is there a ballpark distance that you have seen in the past with similar trees that has been accepted for construction or for development to take place?

Dr Firth: As a ballpark issue, we generally deal with the drip line of the tree, because that is where the feeder roots are. So you then need to go back adequately from that, because construction disturbs the ground. As we have the requirement to fence off verges to protect trees, that is fine. But you just have to see the number of times that is not complied with, where the actual space inside the fence is used for storing debris, that things are put beside trees to get them out of the way. Unless we have a level of compliance, these things are fraught with difficulty. Once you damage the tree roots, the tree is in decline. Often you do not see it for another five years, and then the tree suddenly dies—a tree that should live for another hundred years. It is insidious. So it does not appear to have done anything but it has the effect over time.

As a ballpark figure, it is a number of metres outside the drip line, but it also requires no influence on that space under the trees. I would say it is virtually always ignored. You just have to go around construction sites in Canberra and you see that we do not have a good compliance regime. The fence goes up and that is it. Again, in a sensitive site, you will probably find there is greater pressure on the developer to do the right thing, but it is a site that has limitations, both in terms of making sure those trees are not harmed and in terms of the issue of making sure there is sufficient groundwater to enable that groundwater to support the tree roots.

MR COE: To your knowledge, do the trees that you are referring to play a role in mitigating flood or in lessening the impact of water flow?

Dr Firth: As an environmental and ecological function, trees are of high benefit. They change the flora of the soil. They enable the soil to live. Really, they are absolutely essential to our ecosystem here.

What was achieved through all of this tree planting in the early history of Canberra was a total modification of the climate. From having severe winter winds, hot summer winds, prolonged periods of dry, the trees have moderated the wind, they have provided shade, they have provided that biological system that enables the soil to improve and they have created this amenity for people. And it is very easy to forget this. This temperature reduction of those deciduous trees is significant. You can have

35 degrees out there, you walk under a tree and it is 25 degrees. It supports a whole range of birds and insects. So that ecology is really significant. Apart from that, it holds the soil and enables the soil to be more permeable, so that when we do get rain, it is actually taken into the soil before being washed away.

The issue, once you have a range of impermeable surfaces, is that it speeds up the water discharge. This is a key consideration. So the tree actually holds water and it releases it slowly back into the soil. That is another reason for their value—functional, ecological and human.

MR COE: On the question of flooding, with the 46 trees that have been earmarked for removal, in your opinion, would the removal of those trees have an impact on how flood-prone the area will be or is that relatively incidental compared to the construction which would then take place?

Dr Firth: From my heritage hat consideration, it is detrimental, because you will be able to see through in a way—

THE CHAIR: These are trees that are actually inside—little trees; that is my understanding.

MR COE: Smaller trees.

Dr Firth: Yes, they are smaller—

THE CHAIR: They are trees which are beside the bowling green; they are not the perimeter trees.

Dr Firth: They are not—

MR COE: They are still regulated trees but they are smaller trees.

THE CHAIR: Yes, they are little ones.

Dr Firth: Yes. Maybe I am speaking about other trees but it is actually forming part of the visual mass of the trees that you are seeing. So if they are removed—you do not have a photograph there, and I do not have a photograph here.

THE CHAIR: No, so that is a disadvantage that we are all at.

Dr Firth: Yes. So there is the bit about that visual screen that they might provide.

MR COE: In particular, the 46 trees that I am referring to are largely scattered around the existing buildings and bowling greens.

Dr Firth: Yes.

THE CHAIR: Yes, that is right. They are not on the perimeter at all.

Dr Firth: Okay. If you were to work out the leaf area, with the potential to collect

water during storms and then to release it slowly, you would probably find that, yes, it is significant. They act like a sponge. Trees are often planted for different reasons, and they live and they die. What we are really needing to look at, I think, is that landscape setting and the functions it serves. If you remove bits of it, will the rest then be able to function as well? So it is that combination that we have not really had to focus on, because it has been a contiguous parkland. These bits have all been seen as part of that parkland setting. How much do you cut back and still keep the integrity?

THE CHAIR: Can I just clarify this with you, Dr Firth: the bowling greens were still there, although, of course, they have deteriorated, as you know.

Dr Firth: Yes.

THE CHAIR: Do you see them as part of the parkland?

Dr Firth: Visually they are. You drive by and you see space, you see green.

THE CHAIR: I was just clarifying that with you.

Dr Firth: But it is also the street trees. It is also looking across the street to the things on the other side. It is that composite of greenery that is part of this garden city asset that Canberra has, and it is how that totality is perceived. Perhaps one of the things that I see as missing is what the city of Sydney have done. They have a scale model and any development actually gets built as a model and put on so that the community can come along and feel assured that it will satisfy the objectives.

We model on plan and elevation. You see the architect drawings. It may be put onto a computer screen with a fly through, which we all get very suspicious about, because it is showing what the designer wants it to show. But do we really understand how these things are going to look in the environment? That is the visual bit. But when it comes to actually modelling it within this sort of hydrology, topography, vegetation and complex ecosystem that we all aspire to understand in our city and make value of, where do we ever test it?

It seems to me that this green infrastructure asset that we have needs to be looked at in terms of the built environment as well, so that they can work together and benefit each other. One of the things we have been very careful about from the Heritage Council point of view is that we are not seen as impeding development. We would like this city to be able to grow, but it is a matter of retaining the things that we value. Certainly, with the Griffith oval and the nature of what we are looking at down in Telopea park and Manuka oval, what we have here is something of extreme value, for its aesthetic, its planning, its social values, and also for its functional values.

THE CHAIR: Yes, so all of that is with regard to those ovals that you were discussing, and the parkland in Telopea park.

Dr Firth: Yes.

THE CHAIR: I think the street trees are all going to be maintained. There are no street trees—

MR COE: I believe the majority of them are on the perimeter.

THE CHAIR: So all the street trees will stay.

Dr Firth: The other thing I would just like to comment on is that the commonwealth Heritage Council has two nominations for the registration of Canberra on its books. Last Thursday I met with Carmen Lawrence, who is the chair. I met as chair of the ACT Heritage Council. They are going through the assessment for the heritage listing of Canberra on the national register. And within that, you will find this part of Canberra is a very important part that they will be looking at.

Just to give you the context, Adelaide—its city plan and parklands—was nominated and moved onto the national register in 2008. So Adelaide as a city is on the national register. The ACT is going through the assessment process—Canberra, rather. Both of the nominations look at north and south Canberra, and its planning and garden city setting are there as high values.

THE CHAIR: Do you have any more questions, Mr Coe?

MR COE: Yes. Going on from that and in terms of the value that we attribute to these assets, in some ways it is a bit similar to national parks. If nobody ever visits a national park, then its value is questionable, whereas the more people that visit and see the value, the easier it is to actually interpret that value. Residents nearby to such an asset would, presumably, see it as an asset—and it would be a drawcard for living adjacent to those trees—and those residents would actually use that perhaps on a daily or weekly or regular basis. Is that a good thing, to actually have people living nearby and enjoying them?

Dr Firth: I suppose to answer that you could say any real estate agent will tell you that the landscape setting of Griffith, Blandfordia 5, all of those adjacent suburbs, means the value of those properties is enhanced by the green infrastructure. Why do you want to tamper with the green infrastructure?

MR COE: But in the event that that was not tampered with and that there was a development nearby but one that did not affect the livelihood of those trees, is that actually a good thing?

Dr Firth: It adds to the real estate value. The real estate value of this area is high.

THE CHAIR: I think Mr Coe's question is a different question. I am not sure. Is it a different question you are asking?

MR COE: It is very broad and open to interpretation, which is the very point of the issue, really. But no, I think you have addressed it.

THE CHAIR: It is fine? You have got your answer?

MR COE: Sure.

THE CHAIR: Ms Le Couteur.

MS LE COUTEUR: Given all of this and the landscape values, what do you think would be the most appropriate use of the site?

Dr Firth: This is an interesting question, because all land has to be managed. Someone has to be prepared to do something with it, and it is the role of government to make sure it is managed and appropriately used. For me to personally say what I think should go on there, I would say that, whatever happens to it, first of all, it should not have an underground component and it should not be something that detracts from the landscape setting.

THE CHAIR: Are you speaking as a person or as you are speaking in your role? I just need to clarify that.

Dr Firth: I am speaking in my Heritage Council role, because we have development applications coming to us all the time and we have to assess them against the criteria that we have in the register. And we are very aware that places have to have someone to take care of them. It cannot just be the government. It has to be—we call it—adaptive reuse. You have got to have something there that is going to retain the value of the place.

What actually happens there is for promoters of ideas for that place. And we can look and say yes or no or, “How can we enable you?” We have our heritage advisory service that can assist developers to achieve the heritage values but still enable development to occur. If it is, as was suggested earlier, an aged peoples development or a preschool or whatever, these things can come and go. The heritage point of view is that they are okay as long as they are not detrimental to the values that we have in our adjacent heritage site.

MS LE COUTEUR: Can I get clear the protections that the site would have? It is adjacent, clearly, to a heritage site. Regardless of what the zoning is, if you plan to do something on that site, what sort of sign-off do you have to get?

Dr Firth: With ACTPLA, usually it is triggered. There is a little automatic notification that something is likely to happen and we have the opportunity to comment on it, as in this case here.

MS LE COUTEUR: All you do is comment. If a developer were to say, “I want to put underground parking in,” you would put a comment, “We do not think this a good idea.” But that could be overturned.

Dr Firth: We might say it is too close.

MS LE COUTEUR: But ACTPLA is at liberty to say, “This is only one of a number of views,” and continue? That is what I am asking.

Dr Firth: Yes.

MS LE COUTEUR: I am asking a question.

Dr Firth: Because we are a statutory body, our opinion is regarded seriously. So it would be the minister with call-in powers that might overturn it. Because of its adjacency, we have not had a situation quite like this. Usually we try to avoid the adversarial and sit down at the table and work out a solution that suits both situations. When something goes out for public consultation, comments that come in from the public are always considered and we try to address those issues at that stage.

MS LE COUTEUR: Would underground parking be an issue throughout the site or just close to the boundary trees?

Dr Firth: Underground excavations on alluvial soil and on a main drainage line are absolutely silly. We have got issues with Coles, Manuka, further down. It has taken groundwater out. It exacerbated the deterioration of the trees at Manuka oval during the drought period. The groundwater just went. It should have been there before. We have had 10-year droughts here before and the trees survived.

We have got the issue of the convention centre where the seals for the underground car parking have failed in particular areas and we get water in the basement. Yes, the engineering technology can solve it for the normal statistical situations, but over time waterproof membranes fail and we get storm events that cannot be dealt with by the normal stormwater piping system.

In terms of any development down that drainage line, yes, there has to be sensitive surface work. Those retention ponds on the playing fields were designed, I think, during the NCDC period to actually deal with the peak flows, the hundred-year flows that we had evidence of, and they have functioned reasonably well. With the development that is occurring on the surface, we are reducing the ability for that system to work normally.

Again, I am moving off from my Heritage Council hat to my landscape and landscape infrastructure hat. The city has been designed to accommodate in a fairly easy way the issues of storm events and periods of drought and the issues of wind and a whole lot of other environmental issues that were understood by the surveyors and the designers and the planners of this city, and we seem to be losing that ability to retain them, because we see this space, the space we can do something else with.

I do not have anything about using space for other purposes, as long as we understand what that space has in terms of its environmental, functional, social, cultural values. And you do not throw them away lightly. What I am seeing is frustrating a lot of the professional community. The territory plan is not actually recognising the outcome or the objectives of some of the things that are there on the territory plan map, and they are certainly not embedded in the text.

THE CHAIR: Thank you, Dr Firth. Do you have any more questions, Mr Coe?

MR COE: No.

THE CHAIR: Ms Le Couteur?

MS LE COUTEUR: No.

THE CHAIR: So we do not have any more questions at the moment. We will send you a copy of the transcript so that you can check it for accuracy. We will also get further questions to you if members want to follow up on anything with you at a later stage. Thank you very much for appearing before us this morning. I will now adjourn the hearing.

Dr Firth: Thank you.

The committee adjourned at 10.49 am.