



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING AND URBAN RENEWAL

(Reference: [Inquiry into draft variation No 345: Mawson Group Centre: zone changes and amendments to the Mawson precinct map and code](#))

Members:

MS C LE COUTEUR (Chair)

MS S ORR (Deputy Chair)

MS T CHEYNE

MR J MILLIGAN

MR M PARTON

PROOF TRANSCRIPT OF EVIDENCE

CANBERRA

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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.

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Amended 20 May 2013

The committee met at 9.02 am.

CARRICK, MS FIONA, President, Woden Valley Community Council

THE CHAIR: Good morning everybody and welcome to this public hearing of the Standing Committee on Planning and Urban Renewal's inquiry into draft variation 345, Mawson group centre zone changes and amendments to the Mawson precinct map and code.

Today we will be hearing from the Woden Valley Community Council, Milestone Pty Ltd on behalf of 7-Eleven, Argos Property, Minister Gentleman and directorate officials. Ms Carrick, I draw your attention to the pink privilege statement on the table. Can you confirm for the record that you understand the privilege implications of this statement?

Ms Carrick: I understand the implications of the statement.

THE CHAIR: Thank you. Before we go to questions, do you have an opening statement?

Ms Carrick: I do. I thank the committee for the opportunity to talk about the Southlands group centre or the Mawson group centre. The Woden Valley Community Council advocates for great public spaces for all ages and abilities, particularly at our meeting places: at our local shops, our group centres and our town centre.

Our local shops can strengthen connections between people by sharing social, cultural and recreational facilities and public spaces to build a strong and resilient community. Community connectedness can also enhance physical and mental wellbeing, build inclusiveness and reduce social isolation. We want to be proud of our shops so that they are respected and looked after by our community.

THE CHAIR: Your submission says that we should keep the southern and the eastern car parks rather than sell them. The government is of the belief that they can be sold because the variation requires whoever buys them to replace the parking in them. That is a rule 4 criterion. Can you tell the committee why you think that is not going to be good enough?

Ms Carrick: One of the major reasons for the success of this shopping centre is the great access to the shops. You have this car park here and particularly this car park here. They provide great access into Woolies, although a second supermarket would be good. The main thing is that parking is a very important aspect of a local shopping centre; as long as the number of car parks is retained, if not more provided, because it is very crowded. It is not clear to me how the height of those buildings—I think that is two storeys.

THE CHAIR: I think so. I should say for the record that Ms Carrick is referring to a Google map of Southlands. Keep going.

Ms Carrick: We understand; we welcome development in our local areas, in our

social and economic hubs, which this is. We do welcome development; we just want it to be done well. So we need to ensure that access is retained to the shops and that primarily we have great public spaces for people to meet at.

THE CHAIR: In the same vein, the government does not think we have to keep all the park and ride. It has a rule 5 criterion. Can you comment more on that?

Ms Carrick: The Mawson park and ride is very popular. It is very busy and it is always full. This morning I went past there on my way here. The local bus stop there, that park-and-ride service, had a huge crowd at it. I appreciate that we could have a structured car park there to service the people coming through from Tuggeranong and from the south of Woden.

It is interesting to think how a park and ride could be embedded in a residential tower. The zoning provides for an eight-storey residential tower; so it would have to have enough parking to cater for all the residents, plus a massive number of people who use that park and ride to get to work in peak times.

THE CHAIR: I also understand—maybe you can comment—that that eight storey building could potentially be another supermarket spot. Have you any views on what that would do when eventually, presumably, it will be a light rail stop? Certainly at present there is a blue rapid stop there which, as you say, is very well used.

Ms Carrick: I think about where the second supermarket will be. Southlands are very popular shops. They cater to the whole south of Woden. Not only that; the more I talk to people about it, people come from Yarralumla, Garran and all over the place to use the Southlands shops. So it is a matter of planning it properly. If you just put supermarkets here or there, you will scatter the activity. People will go to those supermarkets. They will drive underneath, if that is how the parking arrangement is. They will go to the shops. They will come back out into their cars and they will go home.

I do think that however it is designed, we need to be aware of where the public space will be that will be central. Where will it be? How will it be designed so that it actually attracts people in there to use it? I think that is some of the fundamental problem; we do not think about where the buildings will be and what impact this will have on the rest of the centre.

THE CHAIR: Currently, as you know, there are two service stations in Southlands. It seems that from a zoning point of view the Caltex service station, or what I call the Woolies' service station, is going to be retained as service trades but the other is not. In terms of the layout of Southlands, do you think there is any reason why one would be preferred rather than the other? I assume that in the long run it is not sustainable to have two service stations there, although they both seem to be doing fine.

Ms Carrick: Yes, when you say that, I wonder why? If two have been sustainable to date and we are getting more and more people—

THE CHAIR: Maybe they are on the bus.

Ms Carrick: Maybe they are on the bus; maybe not if there is a dogleg through the parliamentary triangle. It might work the other way; we might need more service stations. I don't know; I guess it depends on the housing development. I noticed in the 7-Eleven submission that they were concerned about people—residents—complaining about the noise.

THE CHAIR: Yes.

Ms Carrick: I guess it depends on what happens with residential developments around that area and what space they have around them to run their business.

THE CHAIR: Yes, and what happens with that little bit of green space, which will be going.

MS ORR: I want to clarify something relating to the surface car parks. I think we had touched on the development of those surface car parks. You mentioned, if I heard correctly, that you would like to see the quantum of parking retained. Have I understood that correctly?

Ms Carrick: Quantum and maybe even additional. I think it is zoned for two storeys there. So you would have to have enough car parks for the two storey residences plus all the shoppers because, as you can see from this picture, it is full.

THE CHAIR: It is always full.

Ms Carrick: It is always full. That is what makes this work. That is why people come from near and far. It is because they can get access.

MS ORR: Am I right in my understanding that it is not necessarily about having a surface car park; it is just having a quantum of car spaces retained?

Ms Carrick: Yes, it is the quantum for that car park. When it comes to these north-eastern ones, I think we need to have a look at where the public space is. I would not like to see all that developed. If you just have the entire thing developed, where is the open public space for this centre? We have not looked at that. In this centre you have the little square. It is very small. These ones can open through. I suggest that we take a few of these car parks and turn them into a park so you can have cafes; you can have sun streaming in; you can have a bit of a playground; parents can have somewhere to sit around and watch their children playing. It needs something.

MR PARTON: In terms of open community space at Mawson, there is really not a great deal, is there?

Ms Carrick: No. There are the big playing fields down further south. But they are playing fields and that is not where parents meet to have a coffee.

MR PARTON: No, and obviously Curtin has been discussed a lot of late. That tiny little square at Mawson just does not function in the same way as the square at Curtin, does it?

Ms Carrick: No. One of the reasons is because there is nothing to draw people into that little square. Jabal and the chemist do, but that is a square that should be thriving. At the moment there are shops for lease right on the square. I have spoken to Woolies. They have a significant wall, the southern wall, where the sun shines in. It is just a brick wall. It is not open. It is just like a dead wall on that square. I have asked them, when they next have a refurb of the Woolies, if they would look at opening that up on to the square or in the meantime if they could put a mural there; do something other than just have a brick wall.

MS ORR: What have they indicated in response to that?

Ms Carrick: They said that they would look at that. That would be good because it would create a bit more life in that square. It is only very small, but it is central. That is what I am saying. Because it is so small, maybe if we had something with a bit of green and a playground over on the south of that eastern car park—it is a bit confusing. If we could say that the one by the Austrian club is the eastern car park and the one north of Subway—

MR PARTON: Go with the clubs car park and the retail car park.

Ms Carrick: Let us go with that: the clubs car park and the retail car park. On the southern end of the retail car park, if we could get a bit of open space and playground there, that would be reasonably central. You could sort of open up the southern retail block between the little square and the car park. That could open up and flow through.

MS ORR: Can you clarify something for me as a north-sider who is not as familiar with Mawson as I am with some other shopping centres. That block that you are saying can be opened up, is there currently retail in that block?

Ms Carrick: Yes, this one is for lease; so it is privately owned. This one is for lease on the square side. There are shop people on the right side. It is difficult when it is private, that is for sure. But over the years there have been shops that run right through from the square through to the car park. It changes over the years; sometimes they run through sometimes they are—

MS ORR: But is there a public access way? That is what I am asking.

Ms Carrick: No.

THE CHAIR: There is a little laneway.

MS ORR: There is a little laneway?

THE CHAIR: You can go out from the courtyard to the car park. You cannot see it very well but it is a laneway.

MS ORR: I can appreciate your argument that it would be good to have a public space there and to connect it up. As you have acknowledged, though, it is very hard when it is a private space to tell them to open their shop up for a thoroughfare.

PROOF

Ms Carrick: It would made like—having it as one lease, as I say. Over the years sometimes it is one lease where you can go through and sometimes it is two leases. They divide it.

MS ORR: Yes. It would be provisional on whoever has leased it taking out one lease and opening it up for people to walk through.

Ms Carrick: Yes.

MS ORR: We need to acknowledge that.

Ms Carrick: I acknowledge it is difficult when it is private hands.

MR MILLIGAN: How would you describe Mawson centre's character? What defines Mawson shopping centre? You want to keep and maintain the local character of it.

Ms Carrick: The local character is low rise. It has buskers out the front of Woolies. It should be a sunny meeting place. I must admit I was criticised for talking about keeping the local character, because it is not very good. Somebody on Facebook said, "What do you mean keeping the local character? It's terrible." It is very concretey; there is nothing green or nice about it at all. So in light of that, it is not really so much about keeping the local character but keeping the open public spaces, making sure we have public spaces and that we improve on them.

MR MILLIGAN: You mention that the buildings are designed to reflect the local character of the group centre. What type of changes could occur there that would help achieve that?

Ms Carrick: We need to work out what will draw people into the public spaces. That is why I suggest a green area and a playground to attract people into this part of Southlands, into the middle central area. I think we need to keep the buildings low rise in Southlands because the zoning provides for four storeys down the western side. That will take out the sun of the little square.

If we do it on the north side there is this other little area that is important to Southlands as well. Where the Commonwealth Bank was is a little square area. On this map it is underneath where it says "Mawson Southlands Shopping Centre". It has a paved area and a cafe. There are a couple of cafes around there, and that is a potential area for public space to be better utilised. If we were to put four storeys on the north-western side that would potentially overshadow that as well.

I see that we keep the shops as low rise, the existing one and two storeys we have. Then we can put the taller buildings around the shopping centre so we can retain the sun in the middle and the human scale, where the people are meeting. Then we have the residences at four, six storeys around the shopping centre.

MR MILLIGAN: And your position on the marker building concept of up to eight storeys at the furthest point in that development area, would you be comfortable with

the position of going up to eight storeys?

Ms Carrick: I would prefer to see it stop at six storeys in this sort of environment. I appreciate that we have to have development, and we are happy to have development. I think six storeys would be adequate.

MS ORR: What is the reasoning behind six storeys as opposed to eight storeys?

Ms Carrick: It seems to me there is creep; it seems to keep getting higher and higher. I think it should be equivalent to what other group centres have. If Curtin and Dickson and all the rest of them are having six storeys, then I think there should be a level of consistency. If it is consistent to have eight storeys at group centres, then okay. But if it is consistent to have six storeys at group centres, then I think that Mawson or Southlands should be consistent with the rest of them. I do not think it should be that some have six, some of have eight, some have 10.

MS ORR: Dickson has buildings that are going up to eight. I live in the suburbs of Gungahlin but we have up to seven storeys in our town centre. So there is precedent there. Six to eight storeys seems to be quite consistent across the group centres; it is not six or eight.

Ms Carrick: Yes, okay. Well, the main thing is that they are positioned in places where they are not impacting on other residences or on open public spaces. I would see that the taller ones would be on the southern side where they overshadow some of the playing field as opposed to the public spaces.

MS ORR: Some might argue the playing field is a public space.

Ms Carrick: Yes it is, on the weekends. There are not a lot of people on the playing fields Monday to Friday during lunch time.

MS ORR: In your submission there are quite strong feelings towards marker buildings. Would you prefer them somewhere else? I had a look at where they were proposing them, and I thought that as entrance ways to the group centre they made a lot of sense. Can you expand your reasoning, because it is not intuitive to me as to why there is this dislike for the marker buildings?

Ms Carrick: The dislike for the marker buildings stems from Woden. We are told we are having marker buildings in Woden so people can see the entrance to Woden and find their way around Woden when they are in Woden. We object to that because there are already tall buildings in Woden whereby when you approach Woden you know you are approaching Woden. You do not need further marker buildings for people to know they are approaching Woden. There is even a big sign when you come down Adelaide Avenue that says, "Woden".

MR PARTON: There is also GPS.

Ms Carrick: Yes. So to tell us we need marker buildings to know we are approaching Woden is insulting, and to tell us we need marker buildings to find our way around Woden is also insulting.

MS ORR: For someone who lives there, I can see why you might have that impression, but I am not from Woden. I went and had a look at Mawson before the hearings today just to check it out so I could see what it is and have an understanding. As you are probably not surprised, being a north-sider I do not frequent a shopping centre far away that often. And while you may know where you are going, someone like me does not.

When I think about places in my area when I am meeting people, even though I know where I am going, certainly having a focal point to say, "I'll meet you at this place," definitely helps in your day-to-day life. You have spoken quite a bit about Woden and how you do not like the marker buildings for Woden. But I would like to focus on Mawson independent of Woden, because it seems that is its own issue.

The marker buildings for Mawson seem to make a lot of sense to me where they were. And all I have heard so far is that, "Because we don't like them in Woden, we're not going to like them in Mawson."

Ms Carrick: No.

MS ORR: While that is consistent, I am not sure it is entirely—

Ms Carrick: Okay, fair enough. Maybe it is a language thing, a marker building. The people that frequent Southlands do not need a marker building. So you or someone from the north might come down once a year, well, there is GPS. You did find your way there. We do not get a lot of tourists. I wonder how many tourists come to Southlands. You might need marker buildings in the city or the parliamentary triangle for tourists, but I would like to know how many come to Woden or Southlands that we need to provide marker buildings so they know where they are.

There is GPS these days. I think it is a flawed argument. If you have a look in the Belco master plan, it says in there that they do not need any more marker buildings because they already have them.

MS CHEYNE: What?

Ms Carrick: It does.

MS CHEYNE: Where?

Ms Carrick: In the Belconnen master plan.

MS CHEYNE: I do not think that is the case, I am sorry, Fiona.

Ms Carrick: All right. Well, we will have to look it up. I will look it up and I will send you the reference.

MS CHEYNE: Yes, please. I would be grateful.

MS ORR: I can appreciate where they say they have enough marker buildings and

you do not need them. But if you are starting from not having any, that is a different argument. I take your point of GPS. Mind you, when I catch the bus and public transport, I do not generally carry a GPS with me, and I am not great at using my phone GPS; I will put that out there. I might be unique; I am happy to wear that one.

The other thing I will add is when I went to Mawson I was driving around like crazy just trying to distinguish what was there. I have been to it before; I have been to the clubs and those sorts of things. While I may not frequent it as much as people who live in the area, I quite like Bruno's Truffels and it is a place I have been to quite a few times before. I can see you really do not like marker buildings, but I am still not sure you have got me across the line as to understanding why they are so horrendous.

Ms Carrick: I think it might be a language thing. As I say, we are happy to have development and we are happy to have six storeys; I just do not know about calling them marker buildings. When I go to Gungahlin or Belconnen, I am not familiar with those places either. I have to find my way around with the map. I just had a lady on the bus today saying how she had been to Gungahlin with her daughter on the weekend and how hard she found it to get around. Nobody is familiar with everything. If you are not familiar with an area, you will have to use the map to find your way around.

What is the marker building for? Is it for the local resident? I think Mawson and Southlands should be for the people who live there, for the community there, and not because somebody might come from somewhere else and not be familiar with the area. I do not think a marker building is going to help somebody that is not familiar with the area. They are still going to need a map to find where they want to go.

THE CHAIR: I think one of the issues is that "marker building" has been used for "taller building".

MS ORR: And it does not necessarily have to be.

THE CHAIR: That seems to be what it actually is rather than necessarily a marker. A sign saying "Mawson" would be vastly more useful.

MS ORR: Often in Europe it is a church in the middle of the town.

THE CHAIR: Maybe we are not going to do a church.

MS ORR: I appreciate that. Maybe, Fiona, we can agree to disagree on marker buildings. That is probably the best use of time right now.

Ms Carrick: Yes.

MS CHEYNE: I want to touch on the six-storey, eight-storey thing as well. Where has the idea about being consistent across group centres come from? Ms Orr has just said some group centres are going to eight storeys. On that argument, perhaps we should all be going to eight storeys. But should not each group centre be taken on its merit and the lie of the land around it and proximity of residents and greenspaces rather than, "If it's good enough for Curtin it's good enough for Mawson"?

Ms Carrick: Yes, agreed, each one is different. Southlands is a reasonably small centre compared to some others. It can have six storeys around it and potentially up to eight storeys, as long as they are done well and are positioned properly so they are not impacting on open spaces, public amenity and other residents and that there is enough parking for access. We are agreeing to have the taller ones around. But in the actual shopping centre itself, we are saying to keep it at the existing one or two storeys for the human scale and the public amenity.

MS CHEYNE: Is it in those areas as well that you want more of those through connections that you were talking about?

Ms Carrick: Yes, or wherever—

MS CHEYNE: So you want some redevelopment in that central area?

Ms Carrick: It is pretty old now, so I would imagine at some point it will be redeveloped.

MS CHEYNE: We have a similar problem at Emu Bank, for example, in Belconnen where the height limit at the moment is one to two storeys. I do not think it is attracting any developers to redevelop the area or to think about buying certain sites there because of the current height limit. That might be increased through the draft variation.

Ms Carrick: What is Emu Bank being increased to?

MS CHEYNE: Four storeys, but it is next to a lake and it also has apartment buildings that face the lake right behind it. So in terms of thinking about what it is near to, I think that is supposed to make it more attractive.

That is the similar logic I would apply to those central areas in Mawson. If you actually want those to be developed then we might have to increase the height limits to attract a developer to come in and say, “Actually, yeah, it makes sense for me to buy that and do that.”

Ms Carrick: Emu Bank is different because Emu Bank is a long, skinny thing with the lake there. So you can have the sun coming—

MS CHEYNE: I was just using it as an example. We are talking about Mawson, though.

Ms Carrick: Yes. Around your Margaret Timpson Park you have, for example, lower scale buildings, six or so?

MS CHEYNE: And also one that is 18.

Ms Carrick: On the north side of your Margaret Timpson Park?

MS CHEYNE: On the south side.

Ms Carrick: That is right, and the south side is okay because it is not impacting on the sun coming into your Margaret Timpson Park. We are objecting to putting tall buildings in areas on the north side of our public spaces and taking out the sun. For instance, a classic example is the Woden town square. It is zoned for 28-storey buildings all the way around. If it were 28-storey buildings on the south side of our town square we would not have a problem because the shadow would fall over Westfield itself, and so that is the same as here.

In the centre itself, this is zoned for four storeys down the left side. If we do that, that will take out the sun for the little square we have in the afternoons and this little one over here that we are trying to have renewal around. We do not want to overshadow these. Put the six and eight-storey ones over here where they are less likely to have an impact over Athllon Drive and then over here where the clubs are, but not in the centre. In fact—

MS ORR: Have you done modelling for this?

Ms Carrick: I did do some, and the little square with four storeys is taken out by the significant—

MS ORR: Is that based on it being a block development, so it is all oblong or square and it just sits on the whole block as it is?

Ms Carrick: I just did a four-storey running down there, but you can see the impact of—

MS ORR: So there is no nuancing in the building or there are no gaps or anything?

Ms Carrick: No, I did not do that.

MS ORR: So it is based on the assumption that you essentially put up a big block wall with four storeys along there?

Ms Carrick: Yes.

MS CHEYNE: My point still is that it seems to be a trade-off: you can preserve the green space and keep your one to two storeys, but it might never get redeveloped and just become really shambolic, of you could have slightly higher limits in the centre and then attract a developer to redevelop it and make it look good and an attractive place to be.

Ms Carrick: Well, why can we not start off with the taller ones around the outside to see if there is any interest in developing them? Why can it not be a staged process?

MS CHEYNE: Because then we would be coming back in a few years and going through this all again. A master plan and a variation are supposed to set the scene not for one or two years to test the market but for a decade.

MR MILLIGAN: And it would probably attract more interest through knowing what

will be built in that precinct.

MS CHEYNE: That is right, for confidence.

MS ORR: The certainty that business is always after.

MR PARTON: Ms Orr has spoken about the basic modelling you might have done regarding a block of four storeys basically across that whole section and that there was no nuancing—that was a cool word. But under the draft variation there is no requirement for there to be any nuancing, is there?

MS ORR: There is a bit in there that says it can go up provided it achieves a certain amount of sunlight. I actually would not agree with your last statement.

MR PARTON: Okay.

Ms Carrick: The sunlight is two hours in winter between 12 and 2. That is not adequate. Two hours between 12 and 2 in winter does not make for a nice place.

MR PARTON: Can I, hopefully, close the marker building debate? I have had a look at and listened to what Fiona has said in the past about marker buildings. I think that her position is that buildings should be built where they are required at the height that they are required, based on all of the things around them, and that marker buildings should not come into that.

I think that that is her position. Her position is—I do not want to put these words into her mouth—that sometimes there is a perception that marker buildings are used as an excuse to say, “This is outside the plan but it is a marker building, so we can go as high as we want here.” I think it is the concept of the marker building but—

MS ORR: I think if we are tying up a marker building solely with being a taller building, perhaps. But as a professional with this background, I think that ‘marker building’ means a whole range of things. Perhaps it equates to one specific thing for you and perhaps that is why I just cannot seem to get my head around your logic. Like I said, in Europe traditionally in the old towns it is a church on the top of a hill. It is a marker building because everyone gravitates towards it because it is different in its form and it is in the centre of the town. Culturally, it has got a lot—

MR PARTON: We are not likely to build old churches, though, are we?

MS ORR: No, but it is the point, Mr Parton. It is the point that it does not have to be a tall building. It is usually a significant building of some type that gives you place and makes place. Fiona, you say that you want Mawson to be vibrant and you want it to be activated and alive. Well, actually, marker buildings are not necessarily solely tall buildings, but marker buildings are part of it.

It goes to the structure too. You say, “Put low in the middle and tall on the outside.” That is actually quite intuitive to activate an area based on all the theory and literature around the world of every built environment example.

PROOF

Ms Carrick: Are you saying that is how they do it: lower in the middle and then taller out the outside?

MS ORR: No, I am saying they do taller and build down. That is generally the model.

Ms Carrick: Around those squares in Europe, is that what they do? I have not travelled in Europe; so I have not seen the—

MS ORR: Around squares in Europe, there are definitely buildings that go above two storeys, without doubt.

Ms Carrick: Yes, but I guess you have to understand that we are coming from Woden with 28 storeys. When we talk about marker buildings, there has been nothing for Woden that says a marker building will be a nice building that the people can mark as, “That is a great building.” What we are getting is four towers on one hectare.

MS ORR: But, again, that is Woden. We have had the hearings for that, yes.

Ms Carrick: No, but that is where I am coming from. That is what marker buildings mean to us. I can understand what it means to you in theory but the reality is it means 27 storeys—

MS ORR: But no-one is proposing 27 storeys in Mawson; so I think we need to get back to focusing on—

Ms Carrick: No, I know, but you have to understand where I am coming from. When I hear marker buildings I just—

THE CHAIR: The other bit of context, of course, is that Woden was built with a marker building. Lovett Tower—it used to be MLC tower—is 27 storeys.

MS ORR: It was the marker building.

THE CHAIR: It was the marker building in the middle of Woden. Now I think many people in Woden see “new marker building” equalling code for “big building” because we have our marker building if we wanted a marker building.

MS ORR: Okay, and again I am happy to put Woden to one side and focus on Mawson. Like I said, I think we are just going to have to agree to disagree on marker buildings because I do not think either of us is going to—

Ms Carrick: If this were an eight storey and if it were a special design that everybody went past and said, “Wow, look at that!” then maybe okay. But how do we guarantee that it will have that wow factor, that it will be a special marker?

MS ORR: You could potentially recommend to the committee that we consider putting in a recommendation saying marker buildings should have a wow factor. That is one route we can go down.

MR PARTON: That is quite a fair recommendation from Mr Orr, yes.

MS LE COUTEUR: Or at the very least a sign saying “Mawson”. That is the number one thing you would probably want out of a marker.

MS ORR: That is a very practical way forward. If I were writing the code, if I were writing the development for this, I would be putting it in lights that it is a marker building, that it takes on a particular significance and you would expect it to be of a type to do that. You would give the direction to the developers so that they know there is something more intended of it. That is the whole point of writing statutory planning documents.

MR PARTON: You are worried about parking; so am I. I think about the times that I use Mawson, bearing in mind that I live in Tuggeranong. I use Mawson because it is much easier to access than Woden. I can just drive in, park, get what I want to get and go. You have concerns about that ease of access disappearing.

Ms Carrick: I think the access is good. People do come from near and far to access these shops. Should the access become more difficult, you would have to be a bit concerned about the traders. Really, it is Woolworths that people are coming for and perhaps the chemist and Jabal for a few things. I am not sure how vibrant the rest of the shopping centre is. You would have to be concerned, if access is not that great, about the viability of some of the small business.

MR PARTON: I do not recall seeing a specific statement on this; maybe there was. What is the council’s position on the number of car park spaces? Is there a definitive position on the number of car park spaces in terms of their reduction or increase?

Ms Carrick: We have not counted up the car parks, but we would not like to see a reduction in public car places. In fact, it would be better to have the public car parking increased. It is interesting how you would fit that in with the two storey residential, because that is what that is zoned for.

MR PARTON: Can I sneak this in here? You have mentioned in regard to active travel that you see a risk of the walking and cycling alignments being built out by development.

Ms Carrick: Yes.

MR PARTON: Do you want to talk us through what you have the biggest concern about in that space?

Ms Carrick: The access to Mawson is not very good.

MR PARTON: No.

Ms Carrick: To come in from the south-west, from the Torrens-Pearce area, the access is not very good across there.

MR PARTON: You need a mountain bike.

Ms Carrick: Yes. We would like to see the bike network clearly showing where the alignments are to get people into the centre from the suburbs where the trunk line is to get people north-south. It is a concern. If we are not clear to the degree of where they are, what side of the road they are on even, and how wide they are, they do get built out.

We have had some recent experience with development applications. Pedal Power—they are very good—has had a look at all the development applications. They pipe up and say early in the piece, “Hang on a second; you have not left enough room for the path.” There is a cycleway through there, as far as their understanding goes.

We had an example where I understand that some of our trunk path through Woden, the cycleway, was sold to a developer who now wants to realign our trunk alignment. I think it is very important that they are identified so that accidents do not happen in selling or building on your proposed cycle network.

MS CHEYNE: Athllon Drive and the light rail and reserving it to make sure it will be wide enough: I think you said in your submission that the alignment could be complex due to the stormwater system. Are you able to clarify why the rezoning would make it more complex?

Ms Carrick: We do not know where the light rail will fit down that corridor. We do not know how it will impact on the stormwater. It is a massive, concrete drain that runs down there, so we need to understand that corridor better and what the requirements are for light rail before building buildings. It is like the cycleway; we need to ensure we have it covered so mistakes are not made.

THE CHAIR: There is not a big median at that point; it is a foot or two wide. And there is Yarralumla Creek, which floods.

MS CHEYNE: So how would the rezoning affect a potential widening? I do not know who I am asking anymore.

THE CHAIR: Sorry, I will shut up.

MR PARTON: Are you talking about the RZ5s on Athllon Drive or are you talking about down by the Mawson centre itself?

MS CHEYNE: RZ5.

MR PARTON: We have not actually spoken a great deal about that.

Ms Carrick: It is just that when a block is sold, from what I have noticed, the developers tend to build on the entire block; they will take the whole thing. So we just want to make sure that there is enough room in the corridor. Will some of the block be required for the corridor to put light rail in? Who knows?

MR PARTON: It is a fair question. As Ms Le Couteur pointed out, it is a narrow road for a major road at that point.

Ms Carrick: It is a major road, the whole of Tuggeranong feeds through there. If they do not have the Xpresses anymore, they will all be feeding through there. It is a major connecting road. If light rail is going to run down there too we need to ensure that we have it all well planned and we know what land is required for the light rail and where the stations will be. Presumably that car park could be the station. Where will the station be? I do not know. I just think we need to have a look at it before we sell it and develop every square inch of it.

MS CHEYNE: That is something we can ask the officials this afternoon.

THE CHAIR: I am hopeful that this afternoon we will have some good shadow diagrams to look at solar access as well.

Unfortunately ALDI are not going to be able to appear, but they have sent a submission saying they are concerned that where they think the government would like them to go—the clubs car park—is not suitable. Have you any views about a suitable position for another supermarket if one were to come?

Ms Carrick: I note that ALDI were interested in the car park in the southern area next to the tennis courts. That seems like a reasonable position to have one. You could get access from Athllon Drive. My only concern if they were to put one so far south is the impact it would have on the northern part of the Southlands centre, which is very quiet. There is not a lot of reason to go there, and if activity is further drawn to the south, what does that mean for that northern part? How do we activate it?

That is why we need to be aware of our public spaces and what draws people into them. If we put those four storeys in the left-hand side of the shopping centre and they overshadow the public spaces in the afternoons, I do not know why you would go there. There is another little square bit up in the north near the post office, so—

MS ORR: So your main concern with ALDI going into that southern car park area is that you feel it would expand the footprint of Mawson too much and move the activity away from the areas you would like to see activated as part of the redevelopment? Is that a correct understanding?

Ms Carrick: It is a good site for it, but I have concerns about it drawing the activity further south and its impact on the north side. Maybe we need to think about a better site that keeps it more centralised. I understand your argument about that car park; there is no access for a loading dock. Maybe it could be between the 7-Eleven and Athllon Drive where there are to be more residences.

MS ORR: Again, it is quite a dispersion of the activity given that you have quite a walk to the other anchor supermarket and you have some busy roads in between those two. There is not an easy pedestrian linkage. Plus you also have other buildings in the way, so it starts to become about how you navigate it. There are a lot of obstacles and disincentives.

Ms Carrick: It is a big regional sort of shopping centre. Maybe ALDI could be down there if we made sure we had enough retail and public spaces in the north to draw people there as well.

THE CHAIR: It would seem possible under the proposed marker building site that that also could have a supermarket. I do not know if that is likely. It probably depends on the order of people redeveloping, but would that work better?

MS ORR: Where the park and ride is?

THE CHAIR: Where the park and ride is now.

MS ORR: I think that is what Ms Carrick just suggested.

Ms Carrick: That is an option, or even further south. There is that whole strip that will eventually be developed along Athllon Drive. That is fine. Maybe that might be an opportunity. At least, then, when you walk across to the shops you are walking through cafes and stuff. It would be all right to have it in the south as long as the north were not impacted in a negative way and as long as there were still activity in the north.

MS ORR: When all your anchor tenants and main generators of activity are in the south, it is very hard to activate the north. It would not be without significant challenge if that were the geography of the area.

Ms Carrick: Maybe there is a way to find a spot in the north so it balances it out more in the north: one supermarket in the north and Woolies in the south. And then they have people walking in between. Maybe that is the better way to go, to have the supermarket in the north to balance it up.

MS ORR: I think that what was being proposed was essentially that.

THE CHAIR: Yes, but ALDI have come back and said—

MS ORR: That they want the south.

THE CHAIR: Well, they cannot fit in there. It is not so much that they want the south.

Ms Carrick: What about on the retail side, though, as opposed to the club car park? The club car park is surrounded on the three sides. Maybe they can get better access on the retail car park.

MR PARTON: I think even ALDI are aware that so many of the people who shop there do a big shop with them and then go to a Woolworths or a Coles to buy the things they cannot get from ALDI.

MS ORR: That is their business model; they will always collocate.

THE CHAIR: These are questions we will ask the government this afternoon. It is not reasonable that Woden Valley has to do all the town planning.

MS ORR: Going back to solar access, you made the point that two hours was not

enough. What is enough in your view?

Ms Carrick: As it is; as much as possible. It is a public space. I appreciate that some areas will have to be shaded, but we have three squares—being Curtin, Woden, and Mawson—and I think that they should have low-rise. Woden has the five-metre solar wall around their square to ensure sunshine, and that principle should be applied to both Woden and Southlands.

MS ORR: Do you know what it is at the moment?

THE CHAIR: They are all one storey around there.

MS ORR: No, I mean the duration of the sunlight. Maybe that is a question we can ask the government.

THE CHAIR: It is a lot more than two hours.

MS ORR: I appreciate that solar access is something we should strive for. Have you put any consideration into winter? A lot of the concern comes down to the amount of sunlight that comes through in the winter solstice. Given that it is the middle of winter and it is likely to be cold and raining, a lot of people will not sit outside anyway. Has any consideration been given to the impacts of weather? Outside of the winter solstice when people are more likely to be accessing the square, have you done any modelling for what the sunlight would be and would it still be sufficient in those times when you are more than likely to be outside accessing public squares?

Ms Carrick: Two points on that. On the winter one, that is a protected little square so in winter you get a lot of nice sunny days and people can sit out there. So I reject the premises that winter is miserable and people will not sit outside, because they will there.

Secondly, outside of the solstice—the spring-autumn sort of thing—the sun has a wider arc in the spring and autumn so you can get a bigger impact in spring and autumn in the mornings and the afternoons with the buildings that are taller on the east and west side.

When you have the taller buildings on the east and west side of your square, some of the morning impacts you do not get in winter because the arc of the sun is narrower, but you do get those morning and afternoon impacts in spring and autumn because the arc of the sun is wider, if that makes sense.

MS ORR: I am not sure I believe that, but I think what we can take from that is that it is different in each season. If I have understood correctly, the objection you have is to the impact on the winter solstice and you are not as concerned about the summer?

Ms Carrick: No, incorrect; I am very concerned about spring and autumn because that is an ideal time to be outside. It is just that when you look at the planning documents, they only refer to the winter solstice; they do not refer to spring and autumn. There are a lot of issues to try to get down on a page, the point being is having solar access at all times.

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MS ORR: Ms Carrick, have you done any modelling for spring and autumn to see how solar access would be impacted on that square?

Ms Carrick: Yes. If you put four storeys on the west side, the days are longer and as the sun comes more around to the west, you have that shadowing impact.

MS ORR: That is assuming it is just a block type of thing?

Ms Carrick: Yes.

MR PARTON: We have spoken a lot about the Southlands centre but not about the rezoning which sees the RZ5 along Athllon Drive. Does the council have a view on that, negative, positive or indifferent?

Ms Carrick: There are mixed views. The north-eastern corner of Athllon Drive and Mawson Drive opposite Melrose High School is zoned for RZ5, and we have some community members that are very unhappy about that.

MR PARTON: Why are they unhappy?

Ms Carrick: The level of density and also the vista. That view looks up to the Telstra Tower, up the centre and the Telstra Tower is at the end. They are very unhappy about closing it in and losing that little vista.

MS ORR: You said that was some members. What is the other view?

Ms Carrick: As anywhere, some people want densification. The Woden Valley Community Council takes a middle approach. It appears to me some people have the view that densification is good at all costs, it does not even matter what it is, just build. We have the middle view: we want densification but we want there to be development that positions the buildings in the appropriate places so that it retains our amenity and we get great outcomes.

THE CHAIR: Thank you very much, Ms Carrick, for your evidence. A transcript will be sent to you when it is available. I do not believe any questions were taken on notice.

Ms Carrick: Thank you for the opportunity to come here today.

THE CHAIR: No worries. Hopefully we will share with you some shadow diagrams. We certainly will be asking questions about that, and I am sure the government has done it.

LEBON, MR PATRICK, Director, Milestone (Australia) Pty Ltd

THE CHAIR: We welcome a representative of Milestone. Can I draw your attention to the pink privilege statement before you, and can you confirm for the record that you understand the privilege implications of the statement.

Mr Lebon: Yes, I do understand.

THE CHAIR: Before we go to questions do you have an opening statement you would like to make?

Mr Lebon: I have prepared a few opening notes just summarising the submissions that we have made. I thought I would just go through them and then that will sort it out. I am one of the directors at Milestone town planning. We are a Sydney-based town planning consultancy and we do work across Australia. We prepared two submissions in relation to the Mawson draft variation, one during the original submission period in 2017 and one more recently as part of the process. I might just go through my statement. Is that okay?

THE CHAIR: Yes.

Mr Lebon: I will not dwell on the issues raised so much because obviously that is the whole purpose of presenting here. First of all, thank you for the opportunity to present. One of the representatives of 7-Eleven wanted to appear but they just could not due to scheduling; so they send their apologies. We have been doing the 7-Eleven account since 2009 and we were involved with 7-Eleven purchasing Mobil service stations across New South Wales and the ACT and we were involved with the 7-Eleven works that they were doing to upgrade the Mobil service stations.

This is a service station that has been here since 1972, I believe, when the original lease was signed by Mobil. It is a longstanding service station, as you know. When 7-Eleven moved into the site they spent a considerable amount of money, in the order of around \$300,000, to upgrade the Mobil service station. This was back in 2011-12, I think it was. There has been some money spent on the site.

Their real concern, I suppose, is really just focused purely on their use of the land. They do not have any issues with the whole principle of, obviously, this process in terms of looking at introducing more residential development into centres. Certainly, as a town planner I do not see anything inherently wrong with what is being proposed at the higher level.

Our role really was to just look at 7-Eleven's interest, obviously, and from our perspective there is a level of uncertainty that is going to be introduced by this process if it does proceed. That is purely why I am here today, just to put forward those concerns again and put forward some questions as well that 7-Eleven had for me to pass on, and hopefully they can be answered by the government representative later today.

I suppose the key concern for 7-Eleven is really understanding the government's

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intent as to what, time frame-wise, is the process moving forward. We are obviously aware that there were no amendments made or recommended through the first process of the public notification. In that first process we did raise concern about potential land use conflicts, interfaces, with future residential development.

There was no recommendation to introduce controls that would require new residential development to consider, firstly, 7-Eleven's operations, which are 24 hours, and also then to require those developments to implement acoustic mitigation measures to make sure that people are not disturbed when trucks come and deliver and a mechanical plant is operating 24 hours a day.

We thought that that was a relatively reasonable request or requirement to be placed on future development. That is, I suppose, one question we would like to have clarified: the reasons why something like that cannot be implemented at least as an interim solution until the case may be that 7-Eleven is required to vacate the site for future development. That is, I suppose, one direct question we would like to at least have put to the government.

The second sort of leads onto the intent of the government moving forward with the process. Obviously 7-Eleven signed a 99-year lease in 2012 and their intention is to keep trading. They are not land developers; they are service station operators. That is their core business.

Looking at what is proposed, if this does go through and government does want to move quickly, we are unsure how quickly that process will go in terms of: are there time frames set that will be dictating how quickly this goes to market for developers to submit their designs; or whether it is going to be another stage where more detailed planning controls are designed to guide future development? It is really just a question there as to what are the next steps and how much time does 7-Eleven have. Should they start looking at alternative locations, that type of thing that businesses need to know?

At the moment there is quite a level of uncertainty. We as consultants can give them rough guidelines as to what happens next but we really do not have that level of certainty that a business really does need to know. There is that issue of time frames.

There is also a query as to what engagement will be happening or occurring or committed to with 7-Eleven amongst other people that may be affected. Will they be engaged with early in the process at all or is it really up to 7-Eleven to make their own inquiries with government as to what they should be doing in terms of looking elsewhere or commencing some negotiations of the lease in terms of that being terminated? It sort of sits out of sight of town planning in the purest sense but there are operational things that stem from this whole process that, again, we as town planning consultants cannot really answer with any level of certainty.

That is probably just the main thing: those time frames and certainty and the intention of government as to what exactly are you going to do with this parcel of land.

THE CHAIR: Thank you; there is a lot there. The general impression I have from your comments is that your belief is that the service station is not going to be viable

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on that site in the long run. You do not know how long it will be, but you are not seeing that at the end of a 99-year lease you will still be there.

Mr Lebon: Like I say, as we stand today there is no intention of 7-Eleven—their intention is to—

THE CHAIR: No, I am not suggesting that 7-Eleven are a land developer. I totally get your point that if nothing changed you would be happy to stay there forever pumping petrol.

Mr Lebon: Yes, correct.

THE CHAIR: But what I got from your comments was that you believe that with the various changes, and what you see is the government's intention, at some stage in the future that it is not going to be viable.

Mr Lebon: Yes, that is exactly right. We understand the realities and the need for the centre to be renewed and for development to occur. Preparing for that eventual outcome is really what we want to understand.

THE CHAIR: Right. Given that it clearly is a service station with petrol tanks, what sort of contamination issues would there be if 7-Eleven decided to move and the site were to be used for something else? Is it basically viable to use this site for anything other than this current use?

Mr Lebon: It is. Look, 7-Eleven have been required to upgrade a lot of their service stations throughout New South Wales due to EPA requirements because certain service stations had met their end of useful life in terms of underground fuel tanks. At this particular site our involvement to date has not involved replacing the tanks. There was an oil tank associated with the motor vehicle repair component. That was replaced. There were some contamination reports at the time. That was really just for an oil tank, not fuel storage tanks.

In my experience, having dealt with them as a client over nine years, it is an issue as to what these sites can be used for after they close. In my experience there have been sites that have closed and been put on the market for residential mixed use development. So it is certainly possible. It is just the level of how much money needs to be spent to remediate. Yes, it is really just a money issue in my experience. Any service station site that I have been involved with can be remediated to a level to satisfy or service residential development. There is nothing with this site that suggests otherwise based on our experience.

MS ORR: But that type of scoping work has not been done for this particular site.

Mr Lebon: No, not—

MS ORR: So it is unknown?

Mr Lebon: It is unknown, yes. Yes, that is right.

THE CHAIR: So the value of the site for its current use would—well, you do not know for sure.

Mr Lebon: That is right.

THE CHAIR: You would expect that the value of the site for its current use is considerably higher than for its alternative use, given the cost of remediating to anything else, regardless of the possibility that eventually it could be worth more doing something else.

Mr Lebon: Sorry, can you repeat that?

THE CHAIR: I am basically saying that it would cost a of money—

Mr Lebon: Yes.

THE CHAIR: to remediate the site such that it could be used for something else, which means that if you can stick with what it is currently doing it is probably, from your point of view, the highest value use. Often people say, “Yes, I am happy doing what I am doing but it is going to be rezoned. I can sell it for a lot of money,” and that works well. In this instance it is not going to work nearly as well because of the significant costs of its stopping being a service station.

Mr Lebon: Yes, it could be a factor that makes that an issue. I suppose I can answer it another way. Like I said at the start, the EPA has required a lot of these service stations to be upgraded: for the tanks to be removed, the site remediated and new tanks put in. 7-Eleven has done that on a number of their sites with the intention that they would just continue to trade for decades into the future. When they look at long-term, say 20 to 30 years or up to 50 years, it makes sense to do that remediation from a financial standpoint. But if we are looking at a shorter-term time frame, yes, it could be an issue where it is not cost effective or it does not make sense financially.

MS ORR: Is it fair to say that those are all largely hypothetical—

Mr Lebon: That is right.

MS ORR: because 7-Eleven’s intention is to operate for as long as the business is viable.

Mr Lebon: Yes, that is right. That is their intention, yes. It is all hypothetical, I suppose, yes.

MS ORR: One of the issues they have brought up is the uncertainty of what the site will be used for. That seems to be one of the primary issues that I took from the submissions.

Mr Lebon: Yes.

MS ORR: It has been put in there that you have a 99-year lease. From that perspective, when I was reading through it, it seems like the option for 7-Eleven to

use the site and operate the site is actually quite long.

Mr Lebon: Yes.

MS ORR: Given that the 99-year lease—actually, the 90-year lease—was not signed that long ago.

Mr Lebon: Yes.

MS ORR: From that perspective, can you clarify for me what the uncertainty is that they see, given that the lease provides for that use for quite a long period of time?

Mr Lebon: Yes, again I suppose I am talking as a town planner, so I am not legally minded as to how the contract or that lease would work. But I think the uncertainty is that there is now a plan that has been exhibited. It has been in the works for a year now. It shows their land being rezoned and having the ability to be intensified in terms of height and different types of uses. So it is more that uncertainty that says, “There is a plan out there now that says that that land use is permitted and what does it mean?”

MS ORR: And I appreciate that the ACT lease system is a special little beast, shall we say.

Mr Lebon: Yes.

MS ORR: It is probably a question better put to the ACT government. In the response that the ACT government has provided, they have said that because the lease provision is there, that takes precedence over the zoning.

Mr Lebon: Yes.

MS ORR: So they will be fine to operate. The only other question I had was around the operational impacts. As we move towards a more mixed-use area, there are obviously issues with impacts and interfaces between different types of uses.

Mr Lebon: Yes.

MS ORR: You have put in a few suggestions as to how the petrol station and the potential residential development could be managed, particularly from the future development side. Is there any scope for 7-Eleven to put anything in place, say, additional landscaping? Have they looked at anything along those lines where they could potentially also contribute to better mitigate all the—

Mr Lebon: Yes, from a mitigation perspective they do. Just looking purely at noise mitigation, they can upgrade their plant. They can get quieter equipment: air-conditioning equipment and chiller equipment; that type of thing. So there is that upgrading that they do regularly over a certain number of years. That is something that could be done.

In terms of acoustic mitigation, in our experience it is not really 7-Eleven’s

responsibility to mitigate for an adjoining development. We see it as being really the other way around. It is a cost on a business that we feel is unreasonable when it can be appropriately mitigated by the new development. Probably, my answer is no, in terms of just acoustic mitigation. But things like landscaping and that type of thing, that certainly could be done to improve the visual appearance.

MS ORR: I am guessing that this is future proofing compatible development. I think that that is what we are aiming for here.

Mr Lebon: Yes.

MS ORR: It seems like the main things are noise mitigation, based on the operations of the 7-Eleven.

Mr Lebon: That is right.

MS ORR: That would be the plant operation. As you said, it would be delivery—

Mr Lebon: Fuel deliveries as well as food and daily—

MS ORR: So just general service—

Mr Lebon: Yes, deliveries.

MS ORR: Not all of those would be happening 24-hours. When do petrol deliveries usually occur?

Mr Lebon: Usually, it is late. Usually, it is either late at night or early morning when there is less traffic on the roads and fewer customers on the forecourt. Usually, it is before six and it is after 10. So it is between 10 pm and 6 am.

MS ORR: Do you know the frequency of this? Is it daily?

Mr Lebon: Fuel deliveries, no. Usually, at most, it is one or two a week, if that. But every day there are small vans delivering food and what not.

MS ORR: One of the other issues, if I am remembering correctly, was light spill?

Mr Lebon: That is right. As you have probably seen driving past at night, they are quite bright. That is by design to some extent. So it is just a matter of how that affects residential amenity.

MS ORR: Are there any other compatibility issues that you would like the committee to be aware of? I think these are questions best put to government as to how they are going to respond.

Mr Lebon: Yes.

MS ORR: Is there anything that you would like us to be conscious of when we are putting our questions to government as far as compatibility of uses goes?

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Mr Lebon: It is more just recognising that 7-Eleven is a 24-hour operation. That is their business model. They really need that open window for deliveries and the like to operate efficiently. That is what we would like to make sure is clear to government. As I say, there is no inherent objection to what is being proposed for the centre overall, but it is more just wanting to recognise that this is a business that needs that.

MS ORR: But largely a focus on noise and light spill.

Mr Lebon: Noise and light spill, yes, and vehicle movements in to and out of the site.

MR MILLIGAN: I think that pretty much covers a lot of my questions. You pretty much addressed my points well.

MR PARTON: I just want to get to some of the things that you spoke about earlier. You are talking about a level of uncertainty and you are alluding to the fact that you are of the belief that if things march forward in the way that they are outlined in the strata variation at some stage it would not be viable for 7-Eleven to continue in that location. Can I get you to break that down for me, in basic nuts and bolts, as to what you see as the worst possible case scenario for 7-Eleven? How do you see the process playing out that would make it unviable? What would happen that would actually lead to that?

Mr Lebon: We are coming from a different perspective. Maybe that has not been communicated well by me and maybe this can be clarified very quickly. 7-Eleven is permissible in this current zone and they see these plans before them as obviously contemplating a new form of development of this site.

The question or concern from 7-Eleven is: can government now essentially move in and say, “We want to terminate this lease. Our vision now is to have mixed used development on this site. Your use is no longer viewed as being compatible by virtue of the fact that we are going to make your use prohibited in the zone”? That is where the uncertainty lies. I am unsure whether—

MR PARTON: My understanding is that there has been some sort of clarification or at least a suggestion from the government that that is not going to occur. You are looking for an absolute guarantee that that is not going to occur?

Mr Lebon: Yes. We do not know for certain; not a guarantee. A guarantee is nice but it is more just whether, first of all, can the lease be terminated by government because it is no longer deemed—

MS ORR: I think the answer is: in theory it can be terminated by government; in practice I cannot think of anything off the top of my head where they have terminated a lease.

THE CHAIR: Also I would point out that, the same as everywhere else in Australia, acquisition of property has to be done by the government on just terms. Yes, it could happen but, as Ms Orr said, the chances of it happening are very low.

MR PARTON: If they did not do that, if the government did not step in and say, “Sorry guys, it’s over, you’ve got to leave,” are you of the belief that these other developments, and the complications associated with them, would be enough to—

Ms Lebon: It may, yes. It may lead to that land use conflict where you have those issues like, for example, light spill or noise where, even though best mitigation measures are implemented by the new residential development, it may still not be enough.

MR PARTON: Before you came into this room—and I am sure it was before you arrived—Ms Le Couteur, was talking to Fiona Carrick from Woden Valley Community Council and she was suggesting that maybe there is not enough traffic down that lane to support two service stations. Talk to me: do you think there is enough business to support the two service stations there? How are we trading in Mawson?

Mr Lebon: I do not know all the specifics about the financial performance of the store at Mawson for 7-Eleven. All I can say is that when 7-Eleven did take on hundreds of Mobil service stations about nine years ago they made commercial decisions at the time—whether to continue trading all of them or not—and quite a few were actually just sold on to market. They closed some of the service stations. This one was not. At the time it was probably seen as being viable, financially. Other than that, I cannot say. I am not privy to financial decisions of 7-Eleven, but everything that we have been advised by 7-Eleven is that they want to continue trading a store there. Their intention is to continue trading.

MR PARTON: And on the basis of them engaging you to go through this process, it is an indication that they believe that the store is viable and they wish to continue?

Mr Lebon: That is right, yes. And the request—why they want me here—is just to make sure that that they are not impinged on by any development occurring next to them; to their continued trading as they are today. Essentially that is their view. But that is clear. That helps in terms of the fact that it is unlikely—

THE CHAIR: Highly unlikely?

Mr Lebon: Highly unlikely, all right.

THE CHAIR: I guess to clarify, we would not see—obviously, we are not the government—based on the values and experience, any likelihood that the government is going to resume your land because this is not something which often happens in Canberra. In fact, we are not sure that we can think of, among the brains trust here, an example of this. There certainly have been places where the community has been calling out for land resumption and it has not happened.

I think that you are more concerned with the impact of having different neighbours. Currently you have got a park-and-ride as a major neighbour, which is obviously a very compatible use.

Mr Lebon: Yes. I suppose there is that operational issue, and I think that is foremost

PROOF

in the concern. Like I have said here, the intention is that 7-Eleven will want to continue trading. Whether the plans need to maybe be amended or to reflect this to accommodate a service station on this site in some way in terms of how that will affect the overall floor area that they are envisaging would be delivered because that obviously should be something that, as a town planner, I think needs to be at least mentioned somewhere that this is an existing service station and perhaps the plans should make allowance for that in some way.

THE CHAIR: Thank you very much, Mr Lebon.

Mr Lebon: Thanks very much.

THE CHAIR: A transcript will be sent to you as soon as possible, in a few days. We did not take any questions on notice; so we are sorted there.

Mr Lebon: Thanks very much for the opportunity.

THE CHAIR: You might be interested to see the transcript of this afternoon's hearing because, clearly, some of our questions could be informed by your comments.

THE CHAIR: We will resume at 10.30, in five minutes.

Short suspension.

PETSAS, MR ARTHUR, Managing Director, Argos Property

THE CHAIR: Can you confirm you have understood the implications of the privilege statement?

Mr Petsas: Yes.

THE CHAIR: Thank you very much for attending. Would you like to make an opening statement?

Mr Petsas: Yes. I am here on behalf of a family company called Argos Property. Good morning, Madam Chair, and committee members. We appreciate your making time not only to accept our submission but also to allow us to appear before you.

Our company has a long history in Mawson; we have always had a long-term commitment to maintaining its viability and ensuring that it is an attractive centre and one that offers a competitive point of difference to a lot of the other commercial centres. A lot of what I will talk to you about this morning and which is reflected in my submission is just that: protecting the very things that are important to centres like Mawson across Canberra.

We have always supported and contributed to the various planning studies undertaken by the ACT government. We have even led some of those studies. We welcome the release of DV 345. From our point of view planning frameworks are very important. They provide clarity for us as owners, investors and business owners as they encourage and support investment in existing infrastructure. And we support this one.

Whilst we endorse the general intent of DV 345 because it will help facilitate future investments and support the future viability of Mawson group centre, we have also outlined, as per our submissions, some matters of concern we have. We also note that other stakeholders, such as the Woden Valley Community Council and the Mawson Club, have provided some issues to the committee, and we see some areas of consistency between some of our commentary and theirs.

What makes Mawson a successful centre is that it has been and continues to be an easily accessed centre. It is convenient—I think that was pointed out earlier on—and its offer from a consumer's point of view is diverse. We find that it attracts people from everywhere, not only from the local catchment but also people from Tuggeranong and places like Red Hill and Narrabundah and even Weston Creek I have been told come to Mawson.

The centre represents a significant employment hub with over 250 businesses according to recent ABS stats and approximately 750 jobs. And that has come from a master plan that was undertaken in 2015. Whilst Mawson is well serviced by local public transport and a bus network and probably has the most successful park-and-ride facility of Canberra it is servicing an aging demographic.

We have outlined three or four things we would like to talk to you about and see potentially adopted within an approved variation: firstly, parking, I have always been

a strong believer that it is important in a planning context to protect the very characteristics that make these centres successful—it is not just Mawson; it could be other centres across Canberra—and parking is certainly one of those. The reason Mawson is successful is convenience. People are able to come and shop, not just at the Woolworths but across to the rest of the shopping centre. They can park, do their thing and they are out.

That is very important from our point of view and it provides a level of convenience that the community really supports. So retention of surface car parking for the convenience of shoppers is strongly supported. We would like to see an inclusion of a mandatory rule that protects that very characteristic—the key things that make it important.

Without going into too much detail or specifics, there are unfortunately various examples across Canberra where previous public car parks have been divested or sold and have been allowed to be developed—or not, in some instances—without proper attention to the wider urban design and social amenity interests of the whole centre. They are the very things we have always strived for, have been very vocal about and are very keen to protect in this instance.

Future connections: we have also over time, including in the master plan, been strong believers that there needed to be an alternative connection to the centre. Mawson Drive is heavily populated obviously as a transit route. We see—and I think to some extent the master plan also highlighted this—the potential for a future connection that activates the southern side that connects to Athllon Drive. That that could be a left-in and left-out connection.

There should also be some reinforcing of the pedestrian connections. I think someone pointed out earlier that there is no strong or clear eligible connection path. If you know the Mawson area fairly well, you will see a dog track that has been created across there that people navigate. We see real opportunity over time. As I said, we see this as a planning framework to guide and provide clarity for the future. We are not talking about next year; we are talking about five, 10, 15, 20 years. We see areas that would reinforce the future of the centre moving forward.

Structured car park: for some time government had envisaged that this car park here would be divested for future mixed use potentially for a future supermarket site. I note that there have been other submissions in relation to that. That site does not work for a supermarket, and others will tell you that, for various reasons. It is inaccessible. It also, as I said, diminishes the very amenity that makes these clubs very successful. If you took away that surface car park I would hate to think what that would mean for those clubs and how you could reposition those clubs in the future. The car park I am referring to is block 25 section 47, which is the car park adjacent to the tennis club.

That is called out as a CZ3 zoning. We see that as a real opportunity for the southern side of that centre with potentially a mixed-use development with some height of six to eight storeys. I know there has been some debate and controversy around heights, but we certainly see that as an opportunity, including potential for a second supermarket. That would also be reinforced by that connection through to Athllon Drive.

Building heights: we support building heights of six to eight storeys on several corner sites we have proposed consistent with the approved master plan. We would also support two to four storeys in certain areas. I know there was some discussion earlier on about overshadowing and the like. We do not see areas in the core to be overly overshadowed or any issues being created by going to two to four storeys.

For us it is really about consistency, clarity and understanding where those opportunities are. The marketplace will ultimately determine when developments occur, how they occur and what should go in those places. As I said, we see DV 345 as a real opportunity to create a planning framework for the future of this group centre in a clear way but also reinforcing and protecting the very characteristics that make it what it is today and in the future.

Thank you for the opportunity to appear before you. I am happy to take any questions you may have.

THE CHAIR: I hear your major concern being about parking. There is already a rule which says that parking has to be replaced. Why do you not think that is good enough? Why do you think there needs to be a new mandatory rule?

Mr Petsas: Parking can be replaced by being put in basements and other places. People go to the Woden town centre and the Belconnen mall and the city where there are basements and multistorey car parks, and that works for that type of amenity and that type of offer because it is different. People also want the convenience: the ability to park, the ability to access their stores and the offer that they need and be in and out in an hour, two hours, without the hustle and bustle of multistorey car parks.

We are talking about an ageing demographic in these areas. I regularly see older folk parking their cars. As I said, to me it is more than just saying you will replace the numbers that were there because you can replace them in different ways.

THE CHAIR: If you are saying that it has to stay as surface car parking then any development would have to be above that surface car parking? Is that what you are thinking?

Mr Petsas: No, I am suggesting in this instance that it is retained as a surface car park and is not divested for—

THE CHAIR: But what I will call the tennis club car park and other sites which are currently car park, which could be developed, you see those in the same situation: you need to retain parking on ground level and any development would be above car parking?

Mr Petsas: It depends on what it is. If you take this one as an example, whilst it is a surface car park, in effect, it is utilised by those who work within the centre predominantly. These car parks are important to be retained as surface because they are the ones that access the centre.

THE CHAIR: They are the peak ones.

Mr Petsas: Yes, whereas with these ones I think you have some flexibility. If the numbers on that site were to go, you would be able to more easily incorporate them within a mixed-use development because they are not impacting those who patronage the centre.

MR PARTON: It is almost the case that when people use this centre, when they are driving to it they can see there is car parking.

Mr Petsas: Correct, yes.

MR PARTON: You can actually look across and say, “All right, there are stacks of parks. This is me. I’m going to Woolies,” whereas if it is in a multistorey development there are all sorts of other things you have to do.

Mr Petsas: Correct.

MR PARTON: I know it does not seem like a great deal, but that is often the point that will make a difference between choosing to go to that centre or, for argument’s sake, pushing on to Wanniasa or pushing on to Kambah.

Mr Petsas: Yes, and you will have multiple people with different opinions. I think people undervalue the benefit of surface car parks to centres like this. They really do. I live at Gungahlin and, without getting into that conversation, that is a rabbit warren. That is so inconvenient you just do not want to go there, with all due respect to the planning process out there.

I would hate over time there to be this perception that, “Just get rid of it, develop it and we’ll sell it. We’ll make some money. We’re creating density.” There are better ways of achieving those broader strategic aspirations, whether that is density or growth or investment within centres. There are better ways of achieving that goal strategically than by just targeting surface car parks. As I said, that is the very thing that makes these centres successful.

THE CHAIR: You do not want to see the surface car parks go. What do you think is the better way?

Mr Petsas: Well, what is the goal over the long term? Density. There are multiple areas where you could create density within the centre. The master plan rightly calls for height and potential future development across here. There is density. There is a marker site proposed in the longer term for divestment. There is further growth and density.

There is further opportunity for reinvestment over time and repositioning of those serviced areas through here and also future development down Athllon Drive. They are also areas where future investment and growth and density can occur. There is a whole array of opportunities across the centre and on the peripheries of the centre where you can encourage that investment and growth, if that is the objective.

MS ORR: I have got a couple of questions on that. From the way I take it, the density

is not so much just for density's sake but for activation. We have already heard this morning that they would have liked there to be more activity in that northern area where the surface car parks are. That position has been put forward by other presenters. I take your point that there are a lot of development opportunities around. It does depend on what you are trying to get, and activation is one of them.

Mr Petsas: Correct.

MS ORR: If you are activating on this site you are not activating on that site. That is the bottom line.

Mr Petsas: Yes.

MS ORR: Do you know what I mean? It is that balance. Am I right in understanding that you want all three surface car parks retained?

Mr Petsas: Ideally, yes.

MS ORR: You are in sections 26—

Mr Petsas: We own through to here, yes.

MS ORR: Does that mean that you are in discussions with the community council on the town square and ways to improve that? They said they had spoken to the Woolworths.

Mr Petsas: We have been in discussions with them, yes. Our history with the centre goes back a way. We have got relationships with most of the community groups there. We have had community space, a free grant that we have offered up for community groups in the past. And we have been talking to them.

MS ORR: I am just trying to cover up a few ends. I might jump around a bit in my questioning. You want to retain the three car parks. I personally see that as an opportunity missed as far as activating spaces around the area. I take your point that you want to retain the parking. One of the things that we have had put forward in the submissions and also from other witnesses today is that as long as the quantum of the car parking is retained then that is okay.

You have come in with a different point of view. It has to be a surface car park. That obviously puts us in a bit of a bind if we are trying to balance all needs because we have now got two opposing points. I guess my question to you is: do you see any compromise as a way that those sites could be redeveloped to activate the town centre but still keep the needs that you have?

Mr Petsas: Are you talking about the existing sites?

MS ORR: The surface car parks.

Mr Petsas: Yes. As I said to you, we reinvested and continue to invest across our portfolio but particularly this one in 2007. We invested significant dollars in that. We

built that car park as part of the process.

MS ORR: I was talking more about the surface car parks.

Mr Petsas: I understand that. I guess I have always looked at these things across a couple of ways. If I am an asset owner through here I am looking at: what do I currently have? What is the current amenity? What opportunities are there for me to invest in my existing asset? Then the next phase of that is: what can I do on this parcel of land and what further opportunities are there to expand and so forth? Hence the question around heights.

A planning framework that gives opportunities for further activation and investment in the existing infrastructure should be one that is supported. Beyond that then, yes, if you needed to look at surface, I personally do not see at the moment what commercially is pushing anyone to redevelop those car park sites, to be honest.

MS ORR: Given that a master plan is a long-term document, certainly there needs to be the will from the market to come and do something, but if it is not provided for we end up back here every time someone sees an opportunity or wants to change something.

Mr Petsas: And I understand that, yes.

MS ORR: And the other side to it is that business wants certainty. That is also certainty of opportunity.

Mr Petsas: Correct.

MS ORR: I think we can say that we are on the same page with that one. Can I just clarify: do you have any parking for your particular developments or are you relying on the surface parking around?

Mr Petsas: This is all government car park.

MS ORR: Those car parks at the front have always been not yours.

Mr Petsas: It is all government car park.

MS ORR: I am not sure if this is something you would do or that Woolworths would do, but is there a certain amount of parking that you have to have to operate those businesses?

Mr Petsas: Yes. Most of these—whether that is Coles or Woolworths and even ALDI—have their parameters in terms of what those car park ratios are. An ALDI would need something in the order of 80 to 100 car spaces accessible. A Woolworths again would probably need, within a 100 metre radius, around 200 car spaces available to it. It is not insignificant.

MS ORR: I think we have largely covered off on everything. I just wanted to appreciate that Woolworths needs a certain amount of car parking catchment, and this

particular one seems to be solely dependent on the public-provided parking. I take your point that your preference is for surface car parking, for the reasons you have outlined. But if it were to be incorporated into the area in other developments—it is still available for you—is that something that you could live with?

Mr Petsas: Yes, but, like I said, I just think it diminishes the amenity. It severely diminishes it. As I said, I always come back to it from a commercial point of view. I think, commercially, there are probably more opportunities and better opportunities in that catchment, if you like, that a commercial developer or commercial businesses would look at as opposed to these car parks, to be fair. What would drive or influence someone coming in and developing this?

I guess, in answer to your point, yes, it is not an ideal situation. As I have said, we have seen it before. I know Dickson is a bit of a different example but, to me, whilst a lot of people do not like me using that reference, there are some similarities because you are trying to shoehorn a lot of activity, a lot of utilisation, a lot of people in cars and movement into a very confined space. That only creates issues.

As per our submission, I think, when we are looking at things like that, it is taking a step back, and what are the best ways that we can achieve what it is that we are trying to achieve in a good planning sense, in a good planning context? I think that there are better ways of doing that and, as I said, I think retention of surface car park is important. In future, with density and growth and activation, I think there are better ways of achieving that in the centre by encouraging investment by owners. It is a bit hard in centres like this where you have got multiple owners, which makes it more problematic for that to occur.

But I guess if there is a planning framework that again provides that investment opportunity then the reality is that the business sector will seek those out. But we need a planning framework that gives us that. As I said, I have always gone to the three layers. What can I do with my existing asset within the existing planning framework, and then seek to explore beyond that.

MS ORR: I appreciate that you are coming at it from a business owner's perspective as a planner. I come at it from a slightly different perspective. Is it fair to say, though, that your main concern is retaining ease of access for the parking? I acknowledge that you see surface car parking as being the best way, and I think that there are some other arguments that could be put up.

Mr Petsas: Sure. I think surface car parks provide accessibility and a convenience that you just do not get from multi-storey developments, in effect.

MR MILLIGAN: We have not really touched on the intersection that you suggested could come off Athllon Drive and go to the Mawson centre. Looking at that, would not any cars travelling southbound along Athllon Drive take the first left-hand turn at the intersection with Mawson Drive rather than travel further down?

Mr Petsas: Come through here?

MR MILLIGAN: Would they not normally turn there, would you think? Any cars

travelling southbound would take the first turn rather than the second?

Mr Petsas: Yes, they probably would but, again, they would probably take that turn now because there is nothing here at the moment. I guess what we are sort of expressing is an opportunity over time, noting that we are talking about the longer term, for an alternative entry point which also potentially activates this site and also potentially looks at the activation of these sites.

MR PARTON: I guess Mr Milligan's question, though, is: why would they be inspired to take the second entry to the shopping centre for them as they travel rather than just taking the first one? They are travelling south. They are going to come to Mawson Drive. Obviously they are going to hit it first. Why would they not just take it rather than—

Mr Petsas: Again, I guess our commentary reflects the fact that we also see this potentially being activated, and then there is the opportunity to activate, to bring people in through here when this is activated. We just see the two go hand in hand, in effect, on a potential mixed use site here with an entry point through here. I think someone pointed out earlier the concern about north versus south and so forth.

Again, my comments are: if there is a framework that provides me with an incentive to invest, I will invest and, therefore, we should be encouraging activation and investment on the northern side of the centre and then you do not have this disparity between north and south.

MR MILLIGAN: And would this connecting road off Athllon Drive join onto Mawson Place or would it join further down where the current tennis courts park is?

Mr Petsas: You would bring it right through here.

MR MILLIGAN: And where that current service station is, would that interfere with a connection to Mawson Place?

Mr Petsas: No, you could have an alignment that sort of sits in parallel to that, which does not impact that crown lease.

MS CHEYNE: I am sorry if you have covered this. You said that there should be a higher building, like a higher marker building. How high were you—

Mr Petsas: I guess our specific comments refer to this as a potential mixed use; six to eight storeys would probably—

MS CHEYNE: Okay, which is currently not in the variation at all?

Mr Petsas: Correct.

MS CHEYNE: And why that size?

Mr Petsas: I think it is four storeys as a car park.

MS CHEYNE: As a car park; okay. But you think it should be mixed use to eight storeys?

Mr Petsas: Yes, we see this as a real opportunity.

MS CHEYNE: We had quite a bit of discussion earlier about marker buildings and what is a height for a marker building. Do you think eight storeys is enough for a marker building?

Mr Petsas: I do not profess to be an architect or a planner. I certainly have some views. Look, I think—

MS CHEYNE: Would it be enough to encourage that sort of development there?

Mr Petsas: I think so. To me, this site would lend itself to affordabilities and housing. Public housing is a serious issue in the community that is talked about a lot. There is an opportunity, potentially, to do something here with some height. With two to three storeys, four storeys, I guess you are limited by the commercial opportunities that come with that. There is an opportunity for height here. We certainly envisage that there would be height on that corner. I think that that was always envisaged.

We certainly supported the clubs, particularly the Serbian Club, for a marker and a height there. Would we want to see eight to 10 stories through here? No, we certainly would not support that. But we see two to four stories, done appropriately, where you are not creating amenity issues, overshadowing and all those sorts of things. They would be done as part of the studies. But, again, with flexibility to have two stories through here or four stories, I do not see it as being a significant issue.

MS CHEYNE: But not any higher?

Mr Petsas: No.

MS CHEYNE: Again, is two or four flexible enough to encourage redevelopment there?

Mr Petsas: I think so. It is then on a scale where there is value in it for an investor to start looking at.

MS CHEYNE: Yes, that is just what I wanted to check, I think.

Mr Petsas: If these were all to remain at that single storey level, you are really looking at, “Okay, I will paint it and patch it when this tenant goes and then there may be another tenant.” Really, that is all you are talking about. It is roof top housing. Why can we not have some roof top housing that starts to create some community, life and activity? That does not need to be six to eight stories. It can be four stories or two stories.

MR PARTON: You are representing Argos. In terms of interests at Mawson, we are talking about the Woolworths brand, aren't we, really? In terms of that—

Mr Petsas: Woolworths are our tenants, yes. But we are not here representing them.

MR PARTON: No, I know, but that is the major tenant for Argos.

Mr Petsas: Sure.

MR PARTON: So to some extent you are going to see some things through that prism. I guess I am keen to understand what the views are in regard to a potential ALDI coming to Mawson. My gut feel is that you would rather no-one came in that space.

Mr Petsas: No, I would not say that.

MR PARTON: No?

Mr Petsas: No, we have always been on the public record; I think you have been on other committees where we have appeared before you saying similar comments. Our concern has always been this generic view, or historic view, by both bureaucrats and governments that because you have got a Woolworths and they, to some, dominate the market, we must have competition. At a high level, that might be right. Competition is good.

The reality for this Woolworths is that it is not a Dickson Woolworths. It does not trade its butt off, if you like, and so forth. So a competitor to it would damage it. Then you are in conversations with a particular tenant that says, "My business is now bordering on viability to some extent." We have always been very open about that. We do not discourage competition. We certainly support it. In this instance we would support an ALDI supermarket—strongly support an ALDI supermarket.

MR PARTON: I am mindful that we are over our time. Fiona Carrick from the Woden Valley Community Council and you alluded to conversations that had been had previously. She has talked about that little square and the wall—the great wall of Woolworths there—that borders it. Are you able to give us any indication of how things may be changed as the Argos building borders that little square?

Mr Petsas: Do you mean the area that is facing the centre here?

MR PARTON: That is it.

Mr Petsas: Yes, I personally have not spoken to the council; representatives have. But over the past 12 months we have been looking at what we do potentially to help activate that wall. We certainly have been thinking about that ourselves irrespective of council. We have been looking at that because we are looking at it as part of our portfolio; repainting the facades and things over a lifetime. We are currently looking at that ourselves. Yes, we will continue to talk to them about that.

MS ORR: I have a quick supplementary to Mr Parton's question. You said that you would be supportive of an ALDI. Would you be supportive of other supermarket brands as well?

Mr Petsas: It does not have the catchment to support two majors. That is the difference. Whereas an ALDI in this location—in this centre—would offer a point of difference. I think that we should not underestimate that. I think, as an offering, an ALDI would be well positioned and well suited to the sector, without a doubt.

But as to a Coles, as I said, it comes back to my initial point. Then you are getting into hard conversations with your exiting retailer. It says, “I am now bordering profitability.” Then over time what happens is that they get to a threshold where their turnover does not meet expectations and they say, “I am walking.” Then I am left with an asset; what do I do? Whereas with an ALDI, you will not face that similar situation.

THE CHAIR: Thank you very much, Mr Petsas. You will be sent a transcript of this as soon as it is available. You did not take any questions on notice; so we do not need to talk through that. Thank you very much for attending today.

Mr Petsas: Pleasure and I thank you for being able to appear before you.

Sitting suspended from 11.05 am to 3.31 pm.

GENTLEMAN, MR MICK, MLA, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries

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

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

THE CHAIR: Welcome to this afternoon's hearing on draft Territory Plan variation 345 Mawson. On behalf of the committee I thank Minister Gentleman and the officials for attending. Hansard is recording everything for transcription purposes, and this will be webstreamed and broadcast live. I draw your attention to the pink privilege statement, which you have all seen before.

Before we start I note for the record that I live pretty close to the most northern part of the proposed RZ5 area and I put in a very short submission to ACTPLA about the proposed Territory Plan variations.

Before we go to questions, minister, do you have an opening statement?

Mr Gentleman: Yes, I do, thank you, chair. I thank the committee for the opportunity to appear today. I have supported draft variation 345 on the basis that it is implementing the planning policy recommendations of the approved Mawson group 7 master plan. It provides 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 additional residential and commercial 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 document—the ACT planning strategy 2012—and the transport for Canberra 2012-31 documents by providing greater residential development in proximity to transport, employment and services in the city.

There were 21 submissions during the public consultation on the draft variation, and the comments received included a range of issues with both support and opposition to aspects of the variation. Particular issues included building heights and associated potential impact such as overshadowing of the central courtyard, the retention of surface car parking within the centre and concerns with specific provisions affecting development within the centre.

Concerns raised were carefully considered in the review of draft variation 345 and responded to in this report on the consultation. I would like to reiterate that the draft variation incorporating the planning-related recommendations of the approved Mawson group centre master plan were there, too. While there may be some scope to amend the variation, I note that a number of issues raised seek changes that would be inconsistent with the master plan or refer to broader policy issues that lay outside the scope of the draft variation we are discussing today.

I have in attendance with me representatives from the Environment, Planning and Sustainable Development Directorate who will be able to assist with technical input and answers that you may have on this draft variation. Together we are happy to answer any questions the committee wants to ask.

THE CHAIR: I am hoping a bit of technical input you might have is shadow diagrams. Will they be appearing on that screen?

Mr Gentleman: The director-general has prepared such shadow diagrams.

THE CHAIR: I was hopeful there would be some pretty pictures.

Mr Ponton: We have shadow diagrams—we have multiple copies—so we can table them for you.

Mr Gentleman: We do not have them to go on the screen, but we have paper copies, and we can submit them to the committee electronically as well.

THE CHAIR: Paper copies have some positives because the TVs do not always pick up what is on the screen and this has been recorded for posterity. Would you like to talk us through what they mean?

Mr Ponton: I will ask my colleague, Ms Kaucz, to talk us through the specifics of the shadow diagrams.

Ms Kaucz: We have the shadow diagrams of the group centre, the existing ones, from 9 am, 12 pm, and 3 pm. Then we have a general modelling of basically the maximum level of development that can happen, and that is looking at the same time frames, 9 12 and 3.

If you look at number 4, that is 9 am for the proposed shadowing. If you compare it with the existing development, it shows that there is already a level of shadowing to the group centre. At 9 am, early morning midwinter, shows quite a bit of shadowing to the street and to the open space areas. But by 12 it has reduced considerably, and that is why we have looked at the provision for not shadowing between 12 and 2 pm. Before 12 the shadows are not going across the square because the light is coming from the wrong angle.

THE CHAIR: So before 12 they are not going across the square. You are not talking about that square? This is diagram 4, but you have the same—

Ms Kaucz: For 9 am?

MS ORR: It is the same as it currently is now.

THE CHAIR: Yes, but I thought you were saying it was going to cross, but it is very similar to what it was before.

MS ORR: I think we might have a semantics issue—“across” does not mean

“covering”. It is the same as it is now. That is the short answer.

Mr Ponton: That is exactly right, yes.

Ms Kaucz: And then by 3 it obviously moves along. So the square is then shadowed by existing buildings. If you look at diagram 3, that shows the difference between existing and potential.

THE CHAIR: And that is the significant difference for the square there?

Ms Kaucz: Yes. But if you have a look at 7, that shows the massing of the buildings. That is a worst case scenario, I suppose. Basically they have to reduce that scale to make sure that it does not overshadow those areas. This is just modelling the heights proposed for the setbacks but not as yet factoring in overshadowing. As I said, it is the worst case scenario shadowing.

Mr Ponton: In terms of the town square itself, importantly, the master plan provided for four storeys but, in response to what we are hearing through the community engagement activities, that has been reduced to two storeys, essentially what is already there.

THE CHAIR: Some of it is really only one storey.

Mr Ponton: In terms of the north, it is two storeys.

THE CHAIR: Yes, but if you look at the size—the chemist and the health food shop—that is one, Woolies is only one.

Mr Ponton: Woolies is to the south, though, isn't it?

THE CHAIR: It is south. It is the big building here. The square has a bigger bit and a narrower bit. That piece there is Woolies.

MS ORR: Caroline, is your argument that if you built this up higher that would get shaded? It is south, so if you built that up higher, the shadow would go here, not there.

THE CHAIR: At 3 o'clock it would not make any difference.

MS ORR: Yes.

THE CHAIR: I am not sure how much difference it would make, but I am just saying that the Woolworths building and the building that used to be the garden that now has a pizza place and a chemist and a health food shop, they are one storey. I agree that the building directly to the north, which has the gym, is two storeys. The point I am making is that most of the buildings directly next to the square—I think they might be allowed to be two storeys at present—are one storey. That is all I am saying.

The thing I find most surprising out of these diagrams is that I thought the potential eight-storey marker block was going closer to the corner of Mawson Drive and Athllon Drive, so there is something that would keep it well back.

Mr Ponton: It makes sense, yes.

THE CHAIR: It is quite clear. At the intersection of Mawson Drive and Athllon Drive I thought the eight-storey marker building went right to the corner. But you have drawn it quite a way back.

Ms Kaucz: Yes, in this modelling. But then being closer to Mawson Drive would bring it slightly higher and then over the other buildings. But, yes, it is not set back so far from Mawson Drive.

THE CHAIR: So are you envisaging that this would be part of the precinct code that is stopped at building there or is this just the artist's impression?

Ms Kaucz: It was just an exercise to test the modelling. It is not proposing what they will look like or anything like that. It is not even an artist's impression; it is just a massing exercise.

THE CHAIR: I understand what you are saying. So you are proposing that around the square you will reduce it to two storeys?

Mr Ponton: Yes, except for the western part. That goes up to six storeys.

Mr Gentleman: So the western side parallel to Athllon Drive has an allowance of six storeys, if you have a look at page 167.

THE CHAIR: That is over the other side of Mawson Place.

Mr Gentleman: Yes, the western side.

MS ORR: I got a bit confused. The buildings there now when you are looking at the diagram are to the left of the town square. So I believe they are the western side.

THE CHAIR: Yes.

MS ORR: They will be going up to how many storeys?

Mr Ponton: To the left of—

MS ORR: These ones.

Mr Ponton: So that is two storeys and some four storeys.

MS ORR: Okay, so two to four storeys depending on where they are.

Mr Ponton: Yes.

Ms Kaucz: I have it in this diagram; I can send you a copy of that. The beige colour is the two storeys, the yellow gives the allowance for two but possibly four, making sure solar access to the square is protected. Then the orange is the four storeys. The green

is the six storeys and the blue in the top corner the eight storeys.

THE CHAIR: Can we have a copy of that, please?

Ms Kaucz: We can give you a copy of that, yes.

THE CHAIR: Correct me if I am wrong, that is further from what is in the draft variation, that two-storey part? I am only looking at the coloured ones which do not give as much detail. Is that the same as what is in the draft Territory Plan or have you changed some of that down to two?

Mr Ponton: We have done this simply because colouring it makes it somewhat easier.

THE CHAIR: Yes.

Mr Ponton: For publishing, the Territory Plan being black and white, it is illustrated differently but it says exactly the same thing.

Ms Kaucz: So rule seven of the draft variation puts it into words.

THE CHAIR: I think I found the right one. A and A in this one are four, and D in the middle will be two.

Ms Kaucz: The D is the two with the potential for four if it protects the solar access. A is the four storeys, C is the eight storeys and B is the six storeys. We can give you a copy of that. It is quicker and easier to see, but essentially that is a coloured version of figure two and the variation.

Mr Ponton: The reason we do not include that colour map is because we use colours for zoning and that would just confuse people.

THE CHAIR: I am confused, even without colours.

Mr Gentleman: There is a very good explanation, as we just heard. If you have a look at page 4 of the DV on buildings, it has the rules on building heights and alongside it the criteria as well. You can look at the rules for the height and then the criteria that must be applied.

THE CHAIR: And the square is the only place where there is any particular requirement around solar access apart from what is built in by the heights?

Mr Ponton: That is correct, yes.

THE CHAIR: The other thing that people have been concerned about, apart from the solar access, is whether it is at a the human scale in the middle of the town square. Given that it is a very small square and currently one storey, how do you think this is going to seem to people inside the square? There is only the gym building, which is the smallest of the buildings, that is actually two storeys.

Mr Ponton: On three sides of the town square, as we have explained, that provides

for two storeys, which certainly is at a human scale, and four storeys, depending on how it is designed. It can also appear at a human scale. It is about how you design the ground floor, whether you set back the upper levels, how you deal with your awning treatments and the like.

Certainly four storeys and part of that potentially being two storeys, I would argue that that is certainly at a human scale. But we would be willing to deal with more of the detail during the development assessment stage. It will not be a big blocky building that we have used for our modelling.

THE CHAIR: No, I appreciate it will look better than this, for sure. The southernmost building, which is on figure 2, is an “A”. That is a four-storey. I am surprised that that was four, given that along the side, next to Athllon Drive, it was six and eight. Is there a reason for that, given, as was discussed earlier, that it is only grass that would be overshadowed?

Mr Ponton: Sorry, could you just outline again exactly where you are talking about?

THE CHAIR: On figure 2 you have got an “A” down the bottom, which is the southernmost bit. We think that is a four-storey.

MS ORR: I think it block 25 section 47. It is the bit that is currently grass that will become potentially a structured apartment block. I think that was one of the things that was foreshadowed there.

THE CHAIR: Or potentially it could become a supermarket, is a more interesting proposition.

Ms Kaucz: South of that, that block is the playing fields. The idea was that it was stepping down. You have got that higher height to Athllon Drive, where it is a bit more urban, but then stepping down to the playing fields. That site has also got a provision to have a 30-metre setback to the playing fields on it to help with that connection in that stepping down as well. Yes, that is the reason for that height.

THE CHAIR: While we are talking about heights, again on figure two but on the other side, on the eastern side—this is where the clubs are and then the units behind—have you looked at, not the overshadowing, because clearly they are not going to overshadow, but those are all lined up to look over Woden Valley. That is why they face due west. Have you looked at, for the both the clubs and the units, what it does to their views?

Ms Kaucz: It did look at some of the topography and that is higher at that side. If that was a higher height, that would be considered to be too high or have that perception of being too high. That was taken into consideration; that and those units that are further to the east.

THE CHAIR: The Great Wall of China, as it is usually known.

Mr Gentleman: We used to refer to it as the wall of Mawson, not China.

THE CHAIR: I always thought it was the Great Wall of China. Is the bottom storey of those units, where they are behind the four and six, going to lose their view?

Mr Ponton: Possibly, yes.

Ms Kaucz: Potentially.

THE CHAIR: Do you know how high up they will lose the view? I assumed that was the case and I am surprised that no-one has commented on it. I assumed it was because they just have not realised that this was a potential—

Mr Ponton: I cannot comment on why people have not provided comment but certainly it is not through a lack of trying to engage with the local community.

THE CHAIR: Can you maybe take on notice how many storeys of the flats behind will lose their view over the valley?

Mr Ponton: We can certainly look at that in terms of if somebody does build to the maximum allowed, yes.

THE CHAIR: If somebody builds to the maximum, what impact will it have on the units behind?

MR PARTON: It is a question of degrees though, isn't it, because their view will be impeded to some extent, won't it?

THE CHAIR: I am wondering if the people at the bottom—

MR PARTON: You are concerned about losing the whole vista.

THE CHAIR: I suspect their view, instead of being over Woden Valley as it is at present, will be the back of this building. That is my question. That is what I assume is the case. Am I correct?

Mr Ponton: Having said that yes, there will be an impact, views are not a primary consideration in planning terms. If you think about any block of land that anybody purchases, there is a risk that somebody will build something next door. When I purchased my block of land I had a fantastic view. Somebody built a two-storey house next door. I do not have that same view. But I expected when I bought the block of land that there was a good chance that somebody was going to build something next door.

THE CHAIR: I agree that views are not the only thing, although the difference I would say there is: yes, you expected it whereas these units have been there for a long time and the people will not have expected it because they knew what was built.

Mr Ponton: And there has been ample opportunity for those people to engage in the process.

MS ORR: Mr Ponton, just for the record, can you maybe indicate to us what sort of

information would have gone out to the people in those blocks to allow them to engage in the process?

Mr Ponton: There would have been a letterbox drop. I think we had postcards on this one, postcards out to all residents. I think they went to the whole Woden Valley. It was quite extensive. And then, of course, there is the usual website. We had people at the local centre, the drop-in sessions when people are doing their shopping on the Saturday, having people there who can actually answer questions; a range of opportunities for people to engage. But in terms of individual households, there was a postcard that was delivered to every household.

MS ORR: People in the vicinity of the development would have been very aware of the proposed changes?

Mr Ponton: If they receive mail or they shop at the local centre, then definitely.

MS ORR: I have a follow-on about solar access. It has been put to us quite a bit that the solar access is integral to the town square being an active, used space and I just want to get the directorate's view on how you can actually make the town square enlivened and is it solely down to solar access or are there other provisions you have allowed for in this to really bring that community space to life?

Mr Ponton: I will get Ms Kaucz to elaborate but essentially, yes, we have acknowledged that the access to sunlight in that square is important. In fact in other planning work that we have done we have recognised the importance of access to sunlight in those public spaces, acknowledging that at the winter solstice you are not going to get sunshine all day. The reality is that it will be sunshine for the most important part of the day during the winter solstice, and that will then improve.

Then it is about ensuring that you have activity, opportunities for activity, around the town square. In the redevelopment we will be wanting to ensure that there are opportunities for active uses so that it is not residential at ground floor, that you could actually have more commercial retail activities to encourage people to walk through the space, linger in the space.

With those development opportunities then, hopefully you will start to see private sector investment in the space as well in terms of providing improved furniture and landscaping and the like. But I will ask Ms Kaucz if there is anything that she wants to add to that.

Ms Kaucz: Only that the master plan in figure 1 sort of specifies, nominates, those as being primary active frontages. It does require that they have predominantly clear glass to the shopfronts and things like that. It just has that active frontage. We have got those provisions in place but it really comes down to the nature of the businesses that go in there but we have written the provisions so that we can to try to enliven it.

MS ORR: I have one other supplementary, if you will indulge me, chair, because it does follow on from some of the other discussions we have had. There has been quite a bit of discussion on heights not only from the solar access perspective but also from how it works to shape the town centre and it is like the discussion about marker

buildings.

Mr Ponton: I am aware.

MS ORR: There is quite a range of views on marker buildings. But can you please, for the record, give us the directorate's reasoning behind why you have gone for the heights, where you have gone for them and what you feel this will actually do to enliven the redevelopment of Mawson?

Mr Ponton: Again I will start, then I will ask my colleague Ms Kaucz to elaborate further. Ordinarily when you look at a centre like this, heights tend to occur in the centre and then you would actually reduce your height as you move out. You would notice that this one is a little different in that we are keeping the lower scale within the middle of the centre and that primarily comes back to the square, which is quite a small square, and ensures that we provide ongoing access to sunshine during the winter solstice for that square.

Then we have looked at how can we cater for growth and provide for opportunities for redevelopment at a scale that is appropriate for a compact city but in a way, as I said, that maintains what we heard was important to that local community, which is why you are seeing the height being pushed out to the extremities where the impact will be less.

In terms of the term "marker building", I did hear some of the evidence this morning and I will just make the observation that a marker building is not there to help you to find your way there. I heard the comment in relation to—

Mr Gentleman: We let Google do that now.

Mr Ponton: Indeed. A marker building can frame a space. What I mean by that is that you might see marker buildings on the four corners of a commercial centre. You might see a marker building on the main entry to a commercial centre. It is more about framing, identifying a space as opposed to saying, "I am in Woden. I need to get to Mawson. How do I get there?" It also provides for visual interest in the landscape. Again in terms of a marker, it is about providing for that variety in terms of the built form. Ms Kaucz, is there anything you would like to add on that one?

Ms Kaucz: No, I think you have covered that quite well.

MS ORR: Moving to my substantive question, another thing we have heard quite a lot about is surface car parking. There has been a variety of views within the submissions but there is a consistent theme there that people would like to see the number of parking spaces that are currently in the surface car parks retained in some way. Can you elaborate on the directorate's thinking behind car parking provision and how that is accounted for in the draft?

Mr Ponton: Sure. In terms of the specific detail, again I will turn to my colleague but I can say—and correct me if I am wrong, Ms Kaucz—that as I understand it the draft variation does provide for replacement car parking. If a car park is sold for development and it has 100 car parking spaces then the requirement is that you need

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to replace those 100 car parking spaces plus provide for parking that the development will generate in terms of the need.

If it is a shop and residential, there is a combination of parking that will be required for that in addition to the 100 spaces that are being lost. So this plan, should development occur in accordance with the master plan and the Territory Plan variation, will not result in less car parking on the site.

MS ORR: One of the submissions that came through—and the presenter has not appeared at the hearings but has put in a written submission—raised the concern that potentially surface car parking could be moved out of the site to a different part of the precinct. Is that correct? The understanding I took was that it would be 100 spaces where you were taking it from.

Mr Ponton: That is correct, yes

MS ORR: That is just a misunderstanding on the part of that submitter, yes.

Mr Ponton: Indeed, yes.

MS ORR: Then on the other part to do with parking, we have had a bit of a discussion around ALDI and other supermarkets and providers. I think it is block 6 section 57 which has been identified as a potential place for a new supermarket in the plan.

THE CHAIR: The most eastern car park.

MS ORR: Yes. But ALDI has suggested that block 25 section 47 would actually be better. It is currently slated to be a car park, potentially a structured car park. Can you run us through your thinking behind why it is that location and not the other, because we have their side put forward?

Ms Kaucz: It was looked at for the master planning process and it was looking at or focusing on the sort of activity and the attention of the group centre to the centre. That southern car park was moving more the activity further south rather than concentrating it in the centre. That was why the one to the east was considered, to keep it in that more central location. That was the thinking behind it.

THE CHAIR: Given all these very strong objections to your proposed site—and I quite see the reasons why you do not want to keep on going south—have you thought about next to Athllon Drive where it is zoned CZ2, which is business? You presumably could put a supermarket there?

Ms Kaucz: The CZ2 zone has a general provision that says you cannot have a supermarket or shop more than either 200 or 300 square metres, depending on what it is across the road from. So you would not be able to put a supermarket with the current CZ2 zoning on it.

Mr Ponton: I think Alix was saying this earlier, that you would start to pull the retail off closer to the edge rather than keeping it in the core.

THE CHAIR: It was going to be a question I was going to ask later—and I am not talking about dates here—but presumably at some stage this intersection will have a light rail stop, if all goes well. I know we have not designed this yet but it seems a little obvious to me. I know you have talked about, on the other side of Northbourne Avenue, potentially having shopping where people hop off the light rail and go to a supermarket. I had assumed that this eight-storey building was lining up to take all the light rail customers. Is that—

Mr Gentleman: No, certainly not. The planning on light rail extension to Mawson and beyond is not there yet.

Mr Ponton: Sorry, I was just going to say that, even if there were a light rail stop in terms of the type of retail that you are referring to, Ms Le Couteur, which is your convenience retail, then the CZ2 zone would allow for that, which is your smaller shops as opposed necessarily to your large-scale supermarkets. For example, the Northbourne work that has been done, the Macarthur nodes, is looking at convenience shopping opportunities as opposed to large-scale supermarket opportunities.

THE CHAIR: I will leave it at that.

MS ORR: Just back to the surface car parking, the other one we have heard quite a bit about is the park-and-ride facilities. Was there any insight into how that will be approached, given the proposals to change that particular surface car park?

Mr Ponton: In terms of that particular car park, again it comes down to that provision that says that you would need to replace the existing car parking. Having this as a development opportunity does not mean that you would lose the park-and-ride facility because that could be catered for within the new development. I might ask Ms Kaucz to elaborate.

Ms Kaucz: Actually rule 4 is the one that covers the replacement car parking, but there is an additional one, rule 5, that specifically mentions the park-and-ride; so that that needs to be replaced as part of the development. We have got that covered.

MS ORR: That service facility will still be available?

Ms Kaucz: Yes.

MS ORR: I have one other question. We have had it put to us by one person that the surface car parks give more a point of differentiation for other areas. Is there any comment you would like to make either for or against surface car parking and the opportunities that may come by redeveloping the surface car parks as opposed to keeping them?

Mr Gentleman: I suppose that if you look at parking in general, structured car parking can also provide a similar opportunity for additional parking to be provided, also along with new facilities such as cleaning and detailing services that we see perhaps down in Tuggeranong to be co-located within a parking structure. There is opportunity there.

Mr Ponton: My only other observation is that I do not think that service car parking is unique to Mawson. In fact, if you look at many areas across Canberra, service car parking has been provided essentially as a temporary use pending sale and redevelopment of those car parks. Even in newer centres like the Gungahlin town centre you still see surface car parking but over time that surface car parking will become basement car parking.

MR PARTON: Do you see it as inevitable that they will all become basement parking? It was interesting to listen to—I cannot think of his name—the guy from Argos who talked about what he saw as the great benefits that potential customers see in Mawson as opposed to, say, going to Woden: they can just drive by, there is a car park, “I will park there, go and buy my stuff, and go.” His view was that if they had to enter a multi-storey car park, all of a sudden that concept of convenience has gone out the window.

Mr Ponton: No, I do not necessarily agree with that. I have seen some examples where, if you design your development well and you provide for multiple access and egress points and it is easy to get into the basement car parking particularly during the day or wet weather, middle of winter in Canberra, people will prefer basement car parking to surface car parking.

Mr Gentleman: But I think too you need to look at the growth of the city, and population growth means that we need to look at opportunities for everyone as you look at development into the future. In relation to access to basement car parking, I will just reflect on Tuggeranong. It is pretty good to get in and out of. It does provide that shelter in the winter, and there is certainly shopping at the basement level when you move in.

MR MILLIGAN: Today we heard from Milestone on behalf of their client 7-Eleven. They raised some concerns regarding the change of the land use that they are on from CZ3 to CZ2. They are looking at it obviously from a business perspective as to whether the government has an agenda on its plan to convert the land that they are on to something else. They have concerns about that. Is there a guarantee that they will be able to honour their 99-year lease and that they can retain that service station there? Are there other plans you have for that land to be used for other business purposes?

Mr Ponton: In terms of land that is already leased, what the master plan does is provide opportunities for those lessees to take advantage of what the master plan is providing for. That has been given effect through the Territory Plan variation. Essentially, going from CZ3 to CZ2 provides for further opportunities for the lessee, but if they have a crown lease, for whatever period that is, it is their lease. They can choose to keep the site as it is or they can choose to redevelop the site.

In terms of the government having plans for the site, no, this is a master planning exercise that caters for growth in a compact city. It has been subject to extensive community engagement. This is what we heard the community wanted in terms of development opportunities. But a master plan does not of itself result in redevelopment. What we are doing is providing the framework to allow lessees, should they choose, to take advantage of that.

MR MILLIGAN: Could there be any issues with residential being built close to a service station, such as the noise levels as well as the light spill?

Mr Ponton: These are issues that will be considered through the development assessment process. It is not unusual to have residential located near service stations. There is a service station I can think of on the corner at Braddon and there is residential all around that. But it is how you design the building.

MR MILLIGAN: So if residential is built right beside or near the service station and residents complain about light or noise, whom do they take that complaint to? If they complain directly to the service station owners, what recourse do they have to redirect them to say, “We have done everything we can to mitigate noise as well as light and other disruption”?

Mr Ponton: I think when people move into an area that has been redeveloped, particularly into higher density, they would expect, in moving into that environment, that it is not living in the country, it is not living in the suburbs. I do not think, again, that Mawson is unique. If you think about Braddon, if you think about in fact many areas across Canberra, there are service stations and residential nearby. In fact, I think in Giralang there is service station with residential—

MS CHEYNE: Giralang only has a service station.

Mr Ponton: across the road.

MS CHEYNE: But we are getting shops, do not worry.

Mr Ponton: You see this all around the city and in various parts of Gungahlin. In Amaroo there is a service station with residential nearby. This is the new—

MS ORR: Dickson now has—

MS CHEYNE: Belconnen.

Mr Ponton: You deal with this through the design and siting applications.

MS ORR: Mr Ponton, can you run us through, when you get to the design process, some of the things that have to be taken into account, particularly looking at the issues that were raised, which were 24-hour operation, the noise that comes particularly in the evenings and the light spill that comes from having quite bright signage from a service station that is trying to draw your attention to it? How would that be addressed through a development application process for a building?

Mr Ponton: Yes. Again, it depends on the particular site. But in terms of noise, you can deal with that through the glazing. In terms of other uses that you might see in a commercial centre, be it a bar or a club of some kind, you deal with that through the airlocks in terms of entry and access. In terms of light spill, you can also deal with that through shading of the windows, how you actually design the building and also the orientation of the building. There is a range of different measures you can utilise,

but each site is different.

MR PARTON: I take you back to Mr Milligan's first question because I think it is important that we make the position abundantly clear to 7-Eleven and Milestone. When Patrick spoke to us today, he indicated that his client's biggest concern was basically being forced out of the site, that the government would say, "You do not fit here anymore; move on." That is not going to happen, is it?

Mr Ponton: No.

Mr Gentleman: There is no view to see that occur; not at all.

MR PARTON: Alright, that is good.

Mr Ponton: They have a crown lease. I do not know what the term of that lease is. But presumably it is at least 99 years—

MR PARTON: It is 99 years, signed in 2011, I think.

THE CHAIR: Yes.

MS ORR: It was quite recently. I think the confusion was that our town planner colleague who was representing them was from New South Wales and that perhaps a very special lease or zoning system might have—

Mr Gentleman: We will be well retired by the time that lease comes up.

THE CHAIR: I think they will actually get the message when they read the transcript.

MS CHEYNE: We heard some comments from Woden Valley Community Council this morning that I want to test with you to ensure that we are all on the same page. One of them was that all group centres should have the same maximum heights. Is that the government's thinking, that sites like Curtin, Kippax and Mawson should all have the same heights because they are all the same classification or do other factors come into it?

Mr Ponton: From a planning perspective, I would say no. Each centre is different. When you consider each centre, you should be looking at what it provides in terms of where it sits in the landscape. Is it in a valley? Is it on top of a hill? That makes a difference in terms of the heights. Curtin is sitting on top of a hill. This area is lower.

It also depends on the other developments that are occurring around centres, whether there is a large area of open space or whether it is quite a dense site. In fact, what I have been hearing over the past 18 months since I took on role of chief planner and have been engaging with community councils, industry and local communities is: "Our local community is a little bit different from the one next door." Therefore, in the planning scheme, the planning system should cater for that difference. I would argue that, in terms of what I am hearing from the community and in terms of good planning principle, you deal with each site depending—

MS CHEYNE: On its merits.

Mr Ponton: Yes, on its merits: as I said, where it sits in the landscape, what is unique about that particular location. To say that you would have group centres that are all six storeys or town centres that are all 20 storeys just does not work. You need to consider what is already in existence in terms of what is around there, what is the desire in terms of catering for growth, transport, a whole range of different things.

MS CHEYNE: There was also a view put forward that maybe for some sites we should just wait and see, that we should give some sites a higher limit but for others we should wait and see whether developers want to go for those initial sites and then do an iterative process. Is that really in keeping with how draft variations are supposed to work? I thought they were really supposed to set the scene for the next 10 to 20 years, not for every couple of years.

Mr Ponton: Yes, I would make the observation, and argue, that it is not good planning principle to consider very small areas. Again, you need to consider localities. If you consider increasing density on one site or two sites without thinking what that might mean if we then incrementally start to vary the Territory Plan, this year there will be another three sites and the year after another four sites.

What we are doing here is thinking about the precinct: the traffic arrangements, the public transport opportunities, the servicing arrangements in terms of water and sewerage. We are considering that on a holistic basis. I think that dealing with it on an ad hoc basis just does not accord with good planning principles.

MS CHEYNE: On some of the sites that currently have buildings on them there are some proposals to raise those apartments, not dramatically but a little. I think we heard from the lessor of Woolworths that he thinks those are high enough to encourage redevelopment of those sites. I am reflecting on places like Emu Bank where I know the draft variation at least suggested raising some of those heights there to encourage a bit of that redevelopment. Are the new heights that the government has proposed here, based on your experience, going to encourage that redevelopment and be enough for an investor or a developer to come and say, "Actually, yes, that site is worth while for me to spend some money on and I will recoup something out of putting some dollars into that"?

Mr Gentleman: It might be well worth while explaining to the committee how master plans have produced outcomes in the past.

Mr Ponton: The short answer is yes. In terms of the master planning work that we have done here, our experience is that there is sufficient here that will generate enough interest for people to redevelop. That may not be today. It may not be in two years. It may be in three or four years. But it is setting the framework to allow for that redevelopment to occur.

As you said, Ms Cheyne, it is 10 to 20 years. So we do not expect that these master plans will result in new development within the next few years. We hope that it does generate some interest. As you start to get one or two developments occurring, then that generates interest; then you start to see more and more people.

I think probably the most successful example of master planning Territory Plan variation that I can think of is Braddon. It was essentially a service zone area. There was an extensive master planning exercise that resulted in a Territory Plan variation that allowed for alternative uses. We have started to see over time that area redevelop and the character that was envisaged in the master plan has now been realised.

THE CHAIR: You are talking about some developments here only being two stories.

Mr Ponton: Yes.

THE CHAIR: I am remembering the Weston variation where two storeys were suggested but that that was not going to be enough, given the requirement to replace the car parking.

Mr Ponton: Again, Ms Le Couteur, each site is different. What worked in Weston may not necessarily work in Mawson. But it might be that the areas that are identified for four or six storeys are redeveloped first. As that occurs it generates more interest in Mawson. It becomes more active. Therefore, there is greater value for those people who own the single storey buildings to redevelop. So it may not be tomorrow. It may not be in two to three years. But it might be in 10 years when we start to see it worth while for those people to redevelop.

MR PARTON: Much of the discussion here today has been about Southlands, and you can understand why. But there has not been a great deal of discussion about the RZ5s on Athllon Drive. If this all goes through and people build to its fullest extent, if someone went away from Canberra for ten years and then came back, I think the starkest difference they would find would be those RZ5s on Athllon Drive because it radically changes what is there now. What is your vision as to where heights will end up on Athllon Drive and can you explain some of the decision-making around that zone change?

Mr Gentleman: We look at transport-orientated design, particularly around those major corridors. You have seen it along Northbourne Avenue; that is a good example. You have also seen it locally on Anketell Street. You are talking about the future and going away from Canberra and come back. A really good explanation is the couple I caught up with when we opened the park down at Tuggeranong off the new development on Anketell Street. I met with an older couple after we had done the official opening who had just returned to Canberra after living in Queensland for 15 years.

The main reason they returned was their children were having grandchildren and they wanted to spend those retirement years with them. But they were very excited about the way of living they could now have in Tuggeranong. They said there were a lot of conversations in their complex about the new way of living where you have really good amenity outside and good urban open space, but a denser style of living in the area with opportunity for commercial dining and cafes and that sort of thing. That is a reflection from a couple that I talked to which shows what can happen when you come back and see really good development occur.

MR PARTON: Is your vision for those two sections of Athllon similar to, say, what has gone on down that end of Anketell Street? Is that what you see happening there?

Mr Gentleman: If you look at the prospective drawings we have done, particularly the shadow diagrams, it would be a slightly different outcome I would imagine. But there would be a desire to live there and have that view. At the end you might even have a view over the Tuggeranong Valley but you certainly would of the Woden Valley, Mount Painter and beyond.

MR PARTON: Based on comments earlier in this session, I am taking it that there is no specific link in thinking to a potential light rail route going down Athllon Drive or somewhere in that vicinity that has guided this?

Mr Gentleman: No, when I talk about transport-orientated development I talk about the actual road routes and avenues that we have at the moment. It is not in regard to light rail. If you look at the existing zones and proposed zones in the Mawson plan you can see the inter-town public transport route running through there is well identified.

MS ORR: I think the northern part of that Athllon Drive corridor in the Mawson precinct code—block A—is three storeys except after a certain amount of setback from the road it can go to six storeys. So that is what is proposed there?

Mr Ponton: That is correct, yes.

MS ORR: And B is four storeys, again except with a setback of 35 metres where it can also go to six. So it would be consistent with what is proposed for group centres as far as maximum height is concerned?

Mr Ponton: Yes.

THE CHAIR: One of the things that surprised me is that you have not taken up the RZ5 or even only RZ3 further up into Mawson. It would seem to be an equally reasonable place for higher density. Is there a reason?

Mr Ponton: Essentially, as the minister said, it is the inter-town public transport route on Athllon Drive, so keeping the high density located very close to that inter-town public transport route.

THE CHAIR: This may only be a drawing issue, but looking at your current versus proposed, it looks to me that you have slightly shrunk the transport corridor. Have you, in fact, done that? And regardless of whether you have or not, have you considered the impacts of one-in-100-year-floods? The reason all that green is along there at present, as Mr Gentleman would be aware, is that there are big machines out there digging holes for wetlands—

Mr Gentleman: We are doing the healthy waterways project through there.

THE CHAIR: Yes.

Mr Ponton: I am pleased to say, Ms Le Couteur, that looking at flooding is one of the principles of planning. So we certainly look at that.

THE CHAIR: So you are confident that this intersection and all will be fine regardless?

Mr Ponton: That is why you will see large areas of green. The area was originally pink, residential. As I recall, the reason we have identified that as green on the maps—so public open space—is because they are areas we had identified as having some flooding issues. We have made sure the RZ5, which ideally you would run all the way down there, being a public transport route, is only in those two locations because of the location of Yarralumla Creek.

THE CHAIR: So what will happen in the Southlands part where there is no green? Yarralumla Creek is currently an open creek. Is it going to be underground? What will happen to Yarralumla Creek? There is the potential for significant flooding.

Mr Ponton: It has been some time since I have looked at the flood mapping.

Ms Kaucz: I believe Transport Canberra and City Services are looking at that. We can get back to you on what is happening with the stormwater.

THE CHAIR: If you can.

Mr Ponton: There was certainly work done as part of the master planning exercise, but being a number of years ago I have not looked at that in recent times.

Mr Gentleman: We were looking at catchments around there.

THE CHAIR: I was in Canberra in the 1971 floods and I know this area. It floods, and that was why we had left all of this space. It is clearly not going to be left for flooding anymore.

Mr Ponton: In fact, as I pointed out, Ms Le Couteur, a large area of that is currently zoned as residential. That is now going to public open space. The work we have done in terms of the mapping has actually resulted in two small areas of RZ5 based on the extensive flood mapping work we have done. Detailed hydrology work was done for this site, but we have done that work across the city.

MS ORR: I took myself on a little excursion down to Mawson, which was quite an adventure, given that I come from the north side of town.

MR PARTON: It is a warm feeling when you come south.

MS ORR: I am going to stick to the north if that is okay. But I noticed all those diggers Ms Le Couteur was referring to. Will that project help with not only the water quality but the water management of that area?

Mr Gentleman: Certainly more of water quality. The wetlands will ensure that the water that travels through the watercourse will be cleaner than at present. The

installation of further traps will ensure that too. We need to have the infrastructure for the one-in-100-year flood—there is now a new name for it; the AEP I think it is—to allow the water to escape rather than to flood as Ms Le Couteur was talking about earlier. My memory from the '71 floods was that that area was not too bad at all; it was when you got further down to Launceston Street where there was a convergence of the stormwater drains that it really picked up. From memory I think we had one death in '71.

THE CHAIR: There was more than one death in '71.

Mr Gentleman: We need to ensure that we have the infrastructure to get the water away when we need to but also the opportunity to clean the water so that when it gets to the lake or the watercourse it is in a better condition than what we have at the moment. I am very pleased the commonwealth has helped us do that and that our government has made those decisions as well.

THE CHAIR: I know you said you are not planning for light rail now, but I assume that you are reserving enough space for it, am I right?

Mr Gentleman: In regard to this master plan?

THE CHAIR: Yes. You have rezoned a couple of pieces of land which are currently occupied by either grassland or surface car parks next to Athllon Drive and are also very close to Yarralumla Creek, so next to a roadway and a potential flooding feature. My question is: are you confident that you have reserved a flood-free space for light rail? I know you said you have not looked at where the stops are, but my understanding is that this is still a likely location.

Mr Gentleman: It is planned around the inter-town public transport route but not planned in relation to light rail.

Mr Ponton: As part of this exercise, Ms Le Couteur, we have provided this to our colleagues in Transport Canberra for comment, and they have not raised any concerns.

THE CHAIR: So there is not necessarily space for light rail? You are only planning for buses? Is that what I understand you to say?

Mr Ponton: What we said is that we have referred it to Transport Canberra, who have carriage of light rail planning and transport planning, and they have not raised any concerns in relation to this variation.

Mr Gentleman: If they were planning for light rail along the corridor and had concerns about the planning we are going through now, they would certainly let us know.

MS ORR: There are two things I want to ask. We had it put to us at one of the earlier hearings that a road connecting that southern precinct would be desirable. Essentially it would go from Athllon Drive into the precinct. I do not have a map in front of me; I just have an ACTPLA document. It does not have the road name I am looking for but I think—

THE CHAIR: Mawson Place?

MS ORR: Mawson Place. I think it would be the southern part of Mawson Place, on the southern end of that surface car park there. It would just be a connection across and behind the Caltex Woolworths, for what that is worth. I am interested to know your thoughts on whether that could be considered or what it would do for impacts of traffic and traffic flow within the area?

Ms Kaucz: Page 73 of the master plan shows, I suppose, the proposed connections. They are not specifically included in the variation, but the variation with the rezoning to the southern part where we are rezoning it to the CZ3 from the open space includes that area that could be a road in the future.

Mr Ponton: I think the important thing to note here is that the Territory Plan variation does not then mean that the master plan falls away. There are things in the master plan that will continue on, and that is one of them.

MR MILLIGAN: That was a question that I was going to ask. If you did go down that path anyway, would you include better access for pedestrians and also cyclists and other users to use that direct path and possibly have a connection going to the other side of Athllon Drive into the suburb—to have some sort of connectivity between the two areas—if you added that extra left turn from Athllon Drive into Mawson Place?

Mr Ponton: In terms of the planning work, what we have done is provide for that in the master plan so that it is clear for others. In this case it would be our colleagues in Transport Canberra who also are responsible for the active travel office and I am sure that in the detailed design, should that road be constructed at some future point, they would be looking at all of those issues.

MR PARTON: When we spoke with Fiona from Woden Valley Community Council she focused on, I guess, the character of Southlands and that it really is a bit of a concrete jungle, albeit a low-rise concrete jungle, and there is not a great deal of green, there is not a great deal of genuine community space that is happening in that area. I certainly do not see any of that happening under this draft variation. We have got that tiny square which really does not play much of a role, for a number of reasons, but was there thought given to trying to ramp up and create a space that could be activated in a more worthwhile way?

Mr Ponton: The first comment that I would make is that the community that we spoke to value the town square highly. I think that that is an important point to make. It is a valued space. Even though it is small, it is still quite a valued space. When I have been to Mawson I see people sitting out there having their takeaway coffee and the like. In terms of other spaces, when you start to see areas redevelop, just because it is zoned and you see it blue on the map, it does not need to be green on the map to be a public space.

You will see that the town square, in fact, is zoned to commercial core. What we would expect to see through the design and assessment process—we have got the new

capital city design review panel—is that the buildings that are designed would actually provide for those improved public spaces. We can actually start to see the private sector—and I mentioned this earlier—investing in those spaces. You do not need to have a little area of green marked on the map to achieve—

MR PARTON: Is that not really just hoping that the private sector provides something, because—

Mr Ponton: Not at all. In terms of the assessment processes that we have and the current provisions within the Territory Plan, you see that occurring in a number of different areas.

MR PARTON: Where? Give me some examples.

THE CHAIR: Yes, give us some examples.

Mr Ponton: Let me think of some. In terms of high quality public spaces I think that what you are seeing on Lonsdale Street, again going to Braddon, in terms of the developments that are occurring there, there is the Forecourts. It is not something that we can take credit for in terms of New Acton but you are starting to see there with buildings being built and buildings being built for people and spaces. I am just trying to think of some other—

Ms Kaucz: Kingston.

Mr Ponton: Kingston is another good example, yes.

THE CHAIR: Kingston is not a particularly good example. I am thinking of the cycleway which was promised for the foreshore but which did not happen. It has got cafes instead.

Mr Ponton: And many people love those cafes.

THE CHAIR: And many people love those cafes but many people actually were expecting a cycleway. I think there is a degree of scepticism that the private builders will provide something that the government has not requested them to do.

Mr Ponton: I think what I am saying though is that identifying an area here that is green will not necessarily deliver a high quality public space. I think we need to think differently about how we do that, and simply having this marked blue on the map does not mean that you will not achieve that.

MR PARTON: I can understand members of the community valuing that square, because that is all they have. There is nothing else. Please do not misunderstand; I am not asking the questions or making the statement as an attack. I am just wondering if there was thought given—and I guess the answer is clearly no, based on the response—to somehow finding a way to create a space that could be used by the community in a different way and in a more—

Mr Ponton: It was not a theme that came through at all during the engagement

activities and, as I said, we conducted extensive engagement on the master planning. In fact when I look at the map I can see extensive areas of green on this map in terms of public open space. In terms of the centre itself, as I said, I just do not believe that you need to have green on the map to achieve high quality public spaces. But in terms of the value that the community placed on public spaces, it was the town square. That is what we heard.

Mr Gentleman: In regard to the level of the, if you like, building and the level of urban open space, if you have a look at page 66 of the Mawson group centre master plan—it is a larger section of course but it includes the Mawson group centre and all the area around it—you will find that the Mawson group centre, in my perception, takes up about 30 per cent of the total area. The rest is quite a lot of green space, with Mawson playing fields, the tennis courts—

MR PARTON: But you are talking about the playing fields, are you not?

Mr Gentleman: The playing fields, the tennis courts, yes, and the open space that occurs alongside the group centre as well.

Mr Ponton: And the other observation I would make is that you do not need large expanses of park to create a quality space. That town square could be a very high quality space that is well used.

THE CHAIR: I go back to supermarkets. I hear what you are saying in terms of your wanting to see a second supermarket not a long way south. However, given ALDI's comments that they were not going to be able to develop in the space that you have effectively allocated for another supermarket—and I assume any other supermarket operator would have similar concerns about loading bays—is there anything that you can think of that can be done to place any second supermarket in a better location, given the problems with your suggested location?

Mr Ponton: In terms of the problems, as I understand it, it is the evidence that you have been provided by one supermarket operator. Before giving an answer I think that I would want to go back to our office and interrogate that evidence further and understand exactly what those concerns are. We talked to other operators; it is not just ALDI that could be a potential for that site.

THE CHAIR: You are saying there are other supermarket operators who are interested in moving into Southlands?

Mr Ponton: I am not saying that at all. I am saying that there are others in the market, though. I am not aware that this site has been identified for just an ALDI.

THE CHAIR: I do not know.

Mr Ponton: Correct me if I am wrong. I think we have simply identified it as a supermarket of a particular size. We are not looking at a particular provider but there are others in the market. I am happy to look at that evidence and give that further consideration.

THE CHAIR: That would be good, because certainly people have talked in terms of that as a quite positive outcome for Mawson. You may or may not think it is a positive outcome but it is certainly something that people are considering. You think that the site you have identified would be feasible for a smaller supermarket?

Mr Ponton: Yes, otherwise—

THE CHAIR: What size do you think it would be feasible for?

Mr Ponton: Do you have the details?

Ms Kaucz: We can find out.

Mr Ponton: We will provide that detail to you. I do not have that in front of me at the moment.

THE CHAIR: If you could get us some information about that.

Mr Ponton: Sure.

THE CHAIR: Clearly if Mawson is going to expand and have another supermarket, finding out whether that is viable or not is an important issue.

Mr Ponton: Sure.

MS ORR: I have a question on active travel. I think part of the discussion has probably already answered part of the question. It has been put to us by a few of the submitters that some active travel and particularly cycling paths will be built. I wanted to give you a right of reply to that suggestion but I also wanted you to confirm, based on the master plan identifying these linkages, whether that would still hold true and if it is the planning directorate or the transport directorate or City Services that would be responsible.

Ms Kaucz: It is similar to the conversation we had for Woden. We do not put the active travel paths into the Territory Plan because that locks it in, because they are paths that can be developed without development approval because it is public works. The master plan did nominate and we have carried into the Territory Plan the key pedestrian routes, which picks up those key access ways through the centre. They then correspond. They are nominated in figure 1 in the variation or in the proposed precinct code and they then relate to the active frontages that will face onto those main pedestrian routes. We have taken into consideration those but we have not specified that this will be an active travel route.

MR PARTON: I am going through things we received in discussion this morning and I am of the belief that most of the things that we spoke of this morning have been covered here. Have you got anything else?

THE CHAIR: I could continue on from your questions around open space, I think, because Woden Valley Community Council did actually go to the lengths of identifying a potential location for more green space basically next to Subway in the

car park, which we have decided we would call the retail car park.

There are two car parks on the eastern side and there is on the southern part of the car park effectively in the middle, but not the eastern-most one where there is currently a reasonably large bus stop. It is not just your little stop. There is a big shelter and there is a tiny bit of green there making that a bit bigger, taking over a bit of the car park. I assume that you have read Woden Valley's submission. Have you looked at that as an issue this morning?

Mr Ponton: In recent times.

Ms Kaucz: Yes, we did have a read through them. But again those potential green spaces were balanced with the pedestrian routes and the existing buildings and things.

Mr Ponton: I think we also need to understand what is trying to be achieved in terms of green space. Is it just a bit of grass? Is it play equipment? Is it a space that is meant to be utilised by people who are using the centre with their coffee; is it a spill-out area as we proposed for the town square from other active uses?

We do need to keep in mind that this is a group centre. You would expect that those public spaces would be of high quality but not necessarily a kids' play area and it is not clear what is meant by "green space". As I said, when I look at this aerial photograph or the map I can see lots of green but what is it that you are hearing that the community wants in terms of this green space?

When we undertook our extensive community engagement, what we heard was that the town square was the primary space that was important to the local community. We are not hearing and have not heard extensively, other than from Ms Carrick, that there is this strong desire for green space. But it has not been articulated as to what is meant by that.

MR PARTON: The only other thing I wanted to touch on is, and we have spoken about it a little already here this afternoon: ALDI indicated in their written submission that, as we have discussed, they fancied the tennis court car park area specifically as the preferred location for a supermarket. Certainly when the gentleman from Argos was here earlier he also very clearly remarked that from his perspective there were some very clear reasons why that southern area would be a much better spot for a supermarket than the one that was highlighted in the draft variation.

What feedback do we have on that? I know that you have touched on it a little already but there are pros and cons obviously and we are talking about potentially shifting some of the activity from the so-called centre of the square to the south. Why is that a deal breaker? Why is that such a bad thing?

Mr Ponton: These are all things that we could certainly consider. As I understand it, it is this site down here? Is that correct?

MS ORR: It is the one down towards the tennis courts.

THE CHAIR: Yes, it is.

Mr Ponton: I understand that ALDI, in terms of their business model, do like to be located close to other supermarkets because they do not necessarily provide everything. People might go into ALDI and get some things and then go into Woolies or Coles and get other things.

We are looking at this in terms of planning outcomes. Looking at that site and not having done detailed analysis on this, my immediate response would be: I would be concerned that you would be having the back of house facing the playing fields and how that would then relate, whereas we have gone to some effort in the plan to ensure that there is a relationship between that green space that seems to be highly valued by the community and how that interacts with this site.

As I said earlier, the risk is that you start to pull all the activity away from the centre, which means these other smaller developments, smaller retail opportunities, might suffer as a result of that. We are trying to get people walking through this area actually utilising the spaces and stopping along the way to buy things from the smaller shops. There are pros and cons of both and we are happy to hear the views of the committee in its final report.

MR PARTON: Is there a danger that that planning decision just simply stops an ALDI from coming in, because they look at it and say no, that is not the location; this is the location?

Mr Ponton: And there might be another provider. I guess what I am saying is that I am not looking at what ALDI's business model is. We certainly understand what ALDI's business model is but we are looking at the greater good, I guess, in terms of planning.

THE CHAIR: The 7-Eleven suggested a few things which might make it easier for them, in terms of precinct plan rules, to continue to coexist with potential new neighbours. Have you looked at those and have you got any views on them?

Mr Ponton: Have we been provided with those?

Ms Kaucz: I am not sure if we are aware of those details at this point.

THE CHAIR: I think they are in their submission, which you—

Ms Kaucz: To the standing committee? We can have a look at that, yes.

THE CHAIR: I assume that you will, if you have not, read it.

Mr Ponton: Yes, we will certainly have a look at those.

THE CHAIR: If you could give us some feedback on that as well as on the supermarket options? I am taking that as asking for an answer to a question on notice there, as we did for the supermarkets.

I think we are about out of questions. Thank you very much for your attendance. As

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you would be aware, a copy of *Hansard* will be sent to you as soon as it is available. You have taken a number of questions on notice. I think it is a five-day turnaround after the *Hansard* for those, if you could. Thank you very much and this hearing is finito.

Mr Gentleman: Thank you.

Mr Ponton: Thank you.

The committee adjourned at 4.51 pm.