

Mr Andrew Barr MLA  
Chief Minister  
GPO Box 1020  
CANBERRA ACT 2601

Dear Chief Minister

### **Request for the ACT Government to purchase Borrowdale House and Bank House in Woden**

We are writing about the **impact** the proposed **W2 development** will have on Woden's focal point and civic area (the east west connection from the transport interchange, through the Town Square to the Library) and the diminishing ability to deliver the vision in the Master Plan for the Town Square to be the centre for **social and community activity** in the Town Centre.

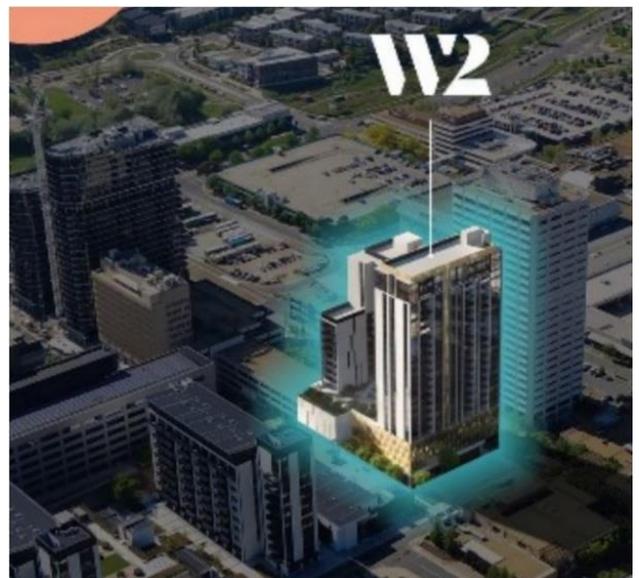
With significant **population growth** in and around the Town Centre, Woden is doing its share of **urban infill** with 25 residential towers and around 10,000 people earmarked for the Centre to date. To maintain our quality of life and encourage downsizing to the Centre (freeing up housing stock), we request that a **land use plan** is developed to **balance** homes, jobs, public spaces and community facilities to ensure that the Town Centre becomes an attractive urban hub servicing the needs of much of the population in Canberra's south.

For the Town Square to be the focal point for social and community activity it needs to be **sunny** and have **anchor buildings** such as the **CIT** and an arts/**cultural**/community centre on its perimeter to **attract people** to it again and again. It needs to be a place that can host **events and live music** to support **business** activity without residents complaining. A focal point is supposed to be the 'beating heart' of the centre that creates an identity and a sense of **belonging** for the well-being of residents.

To achieve this, we need the ACT Government to **purchase** both **Borrowdale House** and **Bank House** to provide 3 storey civic buildings that preserve the sun in the square and provide civic amenity for the community. While we support the urban infill policy, it should be implemented around the broader Town Centre area (like the City and the other Town Centres) rather than around Woden's focal point.

The **Vision** in the Woden Town Centre Master Plan brings people together however it needs a plan to implement it:

*"Woden Town Centre is a major community and commercial hub for the Woden Valley and wider Canberra region. It will be a place that attracts people to live, work, socialise and enjoy throughout the day and evenings. **The town square is the central focal point for social and community activity that will connect people to a network of safe and active streets and public parks"**.*



Unfortunately, the W2 development will **overshadow** the connection to the library and the sunny part of the Square in the afternoons limiting the attractiveness of the Square for businesses to establish and create a meeting place.

It is likely the **strong wind shear** from Lovett Tower will be exacerbated by another large 24 storey building blocking the westerly winds and adding to the wind funneled through to the square. The wind is currently very strong and any increase in its strength could make it **unsafe** for people with mobility issues.

Overshadowing, wind and **complaints** about community activity and **live music** are likely to damage the future of our public Town Square by making it a place that people pass through quickly instead of small business establishing al fresco dining and holding events to attract people again and again.

- Policy question – why does Woden have a **building hierarchy** with 24 + 4 storeys throughout the core when the City and the other Town Centres maintain lower building heights around their focal points - City Walk (west), Emu Bank, Hibberston St and Anketell St

There are also concerns about blocking the views to Lovett Tower from around Canberra's hills and ridges. It has traditionally been Woden's marker building.

The **lack of compliance with current legislation** is also a concern. W2 does not comply with the spirit of the *Planning and Development Act 2007* (Act) with consultation being undertaken 10 years ago (the current DA is only for marginal changes) and it has not been referred to the Design Review Panel for an independent assessment of the merits of the proposal. Unfortunately, the Act does not allow appeal of the decision at ACAT. In addition, the DA is not required to comply with rules in the current codes in the Territory Plan, eg setbacks, because the DA was approved prior to their inception.

- We seek referral of the DA to the Design Review Panel for assessment and recommendations
- We request the legislation (regulations) is amended to allow appeals to ACAT for residential developments in the Town Centres.

Another concern is the **approval process** for the December 2010 decision that provided approval conditional on the Lessee providing written advice of compliance with Condition A1 (removal of hazardous material) within **24 months** of the date of the decision. See Decision at **Attachment A**.

A second DA was approved on 8 May 2017 (DA201629116) for a smaller scale car park, however this development did not proceed. The condition in the 2010 DA approval was then complied with in 2019 and took effect in March 2020. It is not clear why the DA was not **surrendered** over the previous years.

- We request copies of the requests to extend the period to comply with the conditions in the 2010 approval and the subsequent written agreement to extend the compliance period.

With respect to **consultation** and the views of the community, the 2014 and 2015 consultation documents for the Woden Town Centre Master Plan reveal that building heights were the subject of **diverse views** with **community concerns** around the 24 storey heights throughout the core area. **Commercial stakeholders** argued for increased building heights. While we can all cherry pick statements from documents it is clear the majority of the community wanted development however there were strong concerns about 24 storeys throughout the core and that the views of the commercial sector prevailed in the zoning of the Town Centre.

Other examples of the community trying to have a **voice** and tell the Government that they want to cap building heights to maintain sun in the Town Square are:

- The 2017 YourSay Quick **Poll** - There are statistical **anomalies** in the poll data as follows:
  - *Should building heights be capped in Woden?* – the yes vote was 64% after the first 2 weeks then in the last week only 5% of respondents voted yes with the final vote 39%
  - *Is solar access in the Woden Town Square important to you?* - the yes vote was 74% after the first 2 weeks then in the last week only 7% of respondents voted yes with the final vote 46%. See further detail **at Attachment B**.
    - While I alerted the Directorate to this issue at the time, I note that the poll still appears on the YourSay website – this is misleading information. Unfortunately, I can no longer find the email I sent to the Directorate.
- **WVCC public meeting** – 5 September 2018 at the Woden Library
  - There was a lengthy robust discussion with Minister Gentleman and Ben Ponton about the zoning for 24 storeys around the Town Square and the inevitable overshadowing. A show of hands revealed that only 2 of around 80 people supported the zoning.
  - The quality of the meeting video is poor however it is available.
- In the recent **election** I registered 4<sup>th</sup> on first preference votes and 6<sup>th</sup> after preferences were distributed in the Murrumbidgee electorate, this first preference vote was higher than 8 of the elected MLAs. It is clear that many in the community want **better outcomes** for Woden.

These **independent voices** should not be ignored.

Considering COVID and the reduction in the national population forecasts we would like to **stop and plan** the next phase of Woden's renewal. The 2015 Master Plan is rapidly becoming redundant with the loss of the recreation precinct, the CIT overshadowing and blocking the east west link and W2 damaging the future of the Town Square.

We are concerned that we are creating a **cold dormitory** Town Centre with a **car culture** due to thousands of residents in high rise towers having limited central public spaces and community facilities to walk to, forcing them into cars to access the amenity and active lifestyles they need to reduce isolation.

It is the Government's job to **plan** and **enable** a community by providing the underpinning infrastructure needed for people to meet and form resilient relationships. There are substantial **public benefits** from activating the Town Square area so we seek your commitment to purchase Borrowdale House and Bank House and refurb them into an arts/cultural/community Centre for the community. We also request that an integrated transport and **land use plan** is developed to identify sites for public spaces and social infrastructure in Woden.

The WVCC would appreciate the opportunity to **meet** with you to **discuss** our concerns and **ambitions** for our community. Would you please let us know of your availability?

Yours sincerely



Ms Fiona Carrick  
President  
Woden Valley Community Council

## Part of the 22-page decision



## Notice of decision

Under Part 7 of the *Planning and Development Act 2007*

### Merit track

DA NO: 201017864 201017864/B 201017864/C		DATE LODGED: 28 May 2010, 17 August 2010 11 November 2010	
DATE OF DECISION: 15 December 2010			
BLOCKS: 54 & 84	SECTION: 8	SUBURB: PHILLIP	
STREET NO AND NAME: Furzer Street			
APPLICANT: Young-Wright Architects			
LESSEE: Borrowdale House Pty Ltd			

### THE DECISION

This application was lodged in the merit track. Pursuant to section 113(2) of the *Planning and Development Act 2007*, the application must be assessed according to the provisions relevant to merit track applications.

I, Rumana Jamaly, delegate of the ACT Planning and Land Authority (Authority), pursuant to section 162 of the Act, hereby **approve subject to conditions** the proposal for:

- the consolidation of Blocks 54 and 84 Section 8 Phillip;
- variation to the Crown lease to permit residential use; commercial accommodation use limited to serviced apartments, hotel and motel; community use excluding childcare; restaurant; and an increase in the maximum gross floor area to 35,091 square metres;
- demolition of the existing structures on the blocks; and
- the construction of a new multi-storey mixed use development [commercial and car parking at ground level, car parking at podium level 1, residential and car parking at podium levels 2 to 4, residential (including serviced apartments) from levels 6 to 24] in three tower buildings of 14, 20 and 24 storeys in height, with two levels of basement parking; and associated landscaping, site facilities, site works and off site works;

in accordance with the plans, drawings and other documents and items submitted with the application and endorsed as forming part of this approval.

This decision is subject to the conditions of approval at **PART 1** being satisfied.

**PART 2** sets out the Reasons for the Decision

**PART 3** is the Consultation and Entity Referral Report.

**PART 4** contains administrative information relating to the determination.

### DELEGATE

Rumana Jamaly  
Delegate of the ACT Planning and Land Authority  
15 December 2010

**PART 1  
CONDITIONS OF APPROVAL**

This application is approved subject to the following conditions being satisfied. Some conditions of approval will require attention before the approved drawings will be released by the Authority, others before work commences or before the completion of building work.

**A. ADMINISTRATIVE / PROCESS CONDITIONS****A1. APPROVAL NOT TO TAKE EFFECT**

This approval does not take effect until the Lessee has provided evidence that:

- a) all hazardous materials present at the site have been removed to the satisfaction of the Department of Environment, Climate Change, Energy and Water (DECCEW) or its successors; and
- b) written advice is obtained from the Environment Protection Unit, DECCEW, that the site is suitable for the residential development;

**A2. TIMEFRAME TO COMPLY WITH CONDITION A1**

- c) The Lessee shall provide written advice of compliance with Condition A1 to the Authority within 24 months of the date of this Decision;

**A3. COMPLIANCE WITH CONDITION A1**

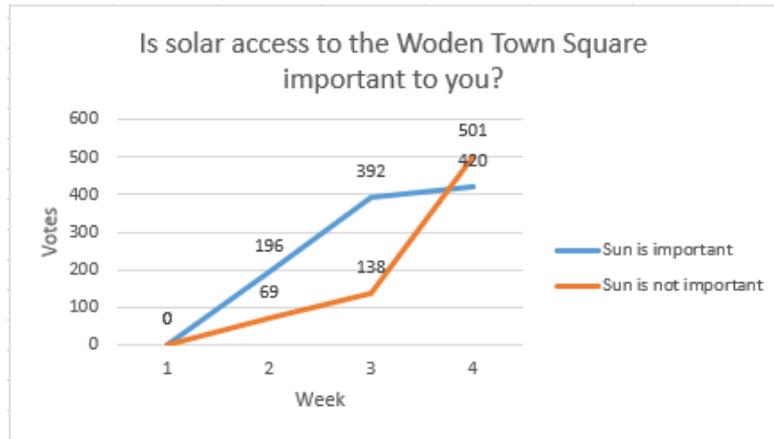
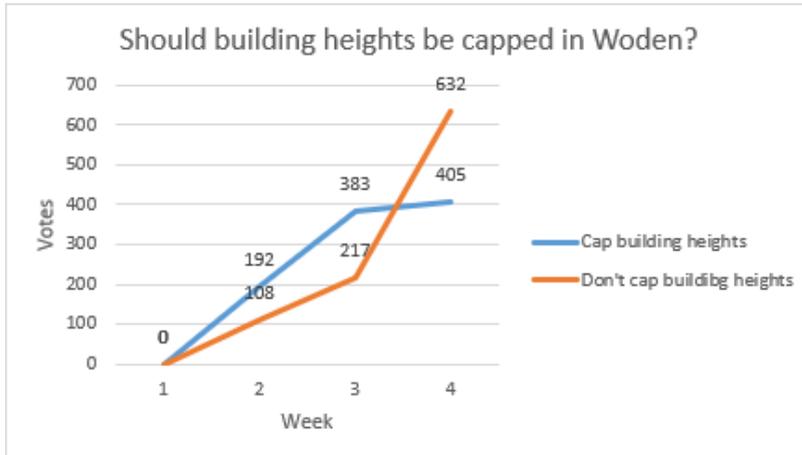
- d) This Decision will cease to have effect if the Lessee has not provided written advice in accordance with Condition A1 to the Authority within 24 months of the date of this Decision;
- e) If the Lessee provides written advice of commencement of the development within 24 months of the date of this Decision, the Lessee may apply to the Authority in writing for an extension to the approved timeframe to complete.

**A4. FURTHER INFORMATION**

Within 28 days from the date of this decision, or within such further time as may be approved in writing by the Authority, the applicant shall lodge with the Authority for approval:

- (a) Revised relevant drawings showing:
  - (i) Privacy screens to the balconies of dwellings located at the south-west & south-east corners of the towers, which are overlooking into each other's balconies;
- (b) Revised colour schedule to add greater vibrancy to the external façade of the building;
- (c) A revised outdoor lighting plan addressing the issues raised by the Department of Territory and Municipal Services (TaMS) and endorsed by TaMS (see ENTITY ADVICE).

# Yoursay Quick Poll May/June 2017



Quick Poll 2017	30 May 00.50 am	31 May 8.25pm	31 May 11.35pm	1 June 00.22am	2 June 00.48 am	2 June 11.58pm	4 June 10.49pm	Final	Diff	Diff %
<b>Should building heights be capped in Woden?</b>										
Yes	383	385	385	385	387	389	392	405	22	5%
No	217	352	550	570	613	617	618	632	415	95%
	600	737	935	955	1000	1006	1010	1037	437	
<b>Is solar access to the Woden Town Square important to you?</b>										
Yes	392	393	397	397	400	402	403	420	28	7%
No	138	261	436	455	491	495	495	501	363	93%
	530	654	833	852	891	897	898	921	391	

The poll was open for about 3 weeks from mid May 17 to 4 June 17.

I began tracking the progress of the poll on 30 May 2017 when I noticed the trend changing.

The poll was stacked in the last week with the effect of changing the reporting of the will of the community - which is to have building heights that allow sun in the Town Square.