



LEGISLATIVE ASSEMBLY for the Australian Capital Territory

DRAFT VARIATION NO. 202 TO THE TERRITORY PLAN-JAMISON GROUP CENTRE MASTER PLAN

REPORT NO. 20

Standing Committee on Planning and Environment

Vicki Dunne MLA

Chair

10 July 2003



Committee Membership

Chair	Mrs Vicki Dunne MLA
Deputy Chair	Mr John Hargreaves MLA
Members	Ms Roslyn Dundas MLA
	Mrs Helen Cross MLA

Secretary:	Linda Atkinson
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Administration:	Judy Moutia
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Resolution of Appointment

- (1) The following general purpose standing committee be established and each committee to inquire into and report on matters referred to it by the Assembly or matters that are considered by the committee to be of concern to the community:
 - (f) A Standing Committee on Planning and Environment to examine matters related to planning and land management, conservation and heritage, transport services and planning, environment and ecological sustainability.
- (2) If the Assembly is not sitting when the Standing Committee on Planning and Environment has completed consideration of a report on draft plan variations referred pursuant to section 25 of the *Land (Planning and Environment) Act 1991* or draft plans of management referred pursuant to section 204 of the *Land (Planning Environment) Act 1991*, the Committee may send its report to the Speaker, or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publication and circulation.

Minutes of Proceedings, No 2, Tuesday 11 December 2001, pp 11 to 13

Terms of Reference

Section 25 of the Land (Planning and Environment) Act 1991 states:

25 Consideration by a Legislative Assembly Committee

The Executive shall, within 28 days of receiving a draft plan variation under section 24, refer -

- (a) the draft plan variation; and
- (b) the documents referred to in subsection 24(1) that relate to the draft plan variation;

to an appropriate committee of the Legislative Assembly together with a request that the committee report on the draft plan to the Legislative Assembly.

Preface

The Land (Planning and Environment) Act 1991

1. Sections 25 and 26 of the Land (Planning and Environment) Act 1991 require the Executive to refer draft Variations to the Territory Plan to an appropriate Committee of the Assembly for report, and to then have regard to that Committee's recommendations before approving any Variation. The *Land (Planning and Environment) Act 1991 (the Act)* provides for a Territory Plan (the Plan) to "set out the planning principles and policies"¹ for the ACT. The objective of the plan is to ensure that the planning and development of the Australian Capital Territory provides an "ecologically sustainable, healthy, attractive, safe and efficient environment"² for the people of the Territory.
2. The Plan includes both a Written Statement, setting out general planning principles and more specific land use policies, and a map. *The Act* places conditions on development or land use within designated areas to meet the principles prescribed for that land on the Plan.
3. Land use requirements change over time and *the Act* sets in place a regime by which the stipulated land use can be altered or varied. Proposals to vary the Plan are prepared by the Territory planning authorities and are known as draft variations. Draft variations are required to be the subject of community consultation. There can be a number of versions of a draft variation depending on the consultation program.
4. After public consultation a draft variation, incorporating any amendments made as a result of public comment, and associated papers, is referred by the ACT Government to the appropriate committee of the Legislative Assembly for the Australian Capital Territory. The Standing Committee on Planning and Environment is the committee established by the Fifth Assembly to do this.
5. The *Act* does not place any requirements on the committee's consideration of the draft variation but does require the Government to consider any recommendation that the committee may make in relation to the "draft plan variation, background papers and reports submitted"³. The committee's reports inform not only the Government but also all Members of the Assembly on the committee's deliberations and provide a context for the Assembly to consider the Government's approved variation.

¹ *Land (Planning and Environment) Act 1991*(the Land Act), section 7 (2).

² *ibid.*, section 7 (1).

³ *op.cit.*, the Land Act, section 26(2).

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Summary of Recommendations

Recommendation No. 1

The Committee recommends that the Government adopt Draft Variation No. 202 as presented in the March 2003 version of the associated documentation.

Recommendation No. 2

The Committee recommends that the Minister for Planning in the Government response to the Committee's recommendations on Draft Variation No. 202, include an explicit impact statement of effects on adjacent and surrounding areas. This statement must also include a study of transport issues related to traffic flows and safety for the Centre and surrounding areas, with particular attention to any impacts flowing from construction of access to Halloran Close and Wiseman Street following any access from Belconnen Way.

Vicki Dunne MLA

Chair

10 July 2003

1. Introduction

- 1.1 The *Jamison Group Centre – Master Plan* was published by the Urban Projects Area of the Planning and Land Management Group (PALM) in July 2002, and approved by the Minister for Planning following a public consultation process from May 2000 to December 2001 by PALM ‘with residents, businesses and community groups’⁴. PALM presented the final Master Plan report to the Ginninderra Local Area Planning Advisory Committee (LAPAC) on 6 June 2002. Draft Variation No. 202, once approved for implementation, will enable the full effects of this Master Plan to be achieved, as it will complete the process of varying the Territory Plan.
- 1.2 Draft Variation No. 202 proposes to change the Land Use Policy for part Block 16 Section 50 Macquarie to Urban Open Space, to formalise a public park and to establish a playground area. It also proposes to rearrange the precinct boundaries within the Jamison Group centre and to add clauses to Area Specific Policies to vary the restrictions placed on residential developments in Precinct ‘b’ as well as increase the acceptable plot ratio and building heights within the Group Centre.
- 1.3 The Committee recognises that:
 - a. Redevelopment that may be facilitated as a result of this Variation to the Territory Plan would improve residential amenity for the general catchment area suburbs, especially Macquarie, Cook, Bruce, Aranda; and other suburbs such as Weetangera, Emu Ridge, and Page; the student population from the nearby schools and the University of Canberra; and the many people from all over Canberra who attend the weekly Sunday morning Rotary ‘Trash and Treasure Market’ in the Jamison Centre’s western car park;
 - b. after thirty years since its establishment, Jamison Centre will benefit from a rejuvenation of the site to respond to changes in the retail sector and residential development needs; and
 - c. as the Jamison Centre is located at the entrance of Belconnen, it needs to complement proposals in the Belconnen Town Centre Master Plan, retain its competitiveness as a shopping centre with a major supermarket, and balance its competitive position with the Belconnen Markets and any future redevelopment potential there.
- 1.4 Draft Variation No. 202 is consistent with the changes to Group Centres policy that resulted from Draft Variation 158⁵ in 2002, to increase opportunities for **all** Group Centres in Canberra to expand or accommodate new retail developments, including supermarkets. The land use policies in the Territory Plan for Jamison Group Centre (as with other similarly Commercial ‘C’ classified Group Centres) are:

⁴ Jamison Group Centre-Master Plan CMP No. 20006838 July 2002, page 2.

⁵ Draft Variation No. 158 to the Territory Plan, Final CN2002-4 13 June 2002.

- a. 'Make flexible provision for a wide range of shopping, community recreation and business facilities serving predominantly the surrounding or nearby suburbs;
- b. Provide opportunities for specialised commercial activities and other facilities serving a wider ACT market, as well as medium and higher density residential development;
- c. Support a competitive and sustainable retail sector within the ACT which can respond effectively to changing circumstances;
- d. Encourage investment and expand local employment opportunities;
- e. Ensure convenient access to centres, quality development of an appropriate scale and character, and enhanced environmental amenity;
- f. Capitalise on the distinctive qualities and potential of individual centres; and
- g. Promote an efficient urban infrastructure'⁶.

1.5 The Committee believes that Draft Variation No. 202 satisfies those objectives outlined above. The Committee also observes that it reflects the 1998 BIS Shrapnel report to the Government on the review of the ACT retail sector⁷. The Government at that time made a commitment in respect of the Group and Local Centres and in the areas adjacent to the Town Centre malls, that strategies would be adopted which 'support broadening the land use policies and planning controls provided they are undertaken in such a way that ensures existing traffic, urban design and environmental conditions are not adversely affected'⁸.

⁶ Jamison Group Centre-Master Plan CMP No. 20006838 July 2002, page 4.

⁷ ACT Retail Sector Chief Minister's department July 1999.

⁸ Draft Variation No. 158 April 2000 Version.

2. Jamison Centre-Physical Features and Facts

2.1. The Committee took in account a range of information relating to Jamison Group Centre and retailing in the ACT as part of its consideration of Draft Variation No. 202. Some of the features considered by the Committee are contained in this chapter.

2.2 Retailing in the ACT is based on a planned hierarchy of shopping centres, consisting of Civic as the Central Business District; Town Centres; Group Centres; and Local Centres. This hierarchy has been part of planning policy for many years and is incorporated into the Territory Plan. Jamison Centre which was the first group centre and major commercial area for Belconnen until the Belconnen Town Centre development started in the 1970's, occupies 105,160m² of land area (being the third largest in land area of the ACT's 17 Group Centres current in June 1999), of which⁹:

- 15,272m² is Commercial Policy Floorspace (similar in amount to Kippax, and Erindale Centres);
- Approximately 5,920m² is Retail Floorspace (just ahead of the Kippax Centre and sixth largest of all the 17 Centres)
- Approximately 8,350m² is Services Floorspace (about the same as Kippax, Hawker and Weston Centres. Dickson Kingston and Manuka have the largest spaces in this context)
- The Coles Supermarket occupies 2,111m² floor area- one of the larger supermarkets (Kippax Woolworth occupies 2,056m²)
- 1,110m² for other uses.

2.3 Belconnen district has five group centres. Draft Variation No. 158 described the Jamison Centre in 2000 has being 'poorly designed in terms of appearance, circulation and safety. In order to enhance its market share and role in Belconnen, the centre would benefit from improvements to its image and character..... to provide development potential for mixed used such as outdoor cafes, shops and upper level residential. In turn, such developments will encourage renovations of the existing retail core'¹⁰. Twelve percent of its total land area is allocated to Precinct 'a', fifty-four percent to Precinct 'b', thirteen to Precinct 'c' and twenty-one to parking Precinct 'd'¹¹. This is illustrated in Figure 1.

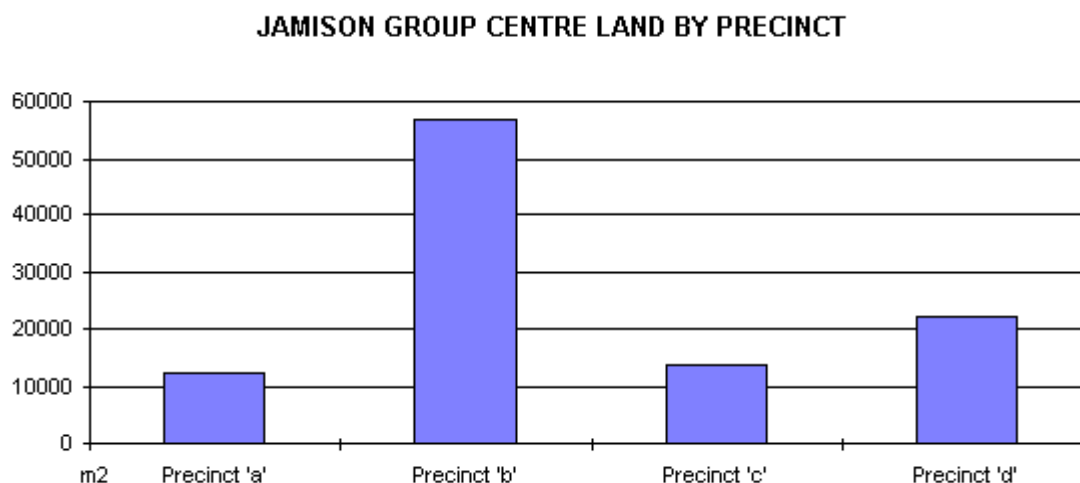
2.4 An Outcome Drawing from the Master Plan (Appendix 1) illustrates a possible development outcome for the Centre¹², while Appendix 2 shows the land use policy changes that will occur to the Territory Plan with the implementation of Draft Variation No. 202.

⁹ PALM publication, Attachment A-ACT Group Centres –General Information, pages 1 – 5.

¹⁰ Draft Variation No. 158 April 2000 Version.

¹¹ Belconnen Group Centres Palm Publication 1999 page 17

¹² PALM Draft Variation No. 202 March 2003 Version



Source: PALM Land Information System

Note: Precinct 'a' is retail core; Precinct 'b' is Business Area; Precinct 'c' is Mixed Services

Figure 1 Jamison Group Centre by Precinct

2.5 Draft Variation No. 202 will establish an **Urban Open Space Land Use Policy with a public land overlay**, on part Block 16 Section 50, previously covered by Commercial B2C (Other Group Centres) Precinct 'b' Land Use Policy. This will be a community park, designed to retain the existing trees and provide a playground and activity along the shops at the south of the building. The boundary between Precincts 'a' and 'b' has been amended to accommodate a proposal for the redevelopment of Jamison Group Centre consistent with the intentions of the Master Plan.

2.6 This Variation will also realign the existing precinct boundaries, to reconfigure Precinct 'd' to provide an area available for car parking to the south of the centre and allow the retail centre to address part of Redfern Street, thus improving the image and entrance of the Centre. Much of this area is already used for public parking and the new boundary also reflects the formal establishment of the public open space area fronting Redfern Street. The new precinct boundaries will allow for expansion of mixed use and retail facilities to create more active street frontages and a more vibrant Centre overall.

2.7 To enable implementation of the Master Plan's recommendation for higher residential densities that will enhance retail trade, street vitality, centre diversity and public area surveillance, provision has been made for residential uses at ground floor level in Precinct 'b'. Whilst ground floor housing will still be required to be built to Adaptable Housing Standards, it will not have to be integrated with commercial uses.

2.7 To further create an opportunity for higher density residential development for investors to provide shops local employment and other amenities to the community, this Draft Variation will provide for a plot ratio of 2:1 for Sections 48 and 50 and

1.5:1 for Section 49 as an acceptable standard. Allowing a maximum building height of 4 storeys or 15 metres above ground level will complement this, whichever is greater. The Committee agrees that this increase in building height will assist in boosting residential density to improve the day and nighttime vitality of the centre, as well as promoting more environmentally sustainable development outcomes for the Jamison Centre.

2.8 Overall, the Committee felt that this Variation, if adopted, would provide for positive and vibrant opportunities for the rejuvenation of the Jamison Group Centre for the long term.

3. Public Consultation Issues

3.1 Draft Variation No 202 was released by PALM for public comment on 24 October 2002, with a closing date for comments of 9 December 2002. However the Committee thought that it should not be overlooked that almost two years of extensive consultation had occurred prior to this during 2000 and 2001 with the preparation of the *Jamison Group Centre Master Plan*. The Committee noted that the consultation process undertaken by PALM between 24 October 2002 and 9 December 2002 had resulted in its receiving five (5) submissions, the majority of which expressed general support for the Draft Variation.

3.2 Some of the submissions identified similar key issues to those raised in the Master Plan, such as access for pedestrians, especially elderly and disabled; the need for more residential development; and a lack of 'openness' in the Centre. The Committee supported concerns raised in submissions regarding:

- The ability for cyclists to travel around the Jamison Centre; and
- The need for sustainable urban water management to be promoted.

The Committee hopes that these concerns will be taken into account if development progresses under Draft Variation No. 202.

3.3 PALM had forwarded copy of the Draft Variation to seventy-four (74) individuals, organisations and associations; each of Canberra's Local Area Planning Advisory Committees (LAPACs); fifty (50) lessees of properties in the Jamison Group Centre, and 19 separate individuals and groups/club who have an interest in some of the community facilities around the Centre. PALM also undertook letterbox drops to residents around and in the Jamison Group Centre, Macquarie, Cook, and Aranda, and placed notices at all the entrances of the Centre.

3.4 The Committee concluded that a wide cross section of the community appears to have been afforded the opportunity to comment on the proposed land use policy changes, even if the documentation before it, is not clear about with whom consultations were undertaken, and what feedback emerged. PALM received a limit of five submissions, whose content suggested, in the view of the Committee, that further submissions or public hearings on this matter would substantially add to the issues under its consideration.

4. Recommendations

4.1 The Committee is satisfied that there is sufficient evidence available to suggest that this Draft Variation represents a sound long term planning framework for the Jamison Group Centre, and recommends that the Draft Variation be adopted as proposed in the March 2003 version of Draft Variation No. 202.

4.2 The Committee notes with concern that the Draft Variation and the Jamison Group Master Plan are silent on impacts for adjacent and surrounding areas. The Committee was therefore unable to ascertain the extent to which PALM had considered these issues when preparing Draft Variation No. 202. For example, there is no mention of impacts on or the proposed land use changes on:

- The Canberra High School;
- The shops across the road from the Jamison Centre;
- The Macquarie and Cook Shops;
- Pedestrian access for the elderly and disabled;
- Cyclists;
- Providing access to Halloran Close off Belconnen Way.

The Committee is hopeful that the implementation of the Master Plan will take account of the services needed to provide for a fully integrated approach to the final outcome.

Recommendation No. 1

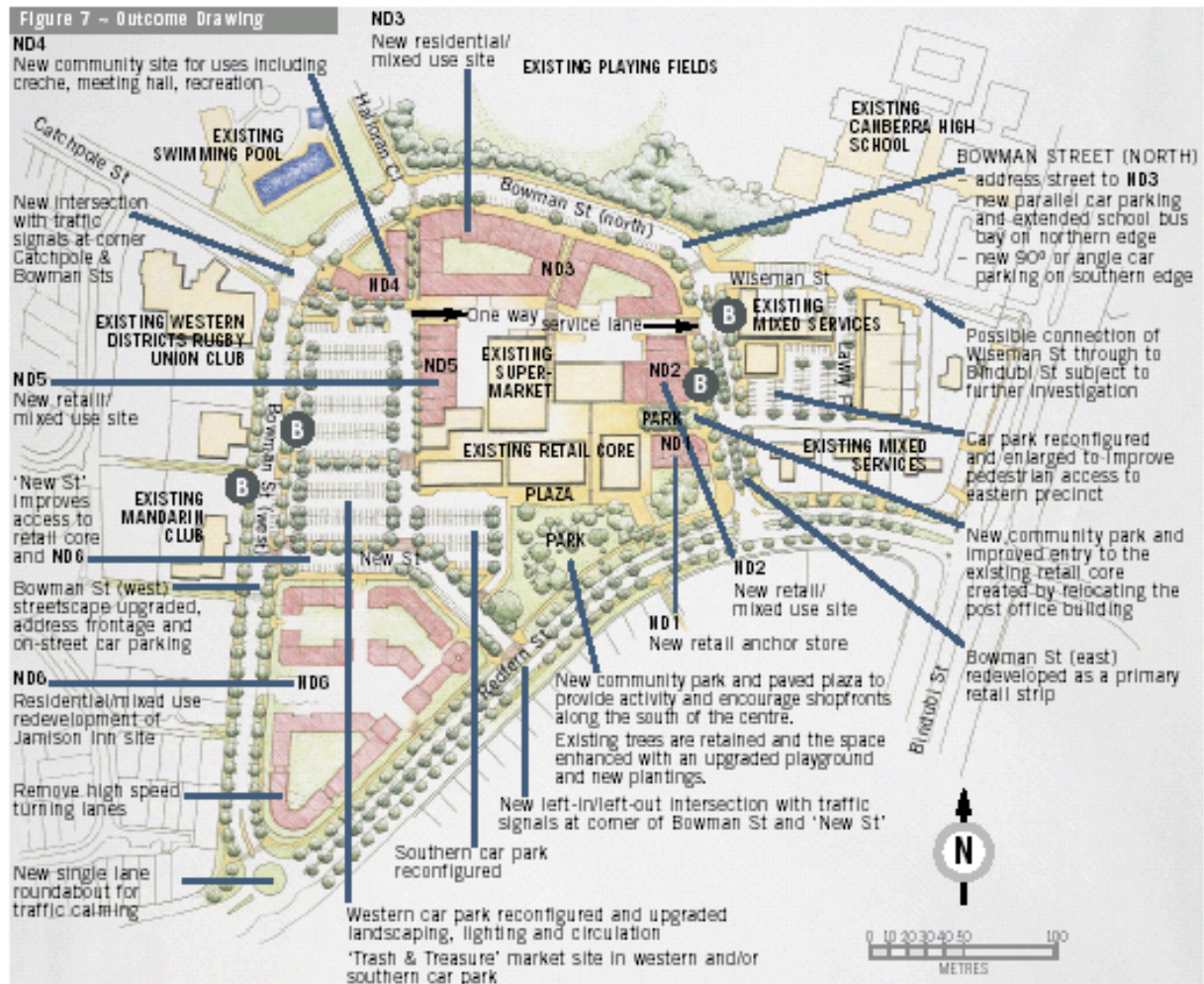
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Recommendation No. 2

The Committee recommends that the Minister for Planning in the Government response to the Committee's recommendations on Draft Variation No. 202, include an explicit impact statement of effects on adjacent and surrounding areas. This statement must also include a study of transport issues related to traffic flows and safety for the Centre and surrounding areas, with particular attention to any impacts flowing from construction of access to Halloran Close and Wiseman Street following any access from Belconnen Way.

Appendix 1 - Jamison Group Centre Master Plan- Outcome Drawing

PALM included this Outcome Drawing from the Master Plan in the final version of Draft Variation No. 202

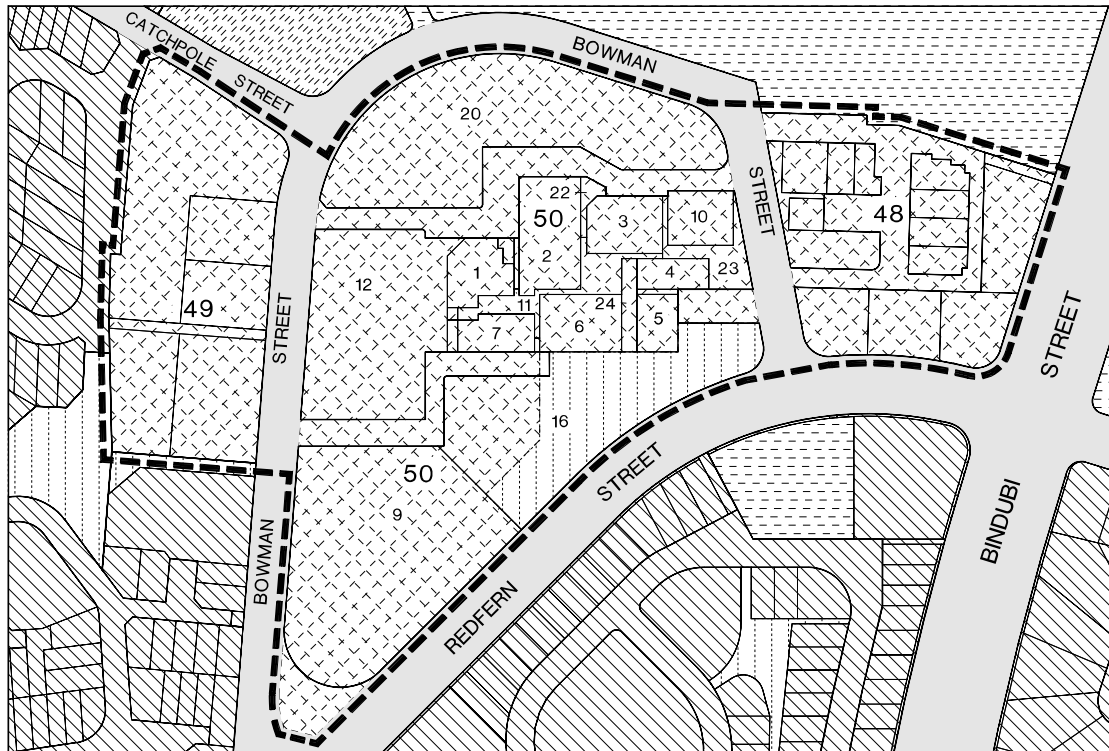


Outcome Drawing

Appendix 2 – Variation to the Territory Plan Map and Written Statement

The Territory Plan Map is varied for the area shown as subject to Variation' by:

- Deleting the Commercial B2C Group Centres Land Use Policy and substituting Urban Open Space Land Use Policy with a public land overlay (Pe) for part Block 16 Section 50 as shown in the following map:

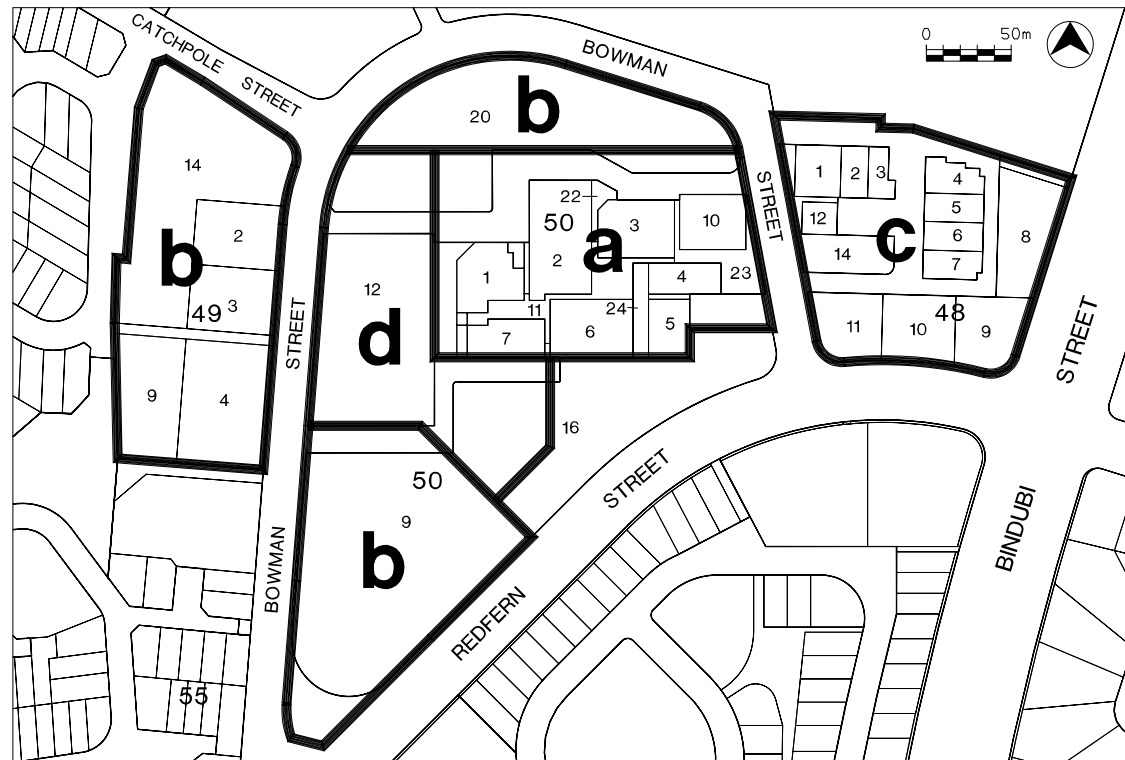


Changes to the Land Use Policy

The Territory Plan Written Statement Part B2C – ‘Group Centres (Commercial ‘C’) Land Use Policies Policies’ is varied as follows:

At Section 4- Area Specific Policies – ‘Belconnen District Group Centres Precincts (Figures 1-5)’:

Delete the existing map of the Jamison Group Centre, Macquarie and replace with the following map:



Map 3 Jamison Group Centre, Macquarie

- **At Section 4 - Area Specific Policies; Clause 4.1 Precinct ‘a’ – Retail Core;**
Controls: Add after paragraph titled ‘a) Plot Ratio Dickson’
- **Macquarie Section 50:**In Macquarie (Jamison) Section 50, the acceptable standard for maximum plot ratio is 2:1.Add after paragraph titled ‘b Shop size’
- **Building Height Macquarie Section 48:**The maximum height of any building on Macquarie (Jamison) Section 50 shall be 4 storeys or 15m above ground level, whichever is greater.
- **At Section 4 - Area Specific Policies; Clause 4.2 Precinct ‘b’ – Business Area; Controls; (a) Land Use Restrictions:** Add after paragraph titled ‘Wanniassa (Erindale) Section 132, Mawson Section 57’
- **Macquarie Section 49 and 50:**Notwithstanding Clause 3.3, RESIDENTIAL USE may be permitted at ground floor level and above in Macquarie

(Jamison) Sections 49 and 50 provided that at ground floor level it is designed to meet the relevant Australian Standards for Adaptable Housing.

- **At Section 4 - Area Specific Policies; Clause 4.2 Precinct 'b' – Business Area; Controls; (b) Plot Ratio:** Add after paragraph titled 'Kingston Sections 19 and 20, Griffith (Manuka) Section 2'
- **Macquarie Sections 49 and 50:** For the purpose of clause 3.8, the acceptable standard for maximum plot ratio is: 2:1 on Macquarie (Jamison) Section 50; and 1.5:1 on Macquarie (Jamison) Section 49.
- **At Section 4 - Area Specific Policies; Clause 4.2 Precinct 'b' – Business Area; Controls; (c) Building Height:** Add after paragraph titled 'Dickson Section 32'
- **Macquarie Sections 49 and 50:** The maximum height of any building in Macquarie (Jamison) Sections 49 and 50 shall be 4 storeys or 15m above ground level, whichever is greater.
- **At Section 4 - Area Specific Policies; Clause 4.3 Precinct 'c' – Mixed Services Area; Controls:** Add after paragraph titled '(a) Land Use Restrictions'
- **Plot Ratio Macquarie Section 48:** For the purpose of clause 3.8, the acceptable standard for maximum plot ratio is 2:1 on Macquarie (Jamison) Section 48.
- **Building Height Macquarie Section 48:** The maximum height of any building on Macquarie (Jamison) Section 48 shall be 4 storeys or 15m above ground level, whichever is greater.

Source: Draft Variation No. 202 prepared by PALM