



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING AND ENVIRONMENT

(Reference: Draft variation 237)

Members:

**MR M GENTLEMAN (The Chair)
MR Z SESELJA (The Deputy Chair)
MS M PORTER**

CANBERRA

FRIDAY 11 MARCH 2005

**Secretary to the committee:
Dr H Jaireth (Ph: 6205 0137)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents relevant to this inquiry which have been authorised for publication by the committee may be obtained from the committee office of the Legislative Assembly (Ph: 6205 0127).

The committee met at 2.04 pm.

DI JOHNSTONE,

JOHN LAMB,

BRIAN O'DONOVAN,

KEITH STOREY and

JACK KERSHAW

were called.

THE CHAIR: I declare open this section of the inquiry into draft variation 237, relating to the Embassy Motel redevelopment. This afternoon we have Di Johnstone and others from the Deakin Residents Association with their submission to the committee.

Before we go ahead, I would like to read a statement to you. You should understand that these hearings are legal proceedings of the Legislative Assembly, protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action, such as being sued for defamation for what you say at this public hearing. It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter. Ms Johnstone, would you like to speak to your submission?

Ms Johnstone: With your leave, Mr Chairman, I propose to make a brief statement and then deal with some matters of fact arising from the session this morning, before handing over to John Lamb, who will follow up on some process and planning issues. Thank you for this opportunity to express the views of a very large number of residents. We hope your deliberations will result in a more accountable process and a more desirable outcome. You have our submission and we want to give as much time as possible for your questions.

To quickly summarise, we consider the proposed change to land use for the Embassy Motel site is unwarranted on the facts and contrary to ACTPLA's own policy on the retention of sites for accommodation, tourist and leisure development. There is a range of possible uses for the site under the existing land use and, in our view, these must be fully explored. We are surprised that apparently there has been no integrated study of the impact of the loss of this site on the ACT industry by either the local or the commonwealth authorities. We are concerned about the apparent readiness of government to bow to the wishes of a single developer and to make it readily possible for that developer to get what it wants.

We consider Deakin should not be a target suburb for high-density residential development. On the sustainability issue, we agree with the spatial plan that such developments should not be dispersed throughout the suburbs and should be focused on target areas, as currently outlined in that plan. We consider that such development is inappropriate and completely out of character with a low-rise residential garden suburb.

We are concerned about the implications of this redevelopment for the adjoining Solander site, its impact on the school and the precedent it sets for other vulnerable entertainment, accommodation and leisure sites in Deakin, of which there are three apart from the Solander site.

We are concerned about the significant traffic and parking impact of this and other prospective developments in Deakin, including prospectively on the Solander site, which appears not to have been investigated by ACTPLA, and we consider that an integrated study of this impact would be required to be paid for by the developer, but certainly not to be done by the developer. We are not clear what the infrastructure costs would be and how these would be covered. Would these be covered by the current 75 per cent betterment charge, for example?

We are utterly opposed to a seven-storey development on this or any other site in Deakin. We note that there is an objection from the Saudi embassy on security grounds, which we presume that this committee will be dealing with. We have been concerned about the inadequacy of ACTPLA's public consultation processes and we are amazed that the NCA has no public consultation process for changes to their DCPs and considered this a necessity.

We would point out that, while there has been a suggestion that there was some encouragement from the NCA for this project, there has been no formal support for it given by the NCA. We were advised in a formal meeting on 27 October 2004 by Mr Scott-Bohanna from the NCA that he "had not seen the development proposal for the Embassy Motel site" and that there was "no reason for the NCA to be involved in development on the site as long as it was consistent with the existing DCP and no change to the DCP was proposed". That is an extract from our record of a discussion with Mr Scott-Bohanna.

We are reasonable people. We want measured development of our suburb within existing controls. Our concern is with the conduct and policies of the ACT government. We consider that the government should be accountable to us as citizens and residents and we hope that you will reflect our views in your recommendations.

I will now quickly deal with some matters of fact arising from the session this morning. In the session this morning, the proponent indicated in relation to population figures that the population of Deakin had declined by 1,000 over a relatively short period. According to the ACT government's statistics in the forecast of the population by district and suburb for the ACT from 1997 to 2008, the population of Deakin will decline by 300 from June 1997 to 2008.

On the question of tree cover, the proponent indicated this morning that there was a tree at 25 metres. There is, indeed, one tree on the site—it is in poor condition—at 25 metres. However, the trees on the western boundary would be destroyed by development of the adjoining site and some of the existing trees are very mature and will not last for long. The proponent indicated that the site was at a low point of Deakin, but on our estimation approximately 40 per cent of this site is at least at the level of Adelaide Avenue or above. That would need to be tested, but that is our belief from what we have seen at the site.

Finally, in relation to terminology, the proponent indicated this morning that they saw

this development as a medium-rise development. This is a question of terminology and the way in which they would like to use English language. In our view and in the view of the residents of Deakin this is in fact a high-rise development. At this point, I will hand over to John Lamb, who will speak on process and planning issues.

Mr Lamb: My name is John Lamb. I am a member of the Deakin Residents Association, I am a local resident within the core area and I am an architect. Further to the presentation that was given to you this morning, I note in that regard that I have a bachelor of architecture degree from Melbourne University and a master of engineering degree in architectural design from Waseda University, Tokyo, arguably one of the leading engineering universities in the world. I have been involved in various award winning design projects around the world. I was for many years a government architect, including spending extensive time on low-energy housing development, the award winning 3000 series and the like, and for some time with the parliament, where I wrote the strategic plan for the establishment of building operations in the new Parliament House.

I would like to ask: what are we doing here today? I believe the committee is being put in a highly improper position. It is being asked to consider a variation to the territory plan that is inconsistent with the national capital plan and therefore, under the Australian Capital Territory (Planning and Land Management) Act 1988, illegal. As the document itself makes clear, this is not just a change of permitted purpose. It is a specific promotion of a proposal that is inconsistent with the quite recently prepared development control plan for the site, and it proposes a density which it implies can only be met by going beyond the height restrictions of the current development control plan.

To support this draft variation is to give specific support to a proposal contrary to the national capital plan. It is my understanding that to go beyond four storeys will, in itself, actually require a variation to the national capital plan and not just the development control plan. If the committee were to condone this draft variation it would be condoning a breach of the national capital plan. In fact, on my reading of the national capital plan, and I am not a legal expert, the draft variation and what we are doing here today seem to be in breach of the national capital plan, which states on page 12:

For Territory Land, requirements for Development Control Plans may generally be met through the normal processes of preparing and approving the Territory Plan for the areas specified. Prior to release for public consultation, draft proposals must be agreed by the Authority as meeting its requirements and the Authority may require elements of the plan to be identified as Special Requirements of the National Capital Plan (and therefore not able to be altered through the processes of the Territory Plan).

Beyond this fundamental question, yet related to it, are the issues of good planning processes and desirable planning outcomes. The committee is presented with this mess because it is a totally arse about planning process, if you will excuse me. This draft variation is not the result of a balanced analysis and presentation of planning issues, but a selective and distorted presentation of planning guidelines and untested hypotheses in order to promote the case of a particular proponent and current lessee who see an opportunity for a windfall profit through the preferred negotiation of a proposal that is in major conflict with the established planning regulations and published parameters.

The national capital plan in its own statement, referred to in the territory plan, is the overriding strategic plan for the ACT, a land use policy plan that reflects the national significance of Canberra and the territory. It is complemented by the territory plan, which more specifically details the particular land uses. To this more recently has been added the Canberra spatial plan.

The national capital plan sets out general and specific parameters for the blocks covered by this draft variation, due to them being adjacent to a designated area in the form of a major approach to the national parliament. The first five key objectives of the national capital plan are: to recognise the pre-eminence of the role of Canberra and the territory as Australia's national capital; to further develop and enhance a central national area which includes the parliamentary zone and its setting and the main diplomatic sites and national institutions as the heart of the national capital; to emphasise the national significance of the main approach routes and avenues; to respect the geometry and intent of Walter Burley Griffin's formally adopted plan for Canberra; and to maintain and enhance the landscape character of Canberra and the territory as the setting for the national capital. The last three particularly are relevant here and also should be seen in the context of Griffin's design.

The national capital plan goes on to say that Griffin's design has four main elements: the use of topography as an integral design feature and as a setting; a symbolic hierarchy of land uses designed to reflect the order and functions of democratic government; a geometric plan with the central triangle formed by grand avenues terminating at Capital Hill, the symbolic centre of the nation; and a system of urban centres.

Let's see what the development control plan has to say as an interpretation of these objectives. The development control plan issued for this site on 9 August 2002, while there was active consideration of residential developments in this area, says that Adelaide Avenue has symbolic significance as a southern approach to Parliament House and the parliamentary zone and also as the avenue leading to Government House; that, given this processional role, new developments on sites fronting the avenue must be compatible with the pattern and form of existing urban development; and that development of the site should maintain and reinforce the character of Adelaide Avenue as a landscape corridor, with buildings set within a landscape setting.

The proposal that has been mentioned, as we have seen, already is right up to the western boundary and nearly all the trees mentioned along that boundary, from my understanding, will, as shown on the plan there, be destroyed by the access road to the currently agreed adjacent development. Contrary to the model there, there will be no trees on the western side of these proposed high-rise developments.

It goes on to say that the character of the avenue is determined by the adjacent urban development and the landscape treatment fronting the avenue and that, therefore, site development and architectural design on these sites must present a harmonious and well-modulated development that is consistent with Adelaide Avenue being the approach to Government House and an approach to Parliament House. This is not a harmonious and modulated development. It is both considerable and overwhelming, I would suggest. It is eight storeys, if you include the basement, of which seven storeys will be above Adelaide Avenue.

It goes to say that the corner sites on Hopetoun Circuit, area B, at the exit from or entry to Adelaide Avenue should be developed with buildings that create landmarks by virtue of the quality and composition of their design—not by height, not by residential character or quality, but by virtue of the quality and composition of their design. It is, in fact, much more difficult to create a residential building of landmark quality. We had the presentation to you this morning say that, if it met the requirements of the development control plan and was limited to four storeys, it would be both unviable and in a doughnut form that would not meet the planning requirements of the ACT Planning Authority. It could not be a landmark building. It goes on to say that buildings on these sites should be predominantly three storeys and a maximum of four storeys in height. So it sees landmark buildings as being quality buildings of limited height—I would suggest as represented by the Saudi Arabian embassy on the opposite block.

That is the National Capital Plan. That DCP was approved in August 2002, as I said, specifically for consideration of this group of sites, including height restrictions on adjacent new residential development which is still to be built. You have seen some begin along there; others are being built. Nothing has changed since then that can be reasonably and independently thought to impact on those principles. Even to suggest that it is appropriate to reconsider these considered guidelines to satisfy the desire of a developer who has taken an option on one of the sites is to open the planning process to the appearance of corruption and to enhance the potential for corruption. It is surely contrary to the government's guidelines for transparent and accountable processes.

I would like to return to the Canberra spatial plan. Firstly, the spatial plan re-emphasises the pre-eminence of the national capital plan and, as such, Griffin's legacy. Griffin's legacy does not seem to have been mentioned in this thing. Fair enough: Griffin's designs ended roughly at where this development occurs, but it is about consideration of the approach route along Adelaide Avenue. If you were to go and stand on the Kent Street overpass, a building of seven storeys above Adelaide Avenue on the right side and potentially therefore other developments that result from this, forming an imbalance totally out of the topography on the right side of the road on the main approach to Parliament House I would argue is not in accordance with the objectives of the national capital plan or Griffin's legacy.

There are two aspects which should be highlighted and are relevant to this draft variation. One is residential intensification. It does state that residential intensification will be within a 7.5-kilometre radius of the city centre over the next 15 years and will accommodate the predicted demand for a wider range of housing in locations close to employment and services. It says about locating employment that three key employment corridors will concentrate development on major transport routes, that Civic and the town centres will be the primary focus of future employment growth within these corridors and activity nodes within the corridors will also accommodate employment growth but to a lesser extent than Civic and the town centres.

It provides a map showing activity nodes and the like and the closest activity node to this area is one suggested in the west Deakin area of an unspecified type but none in this area. I would argue that there is not any reasonable prospect of such a node being established in this area. When we talk of a major transport route and development along that route, we are not talking of the buses on their express route to Civic from Woden going off at Deakin. We are not suggesting that the Lodge or the Italian embassy there

will change from two storeys high or that we will redevelop the mint or the like. We are respecting the topography and the urban infrastructure as it exists, and that is the implication of both the national capital plan and the spatial plan.

It goes on specifically in relation to higher density residential development to explain that within the existing urban area, providing easy access between home and places of work, education, community services and cultural activities, primarily this increased population will occur within central Canberra, in Civic, along Northbourne Avenue, on Constitution Avenue, in Barton, in Kingston and around the town centres, with limited change to existing suburban areas. People will enjoy a choice of housing.

Once again, in relation to residential intensification, rather than being dispersed throughout the suburbs, intensification will occur at major employment centres, Civic, the town centres and Barton, along the major Griffin Legacy boulevards of Northbourne Avenue and Constitution Avenue, and in major urban renewal sites such as Kingston and west Fyshwick. It is not suggesting this sort of development along Adelaide Avenue.

It has also been claimed that, as a core area, this site is part of appropriate intensification. But it is, in fact, not a core area. It is part of a local shopping precinct surrounded by a core area. As a local shopping precinct, it is the lowest in the hierarchy and not a notable point of any significance. You do not revitalise a precinct by reducing it and losing forever the opportunity of greater variety and economic vitality.

The ACTPLA objective for accommodation and leisure land use policies has been stated as being to protect entertainment, accommodation and leisure uses from competition from higher order commercial uses and says that sites capable of commercial tourist accommodation uses are limited resources and once lost are not easily replaced. This is the only motel site in Yarralumla-Deakin east of Kent Street. It is a highly desirable location for such a facility. It fulfils an important role in the vitality and liveability of the community and has opportunity for supportive enhancement with the adjacent club and sports ground, in accordance with the objectives and desires expressed in the Deakin neighbourhood plan.

In summary, we can see that this draft variation is improper, if not an illegal process. The retention of the site for entertainment, accommodation and leisure is in all planning terms a preferable option. The current DCP is a proper reflection of the planning parameters. It is supported by the community and should be supported by this committee. The architectural merits of a proposal that is inconsistent with the development control plan are irrelevant. The issue of a return to the territory through a change of lease purpose should be irrelevant and is, anyway, more affected by the height restrictions than the purpose change.

The proponent has publicly stated, and reinforced this morning, that residential development would be unviable and, according to the proponent, the current lessee's operation is making a loss. We would think that that would be open to dispute. But, under such a situation, it is not reasonable to consider a new purpose based on an equally unviable alternative. If the committee or Assembly were to support this variation, it would be proposing a variation to the national capital plan and it would leave itself open to a perception of manipulation for the benefit of a single developer. There is, however, the opportunity for the committee to seek the withdrawal of this improper draft variation

and to reinforce to the planning authority the need for an open and accountable process that in an atmosphere of independence professionally evaluates and fulfils the publicly stated planning criteria.

THE CHAIR: Do you have any more submissions, Ms Johnstone?

Ms Johnstone: A very brief statement by Brian O'Donovan, also a Deakin resident.

Mr O'Donovan: Myself and the wife have made a separate submission. We think it desirable that Deakin be kept as the inner southern suburb that does not have high-rise, high-density populations. We know that the main entry to Deakin, that comes directly off Adelaide Avenue at National Circuit, has two important buildings on the corner—both of them two stories, the Prime Minister's Lodge and the Chancellery of the Embassy of Italy. We would think that those are proper markings of the entry to the suburb.

We think that high-rise, high-density residential accommodation at the entry to the suburb, at the foot of the runoff from Adelaide Avenue, is simply inappropriate, because it overlooks all sorts of things. On our walking around the place, we think it may even overlook, at seven storeys, the Prime Minister's Lodge.

THE CHAIR: Thank you, Mr O'Donovan. Members, are there any questions from you to the residents group?

MR SESELJA: Mindful of the time, I have just a couple of quick questions. I know that in your submission you talked about the minister pre-empting the decision on 25 November when addressing the DRA. Do you want to just expand on that a little bit? In what context was he pre-empting it? Are you able to give us a feel for how that conversation went?

Ms Johnstone: At the meeting of the Deakin Residents Association he addressed the members and others who came to that meeting and indicated that he supported the proposed development. That concerned us because we, at that stage, understood that the issue had not been resolved. Having then been told that the minister had decided that he would support it, there was a question of whether there was any role for a public consultation process such as this and whether there was any prospect of us changing the minister's mind. So that was an issue of great concern to us.

Incidentally, after that we did write to the minister indicating that we were concerned about what we understood to be his commitment to the development in advance of an Assembly consultation process, a public inquiry such as this. He responded, but he didn't specifically address that issue in his response to us. He did mention that he thought that there probably would be a public inquiry but that was a matter for the Assembly. But he didn't specifically counter our perception that he had already committed to this development, which was of concern.

MR SESELJA: So perhaps he confirmed it by omission?

Ms Johnstone: Perhaps.

MR SESELJA: I was just interested in your thoughts, any of you people here, on the

consultation process. Has it been adequate to date?

Ms Johnstone: The answer to that is no. There was a public consultation process—a very limited public consultation process that took place in May, June and July last year. ACTPLA published public notices in the *Chronicle* and the *Canberra Times*. And they also printed, we understand, 350 letters, of which only 16 went to Deakin residents. Numbers of them went to other people, but only 16 went to Deakin residents directly.

One of the great concerns we have about that public consultation process is that in the public information produced by ACTPLA there was absolutely no reference whatsoever to a seven-storey building. So that to the extent that residents were even aware that there was a proposed change to the land use abroad—and there seemed to have been a very narrow consultation process by ACTPLA anyway—the vast majority of residents had absolutely no idea that seven storeys was anticipated.

It was only through resident action, after that consultation process had been completed and some of us were concerned about how it had operated, that residents in the broad became aware of that. Of course large numbers of them, as you know, signed a petition indicating their degree of concern, protesting that seven-storey residential development.

Incidentally, at this point I would like to thank Mr Seselja for his undertaking to table that petition in the Assembly next week. We're very grateful for that.

THE CHAIR: Just for the information of members: we do have that consultation report.

Ms Johnstone: There were other matters of concern to us about that public consultation process. I think it's fair to say that we were concerned that, in discussions between the NCA and the developer, there appeared to have been, at least at a working level, some assurances given to the developer about what they might expect out of this process and, in particular, what they might expect out of the NCA. There was no reference to that in the draft variation. This, we think, was material information which should have been provided to us.

We also, in our discussions with ACTPLA, learnt that ACTPLA was happy to accept a seven-storey development on that site. There was insufficient information provided in DV237 about the commitments that ACTPLA might have made in relation to a seven-storey development on that site.

So it was a narrow consultation process. It didn't reach enough people. To the extent that it happened, it didn't include material information. Overall, the public consultation process was really very poor, from our perspective.

Having said that, since the recommended final variation has been published, we have been given access to ACTPLA to discuss issues, and we should acknowledge that.

THE CHAIR: Thank you, Ms Johnstone. I am aware of the time. Mr Lamb, do you want to make another contribution?

Mr Lamb: It was just one expansion on that matter of the public notification process and the like. It seemed to us that in an important part of such a process, the consideration of

a variation of land use, it would be preferable, firstly, to make the opportunity for public expression in relation to the viability of the site under its current use.

THE CHAIR: Thank you very much.

Ms Johnstone: Could I also just add in relation to that?

THE CHAIR: One minute, Ms Johnstone.

Ms Johnstone: Right. In which case, Keith, do you want to present?

Mr Storey: I'd just like to talk about the motel itself. This is about economic viability.

THE CHAIR: Mr Storey, if I could interrupt, we are over time. So you if you could keep it brief, thank you.

Mr Storey: I intend to. What I wanted to state is quite clearly that in the past the Planning Authority has set aside land for entertainment, accommodation and leisure and had set a number of sites available in Deakin and other suburbs. It's not only in the case of this site that extends into the Deakin shopping centre, which is under the same classification, as well as up towards the school. So whatever decision is made on this has a big effect on the development of that site.

Poor governments. Someone says, "But you've allowed that building to go to seven storeys, why can't I?" And that is how things are done, I think, throughout Australia and elsewhere, once you start putting up high-rise.

The point I'm also concerned about is that the ACT plan states, in their document—this is their words; I'm quoting their words:

Based on an assessment of economic viability provided by the proponent and accepted by the Planning and Land Authority, redevelopment of the site for use permitted under the current entertainment, accommodation and leisure layout is unlikely.

I'm quite astounded. This does not seem to be done with any independent assessment of the site. There have been a number of figures that have been passed around which suggest there has been some decline in occupancy rates. I think there's a good article in today's *Canberra Times* by Ross MacDiarmid. He's the chief executive officer of the Australian Capital Territory tourism body. I think it's worth while reading. I think one should read the figures. A lot of the work that was done, if there was work done—and I'm looking at the future land needs for the tourist industry—I'd suggest to you has not been done by the Planning Authority. I may be wrong on this. I checked with the tourist people.

THE CHAIR: ACT Tourism.

Mr Storey: Yes. I'll call it the ACT tourist authority, to simplify it. They've indicated that they have no overall plan for the conditions and what are the future requirements for the tourist industry. It's quite interesting that there has been concern that there is

a shortage of tourist accommodation in the ACT, particularly in regard to the possibility—it was not a possibility, I believe—of having the actor organisation come here. What do you call that organisation?

THE CHAIR: Thank you, Mr Storey.

Mr Storey: No. Could I just continue because this is an important point that I'm making. We're seeing in this situation decisions made about a site which we believe is viable. We have figures on this which show there was a decline over two years. In the earlier figures there was a decline, for whatever reason, in the number of visitors here. But the latest figures, which we received in February from the tourist bureau, show there has been a 16 per cent increase.

The important thing is that you can't make major planning decisions until you look at the real research into what are the future requirements for the tourist industry. And that must be done.

THE CHAIR: Mr Storey, thank you very much. I'm sure we do understand your position and point there. Ms Johnstone and Deakin residents, thank you very much for addressing the Assembly. We'll take your comments on board.

Mr Kershaw: Mr Chairman, I just want to say a couple of very brief things.

THE CHAIR: Mr Kershaw, we are well over time.

Mr Kershaw: Please hear me out, Mr Chairman. Having just seen these plans for the first time, I have to say, even with seven storeys, the residential development here is such that really the flats aren't—

THE CHAIR: Mr Kershaw, I can only allow you one minute, unfortunately; so go.

Mr Kershaw: They are really not resulting in high-quality flats in terms of what you would expect from the proposal. Secondly, I can say, from my experience with development proposals, that the plot ratio of two to one on this particular site, a motel-type development should be viable, from my experience.

THE CHAIR: Thank you very much. And thank you again, Deakin residents.

Ms Johnstone: Thank you for hearing us out.

PHIL LOWEN was called.

THE CHAIR: We'll move on to agenda item No 2, which is the inquiry into DV237. Mr Phil Lowen, the Chief Executive Officer of the John James Memorial Hospital has joined us. And he'll be addressing us on 237 and 205, I understand.

Mr Lowen: That's right.

THE CHAIR: Thank you, Mr Lowen. Would you like to begin with a submission?

Before you do, I'll just read out our evidence statement for you. You should understand that these hearings are legal proceedings of the Legislative Assembly, protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means you are protected from certain legal action, such as being sued for defamation for what you say at this public hearing. It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter.

Mr Lowen: Thank you.

THE CHAIR: Thank you. Go ahead, Mr Lowen.

Mr Lowen: I represent John James Memorial Hospital, a major employer in the Deakin area. We've also almost completed probably the tallest building developments in Deakin to date. So we're able to comment from the perspective of having been through the development process, establishing relationships with the local community as to what's sensitive and acceptable, and putting our needs in relation to making Deakin a centre of health and leisure-type activities in the ACT.

Accordingly, in relation to DV237, the Embassy Motel redevelopment, John James is concerned that, with the imminent closure for apartment dwelling activities on the Deakin Inn sight that adjoins John James, there won't be any other major motel or serviced apartment facilities within the district. As it is, most of our patients are referred out of district for that kind of accommodation. And we draw very heavily, almost 40 per cent of our clientele, from the South Coast and the broader ACT region.

Accordingly, we'd submit that we would like to see some residual motel or at least serviced apartment accommodation within the proposed development.

We're very much in favour of the provision of entertainment, restaurant and leisure activities to bring west Deakin and the central Deakin heart more to life. There's a changing profile in the population. I myself have moved in to the district and live within the development zone, one block away on Hopetoun Circuit. I don't see any problems with a redevelopment of that area or with multi-storey buildings.

I can comment that John James has completed what, from the front, on the Strickland Avenue presence, is a four-storey building. You would be hard pressed to see that building from anything less than about 50 metres from within the hospital. It actually finishes below the tree line and is a full commercial building.

Residential apartments, I believe, have different floor separations, and we would support development up to around six storeys before you start protruding above the major tree line of the trees along Hopetoun Circuit or in the surrounding areas of Deakin generally.

If the development's done sensitively and maintains the setbacks, we don't believe it'll be any detriment to the area. Certainly our own investment decisions, in relation to development of a hospital, have demonstrated you need a viable plot ratio in order to get a return.

Our major problem, both with that development and the Oasis development, is car parking. In our own appeals processes and development of our building, while complying with all the ACT car parking requirements, we found it necessary, in the end, to accommodate some of our neighbours who had built at an earlier time with lower car parking ratios, to in fact provide an additional 46 parking spaces, I believe, for our adjacent medical centre, to bring them up to current ratios, as part of our development. And our concern is that the Oasis development might be badly underestimating both the level of car parking needs, the congestion that's already occurring in the area and the much different nature of healthcare today, with short-stay, high through-put and the need for carers to attend, as our population is ageing, at a appointments.

I think that the car parking ratios themselves are no longer relevant to the community needs today. Certainly if it's anything like the open car park across the road currently, I'd have serious concerns if they don't address pedestrian crossings and car parking that's quite suitable for disabled access.

There's certainly an emerging problem, and everyone in Canberra of course expects to park within about two feet of wherever they're going. We are somewhat spoilt in that regard. It does mean that car parking spreads out to all neighbours immediately. And people will park without disregard to markings or spaces, especially on private property that you cannot regulate regularly in the ACT compared to other jurisdictions.

Otherwise, we very much support the west Deakin area being a focal point for acute, sub-acute, recreational health activities. We'd like to see it become the Harley Street of Canberra, if you like; it's where most private health occurs.

We would certainly support the development of a hydrotherapy pool to complement any sports medicine and injury management facilities.

We do have some concerns as to whether or not the development might be to a high enough standard, in terms of office accommodation. We believe that, if you're going to have medical rooms, they need to be built to 9A standards to allow procedures to be undertaken at some future date. To build cheaper level accommodation would be to the long-term community detriment in terms of flexibility of use.

We'd also be concerned if most of the area was just used as secondary-type office accommodation and wasn't used for what we see is the primary purpose of that area, which is around education, national business units and healthcare.

That's my submission, Mr Chairman.

THE CHAIR: Thank you very much, Mr Lowen. Committee members, do you have any questions for Mr Lowen? Mr Lowen, thank you very much for giving us your time this afternoon.

Public hearing concluded at 2.52 pm.