



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

PROOF TRANSCRIPT OF EVIDENCE

CANBERRA

WEDNESDAY, 18 OCTOBER 2017

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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

FLANERY, MS FLEUR , Executive Director, Planning Policy Division, Environment, Planning and Sustainable Development Directorate.....	84
GENTLEMAN, MR MICK , Minister for Planning and Land Management	84
KAUCZ, MS ALIX , Senior Manager, Territory Plan, Planning Policy Division, Environment, Planning and Sustainable Development Directorate.....	84
PONTON, MR BEN , Director-General, Environment, Planning and Sustainable Development Directorate	84
RICHS, MR BEN , Senior Urban Planner/Designer, Strategic Planning, Planning Policy Division, Environment, Planning and Sustainable Development Directorate	84

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Amended 20 May 2013

The committee met at 1.01 pm.

GENTLEMAN, MR MICK, Minister for Planning and Land Management

PONTON, MR BEN, Director-General, Environment, Planning and Sustainable Development Directorate

FLANERY, MS FLEUR, Executive Director, Planning Policy Division, Environment, Planning and Sustainable Development Directorate

RICHERS, MR BEN, Senior Urban Planner/Designer, Strategic Planning, Planning Policy Division, Environment, Planning and Sustainable Development Directorate

KAUCZ, MS ALIX, Senior Manager, Territory Plan, Planning Policy Division, Environment, Planning and Sustainable Development Directorate

THE CHAIR: Good afternoon, and welcome to this 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 Phillip precinct map and code.

On behalf of the committee, I thank you, Minister Gentleman, and all your officials for attending today. I draw your attention to the pink privilege card on the bench. Can you confirm for the record that you understand its implications?

Mr Gentleman: Yes, thank you, chair.

THE CHAIR: I remind witnesses that proceedings are being recorded by Hansard and are being webstreamed and broadcast live. As a conflict of interest thing, I disclose that I live very close to the area, in Jessop Place, about 100 metres from the far Athllon Drive end. Minister, do you have an opening statement?

Mr Gentleman: Indeed, thank you, Madam Chair. I have a short statement and then, if the committee allows, we will provide a short presentation for you. I have supported draft variation 344 on the basis that it is implementing the zoning policy recommendations of the approved Woden town centre master plan and it contains planning provisions over the centre to provide certainty to developers and the community as to the future design, character and built form in the centre. It also encourages residential development to increase not only activity but also demand for services within the centre and surrounding areas.

The proposal is consistent with the ACT's key strategic planning documents—the ACT planning strategy 2012 and transport for Canberra 2012-2031—by providing greater residential development in proximity to transport, employment and services in the city. DV344 also sits very well with the proposed light rail stage 2 development, increasing development potential close to the future light rail route.

The amendments to the Phillip precinct code are timely. The town centre is facing a number of challenges through the loss of federal government departments and a lack of residential development within the centre. This reduces activity and patronage to services within the centre.

As noted at the hearings of this inquiry last week, there are many signs of optimism that Woden is beginning to turn around, with substantial investment in the area

through new development proposals confirming the potential of the centre. The new developments include an approved multistorey residential development to the north of the centre, and another mixed-use residential development is currently under consideration adjacent to the bus interchange. A wellness centre is also currently being constructed and other proposals coming up will assist in a rejuvenation of the centre.

I acknowledge, too, that there are some community concerns. There were 28 submissions during public consultation on the draft variation. Comments received included a range of issues, in both support and opposition to aspects of the variation. Particular issues included building heights and associated potential impacts, such as overshadowing of the town square, lack of services in the town centre and concerns with specific provisions affecting development within the centre.

The draft variation was revised in response to these issues where appropriate. Nevertheless, I was concerned to ensure that the community would be given the opportunity to further review and comment on the changes. For this reason, I have referred DV344 to the standing committee.

I reiterate that the draft variation incorporates the planning related recommendations of the approved Woden town centre master plan. While there is scope to amend the variation in keeping within the spirit of the master plan, I note that a number of the issues raised seek changes that would be inconsistent with the master plan or referred to broader policy issues that lie outside the scope of the draft variation.

I also make the point that the Territory Plan variation is only one tool in realising the master plan vision. Implementation of the master plan will also be carried out through other directorates undertaking associated works, such as the implementation of the active travel network, the rejuvenation of public spaces and the provision of public services and facilities.

As I mentioned earlier, some key concerns were particularly raised by the Woden Valley Community Council in regard to shadowing and other associated issues. Given that, we have prepared a vision document, if you like, and I ask Ben Riches to present that to you and go through some of that program for you.

A PowerPoint presentation was then made.

Mr Riches: There has been a lot of discussion about overshadowing impacts, particularly around the town square. Recently we have had the Woden town centre modelled in a 3D visualising tool called 3D Canberra, where we have applied the building setbacks and height controls, acknowledging the solar provisions from the master plan and what is written within the DV, in an attempt to show that solar access to the town square can be retained. The other thing the 3D model shows, on the bottom right-hand side, is a current development application. That is not one that has been approved, and that is the one with the blue shadow projecting across. In the 3D model all the buildings shown in the light blue are indicative built forms and would need to go through an individual DA assessment as developments are redeveloped through the town centre.

THE CHAIR: Regarding the building which used to have the Contented Soul in it, at the northern side of the town square, the plan allows for 12 storeys. I assume it has the possible bonus of four storeys, as both places do. What height is modelled, because that does not look like a 12-storey building? That is obviously a crucial building in the town square. I am looking at the plan, and I think it is in “C”, which is 12 storeys, but if it is not in “C” it only gets worse because it would be in “B”, which is 16 storeys. As I said, there is also the four-storey bonus option. Can you talk us through what is happening particularly to that building, which presumably is going to go to somewhere between 12 and 16 storeys?

Mr Riches: In addition to the building height controls there are building setback controls above a number of metres that push the building away from the square. The other control that was recommended through the master plan was for solar access to be retained in the square. The reason for that is to provide a little bit of flexibility about how the site could be designed.

THE CHAIR: Are you saying that, in effect, for all that the plan may say potentially 12 to 16 storeys, it could not be that height because, as has been demonstrated by Woden Valley Community Council, if it was built to that height the town square would not have sun? This is really confusing. This means that when someone decides they want to build that, they are going to put in a DA for 12 to 16 storeys or something and you are going to knock them back. But they are going to say, “If the other tall buildings weren’t there, there would be enough sun. Why are you picking on us?”

Mr Riches: This particular site is located at the very north of the town centre.

THE CHAIR: Yes, I know.

Mr Riches: That is why strict controls were recommended at the edges of the town square.

THE CHAIR: Where is that in the variation? I am looking at page 4, element 2, building heights. Where do we find the bit that would reassure us and the many people who have talked about this issue?

MS LAWDER: Can I ask a related question? This shadowing diagram showing the winter solstice in particular currently does not include a 12 or 16-storey building, does it?

Mr Riches: Not for that particular site, no.

THE CHAIR: That is the point that I am making.

MS LAWDER: So that is quite clear.

MR MILLIGAN: Is it easy enough to change that and include that in this presentation today?

MS LAWDER: So that we can see what the shadow is like if someone builds a 12 or

16-storey building there.

Mr Riches: Sure.

THE CHAIR: I think these gentlemen are trying to say that there is some planning control that will stop them doing it.

Mr Gentleman: Madam Chair, I will refer to Alix Kaucz from the directorate, who has all of the details in regard to that issue.

Ms Kaucz: Rule 16, on page 7, requires the minimum of three hours solar access to at least 1,000 square metres of the town square.

THE CHAIR: But how are you going to implement it, given that there are many ways of skinning a cat or many ways of losing solar access? Are you basically going to say, “First in, best dressed; you can build a tall building as long as you are the first one, and if you happen to be the owner of the building to the north, although it says 12 storeys, you are not going to be able to do it if you are the last up”? I know about both of these rules, but in terms of you approving or not approving a DA, can you actually say, “Look, you were just too late. Sorry, all sun is gone”?

Ms Kaucz: It would come down to the proposal and the design of it. I suppose there would be different ways—you might have a taller, thinner building that might not overshadow much of the town square for very long. Obviously if it is a wider, tall building it is going to have a much bigger impact and would be unlikely to be able to be approved. It would be an assessment of the overshadowing of the square at the time of the development application. It would not be in isolation, just that development; it would be a consideration of the square.

Mr Gentleman: If I can assist, the rule is in regard to overshadowing at the winter solstice, which is 12 pm on 21 Jun. So that would mean that if a building was potentially to overshadow we must provide at least three hours of sunlight at that time to the town square.

THE CHAIR: And it is going to be implemented on a first in, best dressed basis?

Mr Gentleman: The shadow comes from particular areas. The sun is always in the north at that time, so—

THE CHAIR: But there are a number of bits of shading. If I had not interrupted you, you would have gone through all the other bits of shading. You can see number of potential locations that can overshadow, and if you add them all together you have definitively lost all sun. But in terms of working out which has the privilege of overshadowing, it will be on the basis of first in, best dressed?

Mr Gentleman: No. It can only occur to the building that would be at the north that would provide shadowing at the winter solstice. That is the time and that is the rule that we work with.

THE CHAIR: So effectively you are saying that, although it says you can do

12 storeys at that location, you cannot?

Mr Gentleman: No, you cannot.

Ms Kaucz: With the other rules in place it would be very difficult to achieve that.

THE CHAIR: Impossible, one would have thought. Sorry, I interrupted.

Mr Gentleman: We will continue with the presentation.

Mr Riches: In terms of the different times of day and what this model is demonstrating, the existing shadow is in grey. Then the shadows from the light blue buildings are in red. As we go through, that is at midday with almost full sun. Then if we go to 3 pm, which is kind of the latest in the afternoon, you still have a substantial amount of the town square in the sunlight.

Mr Gentleman: Any more questions for Ben? There are probably a number.

MS CHEYNE: Is that 3 pm?

Mr Riches: Yes.

MS CHEYNE: What does it look like at 4.30?

Mr Gentleman: It will be dark. The sun sets pretty early at the winter solstice.

Mr Riches: By 4.30 most of the existing buildings are shading the town square.

THE CHAIR: Is it possible to look at the equinoxes?

Mr Riches: Yes. We go back to 9 am, then 12 and then 3 pm. Again, it is showing most of the town square in sunlight.

THE CHAIR: While we are looking at that, from an evidence point of view we obviously have some significant issues in terms of this moving. Could you basically give us a series of screenshots of the things that we have been most interested in? You possibly already have them.

Mr Gentleman: Yes, we prepared them earlier. We have physical copies of these screenshots for you. We will pass those around now.

THE CHAIR: Could we have them electronically as well? It would be easier for our records.

Mr Gentleman: Yes. I should note too that, just to finish off the conversation from before we went to Ben for that good description, it is essential that all the stakeholders recognise that DV344 is a starting point for the next phase of the town centre development rather than being the end point. While it may seem that some of the proposed changes will be set in stone for the next 20 years, the reality is that planning is a constant review of the policies in place. It ensures that the building environment is

responsive to changes in climate, to the community and to understanding best practice design as well.

THE CHAIR: Is that the end of the presentation?

Mr Gentleman: Yes. We are happy to take questions. Thank you.

MS ORR: Shadowing essentially is what I wanted to pick up on. We had the Woden Valley Community Council in. They have been quite concerned, as I am sure you are aware, about the shadowing of the town square.

Mr Gentleman: Yes.

MS ORR: The document they provided for shadowing showed that there would be quite a coverage. It was actually an ACT government one that was provided in a slide show by them. It does paint a bit of a different picture, I guess you could say, from what we have seen here, in that it sort of indicates that there might be a lot more shadowing than these projections show. I would like to clarify where we are actually going, given that that was a document from the government and that this is a document from the government. I think it needs clarification. What is actually going to be the impact of these buildings? I think there is a level of confusion around this.

Mr Gentleman: I do not have the document that they have, so it is hard for us to—

Ms Kaucz: It is in the submission that the Woden Valley Community Council provided. That was a document prepared—

THE CHAIR: No, the Woden Valley Community Council referred to an ACT government document.

Mr Gentleman: I see.

THE CHAIR: I should disclose that I go to most Woden Valley Community Council meetings, so I well and truly know their side. Gary Rake came and gave a presentation about the draft Woden Valley plan. It was not discussed at any great length because at the same meeting we had public housing, which was obviously the big ticket item. They quoted from that. That is what Suzanne is talking about. It is an ACT government publication, not a Woden Valley Community Council publication.

Mr Ponton: Could I comment very briefly? It is difficult, without actually seeing that document, to comment in detail. But what I could perhaps do is ask either Mr Riches or Mr Azzopardi to talk about the model that we are using here, in terms of its accuracy. I would hazard a guess and say that the document that was referred to was less accurate than this. This is a very detailed model. I have every confidence that what you are seeing here is in fact what you would see should those buildings, those marked on that screen there, be built.

MS ORR: Woden Valley Community Council actually included the slide show. I am happy to pass it over. That is the one. To be honest, the 9 am and the 3 pm in the current development and the future development are fairly consistent. The difference,

though, is the 12 pm, because this indicates that there would be a lot more shading of the square under that one.

Mr Ponton: That document, just looking at it, does not appear to take into consideration the rule around setbacks.

MS ORR: Okay, so it is—

Mr Ponton: It comes back to the earlier comment that we were making. Given the winter solstice, the greatest impact would be on the north. If you applied the setbacks then you would be seeing what you are seeing on the screen behind me.

MS ORR: Just to clarify, I appreciate that you have done a cursory analysis and not necessarily an in-depth analysis of the documents. But the difference between these documents, based on what information is at hand, would be a case of shadowing by a different building that takes into account setbacks. Therefore, the impact is less. Is that right?

Mr Ponton: Yes.

Ms Flanery: I might add to that that I attended the most recent Woden Valley Community Council meeting and I was looking at the overshadowing diagrams. On reflection, I felt that they did not include the solar access provisions. They may have commented that they were initially our documents. Part of the 3D work that we have done here has been built up over time as we get more information and as we look at the imagery. It is the directorate really trying to understand the impact of buildings and what they might look like. As we get more information and as we look at more information, the overshadowing and how we can address that is more apparent in these diagrams. It is not that one was inaccurate; it is just that we are building up our understanding and setting up more criteria around that.

THE CHAIR: I have a question about the area to the north-west, which is area A on the map. It is 24 storeys and so can be 28 storeys, given that four storeys are for free. That is also to the north. It is right next to the square. It will be turquoise in your document. It is just on the other side of Lovett Tower. It is the next one north. Is all of that around there 28 storeys, because clearly it does not appear to be all 28 storeys around that area? You have a bunch that are not. What height is the turquoise one there? How high is that? You are allowing 28 storeys according to the plan.

Mr Gentleman: For the audience, we are going through the program now to try to identify the height level on the 3D imaging.

Mr Riches: So 24 storeys is shown on that middle—

THE CHAIR: You allow 28 because there are the bonus four storeys anywhere it fits in with good public transport, which clearly that site would. Will you model the extra four storeys? Presumably, that would be negative.

Mr Gentleman: We have just added the extra four storeys now. We will show you the shadowing.

PROOF

THE CHAIR: That would be afternoon shadowing that you have given us?

Mr Gentleman: That is 3 pm.

THE CHAIR: I guess what you are saying is that you believe it would have to be offset because that building, the 28-storey element, is off to the west. What you are basically saying is that the problem would not occur because you would not let them build these storeys that are indicated—

Mr Gentleman: It shadows to the south.

THE CHAIR: here, and that our readings indicate you could.

Mr Gentleman: Yes. As you can see from the diagram, it shadows to the south, not across the town square.

MS ORR: What would happen if you added the additional storeys? All of those buildings would be 24 storeys. What would happen if we added the additional four to all the buildings they could be added to?

Mr Gentleman: We will go through that process now for you. Adam is really skilled at this.

Ms Flanery: While we are looking at it, I guess in simple terms it lengthens the shadow. Again, a master plan is to look at how, first of all, to set a vision for the area and then to set some encouragement to develop the area in certain ways. Every building law is also then subject to individual scrutiny. We have tried to make those provisions very clear in terms of solar access. It is very important, and community space is very important. Equally, increased densification and commercial activity are very important. So the master plan and the DV process are trying to respond to all of those.

Mr Riches: This is at 3 pm. It shows that, I think it is, the third building along there starts to impact on the square if you go up to the full 28. That is at 2.30 pm and that is at 3 pm.

THE CHAIR: But you have not made overshadowing one of the criteria for getting your four bonus storeys, which I believe was part of the master plan suggestions.

Mr Gentleman: Solar access, indeed, was part of it, yes.

THE CHAIR: Yes. Why has it been removed from this one or why is it not part of the criteria?

Ms Kaucz: We have the separate criteria, so the solar access criteria will apply anyway.

THE CHAIR: You believe it is redundant?

Ms Kaucz: Yes. If we had it as part of the additional thing, irrespective of having additional height, they would still have to meet that rule 16 to get solar access to the town square. It is trying to look at it in a positive way—solar access—rather than in a negative way of overshadowing.

MR MILLIGAN: My question relates to the decision that we made to reduce the possible square metreage for a supermarket from 1,500 metres to 500 metres. Can you explain what consultation you had, if any, with the current landowner of that property? What made you decide to reduce it to 500 square metres?

Mr Gentleman: Yes, that is a good question. There was quite a lot of consultation, of course, with the community and stakeholders in regard to the master plan during that process. I should say up-front that the current allowance is only 200. So this would be an increase to 500. It is certainly an increase for the area. But I will ask the directorate to give you some more information about their considerations.

Ms Kaucz: The variation that went out for consultation had it at 1,500. Then we received submissions that that was going to be too large and would have an impact on the town centre and the commercial retail hub in the centre. The aim of the supermarket there was to meet the needs of the local community on that side of Woden. So it was reduced in size for that reason. That was in response to submissions but not in consultation with the lessee of the block.

MR MILLIGAN: Did you look at how many possible residents could be living in that precinct—let us say the maximum number of residents that could be living there—and maybe compare that with what supermarket may be required to service that precinct and whether a supermarket of even 500 square metres would be required?

Ms Kaucz: We can find out. I do not know off the top of my head the estimated population size of that area, but we can get that information for you.

MR MILLIGAN: That would be great.

Ms Kaucz: I just add that we were responding also to planning and community views that the town centre and the commercial viability of the town centre were paramount. We received information saying, “Don’t spread the kind of commercial activity too far.” So, yes, there is still the intention that the main centre remains, the main commercial centre remains, within that town square.

MS CHEYNE: Throughout the submissions there are concerns that the draft variation focuses quite a lot on densification and the taller buildings. Notwithstanding the concerns about windshear and solar access, many of the submissions—and we heard this last week—are concerned that there are not necessarily the provisions to support additional community infrastructure; that is, park, green space, community centre, sports ground and a new—or redeveloped but on a new site—ice rink and pool.

Do you agree with that characterisation of last week, that theme that ran through what was presented? Or are we all missing something in that variation that will allow for those things to occur? To give you some context, when people have talked about the

demise of Woden town centre, it is all the things that have been taken away. I think that the chair of the Woden Valley Community Council has a whole list. Notwithstanding that many of those things are not the government's responsibility, it is about having the controls in place to allow the community and leisure activities to prevail. It is a concern.

Mr Gentleman: The government has made a very strong investment in facilities around the Woden-Phillip area. I think the ovals are a very good example of that. Urban open areas are really important in densification—we saw that with the workshops for the statement of planning intent—particularly with the younger demographic. We had about 100 there on Friday night who said that they would like to live in dense and more vibrant communities but that they really needed that open space, pocket parks, those sorts of things, to recreate in over the weekend. Perhaps in their minds it is a bit of a trade-off for denser living. We see that work in many jurisdictions across the world where there is a denser living but there are facilitated open areas for people to recreate in.

Mr Ponton: It is important to note and understand the role of the master plan versus the role of the Territory Plan variation, therefore the Territory Plan. The master plan, as the minister said in his opening statement, is a document that sets division. It includes things that are specifically for the planning authority to achieve through the Territory Plan. It also identifies things that are desired—keeping in mind that we did go through an extensive community engagement process in developing the master plan—by the community but will be delivered by other government agencies. For example, territory and municipal services will need to deliver some of the pedestrian and cycle connections over the life of the master plan. It also provides or facilitates private investment.

That is the other important thing to keep in mind: the master plan is not all about what the government will do. It is about what the local community and, for that matter, the broader community want to see in their centre, Woden being a town centre. It provides the framework for that private investment. The Territory Plan variation is but one aspect. In this case we have pulled out those things that are relevant to the Territory Plan and incorporated them. But that is not the end of it. As the minister quite clearly said in his opening statement, there will need to be other investment, both public and private, to achieve everything in the master plan. It may take some time to achieve that. The life of a master plan can be two, three, five, 10 years. In fact, the master plan would identify those short, medium and longer term actions.

Mr Gentleman: A number of items occur in the variation. They include provisions to increase and improve open space and recreation. There are provisions for additional landscape areas within the town centre and rezoning of land for urban open space along the Athllon corridor. A Phillip precinct code puts controls in place to activate frontages in proximity to key community recreational uses within the town centre. There are additional provisions in the Phillip precinct code to regulate buildings at the interface of public places and spaces. That includes, of course, the solar access and passive surveillance and safety.

MS CHEYNE: Quite a few of the submissions referenced that, while the active travel routes are detailed in the master plan, they are not set in stone or there is not even any

detail in the variation except in some small areas. Is it common or is it unusual to not put the active travel routes in draft variations?

Ms Kaucz: Usually we do not. Because they are generally on leased land, the Territory Plan does not necessarily have the jurisdiction to implement it. It was developed for the master plan and discussed with TCCS. They are aware of that strategy. To put it into the statutory planning document was not deemed necessary because it does not require a development application to be assessed as it is often exempt development. For that reason we do not have it in the Territory Plan. It does not need the weight of the Territory Plan to put it into place.

Mr Ponton: The master plan itself would guide Transport Canberra and City Services as they develop their bids and their plan.

MS CHEYNE: But does it?

Mr Ponton: Certainly. It is government policy. Absolutely; yes.

MS CHEYNE: There is a bit of a misunderstanding in the community about the master plan and the variations—their interactions, what the purpose is and who is supposed to be doing what. People are looking to the variation to make sure that what is promised in the master plan actually happens. Perhaps it also points to some distrust in the community: that if it is not in the draft variation then it probably will not happen.

Mr Ponton: That may be a communication issue. As I have said, the master plan is government policy. It identifies where those connections are desired. As Ms Kaucz said, given the works are ordinarily exempt development, there is no value in putting it in the Territory Plan. If you do not need development approval, you do not need an assessment. Therefore you would not refer to the Territory Plan. But Transport Canberra and City Services would refer to government policy in putting forward their budget bids, and the master plan is government policy.

Ms Flanery: At the most recent Woden Valley Community Council meeting we gave a joint presentation—both EPSDD and Transport Canberra and City Services—looking at the active travel routes. I was personally quite interested that a very small number of people in that group had participated in the master plan process. We will work towards showing the continuum of planning through to the Territory Plan variations. Just as you described, many people in the community say, “We were consulted on the master plan and we would like see that in the Territory Plan changes.” Many of the people at the meeting were saying, “I do not know how this came about.” It is work that we will have to do. Because these things happen over a long time, we will continue to set the framework for it.

Mr Ponton: When a new master plan is adopted by government, Transport Canberra and City Services look to see how they can program works that are relevant to them. I am aware that some of the connections that are identified in the master plan are already in the planning stages.

MS LAWDER: I am interested in the master plan. One of the objectives for the

Athllon Drive precinct was improvements to Yarralumla Creek, potentially to include a wetland—improve water quality, provide recreation and mitigate against flooding. Can you explain how the Territory Plan variation supports that objective in the master plan?

Mr Gentleman: That work will be done through our healthy waterways project.

Mr Ponton: I think it is similar to the previous set of answers: the master plan identifies the desires of the government and the community through the engagement process for that area, but it is not necessarily the Territory Plan that needs to deliver that. As the minister said, there are other programs available to government to look at how it might implement the objectives of the master plan. But there does not necessarily need to be a line item or a rule or criteria in the draft variation if that work would already occur in that location.

Ms Kaucz: With this variation for Woden, we had a concurrent one for Mawson. The one for Mawson had an area of land being rezoned to an urban open space zone along that corridor. So while it does not enforce implementing the upgrades, it changes the zone to an open space zoning rather than being, I think, residential CZ2.

THE CHAIR: RZ2.

Ms Kaucz: RZ2.

THE CHAIR: The proposal here is to move the bit along Athllon Drive from RZ2 to RZ4, which is presumably not consistent with wetlands. We are talking about Athllon Drive.

Mr Gentleman: You are talking about Athllon Drive between Mawson and Woden?

THE CHAIR: Yes. This variation is the northern side, and the proposal is to—

Mr Gentleman: The description we were talking about was the one south of Mawson.

MS LAWDER: I am talking about between Hindmarsh Drive down towards Mawson, which I think is block C on page 15 and 16 of the report—Callum Street.

THE CHAIR: I can point it out for you on the map if you are unsure. You have Hindmarsh Drive, and along Athllon Drive there is a big space which is currently unoccupied.

MS LAWDER: Subject to the 100-year flood level.

THE CHAIR: People have thought for a long time that there might be wetlands there. That is what Ms Lawder is talking about: this area here. You were talking about a different Territory Plan variation.

Ms Kaucz: That is further down, sorry. Yes.

THE CHAIR: It is south of the target area.

Mr Riches: The work on the master plan identified where that rezoning could be changed from the existing. That was to coordinate the works with the wetlands, which were being worked out as part of the basin priority project. The site for the wetland—I apologise if you cannot see this; this is from the master plan, page 96—was to occur around that area, around the middle section. The rezoning was about bringing the development closer to the Woden town centre—closer to the Mawson group centre—and allowing for that wetland to occur along Athllon.

MS LAWDER: In the map I am referring to, is that the area marked “C”? Is that the same area that you were referring to? I cannot see where that is exactly.

Mr Riches: The area marked as “C” is that northern part of it that applies to the Woden town centre.

MS LAWDER: What does the red mean on your map?

Mr Riches: Zoning for residential—RZ.

MS LAWDER: Going back to your map, where are the wetlands? Are you saying they are further down towards Mawson?

Mr Riches: Further down towards Mawson.

Mr Gentleman: Alongside Hurley Street. Between Hurley Street and Athllon Drive.

MS LAWDER: To summarise, you do not feel that the sort of allowance or introduction of wetlands, as they are recommended in the master plan, has to be specifically mentioned in the Territory Plan variation. Is that what you are saying?

Mr Riches: That is correct. In light of the other variation that Ms Kaucz referred to, which is where the main wetlands would occur, there is nothing in this variation that would preclude that from being undertaken under the current planning scheme.

THE CHAIR: I will ask a different question. Light rail is planned for Woden. I draw everyone’s attention to the front of the master plan, which is a wonderful picture. Presumably light rail is going to go down the transport corridor that has been marked for a long time. If you look at this, particularly in light of the development that is currently happening in Woden, there is not a lot of space. It appears that you are planning to underground Yarralumla Creek and send water on the minor branch in the direction of the hospital. There is nothing in the Territory Plan variation specifically about light rail.

I do note also that the Canberra transport plan, with consultation about light rail, did not have a light rail stop adjacent to the bus interchange. Can you tell us what is going on with the light rail and particularly the light rail and its intersection with Yarralumla Creek?

Mr Gentleman: It is a very exciting time for Canberra, with light rail coming in, I think, and the announcement of stage 2 has been even more exciting. In regard to the

finesse in engineering on how it enters Woden, as you have indicated, the transport corridor has been kept in place over the years, which is good. It allows us to facilitate light rail to the beginning of Woden, on the northern side, but then it is an engineering process to identify how light rail will then go through the town centre. Some of that work is beginning now. I understand that some surveying work has already been done along some of the corridor. I do not know that it has been done down to Woden at this point, but certainly along Commonwealth Avenue and Adelaide Avenue I have seen the survey pegs, which is good. But in regard to how it interacts with the interchanges, I will ask the directorate to give you an idea.

Mr Ponton: In relation to the diagram, I think it is important to note that this was November 2015 and that the government's decision at that point was to prepare the business case for light rail. What we have done is pick out those planning elements. As I said, not everything in the master plan finds its way into the Territory Plan variation. We continue to work closely with our colleagues in Transport Canberra and City Services, but, given where they are at in terms of developing the project, the government is yet to make a final decision in relation to the detail of light rail.

It would be important for us to make sure that we come back and review this work and whether or not there are any further variations required to facilitate any decisions of government in the future in relation to light rail. We would certainly be looking to do that and provide advice. But I think it is really a time issue. This was in November 2015. We have got a variation that picks out certain elements, that deals particularly with density and heights and overshadowing, which were important to the community. We continue to work on the detail with our colleagues in Transport Canberra. Ms Flanery, did you want to add anything to that?

Ms Flanery: Not specifically, but, as Mr Ponton has mentioned, we are working closely with them and have regular project control groups to look at the engineering solutions. It is perhaps pre-emptive for us to make changes in the Territory Plan variation process, but we note that there are places that make the route more logical than others.

THE CHAIR: Some of which have got very tight, I would have to say. Yes, there is a concern about some places along Yarralumla Creek. You do not know whether you are thinking of re-engineering the creek?

Ms Flanery: I am certainly not an engineer, but there are very innovative ways that they are putting in light rail around the world. Transport Canberra have got great people advising them on how to do it. They would be certainly scoping those options.

THE CHAIR: And there would be a commitment, I would hope, that the light rail terminus and the bus interchange were next to each other, as distinct from the consultation plan, which did not have that.

Mr Gentleman: The plan is that it is an integrated transport network right across the ACT. It is important that, of course, buses integrate with the light rail spine.

THE CHAIR: Absolutely.

Mr Gentleman: That is the work that we will continue to do and that will come through that planning process with light rail.

MS ORR: I have got a question regarding the rezoning of that block there. I am sure you can all see what I am pointing to. It is the one that is going to community facility. That is currently green spaces.

Mr Gentleman: The former site of the youth centre?

MS ORR: Yes. Quite a few community groups have raised with us that they would like all the green space completely maintained and that they are not quite sure what this rezone will be going to. I just want to seek some further clarification from the directorate as to how they see doing that rezoning will enable that.

Ms Kaucz: It is going to be rezoned a community facility zone, and that allows things like a community activity centre and child care, a place of worship—a variety of uses. Given the size and the location, it is to allow some sort of community uses there to help focus the community on that green space and have some community uses there. You have got the youth centre there currently, and then there has been merit development just north of that on the other side of the park in the variation.

Mr Ponton: And if I could just add that during the master planning process we undertook surveys of the local community to understand what they wanted for their town centre, and 79 per cent of people were looking for additional community facility land in that location. The short answer is that this was in response to what we were hearing from the community during the development of the master plan. I guess what we are hearing is that perhaps there has been a change in the community, or certainly those representing the community, in relation to that particular parcel. But 79 per cent of those surveyed at the time were supportive of that change.

MS ORR: Certainly what I have taken from the comments is that they would like more community zone facilities. I get the impression, though, that they did not mean that would come from green open space. I think that is probably where the context is coming from. Am I right in my understanding, then, that the intention for that area is for community facilities that would complement the ones that are already there, such as the youth centre and so forth? There are a range of uses under that zoning. It will be going to, say, some of the others. Someone raised in there the opportunity for housing and they were a little concerned that, while housing is a good option, that is not the ideal spot for it. That is what had been put to us.

Mr Ponton: If I could comment on your first comment there, in relation to the 79 per cent of people who responded, we were quite clear about that parcel of land that it would be open space rezoned to community facilities, and still 79 per cent of people were supportive of that. I just make that point. In relation to the types of uses, that is certainly something that is open to this committee to make recommendations on if there is concern about—I am guessing—supportive housing and the like. We can certainly restrict the types of uses that are allowed within that zone for that location. That is certainly a possibility.

MS LAWDER: You said “79 per cent of those surveyed”. How many respondents

was that, do you know?

Mr Ponton: I am going to look at my colleague, who will remind me.

Mr Riches: I would have to check.

Mr Ponton: It was a number of years ago. We will clarify that, and hopefully before the end of this session we can come back to you.

MS LAWDER: And in that survey were people provided with a list of what is included in the community facility zone—what is allowable?

Mr Riches: As in the list of permissible uses?

MS LAWDER: Yes.

Mr Riches: Not in that particular question.

MS LAWDER: I would hazard a guess, based on my interaction with the public, that more than 79 per cent of people would not understand that CFZ land can be used for adaptable and affordable housing.

Mr Ponton: And as I said, if the committee were to make a recommendation that we look to limit those uses or even keep that as open space—it is certainly open to the committee to make that recommendation—I am sure the minister would carefully consider that prior to finalising.

Mr Gentleman: There was a view during the master planning process that the public, particularly the community of Woden, wanted to see a consolidation of community facilities in an area such as this, and they describe their outlook on page 87. It brings community uses to the people, to bring people into the space, improve pedestrian connections across Cullen Street and provide activities during the week and weekend that are close to public transport, main cycle routes and parking.

THE CHAIR: Page 87 of what?

Mr Ponton: The master plan.

Mr Gentleman: The master plan.

Mr Ponton: That statement is giving an indication that the expectation was that it would not be supportive housing in that location.

THE CHAIR: Which column? The second column?

Mr Ponton: Again, it reinforces that we were trying to deliver on what we were hearing from the community, but if we need greater clarity in doing so, in the statutory document, as I said, that is certainly a possibility.

THE CHAIR: Clearly there is a demand within Woden for more community facilities,

but were people told that this was basically the only possible site for more community facilities? Given that Woden boasts quite a number of surface car parks and the Callum Offices, all of which would have potential use as community facilities—

Mr Gentleman: We are just getting that detail for you now.

Mr Ponton: I was just clarifying a point. This was about providing additional community facility zoned land, the yellow land on the map. Community facilities can already occur throughout the town centre. It was identifying additional opportunities for community facilities. In terms of additional sites, the car parks you are referring to already allow for those uses. This was an addition to the land bank that allows for community facilities activities.

THE CHAIR: My question then, to be clearer, is: was the community aware of what you have just said, that the government is prepared to have community facilities at all these sites?

Mr Ponton: Yes.

THE CHAIR: And the question specifically said, “As well as all this, you want the park to be used?” It seems unlikely.

Mr Ponton: I know Ms Flanery wants to say something but, as I understand, it was more about the location. Community facilities activities could occur throughout the town centre, but we were hearing that people wanted additional land and they wanted it in a particular location. Ms Flanery, did you want to add to that?

Ms Flanery: You probably have a subsequent question. What I am taking from listening to the community’s understanding of the DV, the territory plan changes—we are changing a plan and we are perhaps not comparing it to what is already there—is that there may be that misunderstanding that you can have community facilities in places already. We are trying to show people that here is an additional lot. Just responding to your question, “Did we make them aware?” we may have done, through the master planning process, but, again, because the master planning process and these territory plan changes are separated by time, they may not have made that link.

Mr Ponton: And I will just add, with the passage of time—and I alluded to this earlier—communities change. We are now hearing that those representing the community have a different view to what we were hearing previously. Certainly we are prepared to listen and hear that, and if the committee is hearing that also, as I said earlier, it is open to the committee to make recommendations for the minister to consider.

THE CHAIR: What I am hearing is that the community certainly wants more community facilities but not at the expense of what is a quite nice park, basically. And that is why I am saying that if they were given the choice of more community facilities in some other space they quite likely would have said, “We would like to keep our park.” But if they were told, “Your only possibility for more community facilities is your park,” they may have said something else. The park is not a huge site. What are you actually envisaging could go there? It is not going to be big enough for

an arts centre, not unless it is a fairly small arts centre. What have you got in mind for that?

Mr Gentleman: Just before we go to the detail of the park, the overarching master planning process is really important for the ACT, and the amount of effort the community goes to to provide evidence and argument for what they would like to see in the future is really important. As the D-G was saying, communities change and their views change as well. I ask the committee, in deliberating on all of this and when making recommendations, to think about the effort the community originally went to with the master planning process and where it is now. There may be a volume of people who put forward a great deal of effort in the master planning process that may not have engaged recently and who may find it a shock to see changes come forward after what they thought had been agreed to. I am just saying to think about that in your deliberations.

THE CHAIR: I am just wondering if you had any idea of what community facilities would fit on that site? It is a fairly small site. As we have said and as you have identified, there are a lot of other sites available—any of the commercial sites you could use. What did you have in mind for this specific site?

Mr Ponton: First of all—and I was just conferring with my colleague and picking up on the minister's comment—the location for the community facility zoned land was not put forward by the planning authority at the time. It did fall out of the consultation exercise, so it is important to note that, in particular, Woden Community Service was very keen for a site to be made available on that side of the town centre. We were trying to respond to what we were hearing from the community more broadly.

In relation to our ideas for what will go on the site, it is important to note, again, that the Territory Plan variation is about providing the framework for others to deliver. It is not for the planning system to necessarily identify what is the best use in terms of what the community needs; we provide the frameworks. We are hearing certain community services are needed. The master plan alluded to the types of activities the community was looking for, but the specific detail of that is for delivery by others.

THE CHAIR: You said you have been talking to Woden Community Service. They gave evidence to us and, clearly, they want a larger collocated site; there is no doubt about that. One thing they mentioned is they are currently using part of the Callam Offices. As we are aware, the AMC did a study on the uses of that and they thought this was at least of interest. Is it possible to make this publicly available? I have already written a couple of times asking for that, without success. This is basically the site we are talking about, with car parks around, and Woden Community Service are there now.

Mr Gentleman: I would have to check whether there is some sort of commercial arrangement there. We will see what we can do for you. In regard to community facilities and Woden Community Service, a number of us did a tour of the new facilities being constructed to the very north of this area, just above the oval, which is the old club site. During the construction, when we had a visit there, the club proponents said to us that they have quite a large area for a community facility and that unfortunately their particular client had fallen over in the last period.

We visited that area too, with the chair of the Woden Valley Community Council, and I put forward an idea of whether they would want to engage with Woden Community Service for sharing that site. I understand that there were some conversations, but I am not sure of the outcome of those and whether they proceeded further. But certainly the site they were after would have fitted into what was available at the club site. So there is an opportunity in a privately owned building for that to occur.

THE CHAIR: What do you see as the future of the Callam Offices, given that they are heritage listed and government owned? They are partially being used by Woden Community Service and clearly are surrounded by car parks. There is adequate space for almost any community facility you can think of.

Mr Ponton: The work you were referring to was AMC Architecture presumably?

THE CHAIR: Yes.

Mr Ponton: As I recall, that work was commissioned by Economic Development, as it was then. That area now sits within the Environment, Planning and Sustainable Development Directorate. In terms of where that work went, I do not believe the government has made any decisions in response to that work. In terms of the government's views on what might happen to the site, the government has not been fully briefed in relation to that work. I would need to review the files to see where that work is at and where any briefings might be. But, as the minister said, in terms of the release of the work, let us have a look at that and see what might be publicly available.

MS LAWDER: I have another question related to what we heard from Woden Community Service last week. They mentioned that there had been a feasibility study for a new Woden community centre, and they mentioned 2012 and \$200,000. Any idea what happened to that? Did that feasibility study and design take place?

Mr Ponton: I believe that that is linked to the AMC work.

THE CHAIR: I believe it is.

Mr Ponton: I saw an early draft of that in a previous life, but I could not tell you the details. I would need to check the record.

MS LAWDER: So it kind of did take place and the \$200,000 was spent?

Mr Ponton: Yes.

MS LAWDER: But it is not publicly available at this time?

Mr Ponton: Not at this time, but we will have a look at what is publicly available. And when I say confidently the figure of \$200,000, I cannot say that that is the amount that was spent, but we can check that, too.

MS CHEYNE: Going back to community engagement then and now, I am very aware that the Woden master plan started in February 2014, so time has ticked on.

The community engagement report is not online anymore, or at least not at any of the links. But from what is in the master plan and when you were talking about that, it seemed that lots of people who initially engaged wanted more community facilities but not necessarily on that site. Was that during stage 1, when you went out to the community and sought ideas, or was it during stage 2, when you were seeking feedback on the draft?

Mr Ponton: That was through stage 1, so the very early stages. That was then developed further as we went through the process of the master plan.

MS CHEYNE: Of the approximately 300 people who participated, do you have a sense of the number who said that?

Mr Ponton: I would need to refer to the numbers of people that responded to the survey, but, as I said, 79 per cent of people—

Mr Riches: I can give you figures. In terms of stage 1, we had “meet the planner sessions” where we went out to the centres to talk to people. We had about 140 people in the first stage and 166 feedback forms were provided. There were also lessee and trader meetings for Woden, which had 39 people. We also had eight individual submissions emailed through. Then on the draft master plan—and this goes back to one of the earlier questions about how many people responded to the question about the town park and the community centres—at the meet the planner sessions we had 161 people, we received 99 feedback forms and we had 24 individual submissions.

MS CHEYNE: You obviously do not have in front of you the community facilities feedback based on that engagement. Is there any way of finding out easily?

Mr Riches: I think that would be challenging in terms of stage 1. We could certainly provide details in relation to the survey in terms of the number of people that responded and the questions asked.

MR MILLIGAN: In relation to the ice rink and pool site, in your response to the submissions to the draft variation you say you have ensured that a range of other uses can be developed on that site to maintain its viability, and that is mentioned in the master plan publication. What are the other uses permitted on that site?

Ms Kaucz: That is the CZ2 commercial business zone site. So uses include different community uses. You can have indoor entertainment facilities, indoor recreation facilities, outdoor recreation facilities, parkland, a place of assembly. There are a range of uses, plus non-retail commercial and commercial accommodation uses. You can have a club, you can have residential and you can have shops.

MR MILLIGAN: You can have residential?

Ms Kaucz: Yes, you can have residential. That is a permitted use. There are a range of recreational, commercial, retail, residential uses.

MR MILLIGAN: What level can it go to?

Mr Gentleman: Whilst Alix is looking for that detail for you, I can advise that there is quite a bit of history here. Originally a master plan was done back in, I think, 2003 or 2004. There was a change of the zone for that facility, which was very much supported by the Woden Valley Community Council, to allow other activities to occur on the site. It was to try to revitalise the opportunity for the building owners and the pool owners to see what they could do with some extra activity. I do not think they have put anything up from that to go forward, but that was the idea of the change at the time.

MR MILLIGAN: Were they supportive of that change back in 2004?

Mr Gentleman: Yes, I think so. Yes. That is only from memory and it is a little while ago.

Ms Kaucz: So 12 storeys. We are just confirming the exact block it is, because there is an area that prohibits residential use.

THE CHAIR: It is this corner.

Ms Kaucz: Yes. The section just next to that is where residential is prohibited, but that site can have residential. I just wanted to confirm I had the right site.

THE CHAIR: As you no doubt are aware, there was an ACT government commitment to do a study into a site for an ice hockey rink. This clearly is a major concern, particularly given the zoning lease purposes of that land, which say they have to maintain, as I understand it, a national standard ice hockey rink. Do you have any idea where that is up to?

Mr Gentleman: In regard to the international commitment?

THE CHAIR: No. The ACT government made an election commitment in which I believe they started with \$75,000 to go towards a study, not necessarily for somewhere else—

Mr Gentleman: To invest in.

THE CHAIR: To invest in and investigate an ice hockey rink.

Mr Gentleman: Yes, that is right.

THE CHAIR: Canberra is arguably not big enough for two, and we certainly would argue it is not big enough two.

Mr Gentleman: There are a lot of activities that occur in ice sports. There is ice hockey, broomball, figure skating and a number of other activities that occur. There may well be an environment that would support two. However, that is with sport and rec. What I will do is take that question on notice, if you like, and we will talk to sport and rec.

THE CHAIR: Could you take that on notice? Given what the Territory Plan says

about a swimming pool and a national standardised hockey rink, it is clearly relevant to know whether it is likely to continue to be viable there.

Mr Gentleman: In the conversations that I have had with the Ice Sports Federation about those details, they called for quite a number of activities, much more than just ice hockey. We will talk to sport and rec and see what we can find out for you.

THE CHAIR: Has the government looked at all at the viability of the existing uses, given the swimming pool being worked on at Stromlo park and the ice hockey to be at a location to be determined?

Mr Gentleman: Again, that would be sport and rec that are doing that work.

THE CHAIR: Could you add that to the question? If what is happening at present in that space is not viable—and people basically argued that—then it is at least relevant.

Mr Gentleman: Certainly we will ask them.

MS ORR: I was just reminding myself of the submissions. Canberra Town Planning did put in a submission on behalf of the pool and in that they noted the changes to the additional rules specific to the Phillip Swimming and Ice Skating Centre. I will try to condense it without making it too hard for you, but basically they have still got concerns with the wording, in that it limits what they would be able to do with the site in order to achieve the objectives that are outlined for the site.

I would like to hear your response to the concern that the use of the site cannot be realised, given the way the wording is. Particularly it seems to be about the setting out of the site in relation to Irving Street and the pool. I know that when they came in they spoke quite a bit about potentially moving the pool and reordering the site to do different things, depending on what they were going to do. I am keen to know the government's view as to whether they should be enabled to do quite different things with the site or whether the current set-up is the one that needs to be preserved, and for what reasons.

Mr Gentleman: There are certainly a number of uses permitted under the zoning at the moment, but I ask Ms Kaucz to give us some more information.

Ms Kaucz: As mentioned before, the range of uses that you can have does have that mandatory rule of having to provide for the ice-skating rink and the 50-metre pool. I suppose that would just depend on the proposals that they looked at, the design of it and how it would work on the site. The uses are permitted. They do have that requirement that they have to provide that on the site. How that works—

MS CHEYNE: Are we talking about the existing site?

MS ORR: Yes. Just for my own clarity's sake, then, when it says "maintain a 50-metre pool with direct public access to Irving Street", would that be something as simple as an access path, even if the pool was not abutting it, or is there a site in there that you would have to—

Ms Kaucz: It may not say “the entrance to the pool”, where the swimmers would come. They would walk through an entrance on that site. I suppose it does not specify how close the pool has to be to the entrance, but it would be that that is how people would access it, rather than from any of the other streets.

MS ORR: They did bring in quite a few designs of different ways that they thought they could handle the site under different scenarios, and I think their concern was that this might limit some of those. From what you are saying, it sounds like, while those rules are there, there is a certain level of flexibility in how they are applied to get the best outcome. Would I be correct in that understanding?

Ms Kaucz: Yes. The idea would be that, if you have residential above, for instance, that is not just for residents accessing from that street. People using the pool access it directly from that street rather than having to go around the other side. But where it is located within a building that would be for their designs. I think some of that can also be resolved through finer detail when developments come along. I think it is just about making sure that we get the planning—entry/exit, pedestrian movement, cycle movement—right.

MS ORR: Certainly one of the concerns they raised was about, if there was a redevelopment of the pool, making it an indoor facility so that it can be used in all months of the year and also to provide for privacy for the swimmers, given the amount of residential development that is anticipated and is already happening around there.

Mr Gentleman: You have just touched on a very interesting bit of history as well. We know the pool is open air. Originally, back when the master plan occurred, in 2004, the community council called for an indoor pool; they wanted a seven-day a week indoor pool. Those variations to the Territory Plan were allowed to go forward in that concept, allowing the owners of the building to make those changes if they wanted to. But then the community council called and said, “No, we don’t want an indoor pool anymore; we want an outdoor pool so that people can sunbake.” It is just interesting how the conversation changes over the years.

MS ORR: My main inquiry was just to find out, in the context of what they had said, whether there was a bit more flexibility perhaps.

MS CHEYNE: This is a follow-on from what Ms Orr was saying. We heard evidence last week that even redeveloping the site poses real issues for the owners because the whole site is used all year round. You most certainly note that it staying there is preferred for some reasons, particularly because of the large amount of development that is going up around it. Is that still the right outcome here, noting the restrictions on the site, or is another site somewhere else a better outcome?

Mr Gentleman: For the pool itself?

MS CHEYNE: The pool and the ice-skating rink. I think they are very concerned about losing revenue for the whole year.

Mr Gentleman: It was the community that called for the pool to be there, and the

ice-skating rink originally.

MS CHEYNE: That was a long time ago.

Mr Gentleman: It was, yes. That is what I mean. Certainly things change over time. It would be up to, I imagine, the owner of the property to come to government with any proposal.

Mr Ponton: No. Correct me if I am not with my colleagues, but the crown lease has the requirement, does it not, to maintain the pool? The owner, I guess, purchased the property knowing what the obligations were. If it were the case that they wanted to provide a pool elsewhere in order to allow redevelopment of that site, then, yes, they would need to come to government with their proposition. But I am not aware that that has occurred, certainly not to my directorate.

MS CHEYNE: I think I know the answer to this. We heard a lot last week about a farmers market in Woden. Does that come within the jurisdiction of a Territory Plan variation? Would there need to be any planning variations to allow for a farmers market in Woden or does that sit with another directorate and/or just commercially?

Mr Gentleman: No. The use of a zone for a farmers market would certainly be a planning decision. The activities then would be commercial decisions after that. There is no facility at this time for a farmers market. I understand the proposal was put forward to the committee. I have seen it, I think, on paper and it may well be a good outcome for the area. It is something that we can certainly consider.

Ms Flanery: Currently in that zone it would come under produce market, under the Territory Plan, and it is not currently permitted. Because it was not a suggestion raised in the master plan process or in the variation process, it was not added. I suppose for further work in the future we can have a look at that use, but it is a use under the Territory Plan.

MS CHEYNE: What do you mean by “further work in the future”? For this or in the master plan in 20 years time?

Mr Ponton: There are a number of ways that this could occur. If, as Ms Kaucz said, when the master plan was developed and the Territory Plan variation was first consulted on, it was not something that was put forward—this is a relatively new idea, as I understand it—it could be through this process that the committee, again, could make a recommendation to the minister and the minister could consider whether or not to make that change prior to approving the variation, if that is what he decides to do. Alternatively, the further work would be through the next round of master planning, which could be some time off. If the committee were of a mind to recommend a change to get that use now, then this would be the time to do it.

MS ORR: In the context of the supermarket that we spoke about earlier, and going down in size to maintain the core retail area, how would you see a produce market interacting with the dynamic of the different wholesale and supermarket offerings?

Mr Gentleman: I think that is a conversation we would have to have with economic

development, but we see it occur in other areas. There is, I think, an opportunity, but certainly the economics of it are the important part. Moreover, whilst there is an economic discussion to have around it, it is about how the community would view it as well. If, as we have discussed, we have got more population coming into the Woden area, with more accommodation and better transport, then that could be an opportunity for Woden for the future.

Ms Flanery: The phrase “innovative models” is bandied about probably a little too much, but I am going to use it because I cannot think of anything else. We are also looking at the fact that in many places they have what one might think of as a farmers market but in actual fact they are just different retail models that might use spaces as display areas and things. I think we have to recognise that the planning of Canberra had its big farmers markets or produce markets geared towards the outside of the city, for obvious reasons—transport and all those things. Now people really would like to see produce in their area, whether that is a temporary use or a more permanent use. As part of, I guess, a change in the directorate and government, we are looking at how these things interact both on a small scale and then more broadly across the whole of the territory.

MS LAWDER: The Woden Valley Community Council submission highlights that there is a bit of a disparity between the precinct codes in some of the different town centres. For example, Woden Valley Community Council have said on page 3 of their submission:

... 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 public car parking, a cycle network and public transport stops.

They included at attachment A of their submission a comparison. Can you explain how precinct codes are applied, and is there a need or a wish for consistency?

Mr Gentleman: It goes back to history again, in that Woden was developed quite a while ago and Gungahlin is new. There were different wants from the community in that area. Ms Flanery has some more detail for you, particularly in regard to Gungahlin, some of the detail of green space, that sort of thing that is in those precincts.

Ms Flanery: Certainly—and this was a point that was well raised by the Woden Valley Community Council—just as a personal view, it is difficult to compare apples and apples in that respect. There is that tension between town centres having their own identity and everything being the same, everyone having a community facility or hospital. The precinct code for Gungahlin is much newer. It does have a range of things that are not totally needed in that area to service the growing community. Woden, however, has other facilities around it and certainly has the major facility of a hospital and a fantastic sporting precinct that other areas may not have. In having these precinct codes, just going back to your question, yes, there are differences.

MS LAWDER: And a cemetery.

Ms Flanery: And a cemetery and a very nice park, I might add. I do not think it is a

useful comparison to say that everything has to be the same. There are reasons that you would have more of one in one area, because of the size and scale of Canberra.

MS LAWDER: I return briefly to the rezoning of some of the green space to CFZ land. The Woden Valley Community Council submission says that, before any open spaces are rezoned, a review of the requirements for open space should be undertaken. There has been a reduction of open green space in Woden, for example, with the loss of the green space courtyards in the Alexander and Albemarle buildings, the Athllon Drive open space for densification, the expansion of the cemetery into part of Eddison Park and the loss of the pitch and putt facility, which was previously there. It is going to be developed. Is that an opportunity to relook at surface car parking space et cetera, rather than taking away green space, which has already been reduced?

Mr Gentleman: Can I give you, again, a little comment on history? I go back to that previous master plan process. These were the requests of the Woden community at the time. They wanted to see that area to the north of Phillip oval reinvigorated and were prepared to lose a little bit of the green space that was there to provide more facilities for the Woden community.

MS LAWDER: Was that block specifically nominated?

Mr Gentleman: No, the whole area was worked. The whole area around Phillip oval, from memory, was worked in that process. This is going back about 14 years.

MS LAWDER: So when the 79 per cent—

THE CHAIR: Mr Gentleman, that is a different place, around the Phillip oval, from what we are talking about. It is a different bit of—

Mr Gentleman: Ms Lawder just identified the spot where the pitch and putt used to be.

MS LAWDER: No, I said there was a loss—

Mr Gentleman: My apologies.

MS LAWDER: of green space, including the pitch and putt. So why are we now taking away another green space or a community facility zone? I am sorry. I was not specifically referring to the pitch and putt spot. I am referring to the fact that 79 per cent of those surveyed said they wanted community facilities. But did they believe that taking away existing green space was how it was going to happen?

Mr Ponton: In the survey we specifically identified where that would occur.

MS LAWDER: You did?

Mr Ponton: Yes.

THE CHAIR: Presumably, then, you did not state that there were other potential locations. You stated earlier today that, in fact, basically everywhere could be

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community facilities. I assume you did not say that everywhere in Woden could be community facilities and that this is the best one. You just said, "This is it."

Mr Ponton: I would need to go back and check the record. I was not involved in the detailed discussions, but I think that it would be unusual for the planning team not to have identified where community facilities could occur.

MS LAWDER: Can you take that on notice?

Mr Ponton: As I said earlier, it was in response particularly to Woden Community Service. They were saying that they were looking for activity in and around that locality, so that is why we put that forward.

THE CHAIR: They certainly were not part of the solution.

Mr Ponton: I will ask Mr Riches to comment on whether or not we talked about what was permitted within the existing commercial centres.

Mr Riches: One of the other conversations around that town park, Arabanoo Park, was the usage of that park and that it was quite low. In terms of where open space and community facilities were being identified, particularly on the eastern side of the town centre, it was trying to link in with where we thought the future pedestrian network would be going, particularly east-west, and where the future public transport stops would be. That is partly why the town park, Arabanoo Park, was identified for community facilities, as well as from our conversations with Woden Community Service.

Mr Gentleman: Ms Flanery has some more information on urban open spaces.

Ms Flanery: Not specifically with that area, but having looked after the urban open space in Canberra for the last five or six years as part of a former portfolio and being very familiar with the sites, there is a lot of open space in Woden. I do not think one would think there is not when you look at all the greening on the area. The community is particularly concerned with not having a very urban, hard-edged town centre, as are we.

I think one of the things that the master plan is trying to do is to encourage people in and out of the areas and also, from a management perspective, not necessarily going to a very binary argument about the total area of open space but the quality of it. The park that was previously mentioned had low use, so are there ways that we could encourage people to use it or are there better areas where high usage could be encouraged? There are many beautiful areas that people do use quite regularly in that area.

Mr Gentleman: We saw a really good example of good outcomes for open space for people to recreate in, to seek refuge in or to enjoy on a recent visit to Copenhagen. A major bank had developed on the corner of a block. During their proposal they sought views from the community. It is a very democratic way of planning in Copenhagen. What they developed was an urban open space with different levels, walkways and a lot of trees. Underneath it all is car parking. It was an incredibly good outcome for the

space to allow car parking underneath and to allow people to recreate. Most people come out of the buildings for their lunch. They sit in this area, under the trees. There are some hard areas there. The skateboarders come down as well to enjoy the space. But there are some really good learnings on how other jurisdictions have come up with really good outcomes for open space.

THE CHAIR: Major concerns have been raised by the Woden Valley Community Council and others about the public space in Woden and where the focal point of the town centre is. Where do you see the focal point of public activity being, then, and what does the draft Territory Plan variation do to implement that?

Mr Ponton: I think it is safe to say that the town square is an important area for Woden. We certainly heard that during the master planning process and also through this planning process. It is also located centrally to the town centre, so I cannot see that there would be any other answer than to say that it is the town centre. That is also why, when we started with this, we put so much effort into providing opportunities for increased density but at the same time ensuring that we have solar access provisions for the town square to ensure that it is a well-utilised space.

THE CHAIR: Talking about solar access, the town square itself is 3,600 square metres. But you are looking at solar access for only 1,000 square metres, which is about 28 per cent of the town square. Is this really adequate? That is what all the rules say. The rule says 7,000 square metres. That is rule 16; that is your rule.

Mr Gentleman: Yes, it is very important, I think, to establish—

THE CHAIR: It is important, but is 28 per cent enough? That is my question.

Mr Gentleman: It is very important to establish for the committee that this rule is in regard to the winter solstice. So it is only in the lowest part of the sun's movement across the sky, in the middle of winter, that that occurs. The rest of the time it is quite sunny. The other thing to think about, too, just in a more mechanical sense, is that most often in the winter solstice we have complete cloud cover; we do not get sun at all. It is important to think about the rules we set in place to allow for solar access and to be practical about where it can happen. That is the minimum amount that can occur at the winter solstice.

THE CHAIR: When Woden was initially planned it had an east-west spine. What is the plan doing to preserve this? I note that there has been some work done in the bus interchange. There had been big plans, but then Westfield pulled out. Those plans have been abandoned. We have the stairs, but we do not have the weather protection that we used to have. The original plans for Woden had a forecourt. We do not have those anymore. The east-west spine went over to Arabanoo Park which, as we have just been discussing, may soon no longer be a park. Is there an emphasis to keep that again?

Mr Ponton: If I may, minister, the master plan certainly does identify the importance of the east-west connection. You referred to the park. As Mr Riches said earlier, the east-west connection and the identification of that site for community facilities land, in terms of where people might want to go to, is clearly identified within the master

plan. I need to remind the committee again that the master plan has a role. The Territory Plan variation, or the Territory Plan, has a role. But then in terms of delivery of infrastructure, there are other parts of government and the private sector that need to deliver. The master plan sets the framework. It is the enabler. Certainly the east-west connection is very clearly identified in the master plan. In fact, I am looking at page 36 of the master plan. It does identify those connections.

THE CHAIR: Have you any comments on what seems to be on the plans to turn Bradley Street into a cafe precinct, in the context of the plans for Woden?

Mr Gentleman: Which street, I am sorry?

THE CHAIR: Bradley Street, by the cinema. Just south of Bonner House, where there is the overpass; there is the cinema. Westfield's plan is to turn that area into a pedestrian cafe precinct.

Mr Ponton: And that is completely consistent with the master plan that identifies that area for that exact use. That is, I guess, an example of where the private sector and the government are working together to achieve an outcome identified in the master plan.

THE CHAIR: Do you think that is going to impact on the town square, which currently is basically boarded up?

Mr Ponton: I would need to look at the specific details of the design to answer that question, which I do not have before me, but I can—

Mr Gentleman: Chair, what do you mean by “impact”? Do you mean loss of—

THE CHAIR: We talked about the size of the supermarket. Something that is developed in one place can have a commercial impact on other places. Once upon a time Woden town square had cafes on the outside. They are now 100 per cent closed. We have a nail salon and boarded-up buildings. There are cafes being developed in another part of Woden. As planners, presumably there is an impact between the two. Having one will make the other bit harder—

Mr Gentleman: It is worth while letting the committee and the public know that we have moved Access Canberra to the edge of the town square. I think that would bring the most foot traffic to Woden town square of any of the previous occupants. I congratulate Access Canberra for the work they have done. I think the staff really like working there too.

Mr Ponton: Can I make an additional comment, minister? The master plan identified three sites for this type of increased activity, the town square being one, the site that you have identified being another and Corinna Street being the other. I guess what we are saying is that we were listening to the community, what they wanted. From a planning perspective it is important to make sure that we provide opportunities for people to utilise these spaces. I think the critical thing here is—the minister has touched on this—that for these areas to succeed we need people. The master plan, and therefore the Territory Plan variation, is looking at opportunities to facilitate getting people into the town centre, whether that be residential—people living in the town

centre itself—or providing good connections to get people from outside the centre into the centre so that the town square can be successful, Corinna Street can be successful and Bradley Street can be successful.

THE CHAIR: Great.

MS ORR: We have had a lot of people make comment on the marker buildings that have been identified in the master plan but also in the Territory Plan variation. I want clarification from the government on the rationale for that: why we are including marker buildings.

Mr Gentleman: It is a bit of history in the Territory Plan, I think, really. Mr Ponton?

Mr Ponton: I will ask Mr Riches to provide a comment shortly in relation to the master planning exercise that was undertaken, given that he was heavily involved in that. From a planning perspective, marker buildings are important because, apart from providing some visual interest to the town centre, they actually help people to orientate themselves, particularly visitors, when they come to a centre. From a planning perspective they are quite useful in terms of adding that interest. I will ask Mr Riches to provide some additional comments.

MS ORR: Can I ask in particular when the idea of marker buildings came up as part of the consultation process, because a few people have been caught by surprise?

Mr Riches: The marker building idea came up through the development of the draft master plan, so out of the first stage of engagement. As Mr Ponton touched on, it is very much about an urban design response, whether it is buildings as markers, as a kind of gateway into the town centre, or used as identifiers if you are standing in the bus interchange and you need a visual cue about where you go to for either different activities or just to orient yourself as you walk around.

MR MILLIGAN: Whereabouts would these marker buildings normally be located on a block? Is it on the whole section? Are they on the corners to identify—

Mr Ponton: It really does depend on the particular locality. The marker buildings may be within the centre itself so that people know where the commercial area is. It could be to mark the corners so that people start to get a sense of the boundaries of the commercial centre. It really depends on the particular circumstances.

MS ORR: So it was something that came out of the draft?

Mr Riches: Yes, it was developed into the draft master plan and then refined in the final.

MS ORR: It was a concept put forward in the draft?

Mr Riches: Yes.

THE CHAIR: Thank you, minister; thank you, officials. A *Hansard* transcript will be sent to you in due course for any corrections. The other thing that will be sent to you

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in due course is questions on notice. Members, the secretary needs questions within three days of the proof transcript. Can we please have responses from the directorate within five days? That is five days for questions, a number of which you have taken on notice already, and five days from when you get any additional questions which members may have.

Mr Ponton: Certainly.

THE CHAIR: Thank you very much.

Mr Gentleman: Thank you, chair. Thank you, members.

The committee adjourned at 2.45 pm.