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To:
Mr. Mick Gentleman MLA
C/- Committee Secretary
Standing Committee on Planning, Environment and Territory and Municipal Services
GPO Box 1020
Canberra ACT 2601

5 February 2015

RE: Recommended Draft Variation DV309 – Turner Bus Layover

Dear Mr Gentleman,

Thank you for the opportunity to respond to the Recommended Draft Variation to the Territory Plan. I write to you on behalf of the Executive Committee, and in my capacity as Chairman of "The Avenue", Units Plan 2873, located at 77 Northbourne Ave, Turner. "The Avenue" consists of 239 residential units and one commercial unit, accommodating approximately 400 residents in total.

I submit for your consideration, opposition to the Draft Variation on a number of grounds, detailed below.

Widespread community opposition

As noted in the Consultation Report, 46 written representations were received, with 45 in opposition to the Draft Variation.

The vast majority of these representations were opposed to the **outcome** of DV309 (i.e. the construction of a bus layover facility at Block 8 Section 25; as opposed to the **means** by which this was achieved (specifically, rezoning to TSZ1). It should be noted that many of these representations did not even make reference to the rezoning of the Block; but rather, specifically stated that "*parkland should [not] be used to solve infrastructure problems*".

The revised Draft Variation dismisses the concerns raised in these representations by simply changing the means by which construction of a bus layover facility is achieved (insertion of an "X-overlay" on Block 8), without addressing the core concerns of the representations in opposition. Genuine consideration of these representations has not occurred.

Many of the concerns raised were listed in the Consultation Report, which goes on to dismiss these concerns as either "out of scope" or irrelevant, without adequate explanation.

Residents of Turner, while paying some of the highest Rates and Land Tax in the Territory, are historically poorly served by municipal services. In the last 10 years, we have seen the removal of North Oval from the use of local residents through its handover to the ANU, the installation of sewage holding tanks which results in odours propagating around the vicinity (particularly in Summer), and a Gross Pollutant Trap that is in desperate need of an upgrade to a modern solution.

Absence of Turner Master Plan

The 2003 Turner Neighborhood Plan notes that – in 2003 – there was a need *“to improve certain aspects of local facilities, including increasing the diversity and size of local shops, and ensuring facilities are adequate for a changing population”*.

In the last 12 years, the population and demographics have certainly changed in Turner. The Northbourne Ave corridor has experienced significant redevelopment, resulting in an increased population density, which has led to a shift towards a younger demographic. The combination of this increased density and younger demographic has seen a marked shift away from driving as the primary form of transport towards one where many households in Turner don't even own a car. 25% of Turner use walking as their primary mode of transport; and 7% use cycling.

The 2003 Turner Implementation Plan states that the Turner Neighbourhood Plan should be reviewed every 7 years. In the last 12 years, no review has been conducted to the Plan.

In the absence of a Master Plan and a reviewed Turner Neighborhood Plan, approval of DV309 cannot occur with all the relevant information available.

Pre-determined outcome

It has been clear throughout the various consultations that ESSD had already pre-determined the outcome of DV309, even before consultations commenced.

From the initial consultation at the O'Connor shops – a 20 minute walk from Block 8 Section 25, through to a Planning Study that was written to promote the site preferred by ESSD. It was noted earlier that many households in Turner do not own a car; and 25% of Turner use walking as their primary mode of transport; significantly higher than ACT's average of 4.2%.

The Planning Study by CB Richard Ellis is quite clearly biased towards the proposed DV309, as made evident with emotive commentary such as *“The site does not currently contribute to the recreational and social needs of the community and given its size and relative proximity to other more suitable open space areas **it is unlikely it would ever be utilised as such.**”*

It is also of concern about the way in which this consultation was notified to stakeholders. Considerable time was spent by the Executive Committee of “The Avenue” in making a detailed representation to ESSD regarding DV309 in April 2014. No written response was received from ESSD regarding the representation, and furthermore, no notification was received that the Draft Variation was recommended to the Minister, and subsequently open for further comment. It was not until a resident forwarded the press release to the Executive Committee that this consultation was discovered.

Suitable alternative site

An alternative location was identified in the business case, at Coranderrk Street. The 2014 business case even states that the surrounding land at the Coranderrk Street location is less sensitive to the visual and environmental impacts of a bus layover facility.

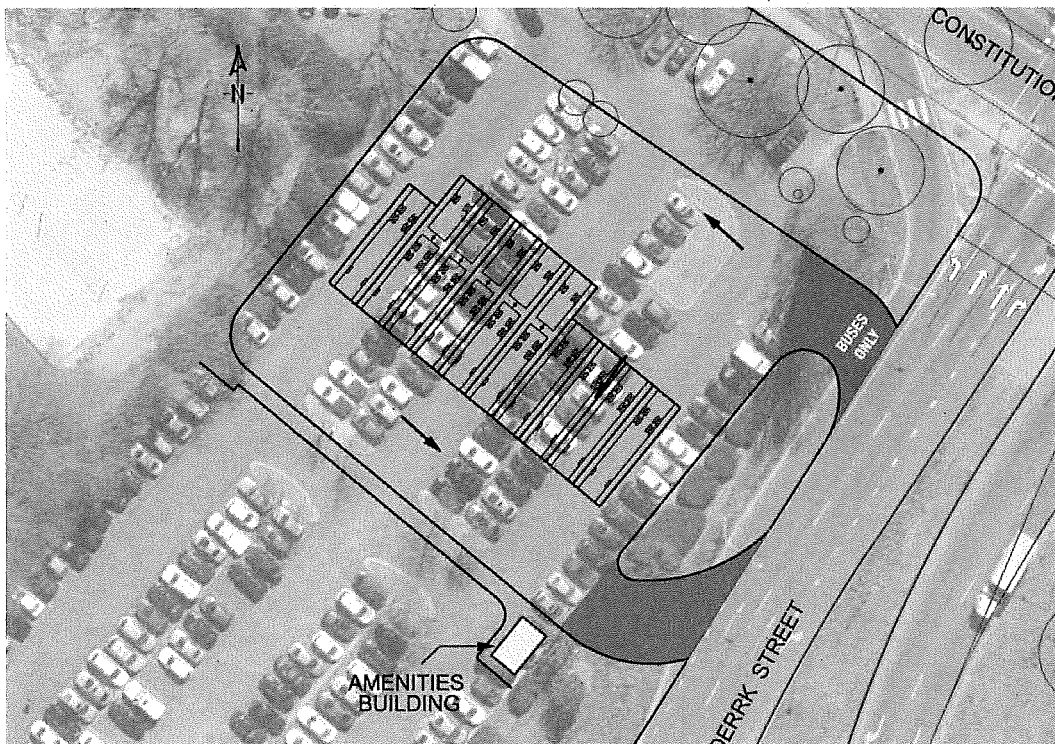
The Coranderrk Street site is not located in close proximity to residential zones, allows for future expansion of the bus network through the availability of adjacent blocks, and allows for immediate consolidation of both the proposed “split” east and west layovers into a single layover facility. This site is ideally located to promote future bus patronage through its proximity to the current Convention Centre, and possible future Canberra Stadium.

The current zoning and usage of the Coranderrk Street site is aligned significantly closer with the objectives of a bus layover facility.

It should be re-iterated that the Coranderrk Street site is a much more suitable location, which has not been given sufficient consideration. Its location is significantly more suitable, is already located along a noisy traffic corridor, and its proximity to the Convention Centre will help to promote use of public transport.

With the current redevelopment of Constitution Avenue, which includes provision for light rail in the median strip, the Coranderrk St site has additional future utility, placing it immediately adjacent to the light rail route. This is as in contrast to the current planned light rail route, which is placed one block away from the current City Bus Interchange.

Furthermore, in the initial feasibility study, the Coranderrk St site was supported by all organisations consulted, with only the exception of CIT.



The consultation report refers to the Coranderrk St site as a secondary site, as part of a two-site layover solution, and that the site has a limited capacity of 10 spaces (in comparison to

Block 8 Section 25's potential capacity of 21 spaces). This limitation of 10 spaces at the Coranderrk St site is however, artificially imposed.

From the Planning Study itself, it is clearly shown that more than double the proposed space is available at the Coranderrk St site, with the size of the layover facility being artificially constrained.

The site is currently already a sealed car park, in close proximity to a major arterial road, minimising the potential noise and environmental impacts.

Future use of Block 8 Section 25

One concern raised during the previous consultation is that Turner residents are poorly serviced by the O'Connor shops, and that retail services are needed in the local area. The Consultation Report simply dismisses this concern as "out of scope". DV309 proposes an amendment to the *Territory Plan*; not the "Section 25 Plan". In amending the Territory Plan, the opportunity cost of all alternate uses of the site must be taken into account holistically.

Block 8 Section 25 has a huge potential to provide immense utility to residents of Turner, if zoned and developed properly. This benefit would further be extended to residents in the university accommodation immediately across the road from this block. An ideal use of Block 8 Section 25 is as low density retail.

As noted above, the 2003 Turner Neighborhood Plan notes that there was a need in "*increasing the diversity and size of local shops*". Turner is one of the very few divisions in the Territory that has no "corner shops", and no local Post Office. Corner shops provide both utility to the surrounding residents, and also garner an increased sense of community spirit. One need only look to the O'Connor or Ainslie shops as examples of this. Residents of these divisions feel a great sense of pride in their local shops, frequently patronising the many small businesses, such as cafes and bakeries. The proximity of Block 8 Section 25 to the senior citizens facility and child care centre further reinforces the utility of this block as having potential for use as low density retail.

The ACT Government has historically made the assumption that Turner residents are adequately serviced by their proximity to the City. This assumption was made in the Planning Study, as well as the Turner Neighbourhood Plan 2003. However, no residents were actually consulted as to whether this actually was the case.

The inadequate servicing of Turner residents was clearly demonstrated during the consultative period, where public consultation was conducted at the O'Connor shops, for lack of any suitable alternative. Almost 25% of Turner residents use walking as their primary mode of transport. The O'Connor shops is however not a reasonable walking distance for many residents, and certainly not for residents in close vicinity to Block 8 Section 25; being a 17 minute walk away. It is therefore not surprising that the initial public consultation received very little feedback. This was further confirmed by the fact that the majority of representations received were, in fact, from residents of O'Connor.

Development of this block into low density retail would furthermore result in increased land values in the vicinity, yielding increased rates and land tax revenue to the Treasury. A bus layover facility has no such potential; and in fact, will likely decrease these land values.

Incompatibility with PRZ1 Zoning

The revised, Recommended Draft Variation DV309 proposes insertion of an "X-Overlay" to Block 8 Section 25, instead of rezoning Block 8 to TSZ1 from its current. This "X-Overlay" would allow for the development of a Public Transport Facility, through a merit track development.

The use of Block 8 Section 25 as a "Public Transport Facility" is however, fundamentally incompatible with the current zoning of PRZ1, objectives of which include:

- Provide an appropriate quality, quantity and distribution of parks and open spaces that will contribute to the recreational and social needs of the community; and
- Establish a variety of settings that will support a range of recreational and leisure activities as well as protect flora and fauna habitats and corridors, natural and cultural features and landscape character.

The development of a heavy vehicle facility is fundamentally in contradiction to these objectives, the intended use of PRZ1 zoned land, and the spirit of the PRZ1 zone; regardless of what overlay or merit track is applied.

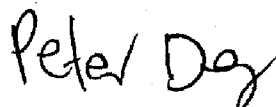
The Consultation Report states that Block 8 Section 25 has been used for temporary parking for 20 years; but makes no reference to the fact that Turner Residents were originally, and continue to be opposed to the use of Block 8 Section 25 as a temporary carpark, and this is reflected in numerous representations to ACTPLA/ESSD over the years.

The Consultation report (page 2) also notes that in developing a public transport facility in a PRZ1 zone, additional controls apply regarding tree planting, and appropriate landscape treatment. The original April 2014 DV309 proposal (which proposed to rezone Block 8 to TSZ1) included detailed diagrams and plans for how the transport facility would comply with these controls as imposed by a TSZ1 zoning. The recommended Draft Variation includes no such diagrams and plans, leaving the assumption that the same TSZ1-appropriate plans and landscaping will be used regardless of their suitability for the PRZ1 zoning.

Conclusion

As a result of serious negative impact to residents in the vicinity of Block 8 Section 25 as detailed above, and the existence of a very suitable alternative site, I strongly urge the Standing Committee to withdraw Draft Variation 309.

Yours sincerely,



Peter Dey
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