

Your local voice

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

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The Manager,
EPD Customer Services
Dickson ACT

04 June 2020

EPDcustomerservices@act.gov.au

Submission on DA 202037191
Proposal for Public Works Block 2, Section 75, WESTON

Thank you for the opportunity to comment on the Development Application for public works to facilitate a car park on Block 2, Section 75, WESTON (the proposed Watling Place car park).

To avoid any doubt, Weston Creek Community Council **DOES NOT SUPPORT** the proposal and strongly encourages the rejection of this Development Application.

The overarching rationale advanced for the proposed Watling Place Car Park is flawed. The two main arguments are the need for additional Park and Ride places for people using the R7 bus service and additional parking for people using the Weston Group Centre precinct. Council is of the view that more cost-effective solutions exist and provided them in a recent letter to Minister Steel (Attachment A). Simply stating that doing this would mean that there was no need to construct a **permanent car park** on this site.

But let me go on. The proposal is for a car park to be constructed on unleased land that is classified as a Community Facility Zone under the current version of the Territory Plan. This plan is a statutory document, under *the Planning and Development Act 2007* (ACT) and should be read strictly. The current zoning was arrived at during a lengthy consultative process during the last Assembly and should not be disregarded by use of a temporary use classification, to address a longer-term failure of planning.

The issues driving the proposal remain the same issues that have been around since the development of Molonglo commenced. Further, the construction illustrated in the application could hardly be regarded as temporary.

The intentions of the Planning Directorate with this proposal are summed up in an email obtained under a Freedom of Information request by one of the Watling Place

residents. In this email, Mr Jeremy Smith [Attachment B] discusses seeking a permanent change of zoning later. Interestingly, this simply points to the fact that the claim that the Car park is “temporary” is false as it clearly isn’t “meant to be temporary” and the intent is that the proposed car park just continue in perpetuity once constructed.

Given that the proposal is really for a permanent car park under the guise of being “temporary” initially, does this not rule the Development Application invalid as a car park is listed as a Prohibited use on Community Facility Zoned land? These are at Attachment C.

The applicant claims that

The use of a community facility site to provide temporary parking to support park and ride, and for the use of the nearby community and commercial facilities is considered to be consistent with these objectives.

Council would argue that clearly they do not comply when you link this with the total prohibition of a car park in the legislation.

If the Government wants so badly to use the land for a Car Park, would it not be the correct legal approach to seek a rezoning of the land through an amendment to the Territory Plan and allowing the Legislative Assembly to properly consider the arguments to amend their previous decision?

Council also notes the existence of a petition sponsored by Ms Caroline Le Couteur MLA, which has attracted enough signatures to trigger a Legislative Assembly Standing Committee enquiry. Surely, the proponents could have waited long enough to consider the outcomes of the inevitable enquiry when framing this proposal?

Further considerations

The environmental impacts of the proposal have not been fully considered either. The residents of Watling Place are concerned about the additional lighting impacts on the amenity of their homes. Council is starting to receive considerable feedback about light emissions arising from the LED lighting replacement project and believes the concerns of these residents are reasonable. Residents who use the expanded bus stop have

already expressed concern at the lack of adequate shelter from weather extremes. This proposal intuitively will exacerbate those concerns. For example, additional summer heat caused by the hard bitumen surface.

This proposal is inconsistent with the Government's recently stated policy on having an age-friendly city, through the failure to provide reasonable access to the Group Centre shops and services. Presumably, disability groups would point out the many impediments presented to their constituency by the design. I see no evidence the Council for the Ageing and the various disability groups have been consulted during the development of the proposal.

The traffic impacts of the proposal have not been clearly thought through. The existing roundabout at Brierly and Liardet Streets can be challenging for even the most

experienced drivers due to the speed of entering traffic and the ambiguity of which exits will be used. The additional entry/ exit is expected to add to those challenges and is likely to create significant additional collision risks. Council asked at the Consultation on site in March for a further traffic survey to be conducted with the proposed roundabout to see what the impact of this additional entry and the pedestrian crossing proposed on Parkinson Street would be. This has not occurred as far as Council is aware. This concern may be mitigated by installation of traffic control lights at the corner of Hindmarsh Drive and Brierly Street.

In addition, there is a significant problem with “hoon” driving in the Weston Creek area already and so the risk of significant out of hours burnout activity on the freshly laid bitumen is high. This will also mean unacceptable additional noise and fumes in proximity of the Watling place residences. Council has recently written to the responsible Ministers about this issue (copy attached).

Council would be happy to discuss this further in order to gain the best possible outcome for the residents of Weston Creek.



Tom Anderson
Chair
Weston Creek Community Council

Your local voice



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PO Box 3701
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Chris Steel
Minister for Transport and City Services
ACT Government
Canberra ACT

5 April 2020

steel@act.gov.au

Dear Chris,

Response to latest plan for temporary additional parking at Cooleman Court

I am responding to correspondence I received from Melynda Kensey of your Directorate this week about the revised plans for the proposed temporary parking at Cooleman Court. I felt it best to respond to you directly to outline Council's views on this proposal.

It is council's view that the key problem is the provision of parking at peak times, predominately mid-morning to mid-afternoon Saturday and some other shorter periods during the week. The remainder of the time, while the parking provision is busy, demand for parking is being met. Expediting provision of shopping and other services at Coombs, Wright or the Molonglo Group Centre may mitigate the pressure into the future, or it may not, which means there can be no certainty about the temporary use of the land for a car park.

There has also been significant additional pressure on the area through the increased and very welcome bus services using Parkinson St, and passengers using convenient parking around the Centre. It may be time to consider repurposing some of the significant infrastructure set aside for bus services that are no longer offered, as well as moving remaining services from Brierly St to the Parkinson Street bus station.

Council also observes what seems to be the infrequent attention to compliance with parking regulations around Cooleman Court by ACT Parking Operations may have also contributed to the current issues. While reluctant to encourage the issuance of penalties to residents, perhaps it is time for a stronger regulatory stance to encourage turnover consistent with the zoning. This issue generates significant community interaction through our communication channels, including direct approaches to our committee

members and through our Website and Facebook pages. Very few people do not have an opinion. There is also significant interest in the issue from local media.

Council is aware of the pressure the ACT Budget is under given the current COVID-19 outbreak and suggests the funds allocated to this project may well be needed to assist with the public health and related demands over the next few months. Also, during the pandemic period the way the community uses the Centre has changed and the demand for parking is suppressed. This provides a useful opportunity to call for a pause.

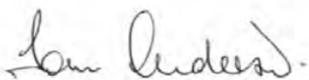
Council's current view is that the provision of the estimated 65 additional car spaces does not justify the disruption that will be caused to the Watling Place residents by the project during construction and operation as well as the broader community during the construction phase. There is also a range of ongoing community safety risks which we feel do not appear to have been considered appropriately, for example the proposed entry via the roundabout.

Seeing demand for parking around Cooleman Court will be suppressed for some time, I would suggest a delegation from Council meet with officials from your Directorate [virtually] to discuss alternatives that could cost effectively yield a similar (or greater) number of additional parking places in the vicinity, through more efficient use of the current allocation. Some alternative suggestions that have been advanced from the community are shown at **attachment A**.

In doing this we need to be conscious of those businesses who operate outside the Cooleman Court Centre and plan for how their parking may be accommodated so as to not impact on their day to day operations. Finally, I have to say that in the current circumstances Council's current position is to lodge an objection to the development application that would be lodged for this project.

As always, I am more than happy to discuss this further with you or your officials.

Regards



Tom Anderson
Chair
Weston Creek Community Council

Attachment A

Suggested Cooleman Court alternative parking options

- Ensure all existing parking restrictions apply over 7 days. Existing signage is a mixture of Monday-Friday and 7 day restrictions, with no apparent logical methodology. Consistency would assist turnover occurs on weekends, especially Saturday peak times.
- Replace existing 3 hour parking zone with 2 hour zones, valid 7 days per week: Would increase potential use of the zone by up. to 50 spaces
- Apply 2 hour parking restrictions for on street parking in Parkinson Street and Watling Place. Involves **30 spaces**
- Move designated motorcycle parking to the wider, under utilised footpath areas including Brierly St and Trennery Square. Additional **2 spaces**
- Consider applying 2 hour parking restrictions to all Liardet Street parking. Involves **50 spaces**
- Convert Liardet St bus layover to 2 hour angle parking. Additional **10 spaces**
- Convert Liardet St Park and Ride spaces to 2 hour angle parking Additional **10 spaces**
- Convert Commons Circuit all day parking to 1 or 2 hour parking zone dependent on business needs. Involves **up to 20 spaces**
- Clarify situation with carpark adjoins Kingsley's Chicken/Crust Pizza. **45 spaces quarantined**
- Convert unnamed link lane in Trenerry St to 2 hour parking zone. Additional **4 spaces**
- Convert McLeod Circuit to 2 hour parking dependent on business needs. Up to an additional **15 spaces**
- Halve loading zone provision on Brierly St Western side. Additional **2 spaces**
- Convert existing Brierly St bus zone to 30 minute parking zone, with all bus services redirected to Parkinson St. Additional **5 spaces**
- Convert Brierly St taxi rank to 30 minute parking, making provision for taxi rank on Parkinson St, excising space from bus stop. Alternatively, halve provision. Additional **4 spaces or 2 spaces**
- Redesign Northern car park, along lines of Southern car park. One-way loop, with additional spaces provided adjacent McDonalds and elimination of awkward dog leg design. Entry via Liardet, exit via Brierly St. Additional **20 spaces**
- Designate part of Dillon Place carpark as Park and Ride
- Clearly sign post availability of all-day parking in Dillon Place
- Expedite announced expansion of North Weston Park and Ride facility and develop Park and Ride facilities on the vacant land at the Weston Creek terminus

- Adjust R7 bus route via Duffy and Holder and promoting the wide eligibility for concessional or free travel to reduce car dependence for trips to Centre. This will also need a re-routing of Route 66 as I understand it
- Engagement with Mirvac and Weston Creek commercial community about ready availability of all-day parking for their staff at Dillon Pl, and reliable public transport links.
- Develop a regulatory regime to ensure users of the parking have a high level of compliance. Likely to free up **30 spaces**
- Fall back positions could be to extend Dillon Place car park to surround the tennis courts subject to issues with water and sewerage infrastructure.

Attachment BPAGE 11
20**Smith, Jeremy**

From: Smith, Jeremy
Sent: Monday, 2 December 2019 7:52 PM
To: Froehlich, Hanna; TCCS_DLO
Cc: Oldfield, Meghan
Subject: FW: Urgent update on Coleman Court Carpark

UNOFFICIAL

Hi Hanna –

As per our conversation today I have sought some info from the team on the Coleman Court carpark – see below highlighted in yellow.

Short answer is consultation will occur soon, but as suspected we are working through with EPSDD the land use status. It may be that we can build a temp (<2 year) carpark and not need to change the land use status or if we think it is going to be there for longer than that then we will need to seek the land use change. If we go the temp option we can then seek a land use change post the construction which may be the best option for us given we don't know the timing of the Molonglo Centre.

I know this isn't the clearest answer – so my apologies.

Thanks

Jez

Jeremy Smith | Executive Branch Manager, Infrastructure Delivery
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 Transport Canberra and City Services | **ACT Government**
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From: Dias, Carl <Carl.Dias@act.gov.au>
Sent: Monday, 2 December 2019 16:33
To: Tharmar, Elan <Elan.Tharmar@act.gov.au>; Smith, Jeremy <Jeremy.Smith@act.gov.au>
Cc: Hedley, Ellie <Ellie.Hedley@act.gov.au>; Alaiiek, Haytham <Haytham.Alaiiek@act.gov.au>
Subject: Re: Urgent update on Coleman Court Carpark

Ellie

As requested - Progress of Cooleman Court Car Park progress to date

- Contract for the design of a 145 bay car park at Cooleman Court (adjacent to Watling Place and Brierly Street) has recently been awarded to local consultancy firm R.D Gossip Pty Ltd. who have commenced preliminary works associated with the verification/validation of the site;

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Attachment C

CFZ - Community Facility Zone

Zone Objectives

- a) To facilitate social sustainability and inclusion through providing accessible sites for key government and non-government facilities and services for individuals, families, and communities.
- b) To provide accessible sites for civic life and allow community organisations to meet the needs of the Territory's various forms of community.
- c) To protect these social and community uses from competition from other uses.
- d) To enable the efficient use of land through facilitating the co-location, and multi-use of community facilities, generally near public transport routes and convenience services appropriate to the use.
- e) To encourage adaptable and affordable housing for persons in need of residential support or care.
- f) To safeguard the amenity of surrounding residential areas against unacceptable adverse impacts including from traffic, parking, noise or loss of privacy.

CFZ – Community Facility Zone Development Table

EXEMPT DEVELOPMENT	
Development approval is not required. Building approval may be required. On leased land, development must be authorised by a lease.	
Development identified in the Planning and Development Act 2007 as exempt (see sections 133 and 134 of the Act and section 20 and schedule 1 of the Planning and Development Regulation 2008)	
ASSESSABLE DEVELOPMENT	
Development application required. On leased land, development must be authorised by a lease.	
MINIMUM ASSESSMENT TRACK CODE	
Development listed below requires a development application and is assessed in the code track	
Development	
No development identified	
MINIMUM ASSESSMENT TRACK MERIT	
Development listed below requires a development application and is assessed in the merit track unless specified in schedule 4 of the Planning and Development Act 2007 (as impact track) or specified as prohibited development in a precinct map.	
Development	
ancillary use	minor use
business agency	office
child care centre	outdoor recreation facility
community activity centre	parkland
community theatre	place of worship
consolidation	public agency
cultural facility	religious associated use
demolition	residential care accommodation
development in a location and of a type identified in a precinct map as additional merit track development	retirement village
educational establishment	sign
emergency services facility	subdivision
health facility	supportive housing
hospital	temporary use
indoor recreation facility	varying a lease (where not prohibited, code track or impact track assessable)
minor road	
MINIMUM ASSESSMENT TRACK IMPACT	
Development listed below requires a development application and is assessed in the impact track.	
1. Development that is not: <ul style="list-style-type: none"> a. Exempt, code track or merit track development (see section 132 of the Planning and Development Act 2007); or b. Prohibited development, other than development that is permitted under s137 of the Planning and Development Act 2007. 	
2. Development specified in schedule 4 of the Planning and Development Act 2007 and not listed as a prohibited use in this table.	
3. Development that is authorised by a lease and listed as a prohibited use in this table.	
4. Development declared under section 124 or section 125 of the Planning and Development Act 2007 and not listed as a prohibited development in this table.	
5. Varying a lease to add a use assessable under the impact track.	

PROHIBITED DEVELOPMENT	
Development listed below is prohibited development unless the development is identified elsewhere in this development table as assessable under the code, merit or impact track.	
agriculture	mobile home park
airport	multi-unit housing
animal care facility	municipal depot
animal husbandry	nature conservation area
aquatic recreation facility	offensive industry
boarding house	overnight camping area
bulk landscape supplies	pedestrian plaza
car park	place of assembly
caretakers residence	plant and equipment hire establishment
caravan park/camping ground	plantation forestry
cemetery	playing field
civic administration	produce market
club	public transport facility
communications facility	railway use
COMMERCIAL ACCOMMODATION USE	recyclable materials collection
corrections facility	recycling facility
craft workshop	restaurant
defence installation	sand and gravel extraction
development in a location and of a type identified in a precinct map as additional prohibited development	scientific research establishment
drink establishment	secondary residence
drive-in cinema	serviced apartment
farm tourism	service station
financial establishment	SHOP
freight transport facility	single dwelling housing
funeral parlour	special dwelling
general industry	stock/sale yard
group or organised camp	store
hazardous industry	tourist facility
hazardous waste facility	transport depot
home business	varying a lease to add a use listed as "prohibited development" in this development table
incineration facility	vehicle sales
indoor entertainment facility	veterinary hospital
industrial trades	warehouse
land fill site	waste transfer station
land management facility	woodlot
light industry	zoological facility
liquid fuel depot	
major road	
RELEVANT CODE	
Development proposals must comply with the Community Facility Zone Development Code.	

NOTE ABOUT ANCILLARY, MINOR AND TEMPORARY USE

Some development that would otherwise be prohibited may be assessed under the merit track if they can be defined as *ancillary, minor or temporary use*. For example, a *car park* alone is prohibited, but could be considered if it is ancillary to a *child care centre* which is an assessable development under the merit track.