



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING AND URBAN RENEWAL

(Reference: [Inquiry into draft variation to the Territory Plan No 344, Woden town centre, zone changes and amendments to the Phillip precinct map and code](#))

Members:

MS C LE COUTEUR (Chair)

MS S ORR (Deputy Chair)

MS T CHEYNE

MS N LAWDER

MR J MILLIGAN

TRANSCRIPT OF EVIDENCE

CANBERRA

TUESDAY, 10 OCTOBER 2017

Secretary to the committee:

Ms Annemieke Jongsma (Ph: 620 51253)

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.

WITNESSES

CARRICK, MS FIONA , President, Woden Valley Community Council.....	16
DOMAZET, MR JURE , Managing Director, Doma Group	77
ERETT, MR CHRISTOPHER MARK	33
HINDMARSH, MR ROWAN , Chief Executive Officer, Hindmarsh Development, Australia	66
HOUGHTON, DR WAYNE LAWRENCE , Director, Glencora Pty Ltd	50
LAFFEY, MR STEPHEN , State Manager, Development, Hindmarsh Development, Australia	66
MacCALLUM, MR ALISTAIR , Director, AMC Architecture Pty Ltd.....	50
MACKAY, MR IAN , Chief Executive Officer, Canberra Southern Cross Club.	72, 77
MILLER, MR MARTIN , Chair, Woden Valley Community Council	11, 16
MILLMAN, MR CHRIS	61
OSHYER, MR AARON , Manager ACT, Knight Frank Town Planning	77
PINKAS, MS GEORGINA MAY	33
RAUT, MR JOHN , Glencora Pty Ltd.....	50
REDMOND, MR CHRIS , Chief Executive Officer, Woden Community Service	1
VAN DER WALT, MR PIETER , Director, Canberra Town Planning	50, 66

Privilege statement

The Assembly has authorised the recording, broadcasting and re-broadcasting of these proceedings.

All witnesses making submissions or giving evidence to committees of the Legislative Assembly for the ACT are protected by parliamentary privilege.

“Parliamentary privilege” means the special rights and immunities which belong to the Assembly, its committees and its members. These rights and immunities enable committees to operate effectively, and enable those involved in committee processes to do so without obstruction, or fear of prosecution.

Witnesses must tell the truth: giving false or misleading evidence will be treated as a serious matter, and may be considered a contempt of the Assembly.

While the committee prefers to hear all evidence in public, it may take evidence in-camera if requested. Confidential evidence will be recorded and kept securely. It is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly; but any decision to publish or present in-camera evidence will not be taken without consulting with the person who gave the evidence.

Amended 20 May 2013

The committee met at 9.01 am.

REDMOND, MR CHRIS, Chief Executive Officer, Woden Community Service

THE CHAIR: Good morning, everyone, and welcome to this public hearing of the Standing Committee on Planning and Urban Renewal's inquiry into the draft variation to the Territory Plan No 344, Woden town centre, zone changes and amendments to the Phillip precinct map and code. Today we are going to hear from a number of community groups, a panel of representatives from the ACT community and a number of private companies and developers.

Mr Redmond, I draw your attention to the pink privilege statement. Can you confirm for the record that you understand the privilege implications of that statement?

Mr Redmond: Yes, I do understand the implications of the privilege statement, thank you.

THE CHAIR: Before we start, I raise as a matter of interest a very small potential level of conflict of interest. I live in Jessup Place, which is not actually in the area proposed to be changed. I would probably be about 100 metres away from it, which may influence me, but I do not think it will. Also, I have heard extensively about the issues with this Territory Plan variation because I am a regular attendee at the Woden Valley Community Council, where it has been a matter of discussion for some years. I think they are all the declarations of interest that I need to make. Mr Redmond, have you an opening statement?

Mr Redmond: I would like to thank you for the opportunity to talk with you today and to discuss my submission to the committee regarding the draft variation of the Woden town centre master plan. I think my interests are outlined in my submission. It is probably the third submission I have made since about 2004, given the variations to the master plan that have been made since that time, the time that I have been in the role with the Woden Community Service.

My greatest concern around all the master plans has been what seem to be the overriding commercial interests in the master plans that have overridden the social amenity or the social interests that might well have been derived from such master plans. From the 2004 master plan onwards, it has become quite apparent that the only aspects of the master plans that ever seem to be enacted are those that seem to suit the commercial interests of people within the Woden town centre area, rather than the social amenity.

I think that is quite obvious if you are looking at the town centre now. It is a fairly derelict sort of area. It is almost dystopian in the way in which you look at it. I know you are speaking with owners of land this afternoon. I think that there has been a gross misuse of space within that area and the loss of social amenity.

In terms of social amenity, I think that the commercial interests have overridden the overall social amenity of the area. I suppose my interest was drawn just yesterday to the building of footpaths next to the Hellenic Club that has been going on for the last couple of weeks, which have, I suppose, followed on from the footpaths that have

been built into Eddison Park. They, and the steps that have gone down to the bus interchange from the Woden town centre, are probably the only bits of social amenity that I have seen built in the Woden town centre over the last 13 years.

We have seen the loss of social amenity. We have seen the loss of heritage buildings within the north walk area and we have seen the loss of social amenity along the north walk itself, where there are some nice small picnic areas for public servants to eat their lunch. This has been barricaded off from public use for the last two years, I think. I do not believe there is any great social amenity within the Woden town centre at all. We see an overwhelming desire to redevelop the area, particularly with regard to residential and commercial interests, but there is no social amenity that is being built alongside that residential building.

It has been interesting. A comment has been made to me by a purchaser in the Trilogy buildings down in the old Southern Cross Club recreational area. They bought into Woden thinking that the new residential buildings there would be complemented by appropriate social amenity, but there is none whatsoever. I see that Woden is becoming a dormitory suburb where people can live and sleep, but there is nothing for them to do there. There is absolutely no social amenity whatsoever within the region. I have an interest as well. Obviously, I work in the Woden community centre, which has been there for the last 25 years or so. It is in a building that we use rent-free from the ACT government, but it is of no sort of value to us at all.

We now rent other spaces in the Woden area, the most recent being in Callam Offices. We are renting 700 square metres there to place some of our services. We are also renting space out of the Smith Family building, opposite Canberra College. We rent about 300 square metres down there to run our services. The building that the Woden community centre is currently in is not really fit for purpose anymore.

That brings me to the second part of my concern. There is not a community centre within the Woden town centre—not the like of which would in any way rival that which you might see in Belconnen or in Tuggeranong—that allows for greater social and recreational participation within our regional area.

I know if Ms Cheyne were here she would no doubt echo the benefits of such a community centre to that community when you look at the vibrant sorts of recreational and social activities that are held in the Belconnen community centre. Again, we do not have such an amenity within Woden. What we have in Woden currently are three clubs, which make up what I call the triangle within Woden, although the Tradies has just recently been sold. It will be redeveloped as another residential and commercial building with, no doubt, some club sort of aspect in it as well.

They provide the only social amenity within the regional area, within the Woden town centre. It does not give people much choice if they do not wish to go to a club, really, for any sort of social recreation. There are no meeting rooms within Woden town centre, apart from those that are provided under the community service obligations of the clubs, which also requires you to go into the club. That is not to say that clubs do not do a great job. I did notice, on the side of the Southern Cross Club yesterday, that they donate \$1.5 million a year to the Woden region. Clubs within the Woden region

do a great job in that regard.

However, there is nowhere that people within Woden can go for any social or recreational activities, other than to the clubs. They can go to the Phillip oval, which has been extensively renovated, I think more recently to the extent of \$6.1 million. There is also the enclosed athletics oval on Yamba Drive. Other than that, there is nowhere that people can go to meet socially or recreationally. There is no community art space, as you have in Belconnen and no doubt have in other areas such as Tuggeranong. There are no places where groups can meet without having to go to a club. There are no places where functions can be held other than going to a club. When you go to the club you also have to purchase the food from the club. You cannot get your own caterers in.

I suppose the point I am making is that there is no social recreational hub within the town centre. It has been bereft of such a facility for a number of years now. The space that we occupy in Woden Community Service in the Woden community centre, as I have said, is obsolete. It does provide us with a client-facing service space, which is what we use from there and also from the Smith Family building. We are now renting space in Callam Offices. We are renting a whole floor because we can get a better deal than renting just 300 square metres, which is what we were after. We will be able to sublet that space to another community organisation at the reduced rental rate that we have been provided with as a result of that.

I suppose the other issue I would like to raise is that in the 2012 budget \$500,000 was allocated to undertake a feasibility and design phase for a new community centre in the Woden town centre. Basically, a proposal had been put forward. I spoke to John Hargreaves in 2005 about the need for a better community centre. We did get some traction in 2012. We have been advocating for some time on the need for a community centre that allows for greater social amenity and greater social participation of residents.

In 2012 we did get \$500,000 in the budget to undertake that feasibility and design phase. I think the next year there was another \$250,000 to continue that work. The feasibility study did identify some spaces for what we call a community services hub, based on a New Zealand model or a community links model, which is a space where services such as Woden Community Service could be located with a bunch of complementary services collocated with us, given that Woden is also the one town centre that does not have a child and family centre, as you will find in the Belconnen region, Gungahlin and Tuggeranong.

We believe in the creation of a community services hub. The collocation of drop-in services as required or the space for complementary services would build on the services that we provide to build what we call a continuum of care for people who might be coming in for one type of service. With the complementary services available, they can actually access a number of services in the one spot. The intention was that we would have a number of hot desks and visiting services would come in; so people could come in one door and actually access a range of services under the one roof.

It did get the interest of the ACT government in 2012, the support of the Community

Services Directorate as it was in those days and of the CEO, Martin Hehir, at the time. Apart from the identification of some sites for a community services hub, we have not seen anything other than the proposed sites. We have seen nothing of the draft designs that were funded under those budgets as well. I suppose that there is a certain level of disappointment in the lack of follow-through to these undertakings that were made in those early years.

I understand that there has been a redesign or repurposing by AMC Architecture for the Callam Offices, a heritage-listed building, for a potential community services hub. But, again, we have not seen any of those. They have not been released, although I have seen some designs that have been given to me by the Woden Valley Community Council.

Essentially, what we have been arguing for a number of years has been the development of a community services hub that incorporates both a social and a recreational space, and an arts space as well, that provides greater amenity for the residents of the Woden Valley in general. There is nothing in the Woden town centre at all that provides any kind of social amenity that in any way complements the residential development that is occurring, the urban infill that is occurring, within the Woden town centre area. There is no apparent complementary development of services that supports the community that is basically being developed within the town centre.

That is my opening statement. It is a long one, a long rambling one, but I think it has covered just about everything that I wanted to say apart from the obvious issues. Many years ago people might remember—it was before my time—that there used to be a fountain inside the town square at Woden. That had to be moved because of the water displacement that occurred due to windshearing off the high-rise buildings around the town centre. I know that we are now facing more development around the town centre, which will only increase the windshearing. This is my greatest concern. It is a huge wind tunnel there.

Building height and the creation of shadows across that town centre are really quite disturbing. What is more disturbing is the fact that we are looking at a multistorey car park in Borrowdale House. Borrowdale House, for those who do not know, is the old post office building. It is right on the town square. I am flummoxed by the fact that basically we have to drive up to the shopping centre now to get a car park—the idea of not being able to walk a little distance to get to, I suppose, the only commercial interest within Woden, which is the Westfield plaza. That is the hub of Woden, apart from the three clubs.

That is like a magnet to everyone that draws everything into it. My belief is that we need to create other spaces around the town centre and other opportunities for people to engage in the life of the town centre. Given the high level of residential activity, the building activity that is going on there, I think we need a corresponding level of social and recreational activities to be provided other than those that are found within Westfield plaza or the three clubs.

That is about it from me. The only thing I would say is that I know the ACT government has a commitment to try to find a building for Woden Community

Service. It just has not come to fruition at this stage. Our interest has always been to be located in a fairly central, accessible area of Woden. We are no longer a smaller service. We are, I suppose, a fairly significant service provider within the service landscape of the ACT, not just of the Woden Valley area. We provide services across the service types in the ACT, not the least of which is a suite of mental health services that we provide across the ACT, housing support services and the service access model through the gateway, through OneLink, which is serving the whole of the ACT. We employ over 300 staff. We have a turnover of \$18 million a year and we engage at least 100 volunteers a year. We provide services to over 6,000 people a year in the ACT, if not more.

I suppose my point is that a service such as ours, which provides a great deal of service to the regional and local area and the ACT, sees the need for the development of greater social amenity within the Woden Valley area. That would be better served by a service hub, a multi-use service hub, not only to provide direct service delivery to people within the area but also to create greater social amenity other than what is currently available through the club services in Woden.

THE CHAIR: I do not really know where to start. Put very simply, there are currently proposals to rezone some land away from recreational land and I assume that you would oppose those proposals.

Mr Redmond: If you look at that map now, there is some green space in section 16, where there used to be a service car park, but it is my understanding that the whole western edge of the town centre is going to be redeveloped.

THE CHAIR: I was thinking particularly of the Southern Cross site. They are building the wellness centre. Maybe I should quote this.

Mr Redmond: Yes, on the old pitch and putt.

THE CHAIR: The Southern Cross Club are proposing a rezoning of that, which would take it—

Mr Redmond: Again, a loss of that, yes.

THE CHAIR: Yes, which would almost certainly be a loss of recreational space. We all know about the cemetery proposal and the proposal next to the youth centre.

Mr Redmond: Yes, which is a building in Arabanoo Park or the Woden town park, and they are building the gateway sites along Callam Street, which would be basically the broader entrance to Woden. I just think there is no green space within the Woden town centre at all. Eddison Park and Phillip oval are the only two green spaces, I think, within the Woden town centre area generally. We have lost more parts of green space along the north walk. I think there is a great opportunity for revitalisation of the town centre outside the Westfield Plaza. That provides a great deal of amenity for people to use other than being drawn into the plaza or into the clubs for their activities. But there is a consistent loss of green space and amenity within that area.

At least in Belconnen you have got Margaret Timpson Park. In Tuggeranong you

have got the whole lake shore area around there and Greenway, and the same in Gungahlin. But there is no corresponding space, other than Eddison Park, in Woden. I think we are seeing the loss of the green space, and corresponding amenity in the town centre again being lost to commercial and residential interests and no corresponding development of social amenity.

THE CHAIR: And finally from me, are the Callam Offices a reasonable site for a community services hub?

Mr Redmond: No. What we are after is what we call a client-facing space. It is accessible to people to be able to walk in and to access. Those of you that know Callam Offices know it is a maze to get into. There is really only one way in and you have to find your way from there. It is three blocks and there is no logic to those blocks at all. The blocks are C, A, B, which does not make any sense to me, but there is only one way in and all access is via a dodgy lift and by spiralling stairways.

Whilst it is a beautiful building—I really, really appreciate the building and its design—it is not what I would call a client-facing space that is easily accessible to people or that would in any way be welcoming to people who might be using that space. As I say, we put our corporate support staff in there, because I do not think people would be able to navigate their way through that building. I think that some work was done on repurposing the building. The architectural designs were looking at repurposing the building. We have yet to see what they look like, but you would have to build an entrance to such a space to make it in any way accessible. Our view was it could be repurposed.

However, we also run a childcare centre where we are currently at, in Corinna Street, a 60-place childcare centre. The CIT childcare centre is also run out of Arabanoo Park. We would be seeking to at least replace what would be lost in our childcare centre, as we provide a wraparound service to children coming into that service. We provide emergency care out of that childcare centre to people placed in that centre by the child and youth protection services, and our case management service wraps around those families of children who are placed there through emergency care to provide the ongoing support to those families that are soon to be placed in emergency care. We do provide an integrated service within our organisation, and children's services are very integral to that service delivery.

MS ORR: In your submission it says that you hold concerns about the building heights and you go into windshear and those sorts of things. I was just wondering if you could give me a little more information on those and on what is informing that view about the concerns.

Mr Redmond: It is especially around the windshearing and shadows, essentially. It is interesting that the Zapari Group, which is currently redeveloping this building across the road, the old Eclipse House, is now redeveloping the Medibank building in Woden. They are proposing, I think, 26 or 28-storey building heights there which, whilst they are below the town centre as such, will still cause significant shadowing of the town centre, should the proposed 28 floors be allowed, essentially. So it is the whole notion of shadowing in that town centre, which is the only open space in the town centre area.

MS ORR: When you say shadowing—I know this has been quite a topical issue—have you done the modelling for that shadowing?

Mr Redmond: It has been done by the Woden Valley Community Council.

MS ORR: You are basing it off the Woden Valley Community Council?

Mr Redmond: Yes, and also the windshearing. Essentially, the wind that comes off Lovett Tower goes down and blows through the town centre. I do not know if you have spent much time in the town centre, but if you go into the town centre it is just a wind bowl, as is the north walk as well, which is the bit that goes down towards Scarborough House, down towards IP Australia. The whole place is just a wind tunnel. It may have been changed a little now, with the creation of the steps down to the bus interchange, but not a great deal. It is the wind that comes off all those buildings that creates what I would call a mini tornado in there and it is the reason why they took out the fountain years ago. It just blew water all over the town square.

MR MILLIGAN: Thank you for your submission. What extra services would you be seeing in one of the community services hubs? You mentioned that New Zealand has a similar type of building in their community links initiative.

Mr Redmond: That is right.

MR MILLIGAN: What services would you want in these types of community hubs?

Mr Redmond: Interestingly, if you look at the child and family centre model that you see in Tuggeranong, west Belconnen and Gungahlin they provide a range of services obviously to children under the age of eight, but they also draw in a lot of services that support the foundation services that are in those buildings. Simple things such as MaCH nurses, maternity and child health nurses, would have a place to operate out of—they would operate out of there—and services such as counselling services. We do not have a community counselling service in the Woden area.

Whilst they have got Relationships Australia in Deakin, it is about putting in complimentary services that support the work that we do, bringing in some mental health services that we do not provide, again complementary to the ones that we provide. It is about building a service hub where you go in for one service but can access a number. In New Zealand they have drug and alcohol services as well. Whilst we have Directions operating out of Woden, we also have an MOU with Directions in terms of the way in which we integrate our service delivery with them. Issues dealing with comorbidity, mental health and drug and alcohol could be dealt with in that space. Also, the housing support work that we would be doing with our people, what we currently provide, would be again other complementary services that would assist people to move into and be supported in accommodation.

MR MILLIGAN: What size accommodation would you think you would require, and what would the best location be?

Mr Redmond: That is an exasperating question insofar as we did a functional brief in 2008. We had Alan Morschel, a former NCA architect, do a functional brief for

Woden Community Service around the types of services we would look at having and the sorts of services we would like to see collocated with us. I cannot remember the exact square metreares but I am more than happy to provide them to the committee, should you be interested in seeing those.

We also then go back to the feasibility study that was undertaken by the ACT government in 2013-14 which identified section 16, which is the grassed area where the service car park used to be, as one area. Another area was the space that we are currently in and the other was section 80—they call it part of Arabanoo Park—which is next to the Callam Offices. Our concern is that we do not want to lose any more green space. Also, the area in Arabanoo Park, the lower side area of Arabanoo Park, which is where the stormwater drain is, which is the Eddison Park or the cemetery side, is actually a flood plain, and I would not be sure that you would be putting any on-the-ground services or building on that flood plain.

So my interest would be if it was possible for a public-private partnership to be developed by the ACT government with developers of land within the space within the town centre for the building of a community services hub, with a community arts space, a bunch of meeting rooms of different sizes, and also facilities that allow people to hold functions, such as a commercial kitchen—those sorts of things that would provide an alternative to the use of the clubs in the area.

MS CHEYNE: I have questions, but I am not sure they are good ones. Suzanne was talking about the height limits. I am trying to get a sense of this. I admit that I do not spend a lot of time in Woden. It seems to me that the draft variation is reasonably consistent with the master plan in terms of building heights and that the majority of them are the 12-storey height limit. Is that right?

Mr Redmond: I think the Zapari building—I think the DA has already been lodged; I think there is a request for a variation of building use—will be 26 storeys.

MS CHEYNE: Yes.

Mr Redmond: Lovett Tower, which is already on the town centre, I think is 23 storeys. The overall building heights that have been recommended in past master plans have been 12 storeys. The Sky Plaza, on the corner of Callam Street and Hindmarsh Drive, is 20 storeys, I think. It is a mishmash of styles, which does not look very nice. But it is about the placement of those sites as well. The Zapari building, which is to the east of the town centre, would cast shadow across the town square itself. Any increase in height along the northern side of the town centre would again be casting shadow across the town centre.

You already have the 23 storeys on the western edge. That casts a shadow over the town centre during the afternoon. It is about creating a shadow bowl within that one area that we currently have. It is an amenity issue. If height restrictions were lifted to that extent, it is about how you would place the buildings so that they were not just a huge mass of rising edifices over the town centre—a stepping up of heights that would sort of—

MS CHEYNE: That is what it looks to me on the Phillip precinct code on page 5.

Mr Redmond: Yes.

MS CHEYNE: It looks like there are 24, then 16, and then 12 around it.

Mr Redmond: Yes, it is just—

MS CHEYNE: That, to me, is stepping up.

Mr Redmond: Yes. Whilst you have a 26, I think, and a 28—on the eastern side there is the Borrowdale building—it will cast shadows. I draw your attention to the fact that there is no green amenity within the town centre at all. Increasing building heights is again reducing that amenity.

MS ORR: I return to the building heights. You have said 12 would be ideal. I am interested to know whether you have had a look at the shadowing difference between a 12 and, say, something higher or lower than that?

Mr Redmond: The Woden Valley Community Council will be showing that to you in all its grandeur.

MS ORR: The other issue you have raised is the windshear. Your submission says that 12 storeys should be maintained to limit windshearing. What is informing that? Is there any modelling that can show that that would be the case?

Mr Redmond: I think the Woden Valley council has done that work as well.

MS ORR: No worries. That answers my questions.

MS LAWDER: When you started, you said that there had been a loss of social amenity. Can you just expand on that? What has been lost?

Mr Redmond: We have lost a few things, not the least of which is the bowling alley. If you look at the north walk, you will see that it has been closed off, I think for about three years, due to the decommissioning of the Albemarle and Alexander buildings. They used to have barbecues and green spaces for people to have lunch, for instance. They have now been closed off for at least two years. There is no access to them. It is that amenity, the simple amenity.

There is no other great amenity in the area apart from the Phillip oval, which is built for use by small numbers of people. There is the loss of the pitch and putt, the gym down at the Southern Cross Club, the bowling greens—they have all gone. We still have the privately owned pool and ice-skating rink. We have Eddison Park. But that is the only remaining social amenity within the town centre.

We have lost those other things. And they are the things that people use to enjoy their local area. They are not there anymore. The only thing that is being offered within Eddison Park—apart from the fitness activities and some of the swings—is the disc golf course. Whilst the work done on Eddison Park is great—and the skate park was built about five or six years ago—there has been no other social amenity development

in Woden for years.

MS CHEYNE: Is it the government's responsibility to provide pitch and putt or a bowling alley?

Mr Redmond: No. Please do not misunderstand me. I am talking about commercial interests. The Southern Cross Club own that space. They ran the pitch and putt. They are the ones who have made the decision to withdraw it. But it is about how we develop recreational facilities and whose responsibility it is.

MS CHEYNE: To encourage that commercial development.

Mr Redmond: If developers are moving in there and doing the urban infill, there is a corresponding responsibility to ensure that people who are moving in have recreational activities available to them. There should be requirements on developers to create social amenity other than just the commercial and residential space that they are building.

There has got to be some sort of trade-off for developers or land owners in building the amenity. If they are attracting people into the area—I do not know how many more shops Canberra can bear; people are moving in to the residential spaces that are being built in the urban infill—there has to be some sort of social amenity for them to enjoy other than the amenity that is being provided for them through the residence that they are moving into.

Republic in Belconnen had the idea of creating the community space underneath the buildings, which has not been that great so far with Wayfarer. The whole notion that you build a community underneath the commercial and residential sites being developed in those town centres has been lost in the development within Woden. There seems to be no obligation on the developers to create any social amenity at all other than building the edifices that they are building.

No, it is not solely the government's responsibility. I think there is a requirement of government to put some sort of obligation back on to developers to create social amenity in the communities that they say they are developing.

MS CHEYNE: I appreciate that.

THE CHAIR: Thank you, Mr Redmond. Unfortunately, we are running out of time.

Mr Redmond: Thanks for your time.

THE CHAIR: Thank you very much, Chris.

MILLER, MARTIN

THE CHAIR: Mr Miller, are you ready to start?

Mr Miller: Yes, I am ready to start. Hopefully the presentation is ready.

THE CHAIR: Have you read the pink privilege statement and are you happy to agree to it?

Mr Miller: Yes. I have presented once before.

THE CHAIR: Over to you, Mr Miller.

A PowerPoint presentation was then made.

Mr Miller: I wanted to tack on to the previous presentation. I am a Woden resident and have been for about 17 years. Before that I lived in Kambah. But Woden town centre was always the town centre for Kambah at that time, so we always used to come to Woden then. It had all the facilities back then. You can see now that a lot of those facilities are gone.

I am not an urban planner. I am not an architect. I have a brother who is an architect. But I do a lot of research. I brought in a couple of books that I researched. This is probably one of the better books, Jan Gehl's *Cities for People*. It talks a lot about creating great urban space. It talks about high rise, which is mentioned in my submission. Another book is *Resilient Cities* by Professor Peter Newman, who is out of Perth. If you follow me on my Twitter feed I talk a lot about cycling and cycle-friendly cities. I could bore you with that for hours, but I will not.

Woden town centre is there in that picture, taken from Mount Taylor. Lovett Tower has not come up in the picture, but it is 93 metres. It has not come up on this, but it was a shot from Lyons. It actually showed the building through there. It is 93 metres, 25 floors. It is really a building that is over scale for the town centre when you look at all the rest of the buildings there.

Chris Redmond touched on heights, but this is what was proposed in the draft variation. The planning authority have gone for what is called density bonusing. They have sort of done that at a late stage. That was not in the master plan. The reason you get those extra four storeys—this is what they have said in the variation—is if it is close to the transport corridor, transport stops, or if it maintains the hierarchy of the town centre. It mentions nothing about affordable housing or community facilities.

If you look at the California state law, it is only about affordable housing in terms of creating density bonusing. So none of that has been added. I think it is a lazy way or late way to add that into the precinct. I think if you are going to do density bonusing it needs to be Canberra-wide, Canberra planning-wide in the Territory Plan. Then you would look at specific sites where you would have that. It might be difficult to do that in Civic because of the height limits there, but are these heights really human scale? The former planning minister said that he did not support the Woden 9 development, which was up to 28 storeys. He said he would like to see a new master plan which was

more human scale, more livable, in that area.

Do you need high rise to create higher density? No, you do not. You can create the same sorts of density with lower rise buildings. This is taken from the public space life study that was done in Wollongong. It shows they get consistent density, particularly within the town centre, rather than having windshear spaces or shady spaces and good connections with the street. Jan Gehl's company, Gehl Architects, has done a lot of public space, public life studies for cities around the world and also around Australia, but not in Canberra, though.

Do you get better energy and environmental performance in high-rise residential development? No, you do not. This was a study that was done by EnergyAustralia in 2005. It showed high rise using more CO₂ than low rise townhouse buildings actually do. They call townhouse buildings the missing middle. They have better environmental performance. A study done for Willoughby City Council—that is at Chatswood in Sydney—showed the same sorts of issues with high rise. Also, you would not believe that high rise uses more common area water than low rise as well. That is probably due to a lot of developments having pools and that sort of thing.

I turn to some of my recommendations. I will not go through all of them, because I was sitting with the Woden Valley Community Council. This was regarding these height marker buildings that were put into the draft variation. If you did not have any planning background or did not read planning documents, you would wonder what the hell RL678HD was. There are extra height limits, or specific height limits, pertaining to that area. Nowhere in that draft document is mention made of “reduced level” and the Australian height datum relating to sea level. It is a survey marker of sea level.

Those two red dots are where proposed marker buildings were going to go. That is an area called Woden Green. That is Woden east. The one at the top there, that was the 670, which was up to 26, 27 storeys, I believe. That one, I believe, would be similar to the Sky Plaza. Interestingly enough, in respect of that area facing the corner of Hindmarsh Drive and Callam Street, the draft variation talks about rezoning that for, I think, RZ4 to RZ5. But there is already construction of townhouses on one site. There is already construction for that. Then they have a DA for another set of townhouses at the bottom, where the red dot is.

That part of the draft variation has lapsed. There really is no need to rezone those areas to RZ5. I would strongly argue not to go to that height on that spot there, particularly when you are surrounded by the rest being low rise buildings. This was the plan that Woden Green had envisaged. It was a joint venture between the LDA and the ACT government before the ACT government sold out of that joint venture. I think it was \$15 million that Hindmarsh paid over to the ACT government for that. That was the theory behind their push for having a marker building on that site, but things have happened and they have changed their mind about the development of this site. As I said, there are townhouses going in to the lower end of that site. Also, these sites have been put up for sale recently. I am not too sure whether they have all been sold.

The other element was to do with the Tradies site. An asterisk marks the spot of a marker building. It seems to be strange how they have gone for using the survey

measurement on one site and then on this site they use 24 storeys. But, as we know, with some of the developments in Belconnen 24 storeys could be any height in terms of metres. Woden Tradies have had three development applications for this site over the years, but the last one was for a 24-storey on that site. This had to be reduced. The planning authority reckoned that it needed to be reduced to at least 12 to 15 storeys in 2014 and suggested that the 24 storeys was out. This is from the planning department. It was reported in the *Canberra Times*. It was stated that 24 storeys was out of scale. I suggest that the committee go out to these sites and have a look at these areas.

When you look at Sorell, 10 storeys, and then at the new Trilogy, to have that building and then also the other building, the Health building behind, I reckon that 15 storeys is in keeping with that site rather than having a marker building on that site. You can see that the plans had to be reduced in height because of the overshadowing of Bellerive. Bellerive apartments face east-west, so they were not going to get that morning sun, that minimum of three hours that they needed. So it had to be reduced.

I will just touch on one of the public spaces that I think needs to be explored. I have suggested that areas around the creek be protected. But in respect of the one on Bowes Street, the draft recommends a short, narrow strip along Matilda Street, and the dotted line is the access road. That is north of the bus interchange; it is a car park there at the moment. But I have suggested, consistent with what Chris was saying, that if you have a look at all the sites in Woden there is no site that is marked public open space within the town centre itself. To the east of Callam Street there are some public open spaces zoned PRZ1. But even Betsy Gallagher Park is a community facility zone. So there is no site within the Woden town centre that is marked public open space. I have suggested that that whole area become a public space.

Taking away car parks is quite a vexed issue in Canberra, as you well know. But you can have one level of car parking underneath and put a nice public park on top. I have some examples showing that. There is a public park with some car parks underneath that. With this one too you can see that there is a glass elevator that goes down underneath that green space. That would certainly improve the urban amenity of Woden.

I think the Phillip pool and ice-skating rink is a difficult issue for us in Woden. We have wanted that facility upgraded to an indoor facility for so long. My recommendation is that the ACT government look at another site to build a pool, particularly with this multipurpose indoor sports facility feasibility study. It should be included in that as well. The tenant at the site, our lessee, had several years to do something with this pool during the draft variation 259. This was his comment regarding the pool, "The pool is a loser. It loses all the time with the revenue." He made some other statements about there being a crack in the pool, that it had not been fixed. I still do not know whether it has been fixed now.

That was October 2006 and then the government signed a 99-year lease in 2008 without any community consultation to actually effectively hand over the pool to the tenant at the site. A decade later and we have seen nothing. He has had offers on the site, but he still has not done anything with it and he will not do anything with it. He will be here this afternoon. I am a bit surprised that he will not do anything with it. His idea is to develop it. So the issue for us at the moment is what do we do? What is

the best solution? It is a bit of a stand-off at the moment. We could protect it. We keep saying we need to maintain a pool on that site, but he is not willing to upgrade that facility.

One consultant report said that the government should step in and help with redeveloping that site. Then this other report, which I will go to further on, was a comprehensive study for the whole Woden sports and recreation site. These had to be obtained under freedom of information. It involves quite well-known consultants, leisure groups. In their statement they recommended that a facility for Woden be built in a location within the Woden town centre. That would be the preferred outcome of this report, for greater mobility of the facility in catering for residents and also the daily workforce that live there. I think that just gets missed. The people that work there really need facilities and urban amenities while they are working there during the day.

Lastly, I turn to the building height recommendation that I have mentioned. There needs to be more explanation of what the Australian height datum is in any of the variations. I would also use the approximate metres as well and an approximate of floors, because you can have different building heights in relation to commercial buildings and residential buildings. But the line I have done there from a visual point of view is to try to protect the ridges so that people have views to the ridges rather than having buildings at the same height as Lovett Tower. That is your transport corridor also, from the centre to the east, up to Callam Street. It is still high rise, but that would sort of be in keeping with the same sort of heights that are in the city at the moment. That concludes my presentation.

MS LAWDER: Regarding the pool, you mentioned also that water usage is higher in a lot of the towers, presumably, you said, because they have their own pools. Given the development that is happening down that end of Phillip and the possibility that some of the places might have their own pool—

Mr Miller: They do, yes. They all do.

THE CHAIR: It is a certainty, not a possibility.

MS LAWDER: Do you think the need for an aquatic centre is still as great, given that some residents will have their own?

Mr Miller: That is the thing. I am not too sure if it is the case overseas as much as it is here. We build these facilities like resorts. They have to have pools; they have to have gyms. But they are all private use only. But we do still need the facility.

We have the Woden Valley Swim Club that trains in Tuggeranong. We have the Telopea Swim Club that trains out of Queanbeyan during the winter. We have still got Phillip pool, but we lost the Deakin pool, which was a 50-metre indoor facility. The planning authority then was suggesting that we would get two 25-metre pools, one for lap swimmers, one for swimming lessons and stuff like that. But we never got that. All we got was the one for swimming lessons.

THE CHAIR: Any other questions? If questions come to mind for you, members,

I think Mr Miller will be here with Ms Carrick for Woden Valley—

Mr Miller: Yes.

THE CHAIR: So we have another hour if something occurs to you. Thank you, Mr Miller. We will make another brief change. I am requested by the secretary to formally ask you for a copy of your presentation. I know you would do it anyway.

Mr Miller: I can also provide more links to some of the reference material that I cited during the presentation.

Short suspension.

CARRICK, MS FIONA, President, Woden Valley Community Council
MILLER, MR MARTIN, Chair, Woden Valley Community Council

THE CHAIR: Thank you for joining us. Ms Carrick, as this is your first time at the table, can you say that you have read the pink privilege card and are happy to agree to it?

Ms Carrick: I have and I agree.

THE CHAIR: I assume you have an opening statement. We are in your hands.

A PowerPoint presentation was then made.

Ms Carrick: Thank you for the opportunity to appear in front of this inquiry to provide the views of the Woden Valley Community Council on the draft variation to the Territory Plan, No 344, for the Woden town centre. I would like to invite the committee to have a look around Woden with us to see the issues that we raise today.

The community council would like to acknowledge that the Woden town centre is also the town centre for residents in Weston Creek and Molonglo. The idea of this map is just to show the catchments of the town centres that are social and economic hubs for all the residents of Canberra. I have not put in the city and the north and south, but the town centres. The Woden town centre picks up Weston Creek and Molonglo.

The vision for the Woden town centre in our master plan is:

Woden Town Centre is a major community and commercial hub for the Woden Valley and wider Canberra region. It will be a place that attracts people to live, work, socialise and enjoy throughout the day and evenings. The Town Square is the central focal point for social and community activity that will connect people to a network of safe, active streets and public parks.

I just want to make the point, as we move through this, that the town square is the central focal point. Unfortunately, this vision has not become reality. The town square is not the centre of activity and is unlikely to be. This is because Westfield's preferred location for activity is Bradley Street and because the east-west pedestrian spine has lost its focus as the central community area for Woden. The planning principles included in the Woden town centre master plan include community and educational facilities located strategically to strengthen the pedestrian network and create more diverse and lively areas.

If I just skip a bit and get to the 1970 plan for Woden, it shows our east-west link that we refer to. This is how it was all planned from the beginning. This would be our central area that we have. It had a hotel, a police station, a law court—which we will not be advocating for—it had a theatre, the post office and offices. The library was here. That actually ended up over here. But it had this big forecourt. That never eventuated. But this is where our pedestrian spine, our activity and our community area are supposed to be. This is the town square—and it is there still today—in the 2015 master plan, which is to be our central area.

The planning principles also include parks and public spaces to make the centre a more attractive place for people and provide opportunities for play, physical activities and passive recreation. The planning principles also include a clear pedestrian and cycle network into the centre and along main routes to provide connections between the precincts and public transport. The master plan and the reality do not align and need to be reconsidered.

In 2004 we still had a plan. This is the town square. This is the east-west pedestrian link. This is the big Woden plaza or Westfield. It had a measure in it for a new entrance to be planned between Westfield and the town square, to activate the town square. Westfield never did that. The town square is boarded up mostly and there is no activity there. The activity that happens is when the public servants, like ants, walk through here into the plaza and then they walk back again at lunchtime, but nobody hangs around in the Woden town square.

Westfield has moved the activity down here to Bradley Street, to where Hoyts was. We did originally have a theatre in the town square, in the Cosmopolitan building. That has now closed since Westfield opened Hoyts down here and Westfield is developing this area, Bradley Street, as the active area. It does not align with the master plan. Either we have a master plan that we try to implement or we do not. I do not know, but at the moment it is just not working. Here we did have community facilities around "13". Where you see "13", they were identified community facilities.

There was residential, and we are happy for residential. Woden Valley Community Council supports residential development, but it must be the right development in the right place to ensure that the benefits of densification are realised in the future. We also support community facilities and open spaces and cycle networks to support the growing population.

The question is: does the draft precinct code provide for improved social and economic activity in the Woden town centre and embody the planning principles that would provide great outcomes for the future residents of Woden? Unfortunately, the answer is no. The draft precinct code provides for residential towers but does not meet the community's needs for community facilities.

Woden is Canberra's first town centre and it is centrally located. It hosts commonwealth departments and should be thriving with activity built up over 50 years. Instead, facilities have closed. I will just show you what has closed. Here, pitch and putt has closed, the bowling greens have closed, the basketball stadium has been demolished and the tennis courts have gone. The pool and the ice-skating rink are at risk of closing. We had a bowling alley; it has gone.

The Alexander and Albemarle buildings are derelict. Lovett Tower has got six storeys occupied of the 24. The Callam Offices were empty but are starting to get a few more tenants in there, from what I understand. The CIT has closed. There is a proposal to expand the cemetery into three hectares of Eddison Park, although there is an inquiry into that too. There was a lot of nightlife in Phillip. That has all gone. So we have lost a lot of amenity. We have also lost our disc golf that Chris Redmond referred to. We have lost that to Belconnen. It was in Eddison Park.

The policies that have allowed the closure of significant community assets have left little activity in the centre and a lack of confidence in Woden both by the community and the private sector. The policy framework in the National Capital Plan and the Territory Plan includes town centres that are relatively self-contained, for the community to live, work, learn and socialise in their own town centre.

I will show you where the activity is located. This is the higher education. You have got the universities, you have got UC, ANU, ADFA, the Catholic uni. That is the learning place. You have got the CITs; you have got the big Bruce one, Gungahlin, Reid, Fyshwick and you have got some down there in Tuggeranong. But there are none in Woden. We had one; Weston Creek had one also. They have gone. So there is a big gap in the location of higher education in Canberra. It is not clear to me what the government's policy is on the equitable distribution of higher education. As we all know, it brings a lot of social and economic benefits to an area, and Woden and Weston are missing out.

Likewise with the publicly funded pools, we have publicly funded pools in Gungahlin, Dickson, Civic and Manuka. There is a new one going in at Stromlo and there is one at Greenway. There is the AIS. That would be federally and publicly funded. But, again, Woden is missing out on any publicly funded swimming pools. Ours has been privatised and it is at risk of closure because it is not invested in and, frankly, nobody goes there.

Last summer I would drive past there on a 40-degree day and there would be 10, 20 people in the Phillip swimming pool. And then I took my children not to Phillip but to Big Splash because that is where they wanted to go and it was packed on a summer's day. Our pool is not thriving and it is at risk of closing. It is not clear to me what the policy is on publicly funded swimming pools and why one electorate would have three publicly funded swimming pools in an affluent area and we do not.

MR MILLIGAN: Why do you think you are not getting the patronage at that pool?

Ms Carrick: Because it is a disgrace.

Mr Miller: It is also expensive, similar expense.

THE CHAIR: It has not been maintained since I was a kid and went there.

Ms Carrick: You have been? It is horrible.

Mr Miller: I think it is just maintained to the level that you can keep it open.

Ms Carrick: The rule is that he must maintain a 50-metre swimming pool. He does not have to maintain the amenity around it. If you go into the toilet blocks, the showers, it is gungy. Taps will blow off the walls. It is just not maintained.

Likewise with the arts facility, if you have a look at where artsACT have their publicly funded arts facilities, there are a lot over here in south Canberra. They are traditional, from the beginning. They are all around. There is the arts centre in Tuggeranong. There is nothing in Woden-Weston again. If I were to do the same with

the indoor sports halls you would find the same thing. There are indoor sports halls around but they are not in Woden or Weston. If you were to overlay all the publicly funded facilities around Canberra you would find that most are on the north side, there are some in Tuggeranong, but there is a great dearth in Woden and Weston.

MR MILLIGAN: They are publicly funded ones?

Ms Carrick: Yes.

MR MILLIGAN: It does not include any privately funded ones by private organisations or businesses? Are there any in the Woden Valley area that do accommodate those publicly funded ones that you have listed here?

Ms Carrick: We have the privately funded pool but that is at risk of closing.

Mr Miller: We had the basketball courts, obviously, that were privately owned.

Ms Carrick: Yes, they were demolished. We did have the pitch and putt. They have been sold to developers. Our point is that we are not saying that all community or sporting or recreational facilities should be provided by the government. Most of them should be provided by the private sector. Things like pitch and putt or a bowling alley should be provided by the private sector because they make money.

Our point is that community facilities and sporting facilities that do not make money should be provided by the government. Our examples are: a community arts centre—it is not going to make money—and a CIT, which does not make money. It is subsidised by the ACT government to the tune of 75 per cent. A municipal swimming pool does not make money. They are subsidised by the ACT government. A multipurpose sports hall does not make money and is subsidised by the ACT government.

In relation to these four facilities that do not make money, we are saying that is what we pay our rates for and the ACT government should provide those facilities that do not make money. Outside of that, in relation to the facilities that the private sector can make a profit from off the community, the private sector should provide those ones.

THE CHAIR: There has been a bit of investment, though, in the sporting facilities at Stromlo?

Ms Carrick: Yes. That is correct, but we are looking at the whole concept of how you create activity. It is in the town centres. We are trying to collocate activity in town centres to create activity. The problem with Woden is that the activity is scattered around and it is not collocated in the centre. Stromlo does nothing for Woden and the activity of Woden and the kids of Woden. How are the children of Woden to get to Stromlo? What sort of public transport will go to Stromlo?

MR MILLIGAN: That is a good question. How far are people prepared to travel too?

Mr Miller: About a similar distance to the Tuggeranong pool, I guess.

Ms Carrick: But you can catch a bus to the Tuggeranong pool. If people are to say that the Molonglo pool is for the Murrumbidgee electorate—it is for Woden as well—how do the kids of Woden get there without their mums driving them around as taxi services? Then that defeats that whole purpose of having your public transport spine and trying to minimise the use of cars.

MR MILLIGAN: But I guess if you look at an increasing residential density in Woden, in the town centre, obviously it would be a good reason to have more amenities and services within that town centre itself?

Ms Carrick: Yes, and that is what we are saying. We want the amenity in Woden, in the town centre. We do not want it scattered around Woden. We want it in the heart so that there can be activity there. When a kid wants to go and do some busking, you can go somewhere where there are people. When you have your relatives come from interstate you can take them to Woden and you will know that there will be some people there, because currently there is nowhere to go.

Mr Miller: I think that is the issue too with the Canberra Hospital, located 1.5 kilometres away. If you were doing the planning again, you would have that closer to the town centre. You have seen that they have moved support staff out of the Canberra Hospital into the new offices in Woden just to make up that shortfall in public servants that we lost with the federal government transitioning them out of Woden to other areas.

Ms Carrick: I will just keep going. Although the vision in the master plan provides for the town square to be the place for the community to meet and socialise, this concept appears to be diminished, with the precinct code including 28-storey buildings that will overshadow the town square and reduce place-making in the area. Consultation for stage 2 of light rail will also overlook the east-west pedestrian spine by locating the station south of the bus interchange. I have an overshadowing diagram, but I will have to do it after this presentation because we will have to change the technology.

I would just like to make the point that I asked the Chief Minister on talkback last Friday about—this was the question; I sent it in by text—increasing the activity in Garema Place. The question was:

In addition to the pop-up park and the new hotel between Bunda Street and Garema Place, is the strategy to bring people to the area, building up high-rise residential around it, and do you therefore have any concerns about overshadowing?

And this was the Chief Minister's response: "No, I don't think it would be appropriate to have high-rise residential around Garema Place. It certainly is appropriate in the broader city, and, yes, there is an agenda to increase the residential population of the CBD, and there are a number of projects and land releases that are underway now that will achieve that outcome. We certainly need to be conscious of the aspect of that particular place, so in the middle of winter in particular when the sun is low and coming from the north, principally then, yes, you would not want overshadowing of Garema Place in that context."

My question is: if you do not want to overshadow Garema Place, why are we overshadowing the Woden town square with 28-storey buildings on the northern perimeter? I will show you a shadow diagram of that at the end.

MS CHEYNE: Fiona, the table that you had up before: are you able to bring that back up? I just do not understand it.

Ms Carrick: To instil confidence in the policy settings for Woden, the draft precinct code needs to be reconsidered with the community's needs in the plans. Attractive public places need to be created so that the 35,000 people in Woden and the 30,000 people in Weston Creek and Molonglo have a place to meet in the town centre.

That was your question, Nicole, about the community facilities in the high-rise towers. It is not just about the people in the high-rise towers. We need these community facilities for the 35,000 people around Woden and for the 30,000 people that will be in Weston Creek. Those 70,000 people cannot go into a pool of a high-rise building. We need one for the public. So the Woden Valley Community Council is pleased to participate in the Chief Minister's vision for Canberra, as stated in his document *Canberra: a statement of ambition*.

Celebrating our centenary has helped us focus on what's special about our city and confirmed our exciting future. As a government and as a community, we must build on that feeling and create that future together.

Cities don't succeed by accident or by leaving things to chance—they require desire, good governance, and great collaboration.

And that is what we want to do—have some design like we had with the 1970 and the 2004 plans. We want a plan for where we could locate our community facilities.

We know that the Gungahlin precinct code contains many features that are not included in Woden's draft precinct code. For example, an entertainment precinct, a community and recreation facilities precinct, sites for surface parking, a cycle network and a public transport stop.

If you compare the precinct codes of the town centres—our draft Woden one, Belconnen, Tuggeranong, Gungahlin—you can see that Gungahlin has a road hierarchy and the others do not. There is a pedestrian and cycle network identified in Gungahlin but not in the others. There is a leisure accommodation area in Tuggeranong. There is an entertainment precinct in Gungahlin. I think you have to double-glaze your windows; there is some noise mitigation information there.

Public transport stops are identified in Gungahlin but no-one else has them. There are sites for surface car parking in Gungahlin but everybody else's can be developed. They have some public realm design. Gungahlin Place has some design attributes in the precinct code. They all have active frontages. There is landscaping, primarily in the Gungahlin one. There is a major community and recreation facilities precinct in Gungahlin but the others do not have them.

Our priority concern is with things like the cycle network. If we do not have a cycle

network, how are we going to identify it in the precinct code? We are not saying that you have to build it right now, but reserve the alignments, identify it, so that when the high-rise buildings come along they do not build it out. For example, look at Bradley Street. Our cycling network is in our master plan but it is not in our precinct code. For example, a development application in for our north-south alignment runs up Bradley Street. The development application does not mention a cycling network and where that would be. This is the main alignment, right through the middle of Woden.

MS ORR: Gungahlin does not have a master plan.

Ms Carrick: They have got a precinct code; that is what we are talking about. This is in the precinct codes.

MS ORR: This is the point I am going to—we do not have a master plan, so the precinct code has a lot of additional information in it. It is not like all this stuff is just forgotten—there is a master plan.

Ms Carrick: Yes, but the difference is that the precinct code is law, and it must be obeyed, whereas a master plan is just a policy document—you can just ignore that. So you want to have it in your precinct code, where you have to take account of the alignment of a cycle network.

MS ORR: I am not going to get into a fight with you over planning technicalities. Please keep going with your presentation.

Ms Carrick: Okay.

MS CHEYNE: In relation to Belconnen, what does “no rule—minimal detrimental impacts including overshadowing, excessive scale” mean?

Ms Carrick: That is what it says in your precinct code.

MS CHEYNE: What does it mean? Does it mean that no limit leads to minimal detrimental impacts?

MS ORR: In the precinct code.

Ms Carrick: That is what it says.

THE CHAIR: That is the big plan you are planning to change in Belconnen and put limits in. Do you remember?

Ms Carrick: Exactly.

MS CHEYNE: This table’s utility is weird, because Belconnen—as you are well aware—has a finalised master plan. The intention is to codify some of the —

Mr Miller: Yes, do another precinct code.

Ms Carrick: This is the interesting thing: what gets codified and what does not? So

will you codify a local cycle network in your precinct code?

MS CHEYNE: I am not sure. Belconnen is different: one, we have a Belconnen bikeway election commitment, for starters; two, some things are not the responsibility of a precinct plan.

Ms Carrick: If you already have your bikeway, you might not need to codify it. But if you do not have the alignment then you might need to codify it so that it is not built out. How do you stop a developer when you sell the block—

MS CHEYNE: Maybe the codifying is through making sure there are appropriate setbacks for buildings?

Mr Miller: I suspect that is what would be in the precinct code.

Ms Carrick: Yes.

MS CHEYNE: I think we are potentially conflating responsibilities in different electorates.

Mr Miller: The bikeway plan would have it going along a certain street. It would make sure that any development would not move that bikeway into a shared zone or something like that. That would go into the precinct.

Ms Carrick: Why, in the precinct code for Woden, is a cycle network on Athllon Drive identified? If you want to, you can identify them. They have identified one for Athllon Drive. This is in the Woden town centre. This bit here is not identified. They want to develop Athllon Drive. There is a bit of cycle network identified just here.

THE CHAIR: We need a reference. Which of the various plans was it? We cannot read it from here.

Ms Carrick: That is the draft Territory Plan.

THE CHAIR: It is the current recommended draft Territory Plan, so we all have it.

Ms Carrick: Yes, No 344—why we are here today—that draft.

THE CHAIR: Which page?

Ms Carrick: The cycle network identified is on page 16, on Athllon Drive.

Mr Miller: I think the master plan makes some recommendations about improved connections of the cycling networks. Some of those have been completed in terms of shared paths. There is a separated path going along Matilda Street, but it does not show any proper connections.

Ms Carrick: The point of the whole thing is this: how do you get into the town centre? How do you get the people in? Look at this. It is a disaster: trying to get from the Canberra Hospital to the town centre, wiggling your way through a maze of streets.

That is what happens if you do not identify an alignment.

Mr Miller: That was identified in the Woden master plan. It says “enhance the connections”. Walking and cycling you could have there.

Ms Carrick: This alignment is terrible.

THE CHAIR: Yes.

Ms Carrick: And that is what happens if you do not identify how the people from the suburbs will get into the town centre.

Mr Miller: I think that is the problem with the—

MS ORR: So I am on the same page as you—

Ms Carrick: Yes?

MS ORR: You say, “This is terrible.” Can you please explain what, in your view, makes that terrible?

Ms Carrick: Because here you are going on a combination of streets, on paths; you are zig-zagging your way over to the town centre. It is not conducive to cycling, as you are up and down curves, you are next to the cemetery and you are over in the streets.

THE CHAIR: The road takes corners and—

Ms Carrick: Yes—corners, roundabouts. There is no alignment straight through—like a cycleway—to get from the hospital to the town centre.

MS ORR: I just want to understand why you say that it is terrible.

Ms Carrick: It is terrible for cycling or walking access. It is terrible access.

THE CHAIR: I live just next to the hospital and walk into Woden. It is very frustrating. You do not go anywhere straight. You can see that you are going twice as far—what feels like twice as far—as you have to.

MS ORR: It sounds like you have to go around the cemetery. Are there already a lot of things there, so you could not improve the alignment of that road?

THE CHAIR: Yes. Going back in history—I lived in Gowrie from 1985—there was nothing there and you just walked through the fields, which was fine. But there has been lots of random medium-density development and I cannot see how you can fix that now.

Ms Carrick: The roads are all circular and like so.

THE CHAIR: No-one has thought about it.

Ms Carrick: When they put in all the housing they did not put an alignment through.

Mr Miller: That is right. Because it was built in the 70s the road transport planning is of that era. You effectively have room for a six-lane highway around the town centre itself.

But going back to the hospital link, when I was president I walked with some people from Transport Canberra and Dr Rodney Tolley, an international walking expert. We walked to a few places and he was not too impressed with that route and also other areas within the town centre itself.

Ms Carrick: From down in Pearce you cannot get in. There is no way in. This is a major road. There are two big schools—Marist and Melrose high—and you cannot cross the road.

MS ORR: Something you have been quite vocal on, for lack of a better word, is the shadowing, and I would like to take some time to talk about that. You made the case in your speech about the town square and the role you see it having within Woden. I am interested in the shadowing and the analysis you have done because it is different to other analyses in other submissions we have seen. I want to get an idea of what you modelled yours on, how you have gone about it and what led to the conclusions.

Mr Miller: The majority of submissions that have made development applications have a lot of shadow diagrams in them, which we have used.

Ms Carrick: No, I have got a map—

Mr Miller: And then there is one that Fiona has from the planning directorate.

MS ORR: So let's talk about attachment F. How did you come up with attachment F?

Ms Carrick: That is the ACT government's one. That was supplied by the ACT government.

Mr Miller: The ACT planning authority.

Ms Carrick: They brought that to a presentation.

Mr Miller: As an example of what would happen if a building of that height was placed directly over the town centre.

Ms Carrick: So this is 16 storeys. Frankly, it does not really matter if you have got 16 or 28; once you go above the three we currently have, you start taking out the sun.

Mr Miller: The winter solstice is 31 degrees, I think, so you take that angle with your geometry—

Ms Carrick: It is not only this building on the north—Bank House—it is the post office; that is going up too. This whole area is zoned for 28 storeys, so we could

be in a vertical tunnel in the shade. As I said at the beginning, that town square is supposed to be our central area for social and recreational activity. If we have a look at the heights, where that marker is is the town square and “A” is 28 storeys all around it.

Mr Miller: Twenty-four storeys plus four storeys where they can satisfy that density bonus in terms of this variation.

Ms Carrick: The Chief Minister said they would not do that in Garema Place; you would not surround Garema Place with high-rise residential; you would put them more around. So it is not clear to me why we are surrounding our town square and our social meeting place with 28-storey buildings.

MR MILLIGAN: Regarding that green space and the shadowing, you mentioned that the cafes and businesses need certainty and confidence and whatnot. Have you consulted with the businesses at all as to how this potential height rise might impact their businesses in relation to the weather and patronage, particularly during the cold months?

Ms Carrick: As it is, to date, there are no cafes in our town square—not one.

Mr Miller: There have been cafes and stuff like that, but they have closed.

Ms Carrick: And so there is no-one to consult with.

Mr Miller: But most businesses want more people living there and more activity. You can increase density without increasing building heights. You can have different forms of density, and that is our point.

Ms Carrick: We are not anti-development; we are happy to have development. Have development, put it around, but just do not put 28-storey buildings on our social amenity, or what is supposed to be our social amenity.

Mr Miller: Have a level of density or building height that is suitable for the town centre. It is a town centre of 30,000 people, and these building heights would be higher than some of the smaller areas within Sydney, like Bankstown, with 30,000. They only have buildings up to 15 or 16 storeys. Newcastle and Geelong do not have buildings of this height, and they are much bigger town centre areas.

MS ORR: Just to clarify, this was supplied by the ACT government? It is modelled on a 16-storey building and it was provided at a council meeting?

Mr Miller: Yes.

Ms Carrick: It was a slideshow that Gary Rake brought.

MS ORR: And what other things were contained in the slideshow?

THE CHAIR: You could probably provide us with the entire slideshow.

Ms Carrick: I can provide you with the slideshow; it is actually on our website. I will provide it to you.

MS ORR: I am interested to know how it was explained when it was presented. What was your takeaway from the explanation?

Ms Carrick: It seemed to be skirted over; it was not really addressed. They just put the slideshow up. It was a big meeting; there were 180 people. Public housing was also on the agenda that day, so there was not the opportunity to drill down and ask questions about it. It was put up on the screen, “Here’s the shadow diagram,” and we moved on.

MS ORR: What I am trying to get my head around is that this shows one example of shadowing that could happen. In another submission, while the height is similar, the envelope of the building is quite different, so the shadowing effects are different.

Ms Carrick: What are you referring to?

MS ORR: It was in part of the public consultations, not to the inquiry but to the draft Territory Plan variation itself. I think it was in the submission of Cromwell Property Group.

Mr Miller: Yes, they own Lovett Tower and they also bought the Borrowdale House site.

MS ORR: Yes. For the record, I am not saying I endorse either one or that one is right and one is wrong. What I am trying to get at is that we have two different outcomes from two different scenarios, so—

Mr Miller: Those buildings are in different positions.

MS ORR: Yes, but can we then say it is a fait accompli that this will happen? It sounds like the design and the positioning of the building has a lot to do with it.

THE CHAIR: They are different buildings.

Ms Carrick: I will get my shadow diagrams and we can see.

THE CHAIR: We will suspend for a second while we change technology.

Short suspension.

Ms Carrick: This is a shadowing app.

MS ORR: What is the name of the app?

Ms Carrick: It is called “Find my shadow”. You can change the setting to the winter solstice, to summer or to any day of the year. You can pick any day of the year. We are in Canberra; you pick where you are. If I scroll down, this here is our bus interchange; that is our town square in there. It is in the shadows. You cannot see it.

That is our east-west link that we refer to. This is Borrowdale House, which is going to be a structured car park, but it has to be strong enough so that it can go up to a 28-storey building. That is on the north-west corner of our town square. That is Bank House. That is allowed to be—it is all zoned for—28 storeys. All these become 28 storeys. This one is not. This one has a lower height because it is already in existence. This is next to Zapari. This is actually the current Medibank building. It is on the north side of our bus interchange. It will be a 25 and a 15—I think that is what the DA is.

Mr Miller: Sixteen.

Ms Carrick: Sixteen and 25 storeys.

THE CHAIR: I was going to say that it is higher than that.

Ms Carrick: Sixteen and 25 storeys. Anyway, when you play the app, this is the winter solstice shadowing. That is our town square just there. We will be having 28-storey buildings on the northern boundary of our pedestrian recreational area. This here, assumedly, is where the light rail will stop at the bus interchange. This whole bus interchange area will be just shadowed, cold and miserable. People will not stop. They will just run from one side to the other to get through.

Mr Miller: I think that, if I could just—

Ms Carrick: I will show you some.

Mr Miller: With that Cromwell one, that was not the DA that they submitted for their structured car park.

MR MILLIGAN: And that is from sunrise to sunset?

Ms Carrick: That is sunrise to sunset. That is not the winter solstice. You can see—it is interesting when you change the arc of the sun. In summer it does not shadow the town square because it goes so high. I will show you summer in comparison. You know this, but seeing it is interesting. That is 22 June. You can see the arc of the sun changing if we play it. The sun is so high. Now, this is the afternoon. We are getting to the evening, now late at night and then it starts again in the morning. Because it goes right over the top it does not shade the town square.

MS ORR: Can you pick a month forward and then another month forward so that we can see throughout the year how it changes?

Ms Carrick: Yes. That is summer. What if I do autumn? Do you want to see the change in autumn? Do you want to see either side of winter or either side of summer?

MS ORR: So what month have you got? Is it December?

Ms Carrick: December.

Mr Miller: Yes; that has just ended.

MS ORR: So maybe pick mid-February.

Ms Carrick: You can see the arc of the sun changing there in February. The sun goes down.

Mr Miller: I think within the draft variation code it just states that there is reasonable light into the town square.

MS ORR: Can you go another two months forward and do May, for example?

Ms Carrick: Yes.

Mr Miller: And we think that is not really good enough.

Ms Carrick: If you are going to invest in a cafe, you want it to be pretty much most of the year that it is available.

Mr MILLIGAN: They have achieved most of the year, however.

MS ORR: Take 12 May, for example.

Mr Miller: Obviously you do not want to be sitting in a windy square. I mean, there are things you can do to mitigate some of the windshear in the draft variation.

Ms Carrick: So in all of that the town square is gone.

MS ORR: Can we go to the winter solstice, in June?

Ms Carrick: Yes.

MS ORR: So can we go to July and August just to get a feel for the other side?

Ms Carrick: Yes. May is no good.

MR MILLIGAN: Obviously it would be quite difficult to get the right medium for 12 months of the year.

Ms Carrick: That is true but 28 storeys. I mean, as the Chief Minister said about Garema Place, put residences around the city. Do not put them right over the top of your social square. I do not understand. If that makes sense for Garema Place, why does it not make sense for our town square? I guess that is my point.

MR MILLIGAN: And this is based on 28 storeys all around, apart from the middle one.

Ms Carrick: This one is lower and this one is lower because that one is zoned for 16. That one is lower but, yes, these ones are—

MR MILLIGAN: But the rest are 20.

Ms Carrick: I put them on about 100 metres because Lovett Tower is 90 metres or so. That is 24 storeys—93 or 94 metres is Lovett Tower; so probably around 100 metres.

THE CHAIR: So which month are we up to now?

Ms Carrick: We are up to July.

Mr Miller: I think for 100 metres, the term is skyscraper. That is the level that skyscrapers start at.

MS ORR: Can we do September? I think we need to do a bit more to get a feel for—

THE CHAIR: We will have a representative sample. Then, in the interests of the Hansard recording, can you go back to your allocated seat? It makes life easier for Hansard.

Ms Carrick: Yes, no worries.

THE CHAIR: Thank you. If you have pretty much finished the presentation, we should go on to questions.

MS ORR: I have one more question. You raised windshear as a point too. I was wondering whether the windshear was based on what is already there. Is there an assumption that it would be increased with more development?

Ms Carrick: No. My understanding is that these days they can mitigate windshear with the new buildings that they build. They add balconies. They put things—

Mr Miller: A podium is enough.

Ms Carrick: to break the wind coming down.

Mr Miller: And also the spacing between the buildings is important. A good set of guidelines are the Toronto city guidelines for high rise. They note that for spacing between the buildings you need at least a 25-metre gap. If those two buildings are 25 metres on that Cromwell report, that is a 15-metre gap between that walkway. So not only do you just get the downdraft; you get the squeezing of the wind through the buildings as well.

MS ORR: Would that not be based on the wind that is prevalent in Toronto?

Mr Miller: High-rise buildings create their own microclimates. They actually bring down the wind. You can see in Woden square the vortices that happen in that area.

MS ORR: It is based on the assumption that it is already there; though, as you have noted, there are ways to mitigate those sorts of things.

Ms Carrick: I would assume that any new building that goes up would have mitigation strategies in place. Hopefully, something could be done about Lovett

Tower to mitigate the windshear that is coming off that one.

THE CHAIR: I have one question. There have been a variety of master plans. How much has the draft Territory Plan variation differed? As I said, there are a variety of master plans. Is the most recent master plan a fairly faithful representation?

Ms Carrick: The current—

Mr Miller: I guess it only looks at one part of the master plan, or what the master plan recommends, in terms of building heights for different sites.

Ms Carrick: The precinct code does not implement the master plan. All it does is provide for the building height, the building setbacks and awnings. They pretty much are the main things that it caters for. It does not identify where we would have an entertainment precinct or where any community facilities would be. It says that it builds on the 2004 master plan, but I do not think it does, personally, because the 2004 master plan had identified where we would have community facilities.

It said we would have a CIT. In fact, if you turn to page 2 of the draft variation it says in the site description for the Woden town centre:

The centre has a significant employment base within the ACT with Commonwealth departments and retail being the largest employer. The centre also contains a number of important community, education and recreation uses including Woden Community Services, child care facilities, health related facilities, Woden Library, Canberra College, Canberra Institute of Technology, Eddison Park, pocket parks and ovals.

So it says here that the Canberra Institute of Technology is an important community asset for the area, but it has been closed. This was done after it was closed, so how can it can say that it is an important asset? It is sloppy. I am sorry; it is sloppy. I do not know if you have the master plan, but there is a bit of humour to finish up. Page 57 of the master plan, if you have a look at that, has got an area that says, “Lack of after-hours activity.” Do you see that, that brown area? That is the cemetery. That, there, where it says, “Phillip—

Mr Miller: Technically they are right, I suppose.

MS ORR: I have one quick final question. Ms Carrick, you head the Woden Valley Community Council. The last time there were variations was 2015 and a couple of years after that. Were you involved in the master plan?

Ms Carrick: No.

MS ORR: Mr Miller, were you?

Mr Miller: Yes. The master plan actually started at the end of 2012. Work started then. It paused for a bit because the city to the lake plan was released. So a lot of the planners went on to that consultation. It started up again in 2013-14. I was present during the 2014-15 stage as well. I spent a lot of free time walking around with consultants and all the rest of it. I was involved in that sort of thing.

Ms Carrick: We invite you to come and have a look at it because the current policies are not working. I spoke to a real estate agent and asked, “Why would people come to Woden without the facilities?” He said, “Because it is very central, so people will come.” But if you do not put facilities in the town centre there are still not going to be the 35,000 people, and all the Weston Creek people are not going to go to the town centre and use it just because there is high-rise residential there. You still need a reason to go there.

THE CHAIR: Thank you very much, Mr Miller and Ms Carrick. You will get sent a transcript of these hearings in a couple of days. If you have any corrections, please send them back to the secretary.

The committee suspended from 11.01 am to 1.59 pm.

PINKAS, MS GEORGINA MAY
ERETT, MR CHRISTOPHER MARK

THE CHAIR: Good afternoon, everyone, and welcome back to the public hearing of the Standing Committee on Planning and Urban Renewal inquiry into draft variation to the Territory Plan No 344, Woden town centre, zone changes and amendments to the precinct map and code. This afternoon we are hearing, firstly, from a panel of representatives from the ACT community followed by a number of private companies and developers.

Before I start, I draw your attention to the pink privilege card. Can you confirm for the record that you understand the privilege implications of the statements?

Mr Erett: I do, yes.

Ms Pinkas: I do.

THE CHAIR: Can I also remind you that Hansard is recording this for transcription purposes and it is being webstreamed and broadcast live. I do not quite live in the area but I do live close, I think about 100 metres away from Jessup Place, to wit. Where I live is not terribly exciting, but it is very close to an area that may be sold. But I have not prejudged the results. Has either of you got an opening statement to make?

Mr Erett: Yes.

Ms Pinkas: Yes.

THE CHAIR: You choose amongst yourselves who goes first, obviously.

Ms Pinkas: My name is Gina Pinkas. I am a private citizen. I am not representing anyone. I am representing caring for the people of the ACT. You all have read in my submission my many years of doing that. I, sadly for me, cannot give up caring for the people of the ACT. So that is who I think I am representing, but they do not know that.

I apologise that there are a couple of errors in my submission, which I will correct later. I did do it in a rush because I have been away from planning for quite a few years and I have been overseas having a lovely life so when I got back I thought, “I had better get to grips with this,” and now I have. I realise there are a couple of errors. I will fix those in a little bit when I get to it.

I thought it would be helpful for the committee, particularly as there are new members of the Assembly here, just to give you a tiny bit of background on the Woden master plan as it was changed by Simon Corbell when I worked for him as his planning adviser. Don't worry; I am not going to get into all the detail. But the Territory Plan before protected all that recreational land along Melrose Drive where the swimming pool and tennis courts and whatever were. I am talking about around 2006-07.

There was also the wonderful master plan from 2004. At the time when Simon agreed to change the Territory Plan to what became substantively what is there now—before this interim variation—there was the fact that the master plan was to fine-tune the

Territory Plan and the master plan was to be a statutory document.

Simon signed the master plan off and it went back to the planning authority and, unfortunately, much to his annoyance and mine, it was never gazetted by the planning authority. It was never a statutory document, which meant that people had open slather to develop and plan in the town centre, as per the new Territory Plan, without the fine-tuning of the 2004 master plan. I do recommend that you have a look at that because certainly the Woden Valley Community Council, as well as I, think it is a really good master plan as well, even though things have moved on.

One of the good things about it is that it actually gives quite specific recommendations like a new pocket park, a new police station, club and indoor sports hall. It sets there the context of what should be in locations, which achieves a lot of the outcomes. The Woden Valley Community Council, which I am not representing, are very concerned that we have got broad-brush planning and it is not linked to achieving outcomes. So I do recommend that the committee have a look at it, just to get some background.

Unfortunately, this is not a statutory document and I understand—I may be wrong—that the new master plan is not a statutory document. Is that correct?

THE CHAIR: That is my understanding also.

Ms Pinkas: Thank you.

THE CHAIR: I am obviously not representing ACTPLA or—

Ms Pinkas: I certainly think master plans should be statutory documents. It may be something for the committee to consider.

The other thing that concerns me is that this draft variation has an interim effect, which means that, while these inquiries and that are going on, anyone can put in a DA under the master plan and keep going, get approval before the Assembly has a chance to comment or the committee puts in its report. I am concerned that major variations to the Territory Plan do have an interim effect which allows all sorts of development to go ahead.

I will just now make my point about my errors. In my item No 3, I think it is, to do with community facility land, I refer to objective D. It should be objective E. I confused myself when I tried to find it. They are the objectives at point No 4, I think it is, or point No 3.

THE CHAIR: In point No 3 you have got naturalisation of land.

Ms Pinkas: Sorry, I will get there in a minute.

THE CHAIR: Naturalisation of Yarralumla Creek in E2.

Ms Pinkas: No, it was not that one. Sorry, it is about the community facility, No 1, rezoning to allow the objective in the Territory Plan. I wrote down the wrong number.

It is actually objective E I am referring to.

My last point, which seems a bit mad in retrospect, was talking about the land around the oval. It is that additional point, the land around the oval. I did not understand the Territory Plan when I was writing this and I realised later that the land is all commercial land there. My point about conflict with adjoining actions like noise and whatever still stands, though. I will get on to that later. I am just saying that, really, that was the wrong point to make.

One of the specifics that I wish to bring to the committee's attention and the point that really concerned me—and I think it has concerned a lot of the community and I know, Madam Chair, you did raise this in the Assembly—was when they added “social housing” to “supportive housing”. That is a huge change, as most of you would appreciate, to allow social housing on community facility land. Obviously the government needed some land when it decanted people from their homes along Northbourne Avenue to make way for the tram and to get some money.

But social housing is a large use of community facility land. It was, in my opinion, snuck in as a technical variation and I think it was quite dishonest of the government to do that. I noted that Caroline asked a whole lot of questions in the Assembly and the minister said:

Technical amendments allow for minor changes to be made to the Territory Plan. These include clerical, routine, language, technical operation and minor policy updates to the Territory Plan.

That certainly was correct and I was around when that was put into effect. It certainly was not intended to add social housing, which is a huge policy change. The minister went on:

A decision was made to add “social housing” to the common terminology under the definition of “supportive housing” in 2015 via a technical amendment ... The addition of “social housing” to the common terminology of “supportive housing” was considered to be a clarification of the language of the Territory Plan without changing the substance of the Territory Plan ... This change was made to provide a further example of the type of permitted development ...

I am sorry, minister; in my opinion and in much of the community's opinion, social housing is a major change. The reason I am bringing this up is that the draft variation proposes to change a small segment of land to community facility land. I have only got one comment to make on that: we do not want to see housing taking up that very, very minor but important part of land for the town centre.

I would just like to, because I have got the chance to do it, actually explain a little more about the difference between social housing and supportive housing. This comes from the top policy organisation for housing in Australia, AHURI, which is the Australian Housing and Urban Research Institute. They state in regard to supportive housing:

Initially originating in the field of mental health and disability, supportive

housing has come to represent an important component in contemporary efforts to end homelessness in Australia and abroad ... supportive housing encompasses an array of service models that seek to integrate the provision of affordable ongoing housing and support to different target groups with varying strengths and vulnerabilities.

Now, that actually means that you support the people in their housing. If you do not believe that one, Wikipedia, which most of us believe these days, says:

Supportive housing is a combination of housing and services intended as a cost-effective way to help people live more stable, productive lives, and is an active “community services and funding” stream ...

I just want to emphasise that certainly social housing is not supportive housing and it should not be such. Maybe the Assembly might one day like to do an inquiry into social and supportive housing.

Getting back to the draft Territory Plan variation briefly, that is the only reason why I suggested that we should not allow that change to community facility zoning. However, if the committee could recommend that there be no housing associated with that small piece of land, I think that would suffice in this period, because there is so little land for community facilities in the Woden town centre that to put social housing there is just going to take up a lot of scarce resources where there is a need to have more program-oriented community facilities. I am happy to answer questions on that later.

On the height issue I have only alluded to one example, but Martin Miller in his submission to the committee raised a whole lot of points about the social and environmental impact of high-rise dwelling towers. There has been very little assessment of the impact of these; there is very much discourse on the internet, which I refer you to. I am happy to give you a list of articles and whatever if you wish me to submit those later.

Let us talk about 28 storeys, because all of us know that clever developers would actually make sure they got the extra four storeys as well. In my past experience, when it is required an innovative proposal will actually get an extra storey or whatever. I have never seen a very thorough ACTPLA assessment of “innovative”. Innovative can be anything. Let me assure you, the four storeys will be sought after anyway. The point is: I am going to call them 28; you can call them 24 or whatever.

One of the big issues with the Woden town centre, as we all know, is windshear. When I used to do comments on variations to the Territory Plan, as the Woden community council planning officer—and I did heaps of them—windshear was the major factor they quoted, because the only records we had at the time were at the airport. The Woden town centre is a far different microclimate to the airport, and wind is a major factor in the town centre. I think it has been quite destroyed by all the buildings that are already there, but 28-storey towers are going to create huge alleys with wind and all sorts of things.

I heard someone say earlier today, when I was listening on the computer, that you can ameliorate that to a certain extent. In my experience I have not seen it satisfactorily

done. They may be able to do it with structures, but quite often those structures get blown off. I would be interested in any examples of where it can be ameliorated.

The shadowing the Woden Valley Community Council addressed quite adequately as far as I am concerned, especially on the town centre. I agree wholeheartedly with their comments. I listened to them all. I think that it was a very good submission. I do not understand why we have to have such high-rise towers in the Woden town centre. I know Belconnen has some. However, I am talking about Woden here and I just really, really want to stress that the social impact of living in high-rise towers—and that does not mean six storeys; it means high-rise—has not really been assessed on families and children and where do children play, where do they go to school, all those issues.

I am not saying we should not have density—I am all for it, especially in the town centre and associated areas—but the issue is that you can get very good density with very good planning in other areas. I cite Paris and London for a start but, as well as that, if we want to be more sensible, Subiaco, in Western Australia. I am sure there are other examples that you can find where you can get good living environments and good density. I think that to build these places without knowing the long-term social, physical and environmental impacts is actually quite non-responsible. I think that is probably the nicest word I can think of.

I have talked to a few people, including someone who was senior in the Land Development Agency, about what developers thought were the best environmental places—heights and that—and the general consensus that I found, talking to one academic from Griffith University and looking at a paper he wrote and talking to other people, was that about six storeys to eight storeys was the ideal height for an environmentally sustainable building because of the ongoing operational and environmental costs, as well as the building costs to start with. I think you are all aware of some of those impacts, what they can be long term especially: power outages and a whole range of issues. I just question why we are going to this height when we can achieve density with more sustainable and better planning outcomes than just building a whole stack of 28-storey towers.

As some of us at the Woden Valley Community Council meeting giggled, “We do not need to have marker buildings to tell us how to get into the town centre.” Most of us go along a footpath or a road, and marker buildings are just another excuse to build more high-rise buildings. The dreadful Sky Plaza will not be improved by building a 28-storey or whatever is allowed across the road from it. It sticks out now and it will stick out always. It is somewhat unfortunate planning. I would contend that the idea of 28-storey buildings is not on, for a range of reasons which I have outlined in my submission.

I would like to urge at this stage that the Assembly one day decide to conduct an academic inquiry into the impact of these buildings. Somebody said to me, “You wouldn’t get any developers to come.” I was not looking for developers to come. I was looking for people who would have researched this around Australia to do some sort of workshop here in the ACT, where we could have the top academics and people like that coming together to work out the state of art, because we are going to be doing this all across Canberra. Before we rush headlong into this and are never be

able to pull back from it, it would be good to know what we are actually going into. If it turns out that it is all fabulous and people are happy living there, I am not going to worry about it. But I am just saying we need to know and we do not know at this stage, as far as I can see from all the research I have looked at.

I would like to talk briefly about the Phillip pool because the owners of the pool have made a submission to the committee. The Phillip pool, as we all know, is pretty poor, and the ice-skating rink, which was provided by the owners of the lease many years ago, is a major recreation facility for the people of the ACT who like ice-skating. People say it is old, it is dilapidated and that. Tell that to the people who use the North Sydney Olympic pool, which is much older; tell that to the people who use Dickson pool, which is very vibrant and around the same age; tell that to the people at Big Splash that is just a bit younger than the Woden pool.

In other words, it has been very, very poorly managed. It was leased on a rental lease for 10 years, when I was running sport and recreation. I did not lease it but somebody else did. That lease had expired. The government could have resumed the land then as public facility, but at the time it chose to sell the pool, which was a municipal pool, without the public knowing, to the then expired leaseholders. When I say “sell”, it was actually a rental lease and it was \$17,000 a year rent at the time, increasing by CPI. This was after 2007. I have forgotten which year but it was after that. These people now own the lease, which is fine; they are entitled to own the lease. I presume they have paid it out now; they have paid a capital sum for it rather than a rental sum. I do not know this.

The issue I want to raise is that there have been a range of pools in Woden during my lifetime. Several of them have been sold, have closed or whatever. The government should set up a facility which is operated as a big, large facility such as the Tuggeranong pool, which I was initially responsible for. It works very well; it is a wonderful recreation centre. That is the model we need.

I am not going to talk about skating rinks because I do not know any municipal government in Australia that provides skating rinks, but there may be. I am talking about a swimming facility. We need a major swimming facility/indoor leisure centre in Woden. We do not have one. The only place I can see that is suitable now, given that all the recreational land has been sucked up into development, is in the town park, in the Eddison Park. I would like the committee to think about that in some of their recommendations.

On water catchment in the Tuggeranong Valley: where Woden Green is now situated was meant to be a series of water ponds and whatever. The Labor Party had as its policy in 2001 the naturalisation of Yarralumla Creek or whatever you call it. The engineers, when they did Woden Green, found that the water from the top of the Woden Valley, by the time it got to Phillip, was too strong to be able to have retention ponds there. There was a need to build them up around Athllon Drive in Mawson. That was the last time I looked at it all and I have been rushing around trying to find out what has been happening since.

Before that Mawson Athllon Drive land is developed, there need to be actual plans for the retention ponds, because that is the last opportunity they will have to naturalise

that creek in Woden. We do not even have a lake in Woden. I think a pond might be okay. The issue really is that the planning and the design of those ponds need to happen before any land changes are made. I understand that in this proposal we are taking land away from residential land for the tram or whatever else is going along there, but we also need to think: what land do we need for the water retention at the head of the Woden Valley? Thank you.

THE CHAIR: Mr Erett, would you like to make your opening statement and then we can direct questions to both of you.

Mr Erett: I am appearing today as an individual, although I note that I am a committee member of the Woden Valley Community Council. I have a particular interest in building design, energy efficiency and environmental sustainability. I support high quality residential developments in town centres; however, densification should be a means to an end and not an end in itself.

The Woden Valley town centre master plan has a strong focus on environmental sustainability. However, I am concerned that draft variation No 344 to the Territory Plan does not have provisions to ensure that the ACT government policies and strategies are achieved. For example, the master plan states that new development and redevelopment provides the opportunity to improve the overall sustainability of the centre and that new buildings can be designed to provide good northerly orientation for solar access and to capture cooling breezes. The draft variation, however, requires only that development retains minimum three-hour solar access to the main daytime living areas and private open spaces of dwellings between the hours of 9 am and 3 pm on the winter solstice. I consider this to be an inadequate bare minimum, particularly for segments of the population such as retirees, who are likely to spend more time at home.

This standard invariably results in developments with a predominantly east-west orientation in order to maximise financial returns. Sky Plaza, despite its fairly unattractive outcome, has a northerly orientation, although it seems to be the exception rather than the rule. It is possible for innovative solutions to address this issue; for example, through a mixed-use building incorporating a residential component having a northerly orientation and with a commercial component having a southerly orientation. However, there seems to be a reluctance for developers to take on innovative approaches, with some exceptions. For example, the Nishi building is a good example of mixed use, although the apartments have a westerly orientation, presumably for the views it offers. I would suggest that either a northerly orientation or a minimum of four to five hours of solar access be mandated.

In relation to building heights, marker buildings and variations to setbacks, the draft variation contains criteria such as allowing for solar access to public spaces, streets and adjacent development and does not significantly overshadow nearby residential development. My question is how DV344 will ensure that each dwelling in every development will have acceptable solar access. For example, if the first development of a precinct is located to the north and is able to achieve a northerly aspect, how will subsequent developments achieve the minimum standard if they are overshadowed? Conversely, if the first development of a precinct is located to the south, what protections will there be to avoid overshadowing by subsequent developments to the

north? I suggest there needs to be a detailed assessment of appropriate building heights and setbacks for each block in a precinct before it is sold.

Another issue with building heights is that the master plan states that the centre's built form should limit building heights to respect the landscape setting of the Woden Valley and surrounding hills, provide a building height transition from the surrounding areas, and provide a human scale to the height and massing of the building. In my view the proposed building height zones do not reflect these principles. Precincts such as along Melrose Drive are proposed to have up to 12 storeys, which is significantly higher than the existing developments opposite in Lyons, which are predominantly three to four storeys. In addition, the draft variation provides for the height of one building tower element per block to be increased by an additional four storeys. This concept was certainly not made clear in the master plan consultation process.

I do not believe a rational case has been made in relation to the marker building concept. The master plan describes their purpose to help people identify that they have entered the centre or to assist them to orient themselves as they move through the centre. I am sorry; I just do not get it. One could argue that Lovett Tower acts as a marker of the centre of the town, although I suspect most people use their smartphones these days and are often looking down. But surely adding additional marker buildings will dilute its significance and just confuse people.

In relation to one specific land use change, the draft variation proposes rezoning part of the Athllon Drive corridor. A portion of this precinct has been zoned as transport since Woden's inception to allow for the future development of rapid transit. With the proposed stage 2 of light rail being planned to Woden, I suggest it is premature if not irresponsible to be rezoning this land at this time before planning has been done for further extensions to Tuggeranong. Alignment options for the future extension of the light rail to Mawson and beyond are constrained by Yarralumla Creek and the narrowness of the Athllon Drive median strip between Hindmarsh Drive and Mawson Drive, which would not facilitate light rail down the middle of the road. For this reason any consideration of the rezoning of the Athllon Drive transport corridor should be deferred until the light rail extension has been constructed to Mawson or at least until after detailed alignment planning has been completed.

In my view, the Woden town centre master plan has the potential to achieve an outstanding, sustainable built environment. However, I do not think the draft variation as proposed will facilitate this.

MS ORR: Ms Pinkas, point 2 of your submission refers to the introduction of building heights in the town centre potentially up to 28 storeys. You put in a very comprehensive overview of the reasons why you feel the 28 storeys are not appropriate, but you also note that you can do density in smarter and more environmentally sustainable ways. I am interested to know what you consider that to look like.

Ms Pinkas: As I said in my opening address, the development I saw in Subiaco in Western Australia—it was a long while ago—is certainly a lower rise. As I said, environmentally sustainable heights up to eight storeys, those sort of heights, is what

I have read about. I am not an expert, and that is why I would love us to have one of these wonderful seminars where everybody is pooling their research and not basing things on their gut feelings. That is what I have read is a sustainable height. Other people have talked about overshadowing, and Chris's presentation referred to specific issues. I was talking more in general terms.

MS ORR: Correct me if I have misunderstood, but I think you mentioned that you were of the opinion that 28-storey towers would increase the windshear to the town centre but going down in height would not have the same issues?

Ms Pinkas: Again, I am not a weather expert, but I know that windshear is certainly a problem in the Woden town centre, and I have heard from various people that as the wind bounces off buildings, obviously if you are obstructing the wind it is going to do different things and drop down on the sides of buildings. Again, that is something we should be following up before we start building these high-rise buildings, because once they are built they are there, and we should know what their effect will be.

Certainly, from what I have read, taller buildings will create microclimates within the alleys between them and all those sorts of things. I know there are structures you can put on but, as I said, some of those even come off during a very windy season. And with climate change we are going to have more of this, as far as I understand.

MS ORR: Mr Erett, you also spoke about sustainable buildings and decreasing the building height. You noted the Nishi building in Canberra as an example of a good building.

Mr Erett: Of mixed use.

MS ORR: Yes. Can you give a bit more detail on what you see is good about it?

Mr Erett: I am not that familiar with the building other than what I have read in the media, but my understanding is that it combines hotel elements, apartment elements and office developments all within the one building structure. That sort of mixed-use idea would allow you to orient different components of the building for their best purposes. For example, with office accommodation, it is preferable to orient it to the south because it reduces the heating load on the building and therefore reduces your energy costs in terms of air-conditioning. Whereas on the north side retirees who might be at home during the day want the sun in their apartments in winter and on their balconies and private open spaces to improve their living.

MS ORR: You raised an interesting point, and I am interested to hear both of your thoughts on my next question. Some of the literature on planning and density and mixed use suggests that if you are going up higher—noting that, I think, Nishi is higher than eight storeys—it is not necessarily the height that is the biggest determinant as to whether the building is “good”; it is actually whether it has a series of mixes and that no particular use goes above 60 per cent. You would arguably have that in Nishi, and you have just outlined that it has many different aspects to it. Given that there seems to be, arguably, for lack of a better word, some appetite for height increases within Woden, do you think if we looked at how that was mixed we would get a different outcome to, say, just doing a 28-storey residential tower?

Ms Pinkas: I certainly think it would enliven the town centre. The Nishi complex in what they have done at New Acton is one of the joys of renewal in Canberra. They have a cinema and all sorts of entertainment there. But there needs to be caution because I gathered they are talking about public facilities within those buildings, like swimming pools and whatever. As Woden Valley Community Council said in their submission this morning, that does not usually work. People cannot get access to those facilities—for instance, swimming facilities. I am a recreational planner by training, and my experience is that that just does not work. So you need to be careful of access and all those things. You can say, yes, you can get four more storeys, for instance, because you are going to build a pool that will be accessible to the public, but over the years it will not be. The pool will leak and they will have to build houses or something else. It just does not work.

The sort of development you have at New Acton works wonderful well, especially with the cinema and all those sorts of things, as you probably know and have experienced. I would not call that great densification, although it has increased the accommodation there. There is still a lot of open and community space around it, so it is ideal.

Mr Erett: My understanding of the master plan is that the intention was for there to be a transition from the suburban edges along Melrose Drive as a lower scale development, transitioning to higher building heights in the town centre. Although I will note, as others have said, that we do not want overshadowing of the public spaces like the town square itself, I think there is an opportunity to have that sort of mixed development, like you say.

I think Braddon is probably an example of lower scale along the avenues—Northbourne Avenue, Lonsdale Street, Mort Street—where they are predominantly around seven to eight storeys. Often they are the equivalent height or just a little more than the established mature trees. You can have that sort of human scale on those primary pedestrian areas and then perhaps higher buildings further towards the core where there are not any overshadowing implications, as long as the windshear is addressed.

Ms Pinkas: Talking to planners, including some early planners on Woden town centre, the intention with the Lovett Tower was to have that central massing like a traditional village or whatever, where you have a church and the town centre goes down from that. In terms of planning principles, as I have been told by several planners, it is not good to have things around the edge but to have the central massing because that is the sort of urban form people are used to. We think massing in the centre is important but taking account of the fact that we do not want to overshadow the town centre square, which is probably in the wrong place now. We probably need to move it.

MS ORR: Ms Carrick's presentation this morning had a lot of images in it. I looked up the slide presentation that was taken to the community council meeting that was referenced and there were images from 1970, 1964 and 1965, and you can see that the structure of the town centre has changed quite a lot over this time. So it is interesting that you make the comment that the town square might be in the wrong spot or not the most appropriate spot.

Ms Pinkas: Well, it is now.

MS ORR: Given that we have heard consistently from people that they want the public facilities in the town centre maintained, where would you suggest would be a good place for a public square?

Ms Pinkas: It is all taken up; that is the whole tragedy. All of us who have made these submissions are trying to ensure that that east-west continuum focusing on the town centre is revitalised. That is not going to be achieved by those really high, sheer cliffs on the edge of it. It is just not going to happen.

It is a very unpleasant place. Any of you who have been there know how awful it is, and it is even worse now. It needs to have really good planning around it. That should be, in my view, the focus of the master plan, and then spreading out from that, how you make the town socially as well as environmentally and economically viable. There are three issues: it is not all about economics and getting enough people there to catch the tram to pay for it; it is about social, environmental and economic outcomes. I do not think this plan develops social outcomes at all and I think it also denigrates part of the environmental outcomes we are looking for.

MR MILLIGAN: I have a fairly brief question for you, Mr Erett. You suggest that there should be four to five hours of solar access as a minimum for residential development, particularly in urban areas. Have you done any modelling or anything in regard to what you think the maximum number of storeys could be in the town centre that would still provide that four to five hours a day of solar access?

Mr Erett: I think there are probably two issues: one is the building design. If you are building any building without any surrounding limitations, you can orientate it but not perfectly. I think everyone is aware that north is the ideal orientation, although you can have some allowance between north-west and north-east. So there is no height limit to achieving that if you orientate it correctly. But that generally involves a single layer of housing in that development, which I believe is what Sky Plaza has, whereas most developers these days want that two layers of units within each development. That is why they often turn it around.

MR MILLIGAN: Given this development, this proposal, and the proposed number of levels that they can go to, will that provide four to five hours of solar access?

Mr Erett: Yes, if it is orientated correctly. The issue I have, though, is that that is fine for the first building. What happens to the second building that is to the south of it? As you go higher, the angles of the sun dictate how much further that second building will be in order for them to achieve that outcome of solar access. That is the difficulty and why I am suggesting that you would have to do some detailed analysis on each block and section, really.

MR MILLIGAN: If all the towers, all the buildings, went to 28 storeys, do you think there would be an issue, using the same orientation in the proposal that is before you now for those buildings? Would there be an issue there?

Mr Erett: It depends on how you literally lay out the buildings. If you lay them from one end east to west—for example, if you had one next to Sky Plaza—there would not be any direct impact. They could both have a northerly orientation. But, for example, along Melrose Drive, if they were one behind the other north to south then each building in front would impact the one behind it. I guess that is where you would need to do that analysis. You would not be able to make a blanket statement about height versus solar access.

MS CHEYNE: I am probably going to sound pretty facetious, but I am trying to play devil's advocate here. We heard witnesses earlier this morning and now everyone here refer to how bad Woden town centre is, particularly the town square, in terms of lack of solar access, but particularly windshear. So why not just build more buildings? If it is already bad, and it seems like it is going to be difficult to fix, it is not like we are just going to bulldoze Lovett Tower. Maybe that is a recommendation, but probably not. So why would we not just continue to build up around it? I know you said, Georgina, that we should be protecting around it and making sure we get that right. I am not opposed to that, but in this area that is already a problem child, why do we not just keep building up and take it over?

Ms Pinkas: I will go first. As Fiona said today in her presentation, we do need to have some life in the town centre. People living there; that is fine. But there need to be activities. There need to be reasons why people go there. Like it or not, the Woden town square is basically the only land that is left where we can actually have a vibrant town centre. There are other little pockets, but that is the main area.

If you go there now, the post office has moved and it is all sort of fairly low rise. It is a dead end against the plaza end and whatever. It can be really enlivened. One of the submissions, I noticed, was about putting markets along there. That would be absolutely fabulous. Anyway, you will hear about it later. I thought that was a great idea to have those sorts of produce markets and whatever.

That whole frontage on to the town centre, besides access, needs to be enlivened. We are saying that we do not want to see any tall overshadowing, wind directing things making it worse than it is now. It actually can be rescued at this stage. That is why I strongly believe that it should not go. Well, it cannot go. There is nowhere else to go. So it needs to be there. We just need to maximise how we enliven it as one of our main objectives, rather than saying, "Yes, you can do this. You have a marker building and we will have this and that there." That, to me, is the key. Then you can infill around it as per Chris's principles.

Mr Erett: I guess it depends what outcome you are trying to achieve. We could build a new southern Hong Kong here, for example and just have a city full of high rises. Whether that is desirable or not I guess is up to the individual view. I have visited there and it is vibrant. You know, it is a solution where you are constrained by land, as they historically were. However, I guess that in Australia we have a lot more land. There are a lot of sheep paddocks around Canberra; so we are not talking about high value farming land as such. But I understand that there needs to be a balance between urban sprawl and increasing densification.

From my perspective, I often go for walks up on Oakey Hill. If you look in certain

directions, particularly towards south Canberra, you barely know that you are in the middle of a city. You see Parliament House and a few larger buildings around the city and then, of course, in Woden. But in some directions there are that many trees you could literally be in a bush setting. Traditionally Canberra has been known as the bush capital. I guess it is about achieving that balance.

MS CHEYNE: I do not spend a lot of time in Woden town centre, so I am not an expert. But, looking at the maps—I have been looking here and on Google maps as well—it seems to be a reasonably concentrated area where there would be that density. If you are on Oakey Hill, Mount Taylor or whatever, it is not necessarily going to be a blight on the landscape any more than Lovett Tower is, except it will probably distract from Lovett Tower or perhaps enhance it.

Ms Pinkas: Could I just say that 28 storeys will, because I can see Lovett Tower from all over when I drive, not just where it says in the Territory Plan variation. If you have those scattered all around the town centre, you will certainly see them sticking up.

MS CHEYNE: But are they necessarily going to be scattered?

Ms Pinkas: The marker buildings and the other buildings, yes.

MS CHEYNE: The marker building—I certainly appreciate your point about that. Going back to your point, chair, I just wonder whether Woden town square is a lost cause. As someone who, like all of us here, has spent time out in 60 kilometre an hour winds trying to hold down a table and some corflutes, I am not sure whether markets or anything like that are actually a possibility to enliven an area. I know that the few times I have been there I have been blown around by the gusts. Are there genuinely solutions still? Is it not a lost cause?

Ms Pinkas: No, it is not a lost cause. If you just look here at Civic Square, it now has the library in the middle of it. There are all sorts of things you can do with a square. I am not suggesting you move the Woden Library, but there are things that you can do to still make it a community focus without having to keep it as a square that the wind whizzes through. You can do all sorts of things to keep the wind off. We just need to know the studies. We need to know the effects of these buildings. The problem with the precinct plan and the variation is that they are not tying buildings in with other buildings or anything. It is just: “I own this lease. I can do this up to 28 storeys,” and it is not looking at how it impacts on other places.

I went to Pittsburgh recently. That sounds like a terrible place to go. I do not know if any of you have been to Pittsburgh, but I was gobsmacked. It was so beautiful. What was so beautiful about it—it had high-rise buildings—was that they all related to each other, or most of them, in the town. Obviously, whoever the town planners are there, we wish we had them here, because it was beautiful. It is about the relationship of buildings and the impact on other buildings, as Chris was saying.

Mr Erett: I will make one point about the wind and that sort of thing. I am no expert but I have heard that there are things you can do to address those issues. I guess the question is: why are we not doing that at the moment? I work in the city. In recent months if you went out at lunchtime it was the most unpleasant place to be. I am on

the west side of the city along Marcus Clarke Street. It is thoroughly unpleasant. We all know that in Canberra in winter we have, for the most part, lovely sunny days. If you are behind glass it is great. But if you go outside and it is windy, in these sorts of areas it is not an attractive place to be. You literally want to get from A to B as quickly as possible to get inside again.

If there are solutions, it would be good to know what they are. Then how do we implement them? I guess that is the other part of it. When we have developments through any part of the city, does anyone go back afterwards, look at the outcomes and ask, "Have we achieved what we intended to achieve?" It is all very well having plans, strategies and concepts. But does anyone go to any of our town centres—Belconnen, Tuggeranong or the city—and say, "Yes, this is exactly what we wanted to achieve and we have got a high quality outcome"? I do not know.

Ms Pinkas: And does anyone have any post-occupancy evaluation on the high residential towers—who lives there, how they feel? I know people do like living in Sky Plaza. I have talked to them. Who likes living there? Who are we building for? That is the objective. Are we building for people like me who do not want to keep a garden, are we building for families or are we building affordable housing? It is about our objectives, as Chris said. Post-occupancy evaluation is something that does not seem to get taught anywhere these days in universities, but I think it is a very important thing to do and we should be doing it in Canberra.

MS LAWDER: Ms Pinkas, I would like to go back to your opening statement. You talked a bit about the rezoning of CFZ land, the possibility that it might become social housing, and the limited green space around that area. You also referred to the need to consider social, economic and environmental outcomes. When you talked about the social outcomes, did you mean something quite different to the inclusion of social housing?

Ms Pinkas: Yes. Residential housing is the issue for those very limited spaces. There are a whole range of community facilities that Woden people have been wanting for years. Tuggeranong has two arts centres. Belconnen has them. Fiona went through them before. It is space for these community activity centres where the community can bond, get together, share ideas and whatever else they wish to do. There is very limited land in the town centre for that.

At Chifley there is a wonderful community hub in the old school. That is the sort of thing. We need to ensure that there is space to do that. Obviously it will have to eat a bit into Eddison Park. We are trying to make sure it does not get eaten up by cemeteries and things like that. That is basically it. Although it is important for social housing to be centrally located, we would not want to risk any more of that taking up that sort of important land in the town centre. It can happen around the town centre but not in it.

MS LAWDER: In your submission you also talk about the naturalisation of the creek.

Ms Pinkas: Yes.

MS LAWDER: I have had this discussion before with various officials—they feel it

is perhaps unlikely—but you talk about the speed of the water and the need for retention ponds.

Ms Pinkas: I briefly researched this when I made my comments. Some studies have been done—I do not know whether it is through Environment ACT or whatever—about what sorts of ponds they want to have up on the Mawson end of the creek. There are quite significant ponds there. There certainly was a Labor policy to do this at some stage. The federal government gave some funding, as far as I understand, towards doing these studies. It is certainly on the books and able to happen—not at Woden Green, as I said, because of that huge rush down the valley. However, if we had them up at the Mawson end you could have done something very attractive at Woden Green to hold it back, but it is too late. All I am asking is: please do not make it too late to do anything in the Woden Valley.

MS LAWDER: And you feel there is good community support for wetlands and ponds?

Ms Pinkas: Some people have not really thought about it, but those that have would support it, I suspect. I know the Woden Valley Community Council does. It was certainly put in as an election promise by the ALP at one stage because of community pressure. I am sure that most of the environmental groups would be very impressed with that. As I said, Woden does not even have a pond; it has a drain.

Mr Erett: We are very conscious of flooding in Woden. I was just visiting the Woden flood memorial with my father the other day. He assisted in the rescue himself. Obviously there were a lot of changes at the time to the capacity of the creek. I guess we are in a new century and there are other more environmentally sustainable ways of doing that. I share Gina's concerns that the time to be implementing those changes is now, before development, rather than thinking about it afterwards.

My understanding is that a lot of what is proposed with the wetlands is about improving water quality; it is not so much about larger ponds and things like that. As I say, we do not have a lake as such. Those sorts of larger ponds would, by definition, require more land space.

MS LAWDER: It is not my kind of area, but from my understanding the Lyneham wetlands area has a real community feel.

Ms Pinkas: Yes. It is wonderful.

MS LAWDER: Yes. There has been a community focus there.

Ms Pinkas: There are lots of opportunities that come from that, social as well as environmental.

THE CHAIR: Ms Pinkas, you suggested that the pool should move from its current location. What do you think should be put there, if it did move? And where in Eddison Park do you think it should go?

Ms Pinkas: I have not looked specifically at Eddison Park for that. I just think that to

make swimming centres viable—this is not dealing with the skating rink, which is another issue—they need to have ancillary facilities. The Tuggeranong Pool, in my view, is a good model. You can add other indoor recreation facilities, because management and operation are the costs.

There was that funny bit in the Territory Plan that said there had to be a national standard ice-skating rink plus a pool kept on that particular site because, when the government still owned the site and it was only a rental lease, the minister at the time, Simon Corbell, was very keen to ensure that the commercial activities on that site would support the recreation facilities. Even though he had changed the Territory Plan to allow commercial use, he knew that commercial was a higher order use than the recreation facilities. His intention was that the commercial activities on that site would support the recreation facilities.

In my opinion, that is not going to work. But I note that there is a submission to the committee saying to get rid of that requirement now. I am saying no, because we want to make sure that we are getting a swimming facility in Woden. The Stromlo one will not serve, as the Woden Valley Community Council said, the people of the Woden area. The kiddies are not going to be able to get over to Stromlo. That is why I would be opposed to the removal of that requirement on the site now until we have a definite commitment and funding.

I have not looked at Eddison Park from a recreation perspective. Obviously, as close as you can to where the community and the kids and everybody are all gathering would be ideal. They are not going to want to walk right over to the cemetery to go swimming. Perhaps it could be near the skateboarding. I do not know; I have not looked at it closely.

THE CHAIR: Fair enough.

Mr Erett: I make the comment that now is the opportunity to look at those options where we still have a lot of surface car parking. Not all of those sites have been sold yet. It is obviously a lot cheaper for the government to identify land available for these different recreational facilities—so many have closed down over the years—and to do that planning now; that is, identify specific sites, rather than sell everything first and then try to solve the problem.

Ms Pinkas: Which is what was done in an earlier master plan. Is the car parking next to the Phillip oval being sold? Once that is sold—that oval has been really upgraded for all sorts of things—where are they going to park? I do not know. I apologise: my last point about residential living next to the Phillip football park was wrong. It is commercial. That was the other correction I wished to make.

But my comment still stands: there is a criterion that anything built next to the oval in a commercial sense has to be compatible with night-time use of a sports facility. There are complaints already from people living in Bruce and around Belconnen about noise at the stadium and all sorts of things. Residential accommodation and other accommodation are not compatible with a major oval. The car park at the football park is an area that may be still needed, even though it is commercial zoning. If not—I do not know whether it is big enough—a swimming centre might be an idea.

THE CHAIR: Thank you both very much. The *Hansard* will be sent to you in a few days for corrections.

Ms Pinkas: Thank you.

Mr Erett: Thank you.

THE CHAIR: We will adjourn for a second.

Short suspension.

On behalf of Phillip pool lessees:

MacCALLUM, MR ALISTAIR, Director, AMC Architecture Pty Ltd

VAN DER WALT, MR PIETER, Director, Canberra Town Planning Pty Ltd

HOUGHTON, DR WAYNE LAWRENCE, Director, Glencora Pty Ltd

RAUT, MR JOHN, Glencora Pty Ltd

THE CHAIR: Good afternoon. Can you all have a look at the pink privilege statement and indicate that you are happy to agree with it?

Mr MacCallum: Yes.

Mr Van Der Walt: Happy to agree with that.

Dr Houghton: Yes.

Mr Raut: Yes.

THE CHAIR: These proceedings are being recorded by Hansard and webstreamed live. As a matter of record, I live in Phillip about 100 metres from the areas potentially being rezoned. Gentlemen, have you an opening statement?

Mr MacCallum: Thank you all very much for the opportunity to present to you today. Pieter Van Der Walt and I are both looking to present on behalf of the lessees of the Phillip ice-skating rink and pool—Wayne Houghton and John Raut. John and Wayne are available to answer any questions, but we will do the talking in terms of initial comments.

I am not a resident of Woden but some very good friends are. In fact, I just texted one to ask her how she enjoys swimming at the Phillip pool. It is part of her daily routine. She loves the pool and for her it is a very well loved asset. There have been comments made around the facility, and I just wanted to make the point that it is a really loved swimming pool and, from her perspective, well maintained. I will talk to this shortly, but it has an unusual situation where it can use a heat exchange from the ice-skating rink to heat the pool. That is part of the challenge as well as the opportunity.

Many years ago now we worked on a proposal for an international ice-skating rink at the ACT tennis centre; I think we are talking 22 years ago now. It has been an aspirational thing for a long time but, notwithstanding that, nothing has happened as yet and so the lessees at the Phillip ice-skating rink and pool continue to provide a service to the Woden community more broadly.

It is important to say a couple of things: it is a challenging thing to provide because it is operational every day for most of the day. Other swimming pools locally might get down time where they can over the winter period clean their filters and check for routine maintenance because they really do not have that opportunity to keep the facility going, and there are other issues we will talk to shortly.

As some background, the facility was built in the 1970s, and no doubt that has been discussed before. Glencora took on a licence arrangement in the late 1970s and has been operating the facility for 40 years now. The rink itself was constructed in the

1980s, and that was done specifically to try to address some of the challenges around heating the pool. It was seen as a win-win and it made it quite an innovative project at the time. So that integrated facility has implied opportunities and challenges when it comes to the ongoing viability and maintenance of the facility.

When the Tuggeranong pool was opened in the late '90s the lessees lost 65 per cent of their trade. Notwithstanding that, they have kept the facility operational—again, we will come to this—but there is increased competition for the pool, and in the context of the challenges around maintenance and improving the pool given its particular situation, I think that is topical.

In the early 2000s the lessee sought to do a plan variation to allow for development around the site to help facilitate the refurbishment. That was the start of a process to try to get support, if you like, through a planning regime that would allow the facility, as an old one, to be revitalised. Even with this most recent iteration or variation, there is still no help for the proponents to deal with the challenge of the pool.

Through variation 259, rule 7 as it was and now rule 8, enshrined in the lease the requirement for a 50-metre pool and not just an ice-skating rink but an international standard ice-skating rink, which is quite a challenge to deliver, and we will come to that. Notwithstanding that, the proponent has gone on with business as usual. In fact, in the whole period they have operated the facility the only time it stopped was during the bushfires. They lost power and the ice melted and the facility was out of operation for two months, and that was quite a challenge for the lessee. It is important to paint a picture that is understanding of what they have tried to do and continue to try to do.

As an organisation they have been pivotal to the Canberra Knights, a very well loved sporting organisation. They continue to support them regardless of some of the challenges or concerns expressed around the facilities themselves. Indeed, the Knights were foundation members in the national competition. Up until 2014 there was a lot of momentum with the Knights, but as membership has aged that has waned a little. That is the background, and I will now pass to Pieter.

Mr Van Der Walt: Following on from Alistair's introduction and with the history of the pool and the work that has been done, I was involved in the variation 259 proposal that the proponent put back in the mid-2000s. When the master plan was formulated in the early 2010s and thereafter we were quite interested in the process. Although we feel we were not particularly well consulted about how the facility works and the like, upon the endorsement of the master plan we were quite happy to note that it included a specific reference that seemed to acknowledge the requirement to simplify the existing planning controls around the pool site and allow for development elsewhere on the site. That relates to the current planning rules in the Territory Plan as opposed to the variation 344 proposal, which included a requirement to have the pool on a specific part of the site with an unimpeded visual connection to Irving Street but then also restricting development on the southern portion of the site for redevelopment. That appears to have changed. So we were quite happy that the master plan appeared to acknowledge that it is difficult to redevelop the pool and the facilities around and was trying to simplify this.

Moving on to the actual draft variation that seeks to implement that aspiration of the

master plan, we were quite disappointed with what the plan variation talks about. It is basically just rejigging what we can do on the site in different locations, and it appears to not appreciate what we are trying to do at the site and the constraints of the site and its context.

The major difference is that the variation talks about retaining a national ice hockey competition facility. It should be noted that the current facility is nowhere near international standard. The ice itself is about half the size, so you cannot even fit the ice of an international standard centre let alone change rooms, spectating facilities, scoring and umpires boxes and the like. To achieve something on that site in line with the proposed variation—and, for that matter, the current Territory Plan requirement—is quite a big jump. There is also removing the proportion of the site of where the pool should be and where the development happens. Although the variation goes some way towards understanding that there needs to be more flexibility about how the site can be redeveloped, we do not feel it goes far enough in understanding the structural matters that come with trying to rebuild and renew the facility. Alistair will talk a little bit more about that later.

It is also important to understand some of the happenings in the political context of planning that will and may impact on this proposal. The government has announced and is moving forward with the development of the Molonglo pool with a substantial contribution of government funding. That does two things. Alistair has already mentioned the impact the Tuggeranong pool has had on the patronage of this pool. Our expectation is that when the Molonglo pool comes online it will have another substantial impact on the Phillip facility. Also, the government contribution gives us an indication about what it costs to develop one of these facilities on a site such as this and it gives a better idea of the quantum of development potential at the site that needs to be realised to allow this to happen.

I know Gina spoke about what has been happening in the precinct since 2004 and more recently. There has been approval for a substantial residential development right on our border overlooking our site. That is having a particularly major impact, given that this is an outdoor facility, on both the privacy and the experience of people coming to the pool. In terms of an outdoor pool we are unique in that we are the only one that has ringside seats of apartment dwellers looking into our business on a day-to-day basis. When we consider things like school carnivals, school groups and other people visiting the facility, that has a major privacy impact and is a deterrent for people to use this facility. We are quite concerned about some of the conversations that people have had with us when they come to the facility to look at it and they see the happenings on the site as it is being developed, and we expect that is likely to continue.

There was also some announcement around the election last year about the government considering funding an ice rink somewhere in the south of Canberra, and various press releases and various conversations have suggested it might be in a different spot. We are a bit concerned that it may not necessarily happen on this site in the future. Given that the current context of the plan variation is of mandatory content, where does this leave the Phillip facility if a facility is built somewhere else in town? We understand the financial model around this, and we have some concerns about whether Canberra can sustain two of these facilities in the same line. If we are stuck

on the other side because of a mandatory rule where does that leave us?

Getting back to the immediate context of where we are, in Irving Street around the development that is coming out, particularly noting the Ivy, Trilogy and the Southern Cross wellness centre, we have counted four pools—two are outdoor and two are indoor, and one of those is a 25-metre pool—being built very much on our doorstep. Those private facilities will be for residents who potentially would have used the Phillip pool, and the 25-metre pool in the wellness centre is likely to be a 24/7, 365-days-a-year facility. They are likely to have a substantial impact on our ability, being a seasonal pool, to compete in the market.

Mr MacCallum: In light of this and in the context of the variation, our client commissioned us to look at a master plan study for the redevelopment of the site to inform the draft variation and the master plan. I will not labour the two proposals I will show you, but we looked at a number of scenarios from a minimal development to a maximum development scenario. The minimal development scenario looked to relocate the pool and the ice-skating rink, although still not an international standard, on the available site that was left such that you could keep the pool and ice-skating rink operational, keeping the business viable and simply moving it over the day that it was completed. The other end of the spectrum was, in the spirit of what might be community car park area to the east of the site, to look at an international ice-skating rink on that car park. That might be elevated on top of car parking to retain car parking as a community asset for a sports precinct. That would still retain a 50-metre swimming pool but allow a larger development to make such a thing viable.

The key consideration in looking at the two master plan scenarios was that Trilogy, being to the north, overshadows the site substantially and there is simply no choice but for a new pool to be an indoor swimming pool from a privacy perspective and also from a solar access perspective. So we are talking about a more expensive swimming pool in the first instance.

I realise these drawings I will show you are small so I am not expecting you to get a great feel for the detail but, in effect, you will see that the ice-skating rink and the swimming pool have moved to the north of the site directly adjacent to the Trilogy apartments. That is a roof structure and then a parcel is left to Launceston Street for redevelopment, for example, as residential. A viability assessment was done on the yield of that residential and it simply would not sustain that level of redevelopment. Of course, that is the perspective of a developer, but they are just the cold, hard facts of developing a building of that complexity with the servicing requirements.

THE CHAIR: So basically the proposal is a building up against Launceston Street.

Mr MacCallum: So a new development to Launceston Street, and the ice-skating rink and the pool moving to the available site to the north.

THE CHAIR: But you will still have the privacy issues from Trilogy.

Mr MacCallum: And that is why it would be indoor. It is the only way it would make sense.

THE CHAIR: You cover it up so there are no privacy issues.

Mr MacCallum: That is right. It becomes an indoor pool, which has some benefits but clearly cost implications as well. So that was scenario 1—trying to work in the spirit of what the variation seems to demand and what the site itself allows—but it was not a viable proposition, and you just have to take our word for that.

Mr Van Der Walt: I will mention two specific things about that. We have talked about privacy. In a changing world with trying to be more sustainable and energy efficient, we have seen a number of indoor centres utilising the roof space for solar panels to generate electricity, but the location of Trilogy substantially limits the opportunity to do that.

THE CHAIR: So option 2 retains the swimming pool and then then there is more residential development with a square in the middle of it?

Mr MacCallum: That is right. And that notionally moves the ice-skating rink to the car park.

THE CHAIR: Potentially up one storey with car parking underneath.

Mr MacCallum: That is right, and that allows you to achieve an international standard ice-skating rink. Again, these are simple mud map, form model studies that drive a yield that allows an assessment to be made.

THE CHAIR: And you are working on the basis of the figures the ACT government has given for developing Molonglo; so you say, “Okay, we now know—

Mr MacCallum: Absolutely, yes; absolutely.

Mr Van Der Walt: Yes, absolutely.

THE CHAIR: how much it costs to build one of these because the ACT is doing it right now.”

Mr MacCallum: I think the main point to make there is that clients, in good faith, have gone through a process to ascertain what their options might truly be to inform a Territory Plan variation. There has been no response to that. I think that is particularly disappointing given the commitment made. This is the third attempt to do so in an ever-competing market with an asset that is well past its use-by date in a scenario that you cannot do maintenance easily. If you do, you have lost your patronage for the ice-skating rink. So they are in a no-win situation.

Mr Van Der Walt: I think it is quite important to acknowledge that both the proposals on the table are not able to progress, the second one being outside what the current Territory Plan and the draft variation permit, because we are proposing stuff off the site which is currently mandatorily required on the site. The first has the issues both in terms of financial feasibility in building it but then also if we try to develop that and close down the facility, especially the ice sports, for two to three years to redevelop it, those sports will just evaporate.

The trainers and all the others need to make a living. They will leave town to find other employment. You start again from scratch in two years when it is currently a viable business. We are trying to really think about an opportunity in which you can redevelop the site, generate capital required there to build new assets, but also to keep existing uses and the business viable and going to the decanting scenario as an opportunity.

Mr MacCallum: There are clearly some broader thoughts to be had around it as a precinct but our submission would be, Caroline, that we would really like a little bit more effort put into understanding the nuances of this site in the spirit of the bigger picture and the competition and the age of that facility.

THE CHAIR: To be 100 per cent clear, I think you were saying that you cannot see a long-term future for Phillip pool and ice-skating rink as currently configured, given the Molonglo pool and the proposal for a new ice-skating rink in a location yet to be specified?

Mr MacCallum: And that is not to mention that the Ivy has, I think, two swimming pools associated with it as a new development. Trilogy has a swimming pool.

THE CHAIR: The Ivy and Trilogy have obviously got them, yes.

Mr MacCallum: And they are newer facilities so—

THE CHAIR: Yes, given the environment you are in—correct me if I am wrong—you basically cannot see any long-term possibility, any medium-term future for your operations onsite without the sorts of changes that Alistair has suggested?

Dr Houghton: Yes, I will respond quickly. I am a director of Glencora. It is a family company. The other directors are my wife and children. We have been there for 37 years. We now have a facility which is nearing the end of its life. We also have, as we have just discussed, this building on our northern boundary which is quite intrusive.

It has balconies. It goes up nine storeys and there is another building of 12 storeys. I think that that is a pretty hostile environment. We have already had troubles when the building was going up and the workers were on the balconies. They were wolf-whistling a girls school that was swimming. It is a changed environment now. It seems to be inappropriate for the area with all the residential development and the duplication of pools.

We have a facility that is nearing the end of its life. We are in the unenviable situation, if we needed to do a development to replace it, as has been mentioned, of closing down. That would see the business disappear. I think the people who currently use it would find other sporting facilities. We have broomball and ice hockey. We have local ice hockey. A lot of people use it as a fitness centre. I think they would disappear and find other—

Mr MacCallum: And it is a recreational thing. My daughters go there scores of times

with friends.

Dr Houghton: Yes, but I think the environment there has changed. I think it is now opportune that we should look at what the future can be. I think the Territory Plan does not provide us with any viable alternative.

THE CHAIR: When you say “no viable alternative”, are you looking at closure being your only option, if the Territory Plan goes ahead as suggested, do you think, in the medium term—

Dr Houghton: I cannot see a future there.

Mr Van Der Walt: Caroline, the concern that I had when I looked at the consultation report that was published after the notification period was a suggestion that, “If the environment changed as we suspect or predict might happen, the proponent will just come back and seek another variation to the Territory Plan.” That seems to me to be sort of the wrong way around.

We have this opportunity. We understand a lot about what is happening in the world. Shouldn't we, as prudent planners, at this time understand the environment and vary the plan in a way that is cognisant of the likely changes rather than put the proponent back potentially by another 24-month plan variation and a whole lot of additional costs and the like in a context that is not of his own making or creation.

THE CHAIR: I assume you have no information about what the likely outcome of the study into a new ice hockey rink is?

Mr Van Der Walt: It has only just been progressed. I believe that within the next month or so some more information about that process would become public. Other than the initial announcement, I do not believe the government has made any sort of formal announcement about process. We have met with Active Canberra to discuss this matter while the variation was on foot, in notification, and we were asked at the time to wait for the formal process to happen. I believe it is being worked on at the moment but we are not there yet.

So there is no capture as to where it is likely to end up other than the public comment that was made. In our submission we have highlighted the few sort of public records that are out in the public realm on the internet. But, other than that, we are not aware of any specific site or specific process. The government is still working on that with the bureaucrats in the background.

Mr MacCallum: But suffice to say, and not to flog a dead horse, if the ice-skating rink is no longer operational, the pool is no longer operational. They kind of work together.

Mr Raut: As manager of the pool and the ice rink, I would like to add that we operate 18 hours a day, seven days a week, 12 months of the year. The swimming pool change rooms during the winter months are used as ice hockey change rooms. Then when the ice hockey season is over, they go to a summer season and then of course we share the male change room with hockey and the female change room is just used for the

swimming. But we have the opportunity always only to patch and paint because we are busy all the time.

Even though it is a busy facility, it is not a highly profitable facility because we try to keep the costs of the ice time down so that we can get the maximum number of kids involved in the sports there. It is very hard to keep something going and maintained all the time. If we were to try to undergo any major upgrade, we would have to shut down for six months.

MR MILLIGAN: In regard to the two proposals that you have put forward, if you had an opportunity to go ahead with one or other of them, what sort of development time frame would you expect? Given that the Stromlo pool development is occurring as well—whenever that may start and conclude—have you done any modelling of what effect that pool and development there would have on your new development that you would have just invested X millions of dollars into and then maintain its sustainability?

Mr MacCallum: It clearly challenges it, doesn't it, to have another pool in competition. A newer facility in Phillip will help. But, again, the Hindmarsh development nearby I think also has a swimming pool. Is that correct? It is not as if new developments these days do not have pools associated with them. So a newer pool will help. I do not think Pieter or I can speak to the economics but clearly it is challenged.

The time frame scenario, of course, is totally contingent on the variation and whether the variation might actually envisage something as a future for this site. But let us say that it did. Perhaps it would be a two-year process to turn it around because of the decanting strategies and limitations on the site to be able to actually achieve a new pool. There would be no point, in my opinion, building a new ice-skating rink on that site. It is simply too small. That is another matter and I think that should be separated, fundamentally. I think, again, that the lessees will in good faith continue to provide a service until such a facility—if such a facility—were to be built. But I think you would be talking about a two-year time frame if this variation actually envisaged something for the site.

Mr Van Der Walt: I think Alistair is right. There is a development component—how long does it take to put a building up? But then there is also another context. Is the proponent to be left with finding its way through another plan variation, which quite easily could take another 24 months and may not succeed? So we can be two to three years or we can be five years or more.

MR MILLIGAN: So you have to deal with it now during this phase.

Mr Van Der Walt: Yes, absolutely, it would appear the opportune time if we are working on the Territory Plan at the moment. Then we have a master plan that acknowledged the site as a key site and a redevelopment opportunity—

Mr MacCallum: Within the light rail corridor.

Mr Van Der Walt: to vary the plan to face—master plans can be there for 10 to

15 years; so the opportunity would be to get it right now to progress the site into the future and not go back and hack at the Territory Plan and the outcomes of the master plan in two or three years.

THE CHAIR: Clearly the size of Trilogy was planned and expected. What statements were made about the expected impacts on the pool when the DA was approved?

Mr Van Der Walt: It is quite interesting you ask that question. We were in a very difficult position at the time, being outside the crown lease at the time and renting on a month-by-month basis and trying to negotiate a further crown lease. So technically we were not the long-term lessee of the land around that time.

Dr Houghton: We wrote submissions. We wrote submissions about the DA.

Mr Van Der Walt: Yes, we wrote submissions.

Dr Houghton: They dropped three floors off the boundary building. They were all supposed to be initially 12 storeys and they dropped the boundary building—that is the southern boundary—down to nine storeys.

Mr MacCallum: With respect to that scheme, that did nothing to obliterate the overshadowing conundrum.

THE CHAIR: No, I go past there on a daily basis.

MS CHEYNE: Can I clarify something here? Trinity is the new massive building, I assume, that is pretty close?

Mr Van Der Walt: Yes.

Mr MacCallum: Yes, there are a number of buildings.

MS CHEYNE: Yes, a number of buildings.

Mr Van Der Walt: That is the one adjacent—on our northern boundary.

MS CHEYNE: Yes, so are there concerns both not only about its overshadowing and its proximity but—

Mr Van Der Walt: And privacy.

MS CHEYNE: also potentially about the customers it is taking away because it will have its own pool?

Mr Van Der Walt: That is just context. As Alistair said, nowadays in these larger developments quite commonly as amenity a pool is included. So that is par for the course.

Mr MacCallum: I think the point perhaps was more that because of the overlooking issue—it is real; if you drive past and look you will see—it is almost incumbent

because of the overshadowing and the overlooking that that be an enclosed swimming pool and that is a different order of costs. There are some benefits, of course, in that from an indoor heating perspective. Nevertheless, it is a different order of development. It enlarges that.

Mr Van Der Walt: I think it is also important to go back to the works in the proposed Territory Plan variation which talk about redevelopment of the site for other uses only on the basis where the pool is encapsulated in an indoor facility. So if we want to build another outdoor pool then under the current rules we still cannot redevelop the site.

Dr Houghton: We also expect there to be objections from the Trilogy people. When we have a swimming carnival or even ice hockey matches when we are using amplification and noise, I would expect when we open the swimming season soon there will be objections from the owners and the tenants in Trilogy.

Mr MacCallum: Especially during school carnival time. We currently have a lot of complaints from the people across the road in the old Burnie Court precinct. As soon as we have a school carnival, the phone starts ringing at 9 o'clock in the morning.

MS CHEYNE: How many school carnivals do you have a year?

Mr MacCallum: Over the years they have dwindled down to about less than a dozen now but—

MR MILLIGAN: You have been operating there for how many years now?

Dr Houghton: Thirty-seven.

Mr MacCallum: Thirty-seven years.

MR MILLIGAN: The pool has been there a long time.

Dr Houghton: That is right.

THE CHAIR: But Trilogy has only just had people in it. It has been there only for a month or two.

Dr Houghton: Yes, it is just opening now.

THE CHAIR: Yes, the environment has significantly changed. We are going to have to—

Mr MacCallum: Yes, and this will be our first—sorry, Caroline.

THE CHAIR: look at coming to the end of our discussion because we are actually seriously over time.

Mr MacCallum: Yes.

THE CHAIR: I thought we were only a little over time but we are a lot over time. There being no final burning questions, thank you very much, gentlemen.

Mr MacCallum: Thank you very much.

Mr Van Der Walt: Thank you.

THE CHAIR: We will send you a copy of *Hansard* for checking as soon as possible.

Short suspension.

On behalf of Junstamp Pty Ltd:
MILLMAN, MR CHRIS

THE CHAIR: I think you were here earlier and heard me talk about—

Mr Millman: Yes. I have read that and thank you.

THE CHAIR: Do you have a brief opening statement? One opening plea I would make is that yours is clearly a complicated development of a number of sites.

Mr Millman: I thought mine was the simplest.

THE CHAIR: I think it might be useful if you could point out for the committee what you are planning to do because it is a bit complicated.

Mr Millman: Sure. Did you receive as well any of the drawings that went with the submission or was it just the text?

THE CHAIR: I have got some drawings, yes.

Mr Millman: I would be happy to talk to the map if you like, just to put it into context.

MR MILLIGAN: I have got drawings. Do you?

THE CHAIR: Yes, we have got the drawings. Whatever you think is the best way but you will need to talk us through a bit about what is actually happening because it is not totally obvious. We are in your hands.

Mr Millman: Sure. Can I approach you with drawings or is that—

THE CHAIR: The problem is the mics, basically. It is not that we are that precious, it is that Hansard has got to have a chance to—

Mr Millman: Okay. It might be good to start, if we do have the drawings and they are legible enough, by looking at what is called the existing site plan No 1.

THE CHAIR: It is really not very easy to—

Mr Millman: Yes. You do not have a colour version.

THE CHAIR: This is the best we have got. If you want to point out on that, you are welcome.

Mr Millman: I will point out on this then.

THE CHAIR: It is slightly incomprehensible.

Diagrams were then exhibited:

Mr Millman: We are looking at the western fringe of the Woden town centre, which is mainly in section 12. That is the main entry on Brewer Street into the town centre.

THE CHAIR: I am the only person who lives in Woden. Maybe you could mention the major street names, Hindmarsh and Melrose, so that people can really work out where you are talking about.

Mr Millman: Sure. Hindmarsh runs east-west and Melrose runs north-south and Brewer is the little road that takes you into the Woden plaza. We are talking about the section that runs along Melrose from Brewer all the way up Corinna Street. Corinna runs, again, north-south.

THE CHAIR: And that is up to the seniors centre at the top?

Mr Millman: This is section 9. Recently the road infrastructure has changed such that it has been a bit more formalised. There has been a pocket park established here. But what we are talking about is this wall of commercial buildings that skirt up the street but also the community facilities that are behind.

Effectively the main topic of the paper is to discuss the potential of the zoning of those. Currently the zone is community facilities. They act as community facilities and they have done for several years. But they are, for various reasons, coming to the end of their life in terms of their ability to service the community. The proponent, who as a landowner has adjacency directly around them, has been seeking and discussing with government the possibility of direct land grants to assist in that legibility of those buildings and giving them street address.

THE CHAIR: Maybe you could point out where Woden Community Services is.

Mr Millman: That is in here.

THE CHAIR: They talked to us earlier today. It just helps drawing a—

Mr Millman: Yes. That is in there and, as you can see, it is accessed by this little car park and then down a laneway. It is not ideal in terms of its locale. That is the basis of our proponent's, I guess, suggestion in terms of the particular zoning of that. Is that enough context?

THE CHAIR: I think so.

MS CHEYNE: Yes.

MR MILLIGAN: That is very good, thanks.

Mr Millman: The community facilities sit on block 1 section 12, that being the community facilities and the childcare centre. Currently the zone is yellow on the Territory Plan, a community zone, and there is opportunity, given the adjacencies of Bob Lakeman, who is the land owner, to look at, I guess, liberating those bits of land if given the opportunity and rezoning them as CZ2. CZ2 will still allow for community use and, because they are in government control and they are still

government owned, the possibilities in terms of the use of those as community facilities are still there. I guess what it does is give the opportunity in the future for more opportunity for development of those blocks and in conjunction with new facilities for the community. That is the crux of the statement that was given to you in terms of that particular block.

The remainder of the section is not being challenged, including Betsy Gallagher Park and the seniors club further to the north. It is really about the adjacencies and the reason for Bob's mission is his adjacencies in terms of that particular block. There are no other real opportunities to allow that community facility to have a proper street frontage.

We have done some preliminary work to demonstrate how that might work, including new community facilities within the new development, but really the first step would be to allow for more than just community use on that site. But I am happy to take questions if you have had the opportunity to read the representation.

THE CHAIR: In terms of keeping those community facilities, you would be seeing that there would be potential redevelopment on the site which would include the community facilities effectively as tenants in a commercial setting?

Mr Millman: Potentially, yes. There have been any number of different opportunities for community groups and community facilities or child care within those blocks. It is just a matter of, I guess, imagination; how you might reimagine the entire section and fix some of the issues that are inherent with the current situation, that being particularly that they are hidden behind a number of commercial buildings, they do not have the aspect and it is a legibility and safety issue, if nothing else.

THE CHAIR: They will be tenants of the commercial—

Mr Millman: Potentially.

THE CHAIR: And what sort of ownership would you see in terms of working out the rents in a way that the community facilities could afford?

Mr Millman: I guess that is up for negotiation with the future landholders or particularly with government. In the sketch that we did, for example—and I will show you this, if you can read it again—Melrose is running here. The community facilities are back, hard against Melrose, which does not have a providing address and the proponent owns the two commercial buildings to the south and also a commercial building that actually has street frontage. In this particular proposal—and again there will be several different opportunities—it would be sacrificing the small commercial building and actually putting the community facilities right onto the street so that they actually had a proper frontage and then putting other backfill in where the community facilities are now, with a small laneway again to provide public access and safety.

That is just one way, I guess, in which the site could be reimaged, should the direct land process happen. But the first step to that would be at least the rezoning such that it had more opportunities to it.

MS ORR: I largely understand what you are asking. You are saying you would like the parcels to be incorporated within the wider parcel. Actually what was quite a confusing submission did become quite clear when you explained it with the map.

MS LAWDER: Your submission—and it is your submission—talks about the need for a master plan for the entire area, a master-planned approach. Have you had any encouragement from or discussions with the directorate about whether a master plan is going to take place?

Mr Millman: Personally I have not but I know that Bob has had several meetings since 2008 in regard to this matter. The sketches that we provided are the beginnings of a possible master plan but that has not been forthcoming in terms of the government either commissioning one or suggesting that this is a possibility. It is really just again getting the first step about willingness to participate in a master plan process and also willingness to consider the future of section 12 and what that would mean if rezoning were to be considered.

MS LAWDER: Have you had involvement in a master plan process elsewhere and how have you felt about the process or have you not been—

Mr Millman: In terms of the entire town centre or—

MS LAWDER: Or anywhere else?

Mr Millman: Yes. We were involved in the master planning of section 9 as well—it led to the new community park and then the new road system—with the LDA several years ago. Again, that actually, as much as formalising the street network, provided more opportunities and expansion of that community centre further north of section 12.

MS LAWDER: I guess in summary your view would be that, for the entire area, a more holistic planning approach would be better than ad hoc—

Mr Millman: It certainly would help again, if you are looking at section 12, if you were to consider the master planning for section 12 in its entirety. It makes a lot of sense. It has a boundary to be realigned to the northern area. But, yes, certainly having the ability to look at a master plan for section 12 would be good in the context that the ownership could be potentially changed, because without that it is a disparate ownership as a government parcel which is out the back and does not have a frontage, as well as disparate ownership around the commercial frontage. But to the south the proponent has three blocks which flank this particular block 1 section 12 government land, which makes it quite strategic. A master plan would look completely different should you look at that in its entirety with that as different land ownership.

MS CHEYNE: I just want to go to page 4 of your submission, particularly talking about how taller buildings result in more elegant building forms, interesting skylines and potentially better environmental performance and amenity. I think some of our earlier witnesses would entirely disagree. First of all, is it tall buildings that provide more elegant and diverse building forms and that environmental benefit or is it tall and slender buildings?

Mr Millman: Probably taller and slender but the point is that what has tended to happen, particularly if you look at the city centre here where everything is capped at RL 617, is that the buildings get fatter and they push straight up as high as they go, generally about 50-metre buildings. The result of that is that the environmental aspects of how you get cross-flow or how you get light into either adjacencies or the actual buildings themselves is usually compromised.

If I had my druthers, I would have the controls loosened such to allow height but do so if there are particularly sustainable outcomes. I used the word “elegant” because tall and slender buildings can perform much better from an environmental point of view than short, fat buildings. Their shadows move more quickly because they are slender; the ability to get light into all the apartments is much easier; and the ability to get corner units and cross-flow ventilation is obviously better.

That is really the commentary and often it is the case when there are caps on height—in this particular case, 12 storeys—that the economics usually work such that it does not happen or, if it does, they need to get fatter and to get as many apartments as you can get within 12 storeys. You can get the same number of apartments in 19 storeys; however, you can do so in a much more sustainable way with better aspect, better light, better—

MS CHEYNE: Moving outside the area that is directly relevant to you, the 24 or 28-storey area, you are happy with that as a limit? I guess they are using the term that you can get the extra four storeys if there is a particularly innovative outcome, but perhaps sustainable is what you are—

Mr Millman: I personally think that those rules around four are a bit contrived, to be honest. I think what would be more sustainable and get better built outcomes is if you allowed for heights which were based on merit and based on built outcomes rather than a series of rules that said 12 and then add a bit more. Generally you are not going to end up with beautiful buildings, nor are you going to end up with the outcomes that you are probably wanting. No, I would disagree with putting almost contrived controls onto the heights but rather have them merit based on sustainable outcomes and parts which breathe and get light.

THE CHAIR: We have run out of time, unless there is anything that is burning. We actually are a quarter of an hour behind where we should be. Thank you very much, Mr Millman. A *Hansard* transcript will be sent to you. Thank you very much.

Mr Millman: Pleasure.

HINDMARSH, MR ROWAN, Chief Executive Officer, Hindmarsh Development,
Australia

LAFFEY, MR STEPHEN, State Manager, Development, Hindmarsh Development,
Australia

On behalf of Hindmarsh Development, Australia:

VAN DER WALT, MR PIETER, Director, Canberra Town Planning

THE CHAIR: Can I confirm that you have seen the pink privilege statement and are happy to agree to it? Yes. Do you have an opening statement?

Mr Hindmarsh: Yes, I would like to make one, if that is okay. Thanks for the opportunity to present today. I am here to talk about our submission. It relates to the Woden Green precinct, which sits on the eastern side of the town centre. We have a map here because it obviously includes a large number of block and sections which are at various stages of development. Today I want to refer specifically to two of those blocks and sections: section 81, block 13—we call this N12; and section 156, block 19, which is not marked on that map, but we call it N6.

THE CHAIR: Where is N6?

Mr Hindmarsh: It has dropped off. I can provide this little map, which will give you my language for referring to the two. On the handout I have just given you, N12 and N6 are essentially the two.

In my submission I gave an outline of the history of the site, which is very long. We have been involved in the site from 2006 with a joint venture with the LDA. That delivered some development. Due to strategic change in the nature of the LDA they decided to sell the land to us in 2013. Post 2013 the site has been caught in a bit of a planning hiatus with a master plan process issued shortly after we purchased it. It originally stated that a TPV would be in place by 2015 on the estate as per its original proposal. We are now two years beyond that with a TPV that does not represent what was being discussed during the master planning process and also the original draft TPV process.

I highlighted in our letter several issues. Three main issues have come to light. Two of our sites—the N6 and N12 sites—have had a floor plate limitation applied to them, a 700-metre limitation to any floor plate of a tower. It has also had language put in there which implies singularity of a single tower. For a site like N12, which is 7,000 square metres, having a tower of 700 square metres on it seems a little bit silly.

We have also been in discussion with the government for some time about the N12 site. We wanted to create a master plan environment, a mixed use precinct. It is obviously going to be close to the new train line. It is about creating a destination and adding retail. Originally we had discussions around 1,500 square metres retail being available for a supermarket. In the most recent TPV, without any consultation, that was cut to 500 square metres.

The final issue we have is regarding a footpath. The new TPV says we cannot move it. However we have an estate development plan that does suggest that it has been

approved to move. We just have not got around to moving it yet because we have not developed the site. So we would need that removed.

THE CHAIR: Can you point out where that footpath is?

Mr Hindmarsh: Yes, I can. It is probably not best to see it on that one. Probably best to see it on the other one.

Mr Van Der Walt: If you give that to me, I will just draw that.

Mr Hindmarsh: You can draw it on it; yes. It deviates around some trees for the time being. The EDP was approved several years ago. We just have not got around to moving it. We have been working with ACTPLA for the past four years regarding this. What is important to understand is that, when we bought this land from the LDA, this site had no height limits and no GFA limits on it whatsoever. That is how a price was set on the land. We have worked actively with ACTPLA to take on some height controls. One of the other sites also had limited height. We are willing to accept the 12-storey height limit.

But we now have a site that we purchased from the government that has now been severely reduced in what we can put on it. That has happened just in the past three months. Up until April this year—when we had the draft TPV—there were some proposals. We wrote back on that initial draft regarding some site access. Otherwise we were completely comfortable. It represented all the discussions we had had with ACTPLA over the past four years. But this introduction of this 700-square metre limit and the reduction in the potential for a mini-supermarket came without any consultation.

The only thing we can think that is driving this regards overshadowing and some concerns of perhaps what overshadowing might mean. Obviously this is a town centre, but we do understand that this will have to have a merit based assessment and overshadowing would form part of that assessment. We have done some of our own modelling. We see ourselves adversely impacting with overshadowing only 12 units of the existing 380 apartments that are already physically in existence. As it is, those 12 units are not solar compliant. We would be taking only a small part of their solar as is. We think impacting three per cent of the existing residents in a town centre is pretty small. We have been very conscious with that as we have gone through with our design process.

THE CHAIR: If we may pause, we might be able to find out where the footpath is. So you are basically saying that the existing footpath has to be relocated.

Mr Van Der Walt: Caroline, if I can talk to that; I was involved. The Pieter Van Der Walt company—

THE CHAIR: I have the advantage, or disadvantage of living around there, so I know where the footpath is.

Mr Van Der Walt: I have been involved in the Woden Green estate from when the government prepared the land for sale in 2004 and with Hindmarsh when the iteration

of estate development plan proposal was put forward. The footpath as it sits at the moment is the original path that was there before the estate was built bar a small portion to connect it up to the bridge after the bridge was built over at Wilbow Street. The estate plan proposed the pathway to be from the location where the footpath crosses the bridge. That was an outcome of the EDP—to not go under the bridge, but put it on top of the bridge to cut back into the parcel of land between the Yarralumla Creek and the N12 parcel and then continue up.

Mr Hindmarsh: In essence, we are relocating the pathway about three metres to the left and straightening it up. It is not a big—

Mr Van Der Walt: But it has been approved to be outside of block 12.

Mr Hindmarsh: Correct, yes.

Mr Van Der Walt: And, as Rowan said, we just have not developed the block yet so there has been very little sense in spending money if we are going to rip it up when we redevelop the site again. The intention is that, when N12 gets developed, the path will be put in the position as is approved. That then brings the question as to what a plan variation now does to the prior approval and the conflict with that.

Mr Hindmarsh: Yes.

THE CHAIR: Presumably it would override it? That is an interesting question.

Mr Hindmarsh: It is interesting that—with the 700 metre floor plate that has been put in—we are the only site that has had this restriction applied to us. There are plenty of other sites impacted by the TPV that also propose marker buildings that have no restriction and they are going to cast overshadowing on other parts of the Woden town centre. It seems incredibly odd that a planning control like this would be put in place which is so restrictive and especially, as I said, on a plot of land that was sold to us with no restrictions. But we are acutely aware of the surroundings and that we have to work within those. We understand that a merit-based assessment will still have to be completed as part of any future plans.

Mr Van Der Walt: The draft variation and for that matter the recommended final already includes a specific requirement that any development that includes high development consider residences to the south, notwithstanding which site it is. To go further and restrict the floor plate on this particular site makes a bit of mockery when we are required to do that analysis on a merit based outcome and demonstrate the impact. There appears to be very little sense in having the 700 square metre specific footprint that they have dictated on the site.

Mr Hindmarsh: The current language would potentially wipe out up to 150-odd units of development capability out of the site.

MR MILLIGAN: Have you already had discussions with any supermarket chains to move into a 1,500 square block there?

Mr Hindmarsh: We have a heads of agreement waiting to go.

MR MILLIGAN: I notice that most supermarket chains like Woolworths will not build anything below 1,500 squares now.

Mr Van Der Walt: A local centre or convenience centre supermarket now is 1,500 square metres in size.

Mr Hindmarsh: It is unusual that you can go to Ainslie shops and build a 1,000 square metre supermarket, but in the Woden Town Centre you cannot build a 1,500 square metre supermarket. Now what we are talking about is that residents who come home—if they want to do a major shop—have got to hop in their car, drive across Callam Street, which is obviously going to have a tram way and things on it in the future, and then go into a car park and then go into a shopping centre. There will be over 1,000 apartments in the Woden Green precinct upon completion and it needs some amenity beyond a large scale shopping centre.

Mr Van Der Walt: When you have that number of residents or people living in the area you need a small or a larger community shop because you need a few more bottles of milk and a few more heads of lettuce to sell to 1,500 apartments at your doorstep. We do not want all these people to hop in their cars and drive across Callam Street. We really want this amenity to be within walking distance, on their doorstep. It is also creating that anchor to enliven and spill off to other additional uses on the ground plan of that building.

THE CHAIR: Looking at your N5 site, which I agree—which is not what you are talking about—

Mr Hindmarsh: No.

THE CHAIR: I have been a tenant for a year in Avoca. I only moved out in March. That is currently being developed as townhouses?

Mr Hindmarsh: Correct.

THE CHAIR: Correct me if I am wrong, you could have done a high development there? That is my understanding.

Mr Hindmarsh: It was restricted to three storeys as until this most recent TPV. That whole area has been restricted to three storeys.

THE CHAIR: And so you did not think it was worth waiting for higher development there?

Mr Hindmarsh: I have been holding this land for a long period of time. The past four years, where there has essentially been a planning hiatus, have cost me \$4 million in holding costs. There is the economics of continuing to hold land whilst I wait for a planning system. It gets to a point where the economics force you to take action. That also applies to our site next door, the N6, which also we are developing. We have submitted a DA for townhouses. That is not what the original plan was.

THE CHAIR: No. I have seen that also.

Mr Hindmarsh: Look at the original montage released in 2010. We have been told for four years, “You cannot do anything. Do not bother submitting a DA. Wait for the master plan. Wait for the TPV”. We have diligently waited for four years. As I said, the original timeline was two. It makes no sense. Now, as a result, here we are four years on. We were a first mover in Woden and willing to invest into the precinct. Now with this TPV I am going to have two and a half thousand units of competition banging down my door, which is going to again create more difficulty. So that is the only reason; it is a pure economic decision.

THE CHAIR: Being just on the north side of Hindmarsh, they are brilliant places for higher buildings. Then I look at it and I wonder what we have done wrong. I am in favour of townhouses, but that is not their ideal location.

Mr Hindmarsh: Unfortunately the economics have driven that outcome. I have been waiting for planning for four years. It is related to the whole issue. There is the cost of holding the land; when the government sells you land and you are put straight into a planning holding pattern, it is difficult.

MS ORR: More just a curiosity question, more than anything—

Mr Hindmarsh: Yes, sure.

MS ORR: You mentioned you had a supermarket ready to go, and I appreciate commercial in confidence means you probably cannot tell me who that is, but would you be able to say, is it someone who is already operating in the area, or would this be a new—

Mr Hindmarsh: No, it is not; it is a new entrant.

MS ORR: Yes, just curiosity.

Mr Hindmarsh: Yes.

MS LAWDER: You purchased the site from the LDA in November 2013 and the master plan process was announced in February 2014.

Mr Hindmarsh: Correct.

MS LAWDER: Which was quite soon afterwards. So are you saying that there was no indication to you when you purchased that that was going to happen?

Mr Hindmarsh: None.

MS LAWDER: None whatsoever?

Mr Hindmarsh: None. No; no consultation.

MS CHEYNE: Is it not unreasonable to expect it though, given it had been some time

since the last master plan? They generally happen every 10 to 15 years?

Mr Hindmarsh: Could have been. I suppose we worked on the expectation that that master plan and TPV process would be done in 18 months. If you go to the original document there is a nice little timeline down the bottom. Four years down the track here we are. That is the challenge.

MS CHEYNE: Sure.

THE CHAIR: Yes. So, basically, what you would like is the new changes not to happen?

Mr Hindmarsh: The draft that was issued in April was completely fine. We have no issues with that.

Mr Laffey: Except for the access.

Mr Hindmarsh: Except for the pathway. That was another thing. There was an issue that was fixed in the April draft regarding driveway turn-off access. I think it was just an oversight. That was rectified in the final version. In the final version that came out between April and July no one spoke to us, and suddenly this 700-metre restriction was added. We would like that removed. The retail space was cut from 500 to 1,500. We would like those removed in line with all the conversations we have had with Planning over the past four years.

THE CHAIR: Right. Any other questions, members, bearing in mind we are still a quarter of an hour behind?

Mr Hindmarsh: That is okay.

THE CHAIR: No, and not your fault at all.

Mr Hindmarsh: No. But clearly I think you understand the issue. You understand the issues and the importance to us.

THE CHAIR: Yes. Thank you very much, gentlemen.

Mr Hindmarsh: Thanks.

THE CHAIR: The *Hansard* transcript will be sent to you shortly for your correction or otherwise.

Short suspension.

MACKAY, MR IAN, Chief Executive Officer, Canberra Southern Cross Club

THE CHAIR: I think you have been here before.

Mr Mackay: Yes.

THE CHAIR: You are happy to agree with the privilege card?

Mr Mackay: Yes.

THE CHAIR: Have you got an opening statement?

Mr Mackay: Our submission is broad in nature. Thank you for having me along today, and hopefully I might be able to catch up with you for a little more time again. Our submissions have always been relatively broad in nature, particularly as a landowner for two significant properties at either end of the town centre. In regard to our main club property, which is block 11 section 18 in Corinna Street, we have no plans for any activity there.

THE CHAIR: Could you point that out?

Mr Mackay: I am going to put up an overhead map.

THE CHAIR: It is just that I am the only Woden resident.

Mr Mackay: Sure.

THE CHAIR: It is easy to find Sky Plaza.

Mr Mackay: There is the other block I will talk about. Yes, we can find Sky Plaza there.

THE CHAIR: If you see all the big shade, that is—

Mr Mackay: There is our property there, just across from the ground floor car park of Westfield, just across the road. The other block I will be talking about is section 79 block 4, where you can see some development going on at this end at the moment, and then green space, which is the old pitch and putt golf course, at the other end.

THE CHAIR: Thank you very much. It is easier for people who do not live in the area.

Mr Mackay: Sure. As I was mentioning, on the main Woden club site we have no development intention, no activities other than some internal refurbishment going on. But more immediately relevant is block 4 section 79, which colloquially you would know as the pitch and putt site, which has got a colourful history. I am sure some of you, if not all of you, would be aware of that. We are currently building at the bottom corner pocket of that, on the corner of Yamba Drive and Launceston Street, a five-level health and wellness centre which is a significant part of our diversification away from more traditional forms of revenue that the club has had.

When we have completed that in March next year, we do have then some decisions to make about what occurs on the remainder of the block. All our submissions sought to flag—and we were not surprised that it was not picked up in the revision—that under zoning CZ6 we have a limit of six levels at the moment. Given the development that is happening immediately alongside us, of Trilogy and then Ivy—they are the names of the developments that are happening—that are going to be 12 to 16 storeys in height, we see particularly on that corner, the northern entrance, that the drop down to six levels may not be ideal. It is certainly not ideal for us in terms of a development opportunity, but also from a visual entrance point of view going immediately from 12 and 16 down to six levels may not be an ideal development outcome as well for the community.

We have not started any stakeholder discussions yet, particularly with the community council, as to what we plan on that land, but we have flagged quite clearly that we think there is the opportunity for potentially residential and/or aged care. Aged care obviously fits well with the more mature demographic of our club members, and we come with a brand that we think would make that a relevant and worthwhile thing to pursue. That is all I have for a statement.

THE CHAIR: One of the things I am very interested in with the pitch and putt site is access to it, particularly bearing in mind that there is a good chance there will be light rail going down there. There is a reservation and clearly there are significant problems with any access from Yamba Drive, which I would assume would be basically impossible. Could you just elaborate a bit more as to what access you think could be possible for this site?

Mr Mackay: You are absolutely right. We tried to get Yamba access initially for the development that we are currently doing, and tried and tried, and were told, “No, give up.” Hence the agreement with Education to go through Canberra College to get access to the first part of the site for the health and wellness centre. We think, and the discussions that we have had thus far are, that anything that we did on the remainder of the block would be accessed by effectively an extension of Irving Street, past Trilogy and our existing Yamba club site, and going over there. But you are right. We have to bear in mind that there could be a light rail path that goes through there. We have been very much aware of it in terms of our discussions that we have had so far, but it is the only potential way to get in as we see it, given that Yamba Drive is not an option for us.

THE CHAIR: We have heard, particularly this morning, that Woden does not have a lot of recreational facilities. I have been to quite a number of meetings discussing the pitch and putt. We will not go through all the history, but how would you see recreational use? Would you see any recreational use being maintained on that site?

Mr Mackay: Not more, admittedly, than the current development that we are doing, which you have seen. It does have a small indoor pool and has got health and wellness facilities throughout the five different levels. But—and admittedly, again, because we have not gone into any consultation yet—the potential for there to be recreation facilities is not one that is high on our thinking at the moment, to be quite honest.

MR MILLIGAN: Regarding the indoor recreational facility, if you were looking at visiting that, what would it include? What type of recreation would it include?

Mr Mackay: On the ground floor there is a childcare centre and indoor swimming pool. On the first level there is a 24-hour gym. On the level above that is a group of large fitness rooms, predominantly for group fitness exercise, and then on the level above that is allied health and wellness operators, they are called—physios, chiropractors, dieticians and the like—and then on the final level we are currently looking to find a practitioner or practitioners to lease it, again along that general health and wellness type of—

MR MILLIGAN: The health and wellness concept is going swimming, to the gym and so forth?

Mr Mackay: Yes.

MR MILLIGAN: Have you done studies or any research into what your members at the Southern Cross Club, or even people in the residential area and the surrounding area, are looking for in an indoor recreational facility?

Mr Mackay: A lot of the work was driven by the fact that we already run a big health club at the existing Yamba club site, which is being swallowed up by the Ivy development that is going next door to Trilogy. We are relocating some 3,500 existing health club members from that area. We were not originally going to put a pool in but, through member and community feedback that we had over a year ago, there was call for an indoor pool.

MR MILLIGAN: People love swimming here.

Mr Mackay: They love swimming. We could not match the size of the Phillip pool, but we have been able to put in a 17-metre pool that will help with general aquasize, learn to swim, member rehab. It has been particularly popular with some of the health practitioners that they can have a rehab pool in the same site as their offices so that they do not have to send their patients to different pools around the south of Canberra to go and get their rehab done. It is early days but it would seem as though that was a good piece of community feedback that we got that is going to be a success.

MS CHEYNE: On building heights, I note that you have talked about 12 storeys. I am interested in the site that you are particularly concerned with, but I am interested in whether your views are communicated to you by members of the Southern Cross Club about amenity in the broader town centre and how building heights have contributed to or detracted from that.

Mr Mackay: As I said, we have not entered into consultation around that block of land, so I cannot say that we have sought member feedback on any development that would occur on that block of land yet. We would plan to do so with our members and the community council over the next 12 months.

More broadly speaking, though, and having attended most of the community council meetings, we want a vibrant town centre and one that has a wonderful amenity for

people to live and work in and enjoy themselves, and we would see, personally and certainly from feedback we have received as well as going to community council, that that is lacking at the moment.

MS CHEYNE: And do you think that increasing building heights is one way to achieve that?

Mr Mackay: I am less concerned about building heights at the particular sites that we operate because they are nowhere near what would be the beating heart of the town centre. I do not think that somewhere on the Yarra Glen roundabout or on the—

MS CHEYNE: Yes, that the overshadowing is going to—

Mr Mackay: On the Yarra Glen roundabout, it would only overshadow—I am trying to think where the sun sets.

THE CHAIR: It would be Canberra College that you would be overshadowing.

Mr Mackay: It might be Canberra College that you might get some. It would be nowhere near what the community amenity would be. But I take your point. We have not entered that phase of any discussions yet, and that is why our submission was more general in nature, rather than specific about anything we wanted around footpaths or the like.

MS CHEYNE: I note your comments before about—was it Ivy?

Mr Mackay: Yes.

MS CHEYNE: So it is having an impact on your existing facility?

Mr Mackay: Not at all, other than we are only a tenant that is losing its lease and we have to move because the developer is developing that site. No, other than that, we are getting kicked out basically. So we have got to find a new home.

MS LAWDER: In your original submission about the Woden master plan you talked about handing back the site in December 2017, block 8 section 24. Is that still on track to hand back?

Mr Mackay: We gained a six-month extension to that, because we are slightly behind target. We actually hand it back by 31 March 2018. You will see if you pass by the site that, whilst it is going up quickly, we are going to need every bit of that time before we can move into the site.

MS LAWDER: And then in your submission to this inquiry you have said:

We have proactively engaged in policy development leading to DV344 ... we are disappointed our proposals were not integrated into DV344.

And you have said:

... DV344 could better facilitate the development opportunities inherent in block 4 Section 79 by adopting a criteria based approach to development scales.

Can you just unpack that a little for me? What do you mean by that?

Mr Mackay: Yes. It was written for us by our town planner; so I might not be able to unpack it too greatly. But I think we were hoping that we could have an assessment based upon where the block is located and its surrounding developments rather than be limited by its existing zoning. I think that was what it was intended to mean. We have got 12 and 16 around us—we do not believe there are overshadowing issues that other sites might have—and yet we have only got six levels that we can build to at this stage. As part of diversification for us, it is probably less than ideal commercially to be able to then do anything on the site that might allow us to more quickly diversify away from our other revenue streams that we have spoken of quite often that we are trying to get away from.

THE CHAIR: Thank you very much, Mr Mackay. A transcript will be sent to you as soon as it is available, for any correction or checking.

Mr Mackay: Thank you.

Short suspension.

OSHYER, MR AARON, Manager ACT, Knight Frank Town Planning
MACKAY, MR IAN, Chief Executive Officer, Canberra Southern Cross Club
DOMAZET, MR JURE, Managing Director, Doma Group

THE CHAIR: Gentleman, can I confirm for the record that you have seen the pink privilege card and that you are happy to observe it?

Mr Oshyer: Yes.

THE CHAIR: Gentlemen, have you an opening statement?

Mr Oshyer: Yes, and thank you, Madam Chair. We appreciate the opportunity to provide evidence to your inquiry in relation to draft variation 344 for the Woden town centre. Our interest pertains to those provisions as they apply to land held by Doma Group, being blocks 50 and 52 of section 8, Phillip. The site is also known as the location of the Alexander building, which happens to be on block 50, and the Albemarle building, which is on block 52.

Quite simply, we have three matters that we would like the committee to consider. Firstly, in terms of the Woden precinct code, we would seek that that be amended to enable the opportunity for a produce market as a permissible use, as it would apply to blocks 50 and 52 of section 8, Phillip, and particularly along the north walk, which is identified as block 77 of section 8, Phillip. That amendment would enable the opportunity for a weekend farmer's market on the site, and particularly along the north walk.

MR MILLIGAN: Could we get a presentation on that?

THE CHAIR: Yes, could we have a little show and tell as to where that is? I am the only committee member who lives in Woden. The rest do not necessarily have any idea what you are talking about. My first public service job was in the Alexander and Albemarle buildings, so I know exactly where you are.

Mr Oshyer: That is the Alexander building. This is the Albemarle building. You have Melrose Drive here. You have Corinna Street that runs through here. Those buildings face on to Furzer Street. To position yourself, you have the town square here and Lovett Tower there. So they are actually north of Lovett Tower, which is a landmark that we are familiar with.

MS LAWDER: Can you show me where the north walk is?

Mr Oshyer: The north walk actually runs parallel. You have the town square and then it connects through to another space in here. The Woden master plan identified this precinct with that connecting through to this precinct as a pedestrian heart. What we are proposing is that the opportunity for a produce market be extended to enable that activity, particularly along this north walk. We believe that that would allow for some enlivening of that area.

THE CHAIR: Can you point out the bus interchange as well while you are up there? That is on the other side.

Mr Oshyer: Yes, that is right. This is the bus interchange as per this photo, through here. There was a police depot in this area, through there.

MS LAWDER: Do you know where Scarborough House is?

Mr Oshyer: It would be—

Mr Mackay: Top of the north walk.

Mr Oshyer: Aviation House?

THE CHAIR: Thank you.

Mr Oshyer: As we were saying, we believe that the addition of the produce market would help to enliven and add vibrancy to that precinct and encourage pedestrian movement through that locality.

Secondly, criterion C18, and in particular c), specifies that the setbacks are consistent with the front boundary setbacks of existing adjacent buildings. We believe that that wording should be slightly modified. The criteria normally allow for some consideration of merit. But using the term “consistent” could be read to imply that you actually have to match that in order to obtain that consistency. What we would suggest is that in order to remedy that you replace the word “consistent” with “compatible”. That would then enable some broader consideration of the setback without mandating that you would have to achieve like for like.

Thirdly, we would recommend that the wording of the criterion C19 be revised to permit development to be considered on its merit without mandating that the middle of the building is set back. Criterion 19 currently allows for some opportunity for minor departures from setbacks, but those opportunities only exist at ground level and then at the height above 12 storeys. However, we believe that the middle part of the building should likewise have an opportunity to be considered on its merit in similar terms to the other departures that are allowed.

Again, we can identify how we would see that working. Criterion 19 at the moment talks to buildings above 12 storeys. What we would suggest is that the departures from building setbacks are permitted for the proportion of development above 22 metres, again applying the same test that would apply for those higher elements. The departures for the ground level would remain as they are currently worded. I am happy to expand further in relation to those matters as may be requested.

MS LAWDER: Can you explain something for my benefit? You talked about the proportion of development above 22 metres providing a visual separation from the podium. Can you explain what you mean by “from the podium”?

Mr Oshyer: The provisions as they are currently worded were taken from the Woden town centre master plan. They essentially divided the building into three precincts. One is the lower and more human scale of the development. Then above that it is set in. The rule talks about setting in by three metres for the middle portion. Then you

move up to the next level and you have a setback of six metres for the top element of the tower.

In terms of the criterion that you read with that, it is suggesting that for some aspects of those setbacks you are able to have a departure. What we are proposing is that that should be extended to the full extent of the building. Therefore, there is the opportunity for somebody to say, "Come forward." They might have an architectural treatment that achieves what you want to achieve without necessarily setting back three metres.

Having had a lot of experience from a government development assessment point of view, it can be just as frustrating from an assessment point of view for a decision-maker who sees a proposal come forward with merit architecturally that achieves what you want to achieve but because of the way the provision is worded it gives no opportunity to consider that. All we are saying is that there should be an opportunity provided.

THE CHAIR: I am a little confused about criterion 18 and the front boundary setbacks. What is regarded as the front boundary setbacks? This is of particular interest to me. As I said, I used to work in those two buildings. They are L shaped, with very nice little parks. I had assumed that the idea behind criterion 18 was to ensure that it was continued to be effectively a public open space which is next to the north walk. It was in its heyday very heavily used. Am I wrong in thinking that that is what is going to protect it? If I am wrong, what will ensure that when the site is redeveloped that level of amenity is retained?

Mr Oshyer: Rule 18 and criterion 18 apply to the frontage on to Bowes Street and Furzer Street. For the sites that we are concerned with, it is Furzer Street that those provisions apply to.

THE CHAIR: Right; so not on to the north walk.

Mr Oshyer: No. The next provisions, rule 19 and criterion 19, do apply to the pedestrian spine shown in figure 3, which then includes the north walk. So they have broken up the provisions. Coming to your question, yes, they are frontages of the development but they have different provisions that talk to what the requirements are for those frontages.

THE CHAIR: So would what was in the past effectively public open space—I appreciate it is not zoned as such—be open to—

Mr Domazet: No, that is open to development.

THE CHAIR: Pardon?

Mr Domazet: It is open to development.

THE CHAIR: So we could expect that to disappear as well?

Mr Domazet: Yes. We had a DA approved there before which took up the whole site

with a 40,000-metre office building. It does not presume that any of those spaces are public. The north walk is a public spine up next to the town centre on the north side and then there is a pocket park that has been set up on part of section 9, which is at the southern end of section 9 now.

THE CHAIR: The one that has just been built.

Mr Domazet: The one that has just been built, yes. But certainly this area is seen as more urban and that spine is more urban—the urban response to the development around it.

Mr Oshyer: I can provide this document through the secretary, if it assists. There are extracts that we provided in relation to the master plan that talk to the area that we have been just discussing. I mentioned in our opening statement that the master plan itself identified a pedestrian heart. You will see that that is identified with the number 1. That north walk that we were talking about is linking from the town square as you move north through to the northern portion of that pedestrian heart.

There are two other aspects of the papers that you now have before you that I would like to draw attention to. On page 87, the second dot point down under 5.6.5 of “Activate and enhance the public domain”, it is stated, “The public domain in Woden town centre would be activated by designing the public spaces to encourage temporary uses that activate the town square and pedestrian spine, such as pop-up stores and markets.” It then refers you to figure 50. Figure 50 is over the page. The centre of that image identifies allowing for temporary uses and pop-up stores in the walkway. I believe that what we are suggesting in terms of the markets would be consistent with what was intended by the Woden town centre master plan.

MS LAWDER: One of our earlier speakers suggested that taller, more slender buildings may be more elegant and less overshadowing. Do you have a view about that?

Mr Domazet: There are a number of factors. I would agree that the buildings have higher amenity. Chris Millman made the point that you have more corners to the building, and corner apartments are always better than non-corner apartments because you have two faces and get cross-ventilation, better natural light and better positioning of bedrooms relative to living spaces. So certainly smaller buildings lend themselves to better outcomes that way.

The other thing that taller buildings do that Chris did not touch on is the counterpoint between how much ground floor space you take up with a fat building with the same gross floor area as a taller building with a smaller floor plate—the same gross floor area with a smaller shadow, albeit a longer one, but more open space and a smaller shadow as the sun goes around it.

I agree that taller buildings are generally better amenity. The only problem from a development point of view with taller buildings is the price of them, how much they cost. That often pushes you into another price bracket and another level of complexity for the body corporate and body corporate fees. You need to have a body corporate which can properly manage a quite complicated building as against a smaller building

which is easier to look after.

There are certainly design attributes that a taller building will give you more flexibility on. I suppose some of the things we are talking about with criteria 18 and 19 are to give an architect enough height and enough flexibility and let them design something on its merits and be assessed on its merits. Height and scale give them a lot more tools and flexibility to produce a good outcome.

MS LAWDER: Another speaker spoke about the costs of holding properties that accrue. I am not positive, but it appears that you have held those properties for a while. What is the comparison between the cost of building and selling versus holding?

Mr Domazet: Holding is cheaper if it costs a lot to build and you cannot sell them. You can spend \$100 million and if you do not sell them you are better off spending no money and not selling them. Rowan Hindmarsh made the interesting point that there is a lot of supply in Woden and a lot of land in the hands of developers, and the SLA has responsibility for it. So the SLA has a lot of land, private developers have a lot of land and Westfield has a lot of land. You also have the light rail coming through. It was suggested to me the other day that light rail will produce a lot of demand. The issue with that is that light rail will produce a lot of supply as well because the whole idea is that the corridor gets sold. So inasmuch as there is more demand, there is a hell of a lot more supply that comes through as well.

Woden is in a bit of a balance, where developers can go off each time. Where we are now is a situation where you have four to five developers who might all go and there might be a lot of apartments with an interesting level of demand for them. That would be a good test of the market. In my view, Woden is certainly one of the best suburbs in Canberra in that it is so central, so connected and it has high amenity. Gina is disagreeing, but it has got a high level of amenity; it is just a bit unloved. The facilities there are older and I think they have a lot of potential. The amount of open space in Woden is terrific and the connections are terrific.

But as to the issue with holding it, Doma's view has always been that the Albemarle and Alexander sites are best placed for an office. Woden really needs an office and we have always reserved those sites for an office building. We have had a few false starts, but it is getting to the stage now where there is almost a nil chance of an office happening and so we are looking at residential now. So in terms of holding costs, we can wear them but only because we see the bigger picture at the end of the day. I should say that Rowan's holding costs are a lot higher than ours.

MS CHEYNE: A lot of people today have listed all the amenity that has gone and you just said that there is good amenity even though it is older. For someone who does not live in or frequent Woden very often, what amenity is there that makes it an attractive place to live? Can you name some things?

Mr Domazet: You want to buy an apartment there? Let me tell you all of the good things about Woden and then Gina can counter it. In Woden you have two of the strongest clubs in Canberra, being the Hellenic Club and Southern Cross Club, so you have that straight off the bat. You have the Woden hospital nearby, which is a big employment catchment but also an amenity for residents nearby. Woden plaza has

stagnated. That is both a function of the office market, I suppose, but also of the ownership. But the ownership has just changed over, where half a share has been sold to a more active owner, and we are already seeing Westfield start to approach Bradley Street differently. If you do not know it, Bradley Street is quite an inactive street at the moment that the Hoyts opens up to. They have been able to turn that into an eat street, so instantly it is starting to turn that southern end of the town centre into something different to what it is today.

Eddison Park is quite a big park and I do not know how well irrigated it is or how well looked after it is, but it is a big open space. The skate park down on the corner of Launceston and Yamba is quite a good space. You have a college there and a TAFE there, although that is moving, isn't it?

THE CHAIR: It is being closed.

MS CHEYNE: There is a cemetery.

Mr Domazet: There is a cemetery there. You also have the Southern Cross Club spending quite a lot of money on their new gym and sports facility, which is quite good. I am not sure of their plans; I was not listening when there was talk about pitch and putt, but there is a pitch and putt course there.

MS CHEYNE: Not anymore.

Mr Domazet: All right, not anymore. I do not know how many people played it; obviously not enough. But you have got a lot of things there. Phillip pool and ice-skating rink is there and something may happen with that, I am not too sure. But when you tick off the things that it has, as well as the really strong trades area to the south, it is quite a good hub and quite well connected by public transport as well. For me it has a lot of positive things; it has just come off its worst part of the life cycle.

When the ACT government put in ACT Health down there, that is the first thing that happened that up-ticked it. Amalgamated Property Group have started developing up to the north with Trilogy. That was the first, and a few people have mentioned Ivy, which is starting to reinvigorate that area. The Abode hotel opened up and that produced some hotel supply that was needed. When you look at what it has been through, it cannot get any worse. In fact, it has got a little bit better with ACT Health going in.

I think Woden is in not a bad state to reposition itself; it is just a question of how many apartments it needs versus employment. Talking to Fiona before, the danger is that it turns into a campus town centre where people live but they do not work there, and that is not really a great outcome from a town planning point of view or for the daytime activity in that area.

In saying that, I know that there are other proposals where people are looking at vertical retirement villages, and that is off the back of some fairly high level of amenity for older people in that you have a strong shopping centre owner—albeit not a strong shopping centre at the moment—who is willing to start reinvigorating and reinvesting in that facility.

THE CHAIR: Gentlemen, thank you very much. We will send you the *Hansard* for corrections as soon as it is there to be sent. We are finished for the day. Thank you very much.

The committee adjourned at 4.47 pm.