

A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE	
SUBMISSION NUMBER	1
DATE ADDED FOR PUBLICATION	11/10/17



Your local voice

■ ■ ■ weston creek
 ■ ■ ■ community
 ■ ■ ■ council

www.wccc.com.au
info@wccc.com.au

PO Box 3701
 Weston Creek ACT 2611

Telephone (02) 6288 8975

The Committee Secretary,
 Standing Committee on Planning and Urban Renewal,
 Legislative Assembly for the ACT.
 GPO Box 1020
 CANBERRA ACT 2600

6 October 2017

committees@parliament.act.gov.au

Submission on Draft Variation to the Territory Plan No. 329

Weston Group Centre and Surrounding Community and Leisure and Accommodation Lands: Zone changes and amendments to the Weston Precinct map and code.

The Weston Creek Community Council is pleased to be able to make this Submission, thanks the committee for the opportunity and offers the following comments.

1. Initial Comments

This Draft variation incorporates the recommendations of the Weston Group Centre Master Plan and describes how it would be incorporated into the Territory Plan in a way which retains the existing desirable character traits as the Centre develops. This plan was developed using background studies, expert reports and planning expertise. But more importantly, it followed extensive engagement with the community, business owners, lessees and other stake holders.

The Weston Creek Community Council (the Council) is concerned to ensure that the Draft Variation embodies planning principles that reflect the outcomes that the community indicated they desired and captures what they value about the Centre.

The principles detailed in the Master Plan are:

- Enhance the existing character of the Centre
- Ensure the Centre is legible and accessible

■ Established 1991 ■ ABN: 52 841 915 317 ■ Weston Creek Citizens Council Inc. ■ Reg. no. A 2637

The Weston Creek Community Council is funded and supported by the ACT Government

- Provide the Centre with new opportunities to be prosperous and active now and into the future
- Create opportunities for sustainable urban design in the Centre
- Cater for diverse community needs in the Centre.

These were intended to guide the implementation of the Master Plan and, as such, should be acknowledged and confirmed in the changes and amendments to the Precinct Code

Numerous opportunities were identified in the Master Plan that fit within these principles. A few are:

- The green spine – improve its amenities, improve its links to the recreation precinct
- Strengthen the recreation precinct in the north, potentially upgrade Weston oval
- Upgrade both Trenerry Square and create a main street feel for Brierly Street
- Community facilities – maximize social benefits by keeping community facilities located close to the Centre, improve the use of the Weston Community Hub with better connections
- Encourage urban intensification within the Centre by including residential
- Integrate Frequent Rapid transport with mixed land uses and plan for additional car parking
- Integrate public realm improvements with future development sites

As well, Council wants to ensure that the Key Actions proposed for the Weston Group Centre are included in this document. These Key Actions include:

- Retaining community services and facilities close to the retail core
- Allowing for the possibility of retail expansion in the Centre
- Improving pedestrian safety and reinforcing pedestrian and cycle connections in the Centre
- Upgrading Brierly Street and Trenerry Square for more pedestrian activity and amenity with wider footpaths, improved landscaping and social gathering spaces
- Providing additional short and long term parking spaces and integrating additional car parking in conjunction with future development
- Integrating the frequent rapid bus network into the Centre
- Providing more housing choice close to services

For Council, the question is ***“does this Draft Precinct code reflect the outcomes desired by the community for the future of development its Group Centre”***.

The community expects a vibrant mixed use Centre with a diverse and interesting environment which maintains the use and form of some areas as well as a mix of uses in some areas.

The Draft Variation acknowledges that the Centre services the Weston Creek catchment area but also that it has served and will continue to serve as the Centre for the new suburbs in Molonglo until the Molonglo Commercial Centre is developed. This has occurred now for some 5 years and has had, and will continue to have, considerable impact on the development of the Weston Group Centre in both the short and medium term. This is particularly so given that there are some 4 to 5,000 residents in the Molonglo suburbs of Coombs, Wright and Denman Prospect now and there are no shops as yet in Molonglo.

Council is also cognizant of the restricted size of the site occupied by the Centre as it is bounded by roads and public open space which the community would not wish to be diminished but rather enhanced. Whilst the size of the site may be considered restrictive, the Council considers it as an opportunity for innovative solutions and buildings.

2. Detailed Comments

A] Territory Plan Zones Map

The Council notes two major changes to zoning on the proposed Territory Plan provisions (Figure 3)

1. The splitting of block 2 section 75 into an area zoned CFZ and a remainder as PRZ1. This site was mentioned during consultation for the Master Plan as being suitable for a new Community Centre and both the Council and the community would expect this to be the future use.
2. The area in section 64 appears to be a rationalization of the footprint of the CZ1 area which includes a small alteration of the shape of the PRZ1 area. Overall this seems to be a rational alteration but Council assumes it will be dependent on the resumption of the lease held by the church currently on part of this site.

Neither of these alterations is considered problematic in themselves. It is also noted that in section 1.8 there have been changes made in response to public consultation.

However, Council has Questions over the proposed Development on Section 75 –

- the height of development on the site has been reduced to 2 storeys, taking into account overshadowing and overlooking. This is welcomed by the Council as any development at this height will have a lesser impact on adjacent residents.
- The inclusion of a *community activity centre* including *public health, welfare or information services* may well be appropriate but will this be the sole use ?
- The exclusion of a community hall, however well intended, appears to be contrary to the community's expressed desire for a new community centre. If the existing very aged community centre is removed, then again the community does not have a viable meeting place if a hall is not included. Currently several activities are held in the existing hall, the only one of its kind in the Weston Group Centre and centrally located.

B] Assessment Tracks

The Council notes the prohibited development of *community theatre* and *indoor recreation facility* in PD1 but notes that the current squash courts in the existing community centre are well used.

The Council is concerned about the possibility of *industrial trades* being established in MT 1. These trades could well be incompatible with the existing retail nature of this area. Council notes that they are only permitted in association with a structured car park. Council questions

this and asks does this mean that they will only be approved within a car park or if they would be approved with a provision of their own parking?

C. Element 1. Use

1.1 Ground Floor uses

These rules apply on the ground floor to primary active frontages in CZ1 and list the permitted uses. They also apply to sites in CZ3 with boundaries to active frontages

The Council considers these to be an acceptable range of uses.

1.2 Industrial Trades

Relates to the uses allowed in structured car parks. Please see our comments as per para 1.

1.3 Development on nominated car parking areas

These nominated areas are current ground level car parks and provide the vast bulk of parking for the Centre. The rule states that any development retains the existing number of car parking spaces on the site and remains available for public use at all times and provides additional car parking for any development on site.

Further, the Criteria associated with this rule states that the development makes a substantial contribution to the long term publicly accessible parking supply at the group centre. Council welcomes this.

In commenting on this particular matter, Council takes into account the very long delay in obtaining a small number of extra spaces to alleviate the current parking issues at the Group Centre. In all, it took some 6 years to obtain an additional 76 car parking spaces in and around the Weston Group Centre. It is therefore with some cynicism that the Council considers this well meaning rule and criteria. The restrictions of the physical boundary of the Group Centre support a need for multi level parking but it is essential that interim provisions are made during construction and that the criteria is strictly enforced so that no car parking spaces are lost in any expansion as this will affect business and the community.

Council has grave concerns over parking at the centre with any development both in the final number and also with maintaining the number of car parking spaces while any development occurs, as there is little land around the Group Centre that could be utilised as temporary parking while the existing car parks are built over.

Council is also totally against any paid parking at the centre.

1.4 Residential Use

Dwellings are not permitted on the ground floor in CZ3 (services area)
The Council supports this rule.

1.5 Potential Contamination

The Council is unaware of any problem that may require the implementation of a site specific unexpected finds protocol.

D. Element 2. Buildings

2.1 Building heights

Council would prefer that the **heights of buildings be restricted by height measured in metres**, not by the number of storeys. This is due to the fact that the level of the heights of floors/storeys can vary greatly.

Council is also strongly of the view that the maximum height of ALL buildings in this area be the lesser of 15 metres and 4 storeys with no buildings above this height.

Comment has already been made about the proposed height limit of 2 storeys on Section 75.

The proposal for the maximum height of 3 storeys for the Centre other than exclusions seems reasonable given that the majority of existing buildings are 2 storey and an additional storey would allow for a wider variety of uses without greatly altering the character of the Centre. It is noted that a clear list of excluded items of 'plant' is provided.

One of the main issues raised in both submissions on the Weston Creek Master Plan and at Consultations, concerned the proposed increase in allowable building heights within the Centre. It is the Councils belief that that this concern has not diminished albeit that the community understands the need to increase density at neighbourhood centers to ensure their viability and to house Canberra's growing population.

The comments made below are in this context.

Area 'A':

This block is zoned for commercial use and the buildings are currently 1 storey. Council objects to the proposed 4 storey height as a 'marker' building at the southern edge of the Centre for the reasons outlined in our Comments under Attachment C, Element 4 Buildings. The businesses here are presently "fast food outlets" with substantial parking available. Council would see this parking maintained in any development with additional car parking being provided for the tenants of any building.

Areas 'B' and 'C':

These blocks currently comprise the 'southern' and 'northern' car parks. The proposed zoning is for both blocks is CZ1 (Core Commercial) which is, in essence, an extension of the existing Cooleman Court in terms of zoning.

The Zone objectives for CZ1 are very encouraging in principle as they encourage diversity and the maintenance of a high standard of urban design plus several other laudable aspirations. However, the range of 'Minimum Assessment Track' developments is long and varied with the majority appearing acceptable. Residential use is included and apart from having a different character, this proposal also raises the question of additional car parking for residents.

Council has commented on this issue under Element 1. At point 1.3 and reiterates this

stance again.

In essence, the Council appreciates that if car parking is to be provided on these two areas a reasonable height is required to accommodate both car parking and other uses. However, the community has indicated that they consider 5 storeys to be excessive and would prefer no developments of more than 4 storeys.

Council would want the Active frontages and pedestrian laneways in Figure 3 to be mandatory. Council would also see these buildings being substantial and has concerns that development could end up as unimaginative concrete blocks at either end of the current Coleman Court. This could create shadowing and wind tunnels, particularly if the buildings are more than 15 metres in height.

Area 'D':

This area has a building which is on a sloping site and is 2 storey for a large part of its area. Any development at a greater height would require demolition of the existing building and it is questionable whether this is likely in the near future.

As the Weston Group Centre has the status of a Group Centre it is debatable whether a large complex of 4 storeys is commercially viable. Therefore it is possible that if areas B, C and E are developed in isolation at 4,5 and 6 storeys the centre would radically change in character and be somewhat 'unbalanced'. This is one of the reasons why Council and the Community do not want any buildings above 4 storeys and preferably metres.

It is therefore questionable whether the complex inter- relationship between the designated areas has received sufficient consideration.

Area 'E':

This is the smallest of the areas and it is not unreasonable to consider that due to its proximity to the 'green spine' it may be developed for residential purposes. Whilst this may have some appeal as a focal point for the Centre it would also overlook current established residential areas to the East. Car parking would also be required.

Overall a height of 6 storeys is considered too high for this area. Again Council would say that no more than 4 storeys here is appropriate. It is acknowledged that an architecturally innovative building a slightly lower level might be appropriate.

It is noted that part of the area remains zoned as Urban Open Space and in the Master Plan a Major Pedestrian link through this area is proposed.

2.2 Building Design

Brierly Street

It is difficult to understand the 0m setback when there does not appear to be any in place at the moment at the Centre. This is particularly so when looking at the Key Actions in the Master Plan which state

“upgrading Brierly Street and Trenerry Square for more pedestrian activity and amenity with WIDER FOOTPATHS [my emphasis]”

Surely these two statements are not compatible. Further, the setback of 4m only applies to a development over four storeys when in 2.1 it states that on this area D the maximum height allowable is 4 storeys.

However it is noted that the criteria allows setbacks in a range of circumstances. Given the proposal under the Master Plan (fig 37) the Council expects some of these circumstances to arise and be used to approve the amenity of Brierly Street. Indeed, the Master Plan proposes tree

planting, places to sit and active frontages as a key part of the Plan.

Parkinson Street

Again the building allowed on this area B is up to 4 storeys so why are setbacks for over that height mentioned ?

It is expected that the frontage facing Parkinson St and opposite the proposed CZ1 zone will have the minimum 4m setback and preferable the 8m setback.

2.3 Active Frontages

The primary active frontages shown on Figure 3 seem to reflect the current usage.

Both the Rules and the Criteria reflect what the community anticipates as an outcome. This would encourage a more ‘active’ Centre providing active and passive surveillance.

It is noted that that under the criteria extensive lengths of blank facades are not to be located along primary frontage areas and should not dominate secondary active frontage areas. It is hoped that this will avoid a repeat of the current situation.

2.4 Awnings

The provision of Awnings would greatly improve the comfort for pedestrians walking and sitting along Brierly Street and Trenerry Square.

2.5 Pedestrian Connections

The two additional Pedestrian Laneways seem to be well located. Both the rules and criteria seem appropriate.

However, there is a lack of complete East-West laneways and therefore little pedestrian connection through to the green spine on the East of the Centre. In the Master Plan this connection is mentioned in the context of remedying the inward looking nature of the Centre.

The Council would like to see further thought given to this matter so that there is a more obvious connection.

2.6 Vehicle Access

A road reserve is proposed for the northern side of section 84 (Whitney Place) to allow vehicular access for delivery and both on street and basement parking. This area will have to be handled very carefully as it is designed as a primary active frontage and there is a risk of considerable vehicle/pedestrian conflict.

2.7 Plot ratio

The Council is not sure why the plot ratio rule in commercial zones does not apply and requests that an explanation be provided.

2.8 Solar access

These rules and criteria seem appropriate

E. Attachment C - Weston Community Facility and Leisure and Accommodation areas

In the Weston Creek Group Centre Master Plan section 75 was identified for 'possible future community uses'. There was considerable community consultation in relation to this plan during which discussion took place about a replacement for the current Community Centre. In this context it was stated that a new Community Centre could be placed on section 75 which is what the community has been expecting.

Element 3 Uses

Under rule 3.1 the proposed 'community activity centre' is limited to public health, welfare or information services. This is a very limiting range of uses and not at all what the community expected and requires.

Council strongly objects to this rule and would ask for consultation on this matter as a matter of urgency.

Element 4 Buildings

The rule restricts the maximum height of buildings in areas A, B, C and D to two storeys.

However, the criteria (C35) states that the building heights may be increased to 4 storeys on Area A, 5 storeys on Area B and 6 storeys on Area C. This causes great concern to the Council and we request that these variations be deleted until further community consultation has taken place and the community is fully aware of the proposed heights on these areas.

As previously stated Council does not agree to heights above "the lesser of 15 metres or 4 storeys".

Area A is some distance from the Centre proper and is opposite single storey residential and adjacent to other single storey buildings. It is zoned CZ6 in the Draft Variation and therefore could result in a variety of developments being approved. The uses which require a DA that is assessed on the merit track include such uses as a club, a drink establishment and commercial accommodation. This, coupled with an allowable height of 4 storeys, causes concern to the Council and was not canvassed with the community during consultation.

Council objects to the maximum allowable height on Area A and states that this should be no more than 2 storeys.

Area B is the current Weston Club which is on a sloping site. We note the proposal is to allow 5 storeys. This is in a street which has a major road on the SW side and commercial properties on the opposite side of Liardet St. Currently the Club only occupies part of the site with the remainder being car park. Consequently, it is a fairly modest building which does not overwhelm either the site or the general area.

Due to the location of the area it seems appropriate to allow a small increase to 4 storeys. Even at a height of 4 storeys it will dominate the streetscape due to the fall in the land and require careful design guidelines.

Area C is immediately adjacent to the southern car park and occupied by various Health Services. The proposal to allow up to 6 stories on this site would create a very dominant Building which appears to be CFZ zoning.

This seems to be a very unusual combination and the Council is concerned that further changes to this zoning are being contemplated and a large inappropriate development may occur. The Council requests therefore that this section of the Draft Variation be placed on hold pending further consultation.

4.2 Setbacks, 4.2 Active Frontages and 4.4 Solar Access

These three sections appear to be identical to those in 2.2, 2.3, 2.4 and 2.5 and our comments are therefore the same.

4.5 Landscaping

The criteria appear to apply to section 75 only. And the council supports these sensible criteria.

SUMMARY

The Weston Creek Community Council has a vision that the Weston Group Centre will be an attractive facility that will fulfill the social needs of the community whilst being commercially viable.

Council appreciates that this is a delicate balance to achieve and the comments made are aimed at achieving this vision. Council is also aware that this Variation looks forward to future demand and a variety of scenarios.

When the Weston Group Centre Master Plan was being developed in 2014 there was considerable consultation with the community. Whilst there was agreement on many elements of the Plan some elements were very contentious as was demonstrated by the submissions that were made. Unfortunately, the same situation has arisen again as is demonstrated by the comments that are being made in response to the Draft Variation No. 329. Below is a short summary of the elements which are of major concern.

- The community has expressed a desire to retain the 'village' character of their local centre and consider that this has not been addressed sufficiently in the Variation. The

section on active frontages and setbacks is a welcome step towards revitalizing Brierly Street and some of the laneways. However, we have made comment on the lack of a clear East – West laneway and of a clear connection between the Centre and the open space spine on the East of the Centre. This was discussed at some length during the consultation on the Master Plan.

- Building heights are a very contentious issue whenever the Council speaks to members of the community. As you are aware, the current Centre buildings are primarily 1 and 2 storeys and the community does not wish to have huge high rise building. Council appreciates the need to use land to a reasonable potential and has commented that on all sites no more than the lesser of 15 metres or 4 storeys should be the maximum.

In contrast, 6 storeys on a CZ 6 site in Parkinson Street opposite a 1 storey residential area **is clearly not appropriate**. This is also the case with Area E, which is a small area immediately adjacent to the green spine.

The other CZ 6 site, currently occupied by the Weston Club, is located on slightly higher ground and to allow 5 storeys would create a very dominant building. Council continues to state, as it did through all of the discussions and consultations from the time the Master Plan discussions started, that a maximum of 4 storeys be the limit for the Centre.

- Car parking has long been a problem at the Centre and has been, and continues to be, exacerbated by the lack of shopping facilities in Molonglo. The community has been aware since the Master Plan that it is proposed to build on these two sites. Buildings in these two locations would appear as an extension to the Cooleman Court shopping centre.

Council notes the strong points made in both the rules and the criteria in relation to parking and expects these to be upheld. Further, that additional parking be made available as indicated under criteria C4 (b). Not only would sufficient public parking be valued by the community but it would help ensure the commercial viability of the Centre.

- The community has an expectation that a replacement community centre would be part of the Variation. However, this does not appear to be the case from this Variation. The restrictions placed on the uses allowed does not seem to include a community centre.

Currently there is no community facility in Weston Creek that can be used for general community activities and this causes problems for the many organizations that exist in the Weston Creek area. The Council requests a revision of these uses and would like to consult on the matter.

Council remains available to discuss these comments and any other matters that the committee may seek to discuss.

Tom Anderson
Chair
Weston Creek Community Council