



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING AND ENVIRONMENT

Reference: Draft variations 205, 244 and 237)

Members:

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

TRANSCRIPT OF EVIDENCE

CANBERRA

THURSDAY, 31 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 2.02 pm.

TONY ADAMS and

ANGELO TURCO

were called.

THE CHAIR: I welcome Mr Adams and Mr Turco to the Planning and Environment Committee. Before we go ahead, I would just like to read you our statement. 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 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 Adams, would you like to open for us?

Mr Adams: Thank you, Mr Chair, if I could just provide a brief background on the variation from our perspective. I am from McCann Property and Planning. I am a town planner, representing Mr Turco who is with me. Angelo is the lessee of the property.

The pool has been operating since the 1970s. Originally, it was owned and operated by the government. It was enclosed in 1980. It was actually the first AIS pool in Canberra. It has history. It certainly has a history in time but, importantly, it is actually now quite old. It is now quite an important community facility, as you would be aware. I believe you have had, or are getting, some evidence from the swim clubs that use the facility. I don't need to go into detail, but there are a very large number of people who use the pool.

It is more than 30 years old. The pool and the buildings that enclose it are now beyond their commercial life. They are in need of substantial refurbishment.

We would like to extend an offer to the committee to come and inspect the pool. If you haven't been there recently, it would, I think, be useful for you to come and have a look. We would be happy to do that, and we could do that in conjunction with the swim club representatives as well, if that was useful.

The problem with swimming pools is that the economies of swimming pools are such that they, essentially, can't produce a return on capital investment. A swimming pool costs money to build, and then it costs money to run. The receipts that you get from pool users usually cover the running costs but can't cover the capital costs. That is a simple formula that seems to apply to swimming pools around Canberra and throughout Australia.

There are ones in Canberra that have got to about the same age as the Oasis Centre, including the one at Deakin and the one at Kippax which they have just closed down because no-one can find the cash or no bank will lend anyone the money to reinvest in the pool. As long as they can be kept going, they sort of pay their way but they can't sustain a substantial capital investment. The Belconnen pool is now up and running. It is

up and running on the basis that the government contributed \$10 million as a cash injection. There is no return on that.

We approached the government, first, in June 2002 with proposals for a refurbishment of the pool and some combinations of other development. We actually had meetings with what was then the Local Area Planning Advisory Committee, the relevant LAPAC, in September and November 2002. It is now 2005. We have been plugging away and trying to get some action for some considerable time. We sought some government assistance similar to that which was provided at Belconnen. Assistance was not forthcoming.

An alternative approach was to try to use an increase in development elsewhere on the site to fund a refurbishment of the pool. It is that proposition which has led to this variation. This planned variation reflects that notion that some increased development on the site could generate some funding which could be applied to the refurbishment of the pool.

When we originally discussed that concept with the Planning Authority, which was two or three years ago now, the proposal which one of their representatives suggested was for a five-storey office building. There is a lot of car parking available in the vicinity for office uses because that comes at a different time to pool usage and so on. There was a suggestion that the car park across the road from the pool could be incorporated in the proposal and utilised for some of the office car parking.

That proposal was put forward, as I say, some time ago. At that time, the market for office developments in Canberra was more buoyant than it is now and building costs were somewhat lower. The actual variation that is now on the table allows for a lesser development—a maximum of three storeys. It requires that all the car parking is on site, which is an additional cost. It also requires that the pool refurbishment be completed prior to occupation of the office building, which means that the finances go a bit skew-whiff in that you don't get any income stream before you have spent all the money on the pool. That means that financing the total project—and at the end of the day the owner has to go to a bank and ask for the money—becomes quite problematical.

For three reasons, the actual financing of this project is more difficult than it was when it was originally conceived. The building has got smaller. The car parking is required to be on site. The financing of the pool project has to be up front. Ideally, you would do the office development and then, with an income stream, use that to fund the pool development. Obviously there would need to be an arrangement to guarantee that that result came through. Financing it the other way around is quite difficult.

The fact that building costs have risen quite steeply is also a matter of some concern. As you are probably aware, because you probably hear quite a lot about building costs in this committee, costs have gone up a lot. Mr Turco is actually in the building industry, in addition to being lessee of this property. He has a good idea of costs. He can speak to that in a moment if you wish to have more information.

When the refurbishment was talked about a couple of years ago, a cost estimate of \$3.7 million was put forward by us to the Planning Authority. That was to do a substantial refurbishment but not a new pool. If asked, we would say that that would give it something like a further 10-year life. That \$3.7 million was probably within the

ballpark range of what may have been able to be afforded by the development that was contemplated at that time. It is always quite hard to actually, until you have a real development and a real project, do the numbers. But it was within the ballpark.

At the moment, that sort of money may still be achievable from a development of the scale that is now being permitted, except for the fact that building costs have gone up a bit, which would mitigate it. The timing of the financing is quite difficult. That causes a problem.

One of the reasons why we wished to actually respond to your advertisement was the suggestion—and I can understand it from a community perspective—that a bigger, better facility would obviously be a good thing, with hydrotherapy pools and the like. They would all cost substantially more. We believe that, to actually do a rebuild of a substantial facility with bigger and better facilities—the swim clubs want two more lanes; a hydro-pool would obviously be a benefit as there are a lot of health practices in the area and there is obviously a relationship—something like \$12 million would be required for such a facility. That would then provide a facility that would have a life of 20 years or more.

Again, we have the problem that the capital is not available. We would again submit that, as has happened at Belconnen, some government assistance just in terms of a cash injection would be necessary to achieve that sort of facility.

Having said all that, we welcome the planned variation because it is definitely a step forward. At present the pool is struggling along and simply will not survive into the long term under the current circumstances. We are looking for a way forward.

I would summarise by saying that, with respect to the existing planned variation, a quite important element that we would like to look to is that the pool refurbishment really needs to be linked to an income stream from a development. That really should be compulsorily before occupation of the office; it needs to be rejigged. I think that is quite achievable. At the moment, the way it is written, it would be fairly difficult to arrange the finances.

If I could, I would like to hand over Angelo Turco who might give a little bit of background on the current situation at the pool—where it is at and what the immediate future holds—because I think that is quite important. Then we would be more than happy to answer any questions. That is probably the better way to get the information across, anyway, than my just talking.

THE CHAIR: Thank you. Mr Turco, could you state your name for the *Hansard* record.

Mr Turco: My name is Angelo Turco. I am actually the owner of the Oasis site in Deakin. I will just follow on from what Tony just spoke about.

Basically, the swim clubs that use the facility have been there for quite some time. Deakin Swimming recently came from the Deakin Health Spa. The pool there had to close down. We have the Telopea swim club, which had been there for probably 18 or 20 years. It is an important facility. We lease a space to Deakin Swimming, at a fairly low marginal rent of \$56 a square metre. It is way below, certainly, the market rate of

any sort in the area. We contribute to both swim clubs by charging a fairly low rental base.

In addition to providing the space at a fairly low margin, we have to undertake certain maintenance of the building to make sure it is safe. Recently, about three years ago, we undertook to upgrade all the steel structure and install a new ceiling throughout the pool, at a cost of about \$480,00-odd. When you work that back to what we are getting in return as a rental base, it is basically a complete loss.

We are in a situation at the moment where we would like to maintain the pool. Both clubs do a fantastic job; in particular, Deakin Swimming which provides probably the largest learn-to-swim facility this side of Sydney. They then follow on with the Telopea swim club, which actually has competitive swimming. And they do that nationally. I think, probably in the last couple of years, they have provided a couple of Australian champions at Olympic level.

It has a great use. We are keen to maintain the pool, but we can't physically. We're not in a position financially to make it commercially viable by spending additional money to upgrade the pool, which needs to happen within the next couple of years. This is why we are here. We are hoping the office facility in the corner may assist to keep the pool there for a little bit longer.

In relation to the upgrade that we proposed two or three years ago—I don't know whether the figures were made available to you on the refurbishment cost base a couple of years ago—as Tony mentioned, those figures have certainly changed, in today's terms. Only just before Christmas, we had an increase by Bluescope Steel of about 13½ per cent on all steel and building components. That excludes labour. Those costs have certainly jumped up considerably.

Looking at the proposed office building on the corner, as Tony mentioned, the scale of the building has been reduced from the time when we first bandied this a few years ago. The numbers stacked up. We are still looking at the positive side of it. We still want to pursue with something there and, hopefully, make it financially and commercially viable so that we can all survive with the pool there.

That is about I have got to say on that. Tony has covered it pretty well. McCanns have been involved since day one and know the whole development pretty well, probably better than I do at this stage. We are certainly keen to move forward, but it has got to stack up at the end of the day for all parties concerned. That is why we are here today.

THE CHAIR: Thank you. Members, are there any questions?

MR SESELJA: I just want to explore with you the viability. You talked about how there are cash flow issues with having to do the pool first and then the office block. If that condition remains, will that kill the project?

Mr Adams: It certainly has the potential to. Cash flow issues make much more difference than people realise. Having an income stream to fund a loan is a lot different to having a loan and then a 12-month construction period and then trying to get an income stream. It makes an enormous difference. It is only a technical matter of saying

before rather than later and waiting for one or two years, but it certainly would have the potential. Whatever it did, it would certainly reduce the cash available to actually spend on the pool. You would certainly get less for the money. It is hard to know, but it might reduce \$3 million to \$2 million worth of product.

MR SESELJA: On the flip side, I guess, were you able to build the office complex first, you would be capable of putting around that \$3.7 million mark into refurbishment of the pool? Is that the current plan? Would it be something less than that?

Mr Adams: The amount that was available to put into the pool would be equal to what otherwise would be payable as change of use charge on the lease variation that permitted the office development. That would be calculated on the basis of the increased value of the land, as you are no doubt aware. That can't be predicted. I am not a valuer, nor is Angelo. These things are done by registered valuers.

On the current situation, we suspect that the amount of change of use charge that would be available out of the project, assuming there was a tenant and assuming there was a project to build, would be of the order of \$2 million to \$3 million today. You can't quote me on that because it is a wild guess. But it is that order of money. It is not \$100,000 and it is not \$10 million. It is somewhere in that range. That is less than what we estimated the minimum refurbishment costs were some time ago. It is not going to get us a lot of refurbishment.

Anything to improve the position, like getting the timing right, would be helpful. It is also, of course, not guaranteed that there is an office project because there needs to be a tenant or tenants found sufficient to be able to go to a bank and say, "Please lend us some money."

MR SESELJA: Assuming that figure was less than the amount you estimated was needed to bring it up to scratch, where would that leave the pool? Would it still be viable?

Mr Adams: I think what we would have to do is—and what we are looking at doing, assuming this thing goes through—go and try to find an office project. With things like the airport happening, that is not as easy as it was either. The Property Council is forecasting a glut in office floor space in two years time from now. That mitigates it as well.

We find an office project. We would then be able to do detailed numbers and work out exactly what the betterment was likely to be. We would then be able to go to the Planning Authority, with whom we were obliged to enter into an agreement as to what we would do, and say, "With this money, that's what we can do for the pool." That would be the pool outcome. They would either agree or not that was or was not sufficient. They may decide it is not a sufficient outcome in terms of the pool, and the project would therefore not go ahead because they wouldn't allow the lease variation. It is quite hard to talk speculatively until you actually have some hard numbers and a real project.

Mr Turco: It really depends on the life expectancy of the pool—the amount of work that you want to do and can do. Pools are unusual structures. You rely a lot on the climatic

form, the chlorine and that. It deteriorates the facility at a pretty rapid rate, unless you have got really slick air-conditioning systems in there to convert moist air to straight fresh air and get it pumped out of the building. You have to spend the money up front to get the air quality going first. That protects your internal structure. That will last for 20 years. There is a huge component of those costs associated with—and you don't actually see it—the actual building and the actual mechanics of it.

Mr Adams: The roof girders were, and probably still are, rusting three years ago. They were dropping flakes of rust into the pool. It was all pretty rotten. Half a million dollars fixed that. That only gets a certain life. If you spend any money at all you will get some improvement, but not much.

The real answer is to spend \$12 million and do a Belconnen pool and get a proper facility. These swimming clubs have enormously large numbers of people that they put through year after year after year, apart from the recreation and the ordinary folk who go there and train. It is just a decision about community facilities.

Mr Turco: Deakin Swimming, by way of rent, do contribute a rental figure which would assist partially to fund some of that big amount of money that you do need to do the pool up. It certainly wouldn't be enough to do a structure that is going to last for 20 years. You really need to knock it down and start from scratch, or you do enough to last for 10 years and then revisit the same thing in 10 years time. There are some horrific numbers there to get it to a stage where it will last for 20-plus years. Provided you treat the air quality up front, the structure will last for, maybe, 30 years, because it protects all the interior of the building area.

MS PORTER: My question is about the timing. If, for instance, you were able to build the office space first and find someone to lease it, et cetera, how much time have you got before the pool, in its current state, is run down so much that you would have to close it anyway and not, even if you had the ability to progress, have enough time to progress to get the income to do the refurbishment?

Mr Turco: That is a good question. I would say probably about two years. In 18 months or two years that pool will need some major, major work done to it. We would certainly be glad to get you over there one day and have a bit of a wander through. You'll appreciate what you're going to see. Probably two years you would squeeze out of it. Then it becomes unsafe.

THE CHAIR: Mr Adams mentioned earlier the length of time that the pool would have if it had been refurbished. Let us say that the DV went ahead and you were able to do the construction that you needed; the income stream begins to come in; the pool was refurbished. How long would that pool last?

Mr Adams: It depends how much money you spend.

Mr Turco: It does. We did some numbers some time ago. You can't really take too much notice of them in today's terms. You would probably get 10 years, going on the figures that we put forward some time ago. Knocking it down and doing a proper job of it is going to be the better, long-term solution. Doing the work we propose, depending on how the figures stack up, with the betterment tax and that, it might get us another

10 years out of the facility. That is retaining structurally what an engineer would deem to be safe and putting in an air-conditioning system that would help the facility.

Mr Adams: That is the same pool, no more lanes and no hydrotherapy pools.

Mr Turco: No additional lanes. Once you start talking additional lanes, you have to excavate and that is a whole different ball game. What we would propose with the first lot of works is actually completely resurface the whole of the pool interior—new concrete skirtings and all that—new ceilings and roof and the mechanical air-conditioning you need. Some of the elements of the structure would need to be intact and stay there. You would have to work around and get those certified by an engineer and make sure that they're right.

THE CHAIR: It is a little tricky.

MR SESELJA: It sounds that way.

THE CHAIR: As there are no further questions, I thank both of you very much for coming along this afternoon. The secretary will provide you with a transcript of today's hearing. We will keep in touch.

Mr Adams: Thank you.

JANINE ANN FERRY,

TIMOTHY ANDREW MERRY and

CHERYL GREGORY

were called.

THE CHAIR: Thank you very much for coming along to the planning and environment committee's hearing into draft variation 244. Perhaps Janine can go ahead first. Remember that, when you address the committee, you must state your name for the *Hansard* record. Before you go ahead, I will just read you our statement.

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 Ferry: I am a member of the Stromlo residents group. I would like to make a brief opening statement, if I may. The Stromlo forestry settlement has been a part of the wider Canberra community since the late 1920s. Over this period no fewer than 70 families have, at one time or another, called the settlement home and contributed greatly to the self-reliant community that made the rural settlement of Stromlo so unique. The lifestyle offered by the settlement gave a complete feeling of freedom, security, but mostly a complete feeling of belonging. Our community is only small but is a community that is long standing, with a real rich and colourful history.

The fires of 18 January 2003 took away not only 17 of the 20 cottages and tragically the life of one of our residents, Dolly, but it also took away our community. The displacement of so many families was, has been and still is one of the hardest after-shocks of this terrible day. A number of families have even broken down and separated due to the single fact that the community support they have always enjoyed is no longer there—that it is no longer living next door.

The rebuilding of the settlement will not only give back to us our community, it will hopefully start the final journey for those of us who have not yet completely healed from the emotional and physical scars of that day over two years ago. We as a community have accepted that, in order for the settlement to be rebuilt, we need to go larger and to come back to a slightly different looking settlement.

We understand that will we not be able to return to the original blocks, due to the fact that these six cottages were among eight that were—and one still is—situated on federal land. We are, though, still hoping that an 11th-hour compromise will be agreed upon so it is possible that everyone is able to return to their original block. We would be disappointed to have such major changes to the settlement as block sizes reduced, not being able to observe Dolly's memorial as an informal memorial for our residents and having the unique ambience changed dramatically.

As a community we fully support the proposal being put forward for the new settlement. We have, over the past two years, worked closely with Sandy Hollway, Jocelyn Plovits, George Tomlin and all those involved with the non-urban study project. We have been heavily involved in many meetings, discussions and submission writing, in the hope that we will return home and back to the community we so dearly love.

We are aware that there has been some opposition to the re-establishment of this settlement from the wider community, but we would like to kindly remind those people, and also this committee, that the forestry settlement was there long before the building of Weston Creek.

Finally, I would like to finish with a passage contained within a letter to me from Ann Partridge—affectionately known to us as Aunty Ann—who, up until the fires, had lived in the settlement for more than 37 years. It says that it was, “the best move we ever made; a lifestyle to die for; it was happy days and we never looked back.”

THE CHAIR: Thank you. Would either of you like to make a statement?

Mr Merry: I am a former resident of the Stromlo forestry settlement. There is not really much to say, apart from the fact that we want to go home. This draft variation allows that. I am one of the fortunate residents who are on ACT government land, so we will have the opportunity to move back to the original block. Unfortunately for six other homes, that is not possible at this stage. We want to thank all of you for your time and consideration in this and thank you for letting us go home. It has been a long, hard battle.

Ms Gregory: I am a former resident of the Stromlo forestry settlement—cottage 4. Cottage 4 happens to be one of the houses that is not, as yet, being considered for rebuilding. I have a query on something that I don't understand. I don't know if any of you have been out there but there is a road where there were five or six houses. There were three, and then two on the other sides of the roads. They are building only halfway between the two roads.

I just don't understand why they can't build up to the road and continue just with those houses. It would fulfil the house that is already existing that didn't burn; Dolly's Park; my house and obviously several other houses. I just don't understand. All the services are there, the poles—it is ready to be built on. They were the oldest houses in the settlement, so there is a historical point of view.

I understand that history has been burnt, but my house goes back a long way. I get a bit emotional about it still. I can accept whatever goes down. I would be really pleased to live back there in one of the houses that they're going to build—they are fabulous. I'd be quite proud to live in an environmentally sound house like that—I come from the earth, really—and just to have everything back to normal.

I'm not normally as emotional as this but that is all I'd like to say. I think the variation is great, and to share with 20 other families would be fabulous. It was always a safe community. Until you've lived in a community, especially a forestry settlement—it is a case that you have to live there to know what it was like. It's okay to live in the city. I've lived in the city and I've lived in the settlements now for 25 years—all of them, at different stages of my life, since I was 20.

I don't want to go too deeply into it, but children these days aren't being brought up the way we were brought up, so to speak. You're a bit younger. Maybe you won't appreciate it, but kids used to run barefoot and go rabbiting and fishing, and all those things. The settlements allow you to still do those things. The men take hold of the boys and take them out piggin' and fishin' and shootin' sparrows—not really! I think that, if 40 families can enjoy that again, we deserve to give them that.

Of course, family is a big thing that is sort of lacking in our lives. A lot of people are just working and working. Well, a lot of these mothers stayed at home and looked after their children. I am not being sexist—I am actually a bit of a women's libber—but it works really well. Woman stays at home, man goes to work. It all seems to work wonderfully. I would like to see that happen again—and the variation allows for that, except for the six houses that aren't being rebuilt. I really wish you would consider just building those six houses. It doesn't matter about the rest of the land. I'll look after it—some of it! I did before.

THE CHAIR: Perhaps I could start asking some questions. Tim, were there any of the original forestry families still there?

Mr Merry: Most definitely. There would have been the Ferrys, the Franklin-Browns, the Todkils and Aunty Ann. There were significant numbers.

Ms Ferry: Maynes, Treblicos, Scollies.

THE CHAIR: Let's say you had moved back in at this point: would any of the families be still working in forestry, or do they do separate work now?

Ms Ferry: Unfortunately, they were all retrenched in 2001—they were made redundant, mainly because of their age and the fact that most of them knew nothing other than forestry work. They were pensioned out, my father included.

MR SESELJA: This is probably getting a bit off the track, but how many workers were retrenched in 2001?

Ms Ferry: There were 27 retrenched. That was just prior to the December 2001 Christmas fires. In total, they had over 700 years worth of bushfire experience in the Canberra region which they lost in one hit, and they never replaced it.

MR SESELJA: I'm interested in getting the thoughts of any of the three of you on how, in your opinion, 20 extra people coming in is likely to affect how things operate in the village.

Ms Ferry: I was there originally when it was just completely forestry. Then in the 1980s they brought in ACT housing. We got on fine.

Ms Gregory: People come and go.

Ms Ferry: It opened up the diversity among the people. It wasn't just all forestry then, it was a mix of single families and normal working families. We managed quite well with

it and I think it made a stronger community. Another 20 I think would only make it bigger and better.

MR SESELJA: At that time, did they all come in at once, or was it in dribs and drabs?

Ms Ferry: No. Originally with the forestry workers, you were permitted to stay in the house until you finished with forestry. You then moved out and that's when the new lot of forestry workers came in. But, over the years, some of them moved out and bought their own properties within Canberra. ACT Housing had been given the houses from forestry and, as the houses became available, they slowly started putting their tenants into them.

Mr Merry: The extra 20 houses will make it better. As our neighbour, Graham Franklin-Brown, said in a book, we were one of Canberra's best kept secrets. It would be nice to return to that eventually, in the future. To have an extra 20 families involved in one of Canberra's best kept secrets would be a privilege.

MR SESELJA: Was 20 a number that was discussed with Sandy Hollway and the team who were looking at it? Was 20 a compromise, or are you not aware of how they came to that figure? Did they just give you that figure and say, "It's going to be 20"?

Ms Gregory: It doesn't seem so long ago that it was all discussion.

Ms Ferry: I think it was based on sustainability and the fact that we had such good water supply, good electricity and stuff like that. They found that the area available would be able to hold it, would be able to sustain it, with the large block sizes. With the new infrastructure that would be introduced, there wouldn't be as much having to be introduced.

Ms Gregory: We've all sort of been prepared, too. When we lived there we were prepared to be built around—and probably in. We fought off the big development going through at one stage.

Ms Ferry: North Duffy/Holder.

Ms Gregory: Yes. It was just ridiculous the way they were going to do that.

MR SESELJA: What was that about?

Ms Gregory: They were going to build houses.

Ms Ferry: Medium to high density.

MR SESELJA: All through the village?

Ms Ferry: Right through.

Ms Gregory: There were other issues with that as well. We have been prepared to share, and we are happy to do that—most definitely. They have left open space. On the plan there is open space and there is enough room to kick a football. That's all the kids need.

They've got the roads. There are other issues, I suppose, that will come about—cars going faster and they shouldn't, but I think that they won't be told. We'll get the heavies onto them! It's a fun community.

MS PORTER: Janine, you talked about the block size. You said one of the things that is really important is that it is preserved. I am thinking of other similar kinds of developments that are slightly different, in that there are no front fences around the blocks and therefore the block size is more a sense of how far apart the houses are, more than the defined block size for a resident or group of residents, if you understand what I am saying.

Do you have any feelings around whether there was a front fence or not, and whether or not some of that space could be used as common ground so that, say, you and your neighbour could have a vegetable garden together, which would be crossing over between the two houses, rather than a defined block that belonged just to your house—that sort of concept.

Ms Ferry: All the houses previously had full front, side and back fencing, and we also had access to our backyards from behind. When it comes to sharing, I know for a fact that, with our neighbours, we had an old pool ladder. When my neighbour needed something from the garden, she'd climb the fence, take the tomatoes and go home again. That's the sort of community it was. If we needed something, we'd borrow it. Coming to share would not be a problem.

Andre Mayne had his vegetable garden growing in the front of his yard. I can remember borrowing a few things from his garden on my way home when I got off the bus. Things like that, but still giving it the privacy of having it, especially when we've got the dogs.

Ms Gregory: It's okay to share but, in reality, would you want to share with your neighbour all the time? They are housing trust houses at this stage and people come and go. It might be okay to share with the neighbour today but, in two years time, the other neighbour might not want to be like that, or they might not be interested in gardening. You have to think of it like that.

Having your own plot I think is very important because it's your space. It's like your bedroom, I suppose. For me, my yard is my bedroom. I mean, I share. I had a big market garden out on commonwealth land. All the kids helped with that. Everyone kept saying—not in the settlement but city people—“Why don't you fence it? It'll get stolen.” I said, “If they were pizzas, they'd get stolen.” But they weren't. That worked well.

Mr Merry: To have our own block as close to the original size as possible is preferred. With the houses along the back street, which were the original houses pre the fires, the blocks were set back probably two or three metres off the road anyway, with front fences the whole way along. So opening it up for common use—what can you do with a two or three-metre nature strip for common use that was common use before the fires anyway? We all parked our cars there and we all walked along it.

Ms Gregory: It was still pretty well front yard and backyard, just like the city, but you had your front wire fence.

Mr Merry: You just had a front fence.

Ms Gregory: You guys had a wooden fence.

Ms Ferry: We had a wooden railing.

Mr Merry: We had the original wooden fence.

THE CHAIR: What do you think about the design concept of the cottages? I lived in the forestry cottage of Ingledene out on Smiths Road—my wife was in forestry. It went in the fires, but we'd moved before that. It was cold and there wasn't enough light coming in. We have had some submissions on different styles of buildings. What are your thoughts on the original design?

Ms Gregory: We haven't seen a design. Have you seen a design of a house?

Ms Ferry: Jocelyn has spoken with me with regard to this. As long as they are cottage-like to look at; north facing, obviously, to gather that extra warmth; as long as they are not monstrosities, two storeys—and not real eyesores, we don't have a real problem with it.

Ms Gregory: I gathered that they would have larger windows and be north-facing. I haven't seen a plan, but they'd be foolish if they made small windows. Let's face it: I came from a nine-square house with tiny windows and a hallway that took up most of the house, so I'm happy with anything.

THE CHAIR: Your block was square, or rectangular?

Ms Gregory: Yes.

THE CHAIR: Would it matter that you if the block were no longer rectangular? If they had to orientate the house to face north—

Ms Gregory: My block is on the part that hopefully will be rebuilt. Mine's square, so it's not going to matter, really.

Ms Ferry: That's a question for you, Tim.

Ms Gregory: Yes, because you're on a longer, thinner block.

Mr Merry: Yes, I think my house was north-facing, though.

Ms Ferry: All of that strip were, pretty well.

Mr Merry: Going back to the design of houses, my house was the only house of that design that was destroyed in the fires. Two out of the three at Stromlo are of a similar house design and the last one standing at Pierces Creek had big, huge, wide windows—absolutely breezy. There was a big, huge, front porch with a breezeway inside the house which, once again, had a big, huge, window at the front. It was warm. We had a brick wall that was in-between the lounge room and the kitchen; we had a fire on that wall,

which basically warmed up the house during the winter.

Ms Gregory: Yes, most of the houses were really warm. Whether that was the wood fire thing—I know that wood gives a much warmer heat and it heats the walls and that. My house was very warm—it had the high ceilings—and it was very cool in summer as well. The design of the house depends on when it was built. There were, I think, three or four different periods.

THE CHAIR: Are there any more questions?

Ms Gregory: Can I say one more thing about the size of the blocks? The blocks seem to be large today, but you have to remember that these are really the average size block of, say, the 1960s and 1970s.

THE CHAIR: Around the 1,000-metre mark?

Ms Gregory: Yes, around that. I grew up in Chifley and our block was around that size. I had a bigger block, I must admit, of the three houses that were built in my period. So they are not as big as they might sound on paper. They are very usable—and they are sometimes not big enough.

MR SESELJA: From memory, your concern was about some of the public housing tenants having blocks that are—

MS PORTER:—too big for them to be able to look after.

Mr Merry: We all looked after our blocks!

Ms Gregory: People who put their names down for rural housing know that. There is a rural list.

MS PORTER: I am just concerned about having a single parent, for instance, being faced with this large block to look after.

Mr Merry: All of us—all 20 residents—looked after our blocks. We had Dave Ferry's lawn, we had Cheryl's absolutely gorgeous garden, which was part of the open space gardens. We also had my mum's roses and daffodils. Everybody looked after their yards. That is part of living a rural lifestyle—that you enjoy and live on the land. When you move into the settlement you understand that it is a bigger block. You have your neighbours who are more than willing to help out. We always helped out whenever anybody needed help. If you needed the lawn mowed, no worries—grab the kids; they'll do it; no problems.

Ms Ferry: We had a single mother living next door to us. My father often used to mow her lawn for her, along with around the back of the house, to keep the snakes away. Dad and Bill Todkil often used to mow the main paddock. There was a bit of a conflict between forestry and housing over who should be responsible for that land. In the end, the settlement, the community, did it themselves because we just couldn't be bothered waiting for someone to come and do it.

Ms Gregory: We always mowed the paths to the bus stop. Well, I didn't.

Ms Ferry: Dad did—so that we had a path. Mostly you'd find that kids would walk through our block to the path that my father had mown from our back fence to the local bus stop on Warragamba Avenue, so they weren't walking through the wet grass and that.

Ms Gregory: With a body corporate too, there are always people who don't like woodheaps—not in the settlements—viewing the backs of houses. God knows why—I think they are beautiful things—but some people don't like them. So you'll always have that sort of objection every now and then. They were maintained to a rural standard, not a city/suburban standard.

THE CHAIR: At some point the heap is there no longer—it is used up!

MS PORTER: I had a question for you, Mr Chair, about public transport. Did you find, when you were living there—

Ms Gregory: It was two minutes away, and the phone box was four minutes away.

MS PORTER: It was fine, particularly for elderly people and people maybe pushing prams or whatever.

Mr Merry: Aunty Ann lived at No 16, which had the direct footpath straight out the back in line with Jindabyne Street. She was at the bus stop; she caught the bus.

Ms Gregory: It was actually very local to the shop. It was 10 minutes from Duffy shops and the school. People would go, "Oh, you walk that far!" You'd think, "Oh, it's not far." It really isn't far, even for someone like me who hates walking. It's not far at all.

Mr Merry: I was at high school when I lived at Stromlo. Every day I walked five seconds to Duffy, caught the bus, went into Woden, caught the bus home and walked across the back paddock. It was simple. It was a five-minute walk. I lived closer to a bus stop in the Stromlo forestry settlement than I did when I lived in Evatt.

Ms Gregory: I must admit that I didn't like my daughter walking through the paddock of a night-time, when she came back from work. I suppose that was the only fear of the paddock—not that it was very big, but you just never know. We had a flasher for a long time! He was a bit of a nuisance.

Kids are horrible sometimes. This flasher used to frequent the pine forest for many years—not just a year but for like 10 years. The kids would go down there looking for him, just to play. They might get scared and hyped up and ride off. It was just: my god, kids! Anyway, the forest has gone and I'm sure the flasher's not coming back.

MR SESELJA: There are not as many places to hide!

THE CHAIR: Thank you very much for coming in.

Meeting adjourned from 2.56 to 3.53 pm.

SUSAN JUST and

NATALIE VANDEPEER

were called.

THE CHAIR: Thank you for coming to this hearing of the Planning and Environment Committee. Before we go ahead, I will 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.

Once again, thanks for coming along. If I could, I will hand over to Susan to give us an overview.

Miss Just: Thank you very much for speaking with us this afternoon. Essentially, I would like to speak to the submission that we sent in relation to the draft variation to the territory plan No. 237. As you are aware, we have two campuses at Canberra Girls Grammar School. Our senior school campus is on Melbourne Avenue. Our junior school campus and our early learning centre are close to the two proposed sites, particularly the Embassy Motel, and also the concept of the Solander site being used as a symbol, a gateway. These are the areas that are of great concern to us in relation to our junior school and our early learning centre. Our early learning centre has only been constructed for the last 12 months, so it is in its second year of operation.

The two areas that I would like to discuss this afternoon are traffic and safety. As you can imagine, with a junior school and early learning centre, a large number of our parent body bring their children to and from school each day. We also have a fairly extensive bus run that goes through the junior school. We have another extensive bus run in our senior school. Given the nature of the streets around the particular area in Deakin, we already suffer from a great number of traffic problems and have had to do quite a deal ourselves in order to provide appropriate parking for our parents. Our constant message in our newsletters reminds parents not to break the law.

With the proposed site of the Embassy Motel of 143 units, one can imagine the additional traffic that will be created, particularly at those times of the morning and afternoon when our children are coming and going to school in both the early learning centre and the junior school. Given the number of cars that our parents have, plus the bus traffic, plus an additional residential area of 143 possible cars, we believe that that will result in a traffic hazard, certainly an increased traffic hazard both for our parents and for the area of Deakin itself. We have concerns about the Deakin suburb, not just our own concerns for our school.

The second area, which is probably more significant, although traffic is always a major issue for us, particularly with young children, is the area of safety itself. I would like you to consider the fact that we work under a very tight child protection regime. We have

a child protection policy. We have to follow legislation very carefully in relation to this. We are a unique school in that a large number of our students also belong to embassies, and that requires an additional level of child protection, particularly at particular political points that may arise during the year with international problems.

We believe very strongly that, with the proposed seven-storey unit site, we are in fact adding possible issues in terms of child protection. We view the fact that, with a seven-storey site, our early learning centre particularly will be in sight view of people who have front units and this may in fact cause child protection issues in itself. We also have an additional number of people living in the area. People who live in apartments may, in fact, not be those residents who remain in the area but may be more transient residents.

There may be a number of units that may be for rent and while I am sure that the owners will do everything that they can to check each of those lessees, one has to remember that child protection issues then become an issue, particularly with a population that is so transient. Given the closeness of the site to the early learning centre, we do have what we feel are real concerns.

Should the Solander site be changed under this particular territory act, it would also produce another possible seven-storey unit. That would have even greater impact in that it would be looking directly over our early learning area. We have again fairly serious concerns in relation to child protection, viewing of our children as they play in the playground. We take strong measures to protect our students in terms of our own duty of care each day. For us, this is a real issue. I do not believe that we are being melodramatic because we have already seen incidents in relation to child protection in areas where there are high-rise units with fairly transient populations. We believe that we need to take that into account.

There is also the issue of shade going over our early learning centre, particularly from the Solander site, should that be included as a gateway into Deakin. That would completely shade our early learning centre and grounds for the children. Currently they have a very sunny aspect.

In relation to both traffic and safety, we believe that there are very strong grounds for reconsidering the Embassy site and the Solander site in relation to it being a gateway. We have a very open environment with our junior school and our early learning centre at the moment. The Deakin area itself is a very open environment and we would certainly not wish to place further disadvantage on Deakin residents, or really on our own school, because we value the environment in which our school is situated. So that is a third point, perhaps less important than our first two, but still of significance for us as well. I think that probably summarises in a fairly succinct manner the big concerns that we have.

THE CHAIR: Thank you very much. If I could begin, I will ask a couple of questions. You mentioned the traffic—a possible traffic situation, of course. When is the busiest time for parking at the school at the moment?

Mrs Vandeppeer: I am on the junior school campus site.

Miss Just: Natalie is our head of junior school and has intimate knowledge of traffic.

Mrs Vandeppeer: It is extremely busy in the mornings, from 8 o'clock through to a quarter to nine. There are over 400 students in the junior school and another 66 in the early learning centre. So that is a significant number and when you consider that most of the parents these days have one child, it is almost a car per child. There are 19 buses. In the afternoon they start to line up by 3 o'clock. School finishes at 3.20. The early learning centre finishes at 2.15. So really you have traffic from about 2.10 through to about a quarter to four.

THE CHAIR: Why do you think that the traffic from the proposed development would flow at the same time as the traffic to the school?

Miss Just: Certainly in the morning I would imagine, as we already see, there are a number of people who leave for work within those flexible times. Therefore, the addition of 143 units would cause the addition of 143 at least extra cars in that particular area from anywhere from 7.30 through to 9 o'clock. Being a resident myself in the Deakin-Yarralumla area, I have fairly intimate knowledge of the passage of cars at various times if I am leaving for school, which I do quite early, but also when I am leaving for meetings and just watching the build-up of cars around that area.

Everything impacts. I think we need to take note of the fact that people tend to travel particularly at those times in the morning. Again, if there are families living in those units, they are going to be taking their children backward and forward to school at exactly the same time. They will not all be going to Canberra Girls Grammar School, unfortunately.

Mrs Vandeppeer: May I add to that? In the afternoon it is already extremely difficult to turn right out of Grey Street into Hopetoun Circuit because of the traffic coming off Adelaide Avenue at the Hopetoun exit and turning left along there. There are lines of cars, 10 and 12 waiting at a time to get across that intersection.

Miss Just: It appears to be the area coming from Woden and Tuggeranong. It comes off that area and goes into Deakin or the Yarralumla area.

THE CHAIR: You talked about child protection and a possible threat or possible escalated threat. At this stage do you do threat assessments for the school?

Miss Just: Yes, we do.

Mrs Vandeppeer: We also have quite close contact with the embassies because they always need to check what procedures we have in place for their students. They will just disappear if things are happening in between their country and another country and we have to be very careful with that.

THE CHAIR: Do you deal directly with the embassy or do you go through PSCC?

Miss Just: Of late the embassies have dealt directly with the school and at particularly hot times have come to us to assist us with an audit and provided information as to how we may address issues of safety within our senior school and junior school. So it depends

upon the political hotspots at the time. But for us, it is a concern, apart from the normal concerns that one has as to maintaining the child protection policy at the school, which is something that we have to do as our duty of care.

THE CHAIR: Thank you. Members?

MS PORTER: My question is about the people who will be living in the units. Where do you get your information from with regard to the types of people that will be living there and whether they would be long term, short term or—

Miss Just: I am simply making a supposition in terms of most unit or apartment developments. There would be those that would be long term, those that would be short term. I certainly have no way of knowing at this stage whether there would be long or short-term residents, but given the nature of Canberra and the nature of those residents in apartments already, they tend to be a mixture of both long and short term. So it is a supposition on my part.

MR SESELJA: In terms of the child safety aspect, from reading your submission, it seemed to me—and correct me if I am wrong—that you are more concerned about the prospect that the Solander site would be built on than the initial one at the Embassy.

Miss Just: I think we are about both sites, but clearly the Solander site is one closer to the early learning centre and if the concept is a gateway proposal, then one would imagine that, along with the Embassy site, the Solander site would need to be considered as a part of the gateway. So I do not think our concerns are about one more than the other. Given that the Solander site is closer to the early learning centre, the issue of child protection therefore probably goes up a grade again. Certainly the issue of shade and sunlight, those more environmental issues, would then become of greater concern. That is why I listed it as my third point, because the issue at hand at the moment is the Embassy site and not the Solander site. I think one has to look at them as a pair, given that you are looking at the concept of gateway in Deakin. It would be inappropriate of us, I think, not to comment in terms of both sites.

THE CHAIR: No other questions? Thank you very much for coming in this afternoon. We will certainly take your comments into consideration.

Miss Just: We appreciate the opportunity to speak.

THE CHAIR: Also, just to let you know, the secretary will provide a transcript of this afternoon's hearing to you.

Miss Just: Thank you very much.

The committee adjourned at 4.07 pm.