

Your local voice



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## Minutes of the WCCC General Meeting Wednesday, 29 February 2012

### 1. Meeting opened

Chair Tom Anderson opened the meeting at 7.30pm. About fifty persons were present. Tom welcomed Ms Helen Leayr and her colleague Ellen (The Communication Link), Sheridan from ACTPLA, and Mr Jeremy Hanson, MLA. He also welcomed Ms Meredith Clisby of *The Chronicle*. Tom noted that Mr Shane Rattenbury, who is to make a presentation later, will arrive about 8pm.

### 2. Apologies: John Milne, Katy Gallagher, Heather Hughes, Sue Galea.

### 3. Presentation: Draft Guideline for pre-Development Application Community Consultation, by Helen Leayr, The Communication Link

Ms Leayr explained that The Communication Link has been employed as consultants by the ACT Government to assist with developing guidelines for how developers will have to inform and consult with the community about proposed buildings before submitting a development application. She said the ACT government is strongly committed to developing these guidelines, and that the necessary legislation had been included as part of the bill to ban plastic bags that was passed in 2011.

- The guidelines will be aimed at multi-unit developments.
- A trial is currently underway.
- The requirement to consult with the community will start once the guidelines have been prepared.

The proposed guidelines will apply to residential buildings according to the following criteria:

- Large buildings for residential use; that is, with 3 or more storeys plus 15 or more dwellings
- any residential building with a gross floor area of more than 5000 square metres
- a building or structure that is more than 25 metres above the finished ground level

There will be scope for different criteria to apply in different circumstances, for example, in a town centre, or in a residential street.

Some geographical areas will be exempt from the guidelines (such as industrial areas). Under the trial, town and city centres were exempted.

The timetable for consultation on the guidelines is:

- early April 2012 draft guidelines presented
- mid-April: feedback from business groups and community councils

- 14 May: closing date for feedback
- end of May: present guidelines to ACTPLA.

Other groups to be consulted will include various business groups, such as the Master Builders' Association and the Planning and Development Forum.

Ms Leayr said the guidelines would also cover how developers should engage with the community, who they will need to contact, and where.

- Types of conversations: meetings, advertising, displays, 3-D plans
- Who: neighbours, community councils, community groups, local shops
- Where: on-site briefings for community, schools, community newspapers

One WCCC member suggested that even before the DA is submitted, developers would be well along the way to finalising plans and funding etc, so they might be reluctant to change their plans, since they would already have bought the land, decided the number of units, had designs drawn up, etc.

Another member said that developers would need to produce concept plans with pictures and/or models to allow the public to understand what the plans mean, as many people cannot read plans and do not understand what the end result will be. Developers could use a materials board, for example, to show colours and textures of the materials to be used.

Ms Leayr went on to say that the guidelines would need to cover a number of other matters:

- Timeframes for when consultations could be held and how long the community would have to consider the developer's plans
- Tools for consultations, such as maps, drawings, diagrams, PowerPoint presentations, brochures, etc.
- Feedback: whether information about the consultation process and results should be included in the DA, how the developer or ACTPLA should report back to the community. It would be essential to ensure that the community feedback is accurately reported to ACTPLA, perhaps through a record of meetings, or in the minutes of community council meetings with a developer. Developers might be required to show how feedback has been incorporated in the plans submitted in the DA.

#### **Other comments:**

1. If a developer meets with a community council, the meeting should be recorded and a copy of the record should be submitted with the DA.
2. A basement must be counted as one of the 3 storeys that would trigger application of these guidelines.
3. Five thousand square metres seems too big as a criterion. Would it cover only floor area, or total area of a block of land, or what? Should be defined.
4. If the process is to be really useful, it should provide some kind of certainty that people who have been consulted will be consulted or informed again, at a later stage, about the results of the consultation. A developer must give proof that he or she has in truth consulted the appropriate people in the community.
5. There might need to be an adjudicator. If so, who would that be?

Ms Leayr said that if a DA is contrary to what the community wants, there is a requirement in legislation for the developer to explain why he or she has not taken community views into consideration.

WCCC Chair Tom Anderson said he would put contact details for The Communication Link on the WCCC website, in case members would like to contact her directly. Tom thanked Ms

Leayr and her colleagues for coming to the WCCC meeting.

#### **4. Presentation: Mr Shane Rattenbury, MLA and Speaker of the House of Assembly, speaking as Chair of the Standing Committee on Administration and Procedure**

Members of the Standing Committee are Mr Rattenbury, Ms Amanda Bresnan, and Mr Jeremy Hanson. There is no ALP member at present. The Standing Committee is carrying out a review of the ACT Self-Government Act.

Mr Rattenbury explained that the ACT Self-Government Act is an act of the Commonwealth Parliament, passed in 1985. He said it is the closest thing to a constitution that the ACT has, but the ACT cannot change the Act. It is the popular perception that any changes would have to be done jointly with the Commonwealth.

He said that everyone accepts that the Act needs to be updated. When Alan Hawke did his review of government in the ACT, he recommended that the Act be changed. Last year Senator Bob Brown sponsored a bill to remove the Commonwealth veto over ACT legislation, and as part of that process, suggested that the ACT should decide what needs to be changed and then tell the Commonwealth. As Speaker of the House of Assembly, Mr Rattenbury decided to follow that suggestion, and that is why the Standing Committee has taken it on.

The Terms of Reference cover the whole of the Self-Government Act, and the committee would like to know what aspects of the Act do people like, and what is missing or needs to be changed.

The main issues are:

- the size of the Assembly
- the size of the ministry
- the Self-Government Act does not cover electoral boundaries, but if the size of the Assembly is increased, electoral boundaries will also have to change.

At present, the ratio of residents to the number of MLAs is about 35,000 to one. When Canberra first got self-government, the ratio was smaller. There are not enough MLAs to cover all the work they now have to do.

There has also been a lot of public discussion about increasing the size of the ministry, which is limited to 5 persons under the provisions of the Self-Government Act. The task of managing all the portfolios has become too big for the number of ministers.

It has been suggested that the Assembly committees should be set up as electorate committee rather than as subject-matter committees.

The closing date for submissions is 16 March. The address for submissions is on the Standing Committee website.

#### **Comments, Questions and Responses**

1. The definition of “conflict of interest” embodied in the Self-Government Act is very narrow and restrictive. That might need to be changed, although it is possible that this very restrictiveness may mean there has been little corruption among ACT politicians.
2. What does the Act say about the role of the executive, and the role of the judiciary?
3. No one has defined “What does a member do?” There is confusion about the government’s role as a local or municipal government as opposed to its role as government of the Territory and equivalent to a State government. Many feel that local government services are not very well provided.
4. In the latest redistribution, the Electoral Commission does not seem to have taken notice of the guideline that says communities should not be split.

Response: Jeremy Hanson responded that the Electoral Commission is required to balance

the number of voters in each electorate to within plus or minus 5 percent of the average, and at present, this cannot be done easily without splitting some communities.

5. Does the Self-Government Act prescribe multi-member electorates? Would it be possible to change to single-member electorates?

Response: There is a double entrenchment provision in the Act which makes it very difficult to change it. The question of single-member electorates was considered when the Act was being drafted, and it was decided to have multi-member electorates because otherwise the dominance of the ALP in Canberra would mean that the other parties would never get many seats and would not have any chance to form a government here. Multi-member electorates give voters more options for getting assistance from their MLAs. In addition, it is likely that the present structure provides a degree of transparency that mitigates against the sort of influence-peddling and corruption that has been seen in other jurisdictions.

6. Given that Canberra has a small population, what about the option of having a system more like a usual local government system, of Mayor and Council, instead of a parliamentary system? Wouldn't that be enough?

Response: Government in the ACT has a wider role than just administration of a municipality, and such a structure would not allow the full range of responsibilities to be covered.

7. What about the role of the National Capital Authority (NCA)? It is not really possible to update the Self-Government Act without considering the role of the NCA and how it interacts with the ACT government. One example of NCA influence is that the plastic shields on the Kent Street overpass that crosses Adelaide Avenue have been coloured blue, apparently so that the view of the mountains from Parliament House will not be obscured. Another area where NCA and ACT government responsibilities intersect is Lake Burley Griffin: the Lake is an NCA responsibility, but the ACT controls the water that goes into the Lake and what comes out.

8. Is there much in the Self-Government Act about relations between the Territory and Federal governments? Is there any similarity to the structure of government in Washington DC?

Response: Tom Anderson responded that Washington has one member of the US House of Representatives, who can vote in one House committee, but not in general votes of the House, and is not represented in the US Senate.

[**Note:** "Voting rights of citizens in the District of Columbia differ from those of United States citizens in each of the fifty states. District of Columbia residents do not have voting representation in the United States Senate, but D.C. is entitled to three electoral votes for President. In the U.S. House of Representatives, the District is entitled to a delegate, who is not allowed to vote on the floor of the House, but can vote on procedural matters and in House committees." (Wikipedia)]

8. Mr Rattenbury noted that under the provisions of the Self-Government Act, the Governor-General can dismiss an ACT government.

Q: Could the ACT have an Administrator, like the Northern Territory has? Who signs bill into law in the ACT?

Response: In the ACT it is the Speaker of the House of Assembly who signs bills into law. The Governor-General probably has some of the powers that an Administrator would have. The Chief Minister carries out many of the ceremonial duties of government, which in the states is generally performed by state governors. An Administrator could perform some of those duties.

9. Some Canberra citizens perceive that municipal services in the ACT are not as good as in other nearby areas.

Response: In most parts of Australia, municipal services are paid for by local government, whereas services such as education and health are funded by the state government with assistance from the Commonwealth. In the ACT the small population size means that the government always has difficulty getting enough revenue to support all the responsibilities it has to handle. Education and health services take up about 80 percent of the budget, and sometimes municipal services have lower priority.

At the end of the presentation, Tom Anderson thanked Mr Rattenbury for making the time to come to the WCCC meeting.

## **5. Presentation: Mr Fred Kasparek, architect**

Mr Kasparek explained that his company has been contracted to design a high-density development in Wright. The development would contain 176 units, and is planned for Block 27, Wright, facing John Gorton Drive.

- The site has been planned to create a link between the development and nearby parks. One prominent corner of the site, on John Gorton Drive, will become a small park.
- The tallest building will be 6 storeys, then there will be buildings of 4, 3, and 2 storeys. The buildings and the L-shaped basement have been planned not to cover too much of the site, in order to allow natural landscaping and deep-root planting of trees. The tallest building will be at the southern end of the development, while the other buildings will be graduated in height towards the northern end, in order to maximise the amount of sunlight available.
- Each unit will face a street and will have an address.
- All units will have a view of natural landscape, and will have private open space at front and back. Sight lines from within each unit will line up with vistas.
- There will be a swimming pool and common open space.
- The design has included “future-proofing” of some units; for example, 3-bedroom units will have 2 rooms plus ensuite and another bathroom upstairs, but there will also be a second master bedroom with ensuite on the ground floor, so that owners can choose to live downstairs if that becomes necessary in later life.
- Various methods of construction will be used, including brick veneer, double brick and concrete, and care has been taken in the design to use different materials and finishes so the buildings will not look all the same and will be attractive.
- Probably about 30 percent of the units will be 1-bedroom.
- Two-bedroom units will be between 75 and 80 square metres. All units are generous in size.
- There will be 17 different floor plans.

Fred Kasparek’s website can be viewed at: [www.kasparek.com.au](http://www.kasparek.com.au)

## **6. Minutes of the Previous Meeting**

The minutes of the previous public meeting (November 2011) were accepted as circulated. (Moved: Chris Wilson; Seconded: Pat McGinn. Motion passed.)

## **7. Treasurer’s Report**

The Treasurer reported that WCCC had a credit balance of \$14,698.73. He noted that WCCC has received three invoices, for telephone (\$105.92), post office box (\$93) and insurance (\$886.60) that will need to be paid. When those bills are paid, the balance will be \$13,613.21.

## **8. General Business**

1. Master Plan for Weston Group Centre: Consultation on the Master Plan continues, and Tom Anderson has been involved in discussions with the Stakeholders Reference Group. There will be a public meeting at the Uniting Church on 4 April. Timeframes are as follows:

- May 2012: Draft Master Plan for public comment
- June 2012: Final Master Plan ready
- August - September 2012: Implementation Plan to be drawn up; Endorsement by ACT Government

One member asked Tom if there is any provision in the Master Plan for motel or hotel accommodation in Weston Creek. Tom said there has been no discussion about that, but noted that WCCC had been told previously that there would be some low-cost accommodation in Stromlo Forest Park, and motel/hotel accommodation in the future Molonglo town centre.

2. Goyder Street Library: The volunteer group that runs the Goyder Street Library in Narrabundah has decided to close the library and is looking for another group to take it over. As Weston Creek has no library at present, this might be of interest to residents. The critical issue would be to find a suitable location for a library. The WCCC committee will discuss the matter at its next meeting, on 8 March.

3. WCCC Chair meeting with the Chief Minister: Tom Anderson met with the Chief Minister in December 2011 to discuss Weston Creek community issues. One result has been that bus routes 26 and 27 have been changed so that they now run at 30-minute intervals from Weston to Woden.

Tom noted that the Chief Minister will meet the heads of all the Community Councils on Thursday, 1 March.

The meeting was closed at 10pm.

**NEXT MEETING: Wednesday, 28 March 2012, at 7.30pm**