



DV308 – Cooyong Street Re-development – Change of Zoning

Submission to the ACT Standing Committee on Planning

30 March 2013

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Thank you for the opportunity to comment on revised DV308 (Feb 2013). As residents of Reid, and particularly Argyle Square, we have felt that ‘no one is listening’ to the chorus of disapproval about the proposed re-development of Reid (Section 7) and Braddon (Sections 52 & 57). Each of the 3 versions of what is proposed has actually increased the density of apartments in the narrow, tiny Reid parcel that is Section 7. The original proposal, the Indicative Master Plan, has progressed from a hypothetically acceptable height and layout (ie, 3-4 storeys facing Argyle Square) to this monstrosity. Changes made in the latest version have been minor: a set-back facing Argyle Square has been traded-off by increasing the density of apartments into taller towers on the small Reid block. Indeed, underground parking in Reid Section 7 will now have the highest number of car spaces by Precinct in the whole development – again in a tiny space.

We would like to see re-development take place. But a re-development that is of a liveable scale and one that respects neighbouring residents – a place that neighbours can feel proud about. As framed, the project is greedy and seeks to ‘maximise project yield’. Project yield is the driver of the density, scale, height, and commercial zoning. This is an extreme re-development, pursuing one profit target at all costs, irrespective of the damage it causes to others. But we too have a right to the maintenance of our residential amenity. We urge you to conclude that a Residential (ie, non-Commercial) zoning of lower densities will enhance the site in Reid, satisfy the needs of Reid residents, and still provide a fair and balanced return to the Community Services Directorate (CSD).

1. Summary of Objections

1 Zoning

- Commercial Mixed Use (CZ5) rezoning is entirely inappropriate for Reid Section 7. Zoning should be Residential, without shops, commercial tenancies, or restaurants, permitting 4 to 6 storeys.
- City boundaries should not be extended into residential Reid; the city should remain on the south side of Cooyong St.
- 'Enhancing residential amenity with *some* intensification of dwellings' should be the key driver of the project, not 'maximising project yield'.

2 Height, scale, density, aesthetics

- The locally-known '*Great Wall of Canberra*' should be reduced from 15, 10, 6 storey towers to more liveable proportions of 4 to 6 storeys (plus basement parking). Too much is being crammed into the tiny Reid site.
- The obnoxious 15-storey 'landmark' corner buildings should be re-designed to be lower, leading-edge buildings with sculptural qualities. Think Frank Gehry or Hundertwasser as examples of real innovation.

3 Devastating impacts on heritage-listed Reid

- Heritage-listed, single storey Reid suburb will be degraded by the spill-over effects of a wall of tower blocks (*The Great Wall of Canberra*) on the edge of the suburb.

4 Respecting current residential amenity

- Significant adverse impacts on current residential amenity for adjacent Argyle Square (3 storeys) and single-storey Reid, such as visual impact, looming tower blocks, overlooking, loss of privacy, and heritage degradation can only be addressed by reducing the height, scale, and density of the project.
- The Report on Consultation does not defend or explain how existing residential amenity is supported by the re-development – because the project is indefensible.

5 Unsolvable traffic flows

- Kogarah Lane, Reid does not meet ACT government standards for 2-way traffic.
- The intractable difficulties all traffic assessments have encountered with the Reid site are evidence that the zoning, scale, and density of the re-development here are incompatible with the small site size and environs. The site is clearly too small and traffic flows don't work!

6 Retaining more trees

- Trees on Cooyong Street should be retained instead of being cut down for the cycleway. The Conservator of Fauna & Flora should be asked to work with TAMS to design the cycleway such that the trees may be retained.

2. Impacts and Reasons for Objections

Despite some minor revisions to the previous Draft Variation, this Feb 2013 version remains an appalling proposal. It ignores the limitations of the small, narrow site in Section 7, Reid, and wants to impose an intolerable burden on nearby Reid residents of Argyle Square, as well as the broader, heritage-listed Reid residents. In Canberra's Centenary year it is unbelievable that such a narrow vision of residential accommodation is being pursued through a prism that only sees high-rise towers. The long and very high mass of tower blocks (*the Great Wall of Canberra*) is out of all proportion to the low rise and 3-4 storeys of Reid. It is as if the rest of the suburb is not there.

2.1 Unacceptable drivers of rezoning & city/residential boundaries

Several fallacious drivers and assumptions lie behind the proposed rezoning to Commercial Mixed Use (CZ5) for Reid Section 7:

- a) that the edge of the city should be extended into Reid;
- b) that an 'infill' strategy set out in various ACT Plans automatically means massive residential tower blocks;
- c) that Project Yield should maximise profit irrespective of the damage it causes to others.

a) Redefining the City into Reid. A false assumption has been made in the (revised) DV308 that Reid is part of the city centre because it sits on its edge. As a consequence city-like heights, bulk, and concentrated footprints are proposed. But Reid is an overwhelmingly residential suburb, much of which is single-storey. Nearly the entire suburb is heritage-listed. Medium density accommodation in Reid is limited to 3-4 storeys only.

A fundamental misconception is built into the (revised) Precinct Plan (*Appendix 4, Desired Character in RC2, Reid*) which states '*The site has a strong urban edge to and active frontages along Cooyong Street*'. This is a total misunderstanding of the fact the city stops at the south-side of Cooyong St at the Canberra Centre. Reid is not part of the city centre. We don't want the city edge to be officially expanded into suburban Reid. We don't want a 'strong urban edge' in Reid. Two levels of shops, commercial spaces, restaurants, will be lined up along a very long corridor – and **only a few metres from the edge of Argyle Square on Ainslie Ave**. This proximity will adversely affect the residential character of Argyle Square and the wider suburb of Reid.

Commercial activity (whether shops, restaurants, gyms etc) with a very big footprint in Reid is not required. The Canberra Centre is an excellent shopping mall which offers many services and is professionally-managed. The rationale set out in the Report on Consultation that additional commercial activity to service local needs is required and be 'convenient for shopping' is nonsense. Residents in the new complex just need to cross the road for their purchases! Over-provision of commercial tenancies would be a disaster – just wander around Civic and spot the many, many vacant and boarded up commercial premises in the real business heart of Canberra. Don't create the problems that will quite obviously result from a Commercial Mixed Use rezoning.

We object to the rezoning and believe that commercial zoning should remain within the city boundaries, that is, on the south side of Cooyong Street. In addition to this, the proposed 2 storeys of commercial, shops, and restaurants brings a new, unwanted, character to the residential suburb:

- noise to residents, congestion due to increased waste collection services, hugely increased traffic congestion, over-spill parking into the Reid suburb.
- unlikely to attract users from the City across the 6-lane, very busy Cooyong Road, a major arterial road.
- almost certainly will have a very high vacancy rate.

The fact that a Precinct Code has been devised to place specific controls on development that could take place under a Commercial Mixed Use zoning highlights the enormity of the problem. Commercial Mixed Use zoning allows for such terrible impacts of density, heights, footprints, commercial activities etc, that special provisions are required to set controls on unfettered development. **Commercial Mixed Use zoning is totally inappropriate for the site. A Residential zoning is required.**

b) An 'infill strategy' does not automatically mean high-rise towers.

The Report on Consultation cites several statements within various ACT Planning documents referring to an 'infill strategy' as a basis/driver for suggesting a mass of tall residential towers. It seriously worries us that 'infill' is erroneously assumed to be high rise towers. The dimensions of 'infill' are not defined and clearly must be developed around a particular site. Infill can also be created through higher-density apartment complexes that are still medium-rise in height.

c) Profit maximisation irrespective of damage caused to others.

Notwithstanding attempts by CSD and ESDD to ignore complaints about the key driver of the project, Project Yield or Profit, by classifying it under 'Motives' and stating it is not a planning consideration – **it clearly is** (*Motives, Report on Consultation, p. 7 table*).

We are puzzled that CSD and ESDD have chosen to selectively ignore objections on Project Yield -- which is obviously the main driver of the re-development scale, height, footprint, density, plot ratios, and zoning. Why have they done this? Was it to avoid dealing with the issue? You cannot plan a project or any business case unless you estimate a project yield!!

Yield from the project is stated to be based on 1,156 Units and a Gross Floor Area of 116,426 sq metres (*Appendix 4, Perspective with Yield*). CSD claims 'maximising revenue through the development of the site will lead to improved housing outcomes for public housing tenants' and revenue received will be put into public housing (*Report on Consultation, Motives, p 32*).

The crude pursuit of a single objective – profit maximisation – reflects an extreme view of CSD's charter: that of penalising and burdening nearby residents with a terrible re-development under the auspice of a Commercial rezoning so that CSD can 'maximise' monies for public housing. This is outrageous and the wrong approach.

- CSD has demonstrated its contempt for nearby residents. Reid residents and those in Argyle Square have rights too. These rights have been ignored by the design of this project.

Scale the project down in scale, height, density, and project yield so that the interests of neighbours may be protected. Enhancing residential amenity with *some* intensification of dwellings should be the key driver of the project. This will still enable CSD to support improved public housing. **We recommend a Residential zoning with 4-6 storeys (without commercial units), and with basement and undercroft car parking.**

2.2 Reducing height, scale, density & improving aesthetics

Various Planning reports cited in the Report on Consultation, such as the Territory Plan, Statement of Strategic Directions, Principles, the National Capital Plan (*Section 3.3.2 Planning Framework*) are used to justify a Commercial Mixed Use zoning, and accordingly, high tower blocks. However,

- the Territory Plan does not specify heights.
- the Key Principles do not specify heights.
- an intensification strategy does not specify heights.
- Reid is not part of the City centre and should not be caught in a net of Planning reports that are being used to justify high tower blocks.

Clearly, ACT planning requires each proposal is to be considered on its own merits and is site-specific with regard to heights and with regard to its impact on residential amenity. There is no justification for the massive tower blocks – apart from a theoretical Yield. In the case of DV308 the intensity and height is unacceptably high.

Unbelievably, in the revised DV308 (Feb 2013), building heights have increased such that there is now a row of 10 storeys in the narrow Reid, Section 7 block. Along Kogarah Lane heights have been reduced to 6 stories as part of a setback. But the small Reid block now has been hit with an even greater development intensification.

- Gross Floor Area (GFA), a key determinant of yield, has increased by 55% in Precinct V¹ adjoining Kogarah Lane & Boolee Street compared with the previous draft variation (2011), which itself was too high and dense; and
- Number of units has increased by 47% in the same Precinct; and
- Basement car parking spaces in Reid have been increased to have the highest (352) and 2nd highest (268) number of car spaces across the combined Braddon/Reid site;
- The ugly and much-disliked corner 15-storey buildings have been retained.

This is despite the Report on Consultation stating *'the overwhelming majority of submissions do not support the proposed building heights across the site particularly within Reid'*. Public feedback about their intense dislike of the height and scale of the project has been ignored. There have been a few minor changes, for example, to create a setback from Argyle Square.

We feel the public's criticisms have been expeditiously ignored in order to preserve the Project Yield, which remains the same. It is illogical and intolerable that so many apartments are being crammed into Reid (which is ½ the depth of the Braddon site) by a proposal for a dense footprint within a narrow Subdivision. Heights need to be lowered. Fewer apartments should be built.

¹ GFA includes Circulation (ie, internal corridors), Non-residential premises, Undercroft Parking, and Skygardens.

Argyle Square and the wider single-storey heritage Reid will be faced by the locally-known, *Great Wall of Canberra*, overlooking it. You cannot escape the height and scale of the project. It results in:

- loss of privacy through overlooking. Looming over Argyle Square this 15 and 10 storey wall of apartments will invade the privacy of the 3-storey Argyle Square apartments, their balconies, their central common property courtyards. People from these new apartments will be able to peer down from their windows and balconies directly onto the balconies and courtyards and into the bedrooms and living areas of many parts of Argyle Square.
- visual degradation. Argyle Square was designed as an innovative complex for its time due to its central landscaped courtyards, excellent axis for managing sun and shade, and design which protects the privacy of residents. This landmark 3-storey complex will be pitted directly against the massive development of 15, 10, and 6 storeys.

The solution is a Residential zoning with 4-6 storeys (without commercial units), and with basement and undercroft car parking.

Special mention must be made of the 'landmark' buildings that are proposed to grace the Cooyong St/Ainslie Avenue corners. It beggars belief that 'landmark' is interpreted by CSD/ESDD as being a boring, high rise, 15-storey tower block. Perhaps it is defined this way in order to achieve the projected Yield? Landmark does not mean tall. A landmark building should be creative, visually arresting from the outside, and perhaps have sculptural qualities or sculptural decoration. There are many possibilities. Think of amazing architects such as the American Frank Gehry or the Austrian Hundertwasser.

While not suggesting an imitation of any of their work, **we do suggest a complete re-think of the corner buildings if the objective is to be 'landmark'. They should be re-designed to be lower and with immediate external visual appeal. They should not have Commercial premises.**

2.3 Devastating impacts on heritage-listed Reid – impacts on heritage values and neighbouring character

Nearly one-half (1/2) of all submissions objected to the development on Heritage grounds, mainly in Reid. Our objection is that **the voice of the people about heritage issues has been ignored.** Our reading of the Report on Consultation is that all criticisms of the impact the massive redevelopment will have on the heritage character of Reid have been discounted because the Heritage Register did not voice objections to its broader impact. As a consequence, no modifications have been made to reflect heritage concerns; in fact, contrarily, the Reid segment has become higher, denser, and worse!

The *Report on Consultation* states that the Heritage Council:

- [raised] ‘no specific objections or issues raised in relation to the potential impacts on surrounding heritage values or character.’ *Issue: 3.3.1.7 Heritage*
- ‘did not raise concerns in relation to the Griffin Plan or any objects or places pertaining to it. *Issue: 3.3.2.2 The Griffin Plan and Height*
- ‘has not raised any concerns about potential impacts of the proposal on the heritage values of existing areas of Braddon and Reid.’ *Issue: Devaluation of Properties*

This appears to be a circular argument, relying on a body who by inference of its silence, is deemed to be in support of the project. **But nearly ½ of all submissions objected on heritage grounds.** Reid residents will be hugely affected by the proposals to rezone and the consequential scale, density, and heights of the project. Feedback cannot be ignored.

To re-iterate earlier points, the redevelopment in Reid will adversely affect heritage values of the suburb, by

- introducing a Commercial zone and an unwanted character into a primarily residential (and heritage listed) suburb so as to allow massive residential towers; and
- allowing the city boundary to cross Cooyong Street and into heritage-listed Reid; and
- will permit two massive and inappropriate 15-storey blocks at the Ainslie Avenue/Cooyong junction; and
- lining Cooyong Street with a series of tower blocks of approx 10 storeys. This will face both the city as well as the Reid suburb; and
- only introducing a step-down to 6 storeys facing the 3 storeys in Argyle Square; and
- proposing an even greater development intensification than in the previous draft.

It is perplexing why the Heritage Council did not provide substantive feedback on the obvious limitations of the Draft Variation. Perhaps it was outside its brief? It could have been because the immediately adjacent block – Reid, Section 8 – is occupied by medium density dwellings of 3 storeys comprising Argyle Square. Argyle Square is not heritage-listed. Perhaps the Council felt that this ‘buffer zone of Argyle Square’ could shelter the looming mass adjacent to it, thus leaving heritage-listed Reid untouched?

But this proposition does not hold. The absolute enormity of the development will visually overshadow low-rise Reid. There will be significant spill-over and flow-on effects. Ironically, this fragile precinct is facing one of the most, if not the most, intensive urban redevelopment project in the ACT’s history. Heritage values, so valiantly defended by planning over the years, will be eroded. The buildings will loom over heritage sites. The ‘buffer’ zone of Section 8, Argyle Square is quite narrow and so the development’s scale will be immediately apparent. Reid will be hemmed in by tower blocks. Surely Canberra can do better than this – especially in its Centenary Year when a high value is placed on heritage. Reid was one of the very first low-rise residential suburbs created in Canberra; now DV308 proposes to turn part of it into a Commercial Mixed Use zone with dense tower blocks!

Also, it is very sad that in Canberra, regarded as the bush capital, it has been necessary for DV308 to regard skygardens as a proxy for open space.

Please listen to the voice of the people who are telling you about the awful impact DV308 will have on the character and heritage values of Reid.

2.4 Respecting existing residential amenity

The Report on Consultation acknowledges the significance of '*maintaining residential amenity and retaining the character and amenity of the residential neighbourhood*' (Report on Consultation, p. 26). But the Report ignores the many objections to the re-development, despite receiving a litany of major impacts on existing residential amenities. In addition, it does not address how the re-development maintains our residential amenity in Argyle Square nor how it supports the character of the heritage-listed Reid suburb. **Clearly, the project is seen to be indefensible.**

Our residential amenity is seriously damaged by this proposal for all the reasons listed in earlier sections, including:

- it is grossly intrusive and its concentrated mass and wall of apartments in close proximity (*the Great Wall of Canberra*) does not pay architectural respect or due regard to the existing 3-storey Argyle Square complex;
- the height step-down to 6-storeys facing Kogarah Lane and Argyle Square is insufficient to offset the impact of this bulk facing the 3-storey Argyle Square.
- if medium-density Argyle Square is regarded as a 'buffer' by planners between the *Great Wall of Canberra* and single-storey and heritage-listed Reid, then this is incorrect. The *Great Wall of Canberra* equally looms over the rest of Reid because the Argyle Square strip is narrow.
- is not site-responsive as it is too high and dense for the narrow strip that is Reid, Section 7 and will result in overlooking and loss of privacy for existing Argyle Square and Reid residents.

2.5 Unsolvable traffic flows and parking

Evidence in the Report on Consultation and the additional Traffic Assessment leads inexorably to the following conclusion:

- **that the intractable difficulties all traffic assessments have encountered with the Reid site are evidence that the zoning, scale, and density of the re-development here are incompatible with the small site size and environs. Too much is being crammed into Reid and traffic flows can't work!**

Problems are as follows:

- The total redevelopment in Reid and Braddon will result in approx 1,800 new occupants and a great number will access arterial roads via narrow Kogarah Lane, Ainslie Avenue and Boolee St. These are already busy during morning and evening rush hours and the additional pressure as a result of the new development will give rise to even more, prolonged, congestion.
- Traffic flows along Kogarah Lane in particular will increase dramatically. This will be due to the large number of new residents accessing the proposed basement parking, the need for large vehicles to provide services to both residents and proposed commercial activities, and the pressures arising from casual visitors visiting the proposed residential and commercial premises.
- Kogarah Lane already suffers from traffic congestion. It has been the on-going experience of existing residents that traffic flow is frequently brought to a standstill during the day when the lane is blocked by cars and large service vehicles.
- The revised proposal (Feb 2013) confirms that Kogarah Lane, with a 5.8 m carriage-width, does not meet ACT Government standards for a 2-way road.
- The revised proposal shows a different 'in/out' access for cars to Reid, Section 7. The **268 cars** that have 'in/out' access on Kogarah Lane will have to exit to Ainslie Ave. or Boolee St. In addition, the **352 cars** with 'in/out' access to Boolee Street will likely also turn into Kogarah Lane (unless traffic lights were installed at the corner of Boolee and Cooyong Streets). This is a lot of traffic along a narrow Kogarah Lane.

At the moment, the only impact that Bega Flats in Reid Section 7 has on direct traffic flow along Kogarah Lane is via circa 20 on-road car spaces. What a difference!

- Limited and hazardous sightlines for cars entering and leaving the Precinct IV basement parking to Kogarah Lane will mean on-road parking would have to be restricted. Those Argyle Square residents entering or leaving their long-established parking areas also will have to compete with large vehicles servicing the commercial and residential areas as well as residents, customers and visitors to these same venues.

Responding to concerns about the capacity of narrow, 5.8 m Kogarah Lane to accommodate increased traffic and parking CSD advised that:

"A number of alterations to Kogarah Lane were considered to address issues associated with its operation. This included creating it as a one way street, widening the verge and/or removing the car parking. Neither of these options was supported, especially as there are services/infrastructure in the Kogarah Lane verge which would need to be relocated if the roadway was widened....."

CSD's response is irresponsible: they recognise that there will be a major, potentially dangerous problem along Kogarah Lane but have chosen to ignore it and/or deal with it frivolously. For example they claim:

- Kogarah Lane cannot be made 1-way (to accommodate increased traffic flows) *because visitors would get confused!* (Appendix 3, p 8)
- widening of Kogarah Lane could not be supported by CSD because there are services/infrastructure which would need to be relocated.
This is ridiculous. DV308 will involve one of the most significant redevelopments in the ACT with large scale demolition, road-works and rebuilding, yet little Kogarah Lane cannot be widened due to the need to relocate services/infrastructure!

No one – neither CSD nor the traffic experts Motts Macdonald – have been able to come up with a satisfactory solution for the problems listed above. The ACT Government cannot say that it has not been warned in relation to possible future legal action against it resulting from traffic accidents. **The bottom line is that the unsolvable traffic flow and parking issues crystallise the fact that the re-development is just too big for this small Reid site and its environs. Commercial zoning will create even more pressures. Too much is being crammed into Reid!**

Even with a lower and smaller re-development, traffic flow and parking issues along Kogarah Lane will be significant. **We recommend that Kogarah Lane becomes 1-way northbound, in order to improve traffic flow and to protect pedestrians crossing from Argyle Square.**

2.6 Retention of more trees

We note that nearly 200 mature trees will be cut down as a result of the redevelopment. Only 2 trees are designated for retention on the Reid site. We would like to see more trees retained, particularly the tall, mature trees lining Cooyong Street, which we understand are to be cut down to accommodate a trunk cycleway. As cyclists, we are in favour of cycleways – but not at the expense of the environment.

Trees on Cooyong Street should be retained instead of being cut down for the cycleway. The Conservator of Fauna & Flora should be asked to work with TAMS to design the cycleway in such a way that the trees are retained.

Summary: We recommend a Residential zoning with 4-6 storeys (without commercial units), and with basement and undercroft car parking.

Once again, thank you for the opportunity to outline our concerns. We are willing to appear before the ACT Standing Committee in support of our submission.

