

03 March 2004

Attn: Mr. Paul Oates
Woolworths Limited
PO Box Q70
QVB Post Shop
Sydney NSW 1230



**Gungahlin
Community
Council Inc.**

**Understanding of Meeting outcomes on 19/2/04 regarding
Development Application 200400009 Block 1, Section 14, Gungahlin**

Dear Mr. Oates

We apologise for the delay in getting you this document as this document was placed before the Executive Council meeting of 3 March 2004 for approval.

With regard to Development Application 200400009 and meeting held between representatives of Woolworths Limited, Vinta Group and the project architect, the Gungahlin Community Council advises these were the key outcomes from this meeting:

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Item	Objection/Comment Details	Outcome
1	In Principal Support For Development	The Council advised that it does not oppose the concept of Retail, Commercial and Residential (above the ground floor) development on Section 14 and would like to see the earliest completion of the development PROVIDED that the objections as outlined are satisfactorily addressed.
2	Disappointment expressed at lack of active consultation with the community	No significant discussion regarding this item,
3	Rezoning of Gungahlin Town Centre Land Use.	<p>The Council advised that Territory Plan Part B2B: Town Centre Land Use Policies Commercial "B" (specifically Variation 53) and all associated and relevant control and guideline document clearly indicates that a Commercial Retail Core to the Gungahlin Town Centre will be uniformly applied across the six main anchor blocks along Hibberson Street. This Retail Core (A) zoning specifically excludes ground floor residential uses.</p> <p>The Council advised that it was the responsibility of the bidders for this block of land to ensure that any proposal would be financially viable before proceeding, especially as the proponent acknowledged that three blocks in the town centre were to be developed simultaneously. The Gungahlin Community and Town Centre planning should not as a whole suffer because of the bad business decisions of the developer.</p> <p>The Council advised that it would only support options that would enforce conversion from ground Floor Residential to Ground Floor Commercial that had legislative effect or were otherwise legally</p>



		<p>enforceable within a 18 to 36 month period.</p> <p>The Council is prepared to challenge change of Core Retail (A) areas to Business Area (B) to the fullest possible extent involving either political involvement or legal means as appropriate.</p>
4	<p>Ground floor residential uses on Gungahlin Place and Gozzard Street.</p>	<p>This item was a continuation of discussion on item 3 above.</p> <p>The Council expressed opposition to any treatment that would not provide an active street front. This included the use of grilles, gates, screens or any other treatments which were not a traditional commercial treatment.</p> <p>The Council continued discussion that use of “market forces” would not guarantee the conversion of Ground Floor Residential to Commercial uses. The example cited was that an investor could “sit” on the properties precluding change.</p> <p>The Council advised that it is strongly opposed to residential development on the Ground floor residential uses on the basis that it is non-conformant with the Territory Plan Variation 53 and the relevant planning guidelines, controls and codes and will result in a substandard outcome for the Gungahlin Town Centre.</p> <p>The Council suggested that as per the Coles-Myer development the components that involved residential could be possibly staged. This position was rejected by the developer.</p> <p>The Council proposed potential uses for at least one of these urban edges being the new Child and Family Centre as proposed for Gungahlin (A copy of the Chief Ministers Press release was handed to the representatives of the developers)</p> <p>The Council is prepared to oppose ground floor residential uses being approved to the fullest possible extent through either Legislative Assembly involvement or via legal challenge as appropriate</p>
5	<p>All car parking needs to be provided on-site due to lack of conformance on on-street parking with AS2890.5</p>	<p>The Council brought to the attention of the representatives of the developer that an alternative treatment for Hibberson Street was being considered to be adopted by the relevant ACT Government agencies such that a modified treatment to street verge (to better provide for street trees and allow increased sidewalk/paved area) and would result in the deletion of approximately 16 on-street car parking places on Hibberson Street.</p> <p>The Council was shown a preliminary diagram that indicated that road widths were to be wider but was not allow to keep the document to confirm</p>



		<p>compliance with AS2890.5</p> <p>The Council maintains that all generated parking demand should be contained on-site and not reliant on “spill-over” the surrounding streets.</p> <p>The Council maintains its objection to on street parking until conformance with AS2890.5 has been confirmed and verified.</p>
6	<p>Insufficient provision of residential parking for 2 bedroom units and reduction in parking places on basis of complementary uses unsubstantiated and speculative.</p>	<p>The Council pointed out that the proposed parking plan was inconsistent with Vehicular and Access guidelines.</p> <p>The Council rejects any comparison to NSW traffic and parking figures as irrelevant as the ACT has its own applicable guidelines specific to the needs of the Territory.</p>
7	<p>Insufficient provision by way of at least 10% adaptable housing</p>	<p>The Council is happy that the developer now complies</p>
8	<p>Proposed Noise Impact For Residential Dwellings</p>	<p>The Council is happy that the developer will comply</p> <p>The Council would like to see this compliance written into any approval document..</p>
9	<p>Provision of Affordable Housing</p>	<p>The Council acknowledged that this was a comment and not an objection to the Development Application.</p> <p>It was requested that the developer consider making a written offer to ACT Housing to allow purchase of a number of units.</p> <p>The Council also expressed the opinion that such a written offer would show that the Developer intended to be a good corporate citizen, and also ensure that Government housing has the opportunity to be properly integrated into the Town Centre fabric in the first instance.</p>
10	<p>Insufficient provision of paving space on Gungahlin place / “the common” edge.</p>	<p>Council acknowledged that this was a comment and not an objection to the Development Application.</p> <p>Council is happy with developers proposed response to increase paved area.</p>
11	<p>Lease / deed of agreement documentation for section 14 not yet issued and unavailable for public scrutiny.</p>	<p>Developer advised that administrative processing had not been completed with regard to document availability.</p> <p>Council advised that they had concern that “final” documents could potentially be in contravention of the Territory Plan and relevant planning guidelines and codes.</p>

		The Council advised should it be found that an officer of the ACT Government has issued Deed of Agreement and Lease Documents that contravene the Territory Plan and relevant planning guidelines, controls and codes then the Council would not hesitate such matters to their legal and fullest extent.
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We trust that this document meets with your approval.

Yours sincerely

A handwritten signature in black ink that reads "Barry Dee". The signature is fluid and cursive.

Barry Dee
President - Gungahlin Community Council Inc.

CC: ACTPLA – Applications Secretariat