



**ACT**  
Government

Environment and Planning

Planning and Development Act 2007

# **Technical Amendment to the Territory Plan Variation 2014-22 Report on Consultation**

Rezoning of land within the future urban area of north Weston  
to permit a service station and fast food restaurant

June 2015

**Public and NCA submissions**

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## Appendix A: Summary of comments from submissions

# 1. INTRODUCTION

## 1.1 Purpose

This report outlines the issues raised in submissions received from the limited consultation process for proposed technical amendment 2014-22 (TA2014-22), in accordance with section 90 of *the Planning and Development Act 2007*. Although there is no legislative requirement, this document has been prepared to address the issues raised during the consultation period.

## 1.2 Proposed technical amendment

TA2014-22 proposes to make the following changes to the Territory Plan.

### *Territory Plan map*

- Rezoning of land within the future urban area of North Weston on the Territory Plan Map from:
  - residential RZ1 zone to commercial CZ3 services zone and CZ5 mixed use zone
  - Commercial CZ5 mixed use zone to residential RZ4 zone

### *North Weston Concept Plan*

- Changes to Map 1 – North Weston Concept Plan
- Changes to Part 2 Specific Policies section 22 Streets paragraph 12
- Changes to Part 2 Specific Policies section 2.5 Mixed use development and paragraph 29

## 2. SUBMISSIONS AND RESPONSES

Technical amendment TA2014-22 was released for public comment on 21 November 2014. The advertised closing date for written public comments was 19 December 2014. Nine submissions were received by the closing date and one late submission was received after the closing date for comments. Nine (9) submissions objected to the proposal, and one (1) comment was in support.

The main issues and concerns raised in submissions were:

- Negative effect on property value and neighbourhood amenity
- No other petrol stations so close to RZ1 areas in Canberra
- Proposed commercial development not shown on Territory Plan when land/houses bought in McCubbin Rise
- More appropriate alternative locations should have been considered
- Lack of consultation with McCubbin Rise residents
- Proposal is inconsistent with the Territory Plan, Molonglo and North Weston Structure Plan and North Weston Concept Plan
- Lack of landscape screening/visual buffer to McCubbin Rise
- Lack of integrity in planning process
- Measures to mitigate negative impacts on local residents if development goes ahead

A summary of all issues and responses is provided below. A summary of all public comments on an individual submission basis is provided at [Appendix A](#).

### 2.1 National Capital Authority

The National Capital Authority (NCA) has no concerns with the proposed rezoning, however it was noted in the NCA's submission that part of the RZ4 area in the proposed amendment encroaches into Hills Ridges and Buffers of the General Policy Plan in the National Capital Plan.

#### Response

The RZ4 area shown on the diagram in the technical amendment document is indicative only and will be refined to align with the Hills Ridges and Buffers area in the National Capital Plan once more detailed subdivision design and associated surveys are undertaken.

National Capital Plan (NCP) Amendment 76 (2012) allows the Territory sovereignty to refine the boundaries on the basis of closer examination of environmental and other planning issues. This Amendment was created in response to the fact that the Molonglo River Corridor boundary in the NCP was a high level strategic boundary, which it was demonstrated could be improved in terms of environmental outcomes, following detailed studies by the Territory.

## **2.2 Negative effect on property value and neighbourhood amenity (Submitters 1-9)**

- Petrol station and fast food outlet will detract from value of home
- Light pollution (neon signs) and odour (venting fuel and cooking oils)
- Negative impact on neighbourhood amenity, north facing outlook from homes directly facing multi-storey office blocks, service station and fast food outlet
- Introduce additional traffic congestion
- If service station located at proposed site in North Weston – residents of Weston Creek will bypass existing service station and along with Molonglo Valley residents create same bottle neck that happens at present location just at a different location

### Response

There are many variables which affect land and property values, and these can change over time depending on a range of factors and influences including financial, economic, environmental and political.

Issues such as lighting and odour emissions will be required to meet specific national and environmental standards. These will be addressed during the development assessment process. These include Australian Standards AS1668.1, AS1158.3.1 and AS4282 for control of lighting and odour.

The visual impacts can be mitigated through extensive buffer and landscape planting which will be requirements included in estate development planning and conditions of approval for the development applications. Height limits for any proposed building in the CZ5 zone will be included in the north Weston precinct code controls.

Sections 13 and 22 of the North Weston Concept Plan specify requirements for verge planting whereby a verge of approximately 10 metres wide will be maintained along the length of the site and will consist of mature plantings for screening vegetation.

The traffic impact assessment prepared by the Traffix Group in 2014 states that: “The proposed development will generate up to 440 vehicle trips in the PM peak hour including 206 trips associated with ‘passing trade’ and 234 ‘stand alone’ trips. All traffic associated with the proposed development will access the wider road network via the Cotter Road/Kirkpatrick Street/Dargie Street intersection and the existing traffic flows have been utilised to determine the traffic distribution” The report also maintains that: ‘Intersection analysis for the post development conditions indicates that the key intersections of Cotter Road/Kirkpatrick Street/Dargie Street and Kirkpatrick Street/Kirkpatrick Street will continue to operate satisfactorily following full development of the subject site”.

There is still expected to be consistent (albeit lower) demand for the services at the Weston group centre petrol station as some Molonglo Valley residents and some Weston Creek residents will patronise the new service station on Cotter Road.

## **2.3 No other petrol stations so close to RZ1 areas in Canberra (Submitters 1, 3-8)**

- No other RZ1 homes that directly overlook a petrol station in the ACT
- Instances where petrol stations located closer than 200m to RZ1 houses – houses always have outlooks facing in opposite direction so petrol station not seen
- Majority of petrol stations are appropriately located in large commercial/industrial centres away from all residential areas
- Others generally located in smaller commercial areas (local shopping centres) and RZ1 areas more than 250m away
- In almost all cases, significant buffer of RZ2 and RZ3 homes shielding RZ1 residents so petrol station not visible from homes
- No thought given to more suitable location for petrol station and fast food outlet at early stage planning (2008) rather than less than 200m from existing RZ1 zone.

### Response

There are examples where residential areas are located adjacent to or opposite service stations such as in Calwell, Mawson, Gungahlin, Spence and north Watson.

The nearest dwellings in McCubbin Rise are located over 100m from the service station site, with a proposed landscape buffer and Cotter Road, (a major dual carriage arterial road forecast to carry more than 12,000 vehicles per day) separating McCubbin Rise and the proposed development.

Prior to the two major supermarket retailers entering into the service station market and the introduction of discount petrol docket, a number of independent petrol stations were located in suburbs, as part of local centres, but often directly adjacent or opposite to suburban single residential dwellings. These have mostly shut down and been redeveloped due to the inability to compete with the larger enterprises. This is a result of financial factors and competition in the market place and not planning policy.

Responses to comments regarding the strategic planning stage (2008) are provided in 2.7 of this report.

## **2.4 Proposed commercial development not shown on Territory Plan when land/houses bought in McCubbin Rise (Submitters 1-8)**

- No commercial development proposed nearby when residential land purchased in McCubbin Rise
- Changing Territory Plan at this stage makes the current Territory Plan a clear misrepresentation of what submitters were being sold
- Changing Territory Plan at this stage denies submitters' right to make an informed decision and is therefore inequitable and unfair
- Rezoning / changing 20 year plan for Molonglo Valley so soon demonstrates poor planning
- Petrol station should have been included in planning for Molonglo Valley and Cooleman Court
- Not suitable to place CZ5 and CZ3 zone in such close proximity to already established RZ1 area.

### Response

The land west of Illoura Place and north-west of Cotter Road in north Weston is subject to the future urban area zones overlay on the Territory Plan map. Future urban area land as shown on the Territory Plan map and in the associated concept plan (in this case the North Weston Concept Plan) provide an indication of proposed land uses for future development intentions, and also allow for some flexibility in the refining of specific land use locations during the estate planning process. When more detailed planning is undertaken and if circumstances change there is scope within the legislation to permit changes to be made to future urban area zones by technical amendment provided the rezoning is consistent with the principles and policies of the overarching structure plan (in this case the Molonglo and North Weston Structure Plan).

The service station proposal and preferred development site was presented to the Weston Creek Community Council (WCCC) meeting in April 2014. The WCCC seeks to represent the interests of the Weston Creek community. There was support for the proposal and articles appeared in the Chronicle and Canberra Times in May 2014. Prior to this, in 2013, a petition initiated by Gai Brodtmann Federal Labor MP and signed by 375 residents was tabled in the Legislative Assembly requesting the facilitation of a new service station at the proposed site. There is a single service station for all residents in Weston Creek and the emerging Molonglo Valley suburbs located in Cooleman Court in Weston which is under significant pressure especially at peak times.

The proposed location of the service station was included in the draft Weston Group Centre Master Plan which underwent extensive public consultation in 2014. The approved Master Plan includes a diagram confirming the site as the preferred location for the proposed service station.

A service station site has been reserved in future planning for the Molonglo commercial centre however it is expected that this will only be released to the

market in the medium term. It is not considered appropriate to develop this service station in advance of more detailed planning for the commercial centre in its entirety.

Irrespective of a future service station located in the Molonglo commercial centre, a service station in this location is still considered to be necessary to alleviate over-trading pressures on the Weston service station from residents of both the emerging Molonglo Valley suburbs and Weston Creek.

The concept plan proposed a commercial hub in north Weston, previously adjacent the north Weston pond. However, changes to the pond design and surrounding road layout has resulted in a reconsideration of the location of the CZ5 zone. A more suitable location has been identified with the co-location of the CZ5 zone with the CZ3 services zone on Kirkpatrick Street.

## **2.5 Alternative locations (Submitters 1-9)**

- Assessment of 6 sites that were considered should be made public, so that affected residents can try make appropriate alternate suggestions and solutions
- Many other alternate locations along Cotter Road that would be more appropriate such as
  - Corner Streeton Dr/Cotter Road , opposite AFP College
  - Corner John Gorton Drive/Cotter Road
- Proposed Molonglo Valley commercial/shopping centre or Cooleman Court redevelopment more appropriate locations
- Located on major road such as Tuggeranong Parkway or closer to Tuggeranong Parkway (eg. Blocks 1193 or 1198)
- Included in redevelopment of Holder CZ4 area
- Block 57 Section 52 Coombs adjacent the ACTPCL depot on Cotter Road. Would cater for emerging Molonglo Valley and encourage Weston Creek residents to continue to use existing service station.

### Response

Six alternate sites were considered (including a site on the corner of Cotter Road/Tuggeranong Parkway and a site on the corner of Streeton Drive and Cotter Road) and nominated by the Land Development Agency (LDA) for investigation. An independent planning consultant was commissioned to identify the most suitable site. Two sites from the initial six sites were subject to the more detailed investigation in the Site Selection and Commercial Feasibility Study. The site on the corner of Cotter Road and Kirkpatrick Street was selected taking into consideration a number of factors including economic viability, accessibility, traffic impacts, and site servicing costs. Other potential sites were deemed unsuitable on the basis of restrictive site conditions and capability including the site close to the intersection of Cotter Road and Tuggeranong Parkway to the north of Cotter Road.

The Site Selection and Commercial Feasibility Study prepared by Knight Frank consultants was made available by the LDA to the Weston Creek Community

Council (WCCC) to publish on their website in response to questions raised at their meeting of 25 March 2015.

A service station site has been reserved in the Molonglo commercial centre however it is expected that this will only be released to the market in the medium term (see part 2.4 of this report).

The Weston Creek (Coleman Court) group centre could not accommodate the required land area for an additional service station. This was investigated during the master planning phase for the redevelopment of the group centre.

The proposal for a service station was not considered in the redevelopment of Holder CZ4 area as it would not cater for both Weston Creek and Molonglo Valley residents.

A site on the corner of John Gorton Drive and Cotter Road would not cater for both Weston Creek and Molonglo Valley residents.

Block 57 Section 52 Coombs is not a registered block in the ACT cadastre. Part block 8 Section 52 however accommodates the TAMS depot. The location was not regarded as a potential site as it would not cater for both Weston Creek and Molonglo Valley residents and had already been identified for other planning and development intentions.

## **2.6 Lack of consultation with McCubbin Rise residents (Submitters 4, 5, 7, 8)**

- Proposal does not mention houses in McCubbin Rise
- Lack of overt consultation with those directly affected both disappointing and disrespectful; attempt to misrepresent the situation
- Weston Creek Community Council (WCCC) does not represent the new interests of residents in North Weston. WCCC's interests was to shift problem to part of suburb that was unrepresented.

### Response

The comments regarding the technical amendment (TA) proposal not mentioning houses in McCubbin Rise is noted.

The proposed location was included in the draft Weston Group Centre Master Plan which underwent extensive public consultation in 2014. The approved Master Plan includes a map confirming the site as the preferred location for a new service station.

The WCCC represents the interests of residents in the Weston Creek District of which McCubbin Rise (part of the suburb of Weston) is included. It is non-party political and is a conduit for communication to government for services and facilities for the residents of Weston Creek. This includes the identified need for a second service station in the District.

Consultation was undertaken with the WCCC by the Land Development Agency (LDA) before the release of the technical amendment for public comment. The preferred site on the corner of Kirkpatrick Street and Cotter Road was presented at the WCCC meeting in April 2014, and the proposed development and location

specifically referred to in articles in the Chronicle and Canberra Times in May 2014. The technical amendment and status of the proposed service station was discussed at the WCCC meeting on 25 March 2015 after comments were received during the formal public consultation process on the technical amendment. Residents from McCubbin Rise in Weston were invited to the meeting to discuss their concerns with representatives from the LDA and EPD.

The technical amendment has followed statutory processes in terms of public consultation requirements under the *Planning and Development Act 2007*. Comments received during public consultation have been taken into consideration and responded to in this consultation report.

## **2.7 Inconsistent with Territory Plan, Structure Plan, Concept Plan (Submitters 1, 4, 5, 8, 9)**

- TA is in stark misalignment with fundamental objective of Territory Plan contained in section 48 of the *Planning and Development Act 2007* (the Act) and associated Concept Plan and Structure Plan
- Concept Plan paragraphs 13 & 22: proposed site will not have good visibility as stated in TA as extensive verge and tree plantings proposed in Concept Plan will preclude adequate space for petrol station on proposed site
- Structure Plan paragraphs 4.2.3, 4.2.5, 4.3.12, 4.3.13, 4.3.14, 4.6.32:
  - Rezoning of Block 1218 is not in a [group or local] centre or planned node (4.2.3, 4.3.12, 4.3.13)
  - Petrol station should have been included in planning for Molonglo Valley and Cooleman Court
  - Not suitable to place a CZ5 zone and CZ3 zone in such close proximity to already established RZ1 area
  - Reference to ‘home business’ not appropriate
  - No community facility sites in close proximity to proposed site (4.2.5)
  - Residential development not supporting this amendment (ref 4.3.14) – rezoning is being forced on a group of residents who were not consulted and not given the opportunity or choice to consider their purchase with the knowledge of proposed rezoning prior to buying land
  - TA provides no ‘quality design outcomes’ for residents of McCubbin Rise – rather explicitly ignores rights and amenity of residents
- TA does not align with following sections of Territory Plan:
  - *2.3 concentration of commercial and retail activity in centres and other planned nodes*: Block 1218 deliberately outside Weston Group Centre; CZ3 and CZ5 zones not appropriate in close proximity to already established residential homes with direct outlook over proposed zones
  - *2.5 wide range of housing types permitted in identified residential areas close to commercial centres and major transport routes to increase choice... Outside these areas, planning policies will protect the typically low density, garden city character of Canberra’s suburban areas*: By rezoning Block 1218 after residential houses already built, less than 200m away, the Planning Directorate are taking away a citizen’s right to choose to live near such a commercial site; goes against policy to protect the typically low

- density, garden city character of Canberra's suburban areas, including McCubbin Rise
- *2.6 higher density development encouraged within and near major centres:* no reason not to include it within planned Weston Group Centre expansion, or development of commercial hubs in Molonglo Valley
  - *2.10 adequate open space provision:* TA makes no reference to adequate provision of open space for McCubbin Rise residents; residents in this area have been excluded from consideration in regards to this TA
  - *2.15 Policies will acknowledge Canberra as the national capital and the symbolic heart of Australia and will seek to preserve the landscape features that give the national capital its character and setting*
  - *2.16 Retention of Canberra's unique landscape setting including... 'garden city' and 'bush capital' qualities, will be accorded the highest priority*
  - *2.17 Advertisements and signs will be carefully controlled to maintain environmental amenity:* Service station and fast food outlet with big neon signs so close to RZ1 houses with no visual buffers, no open space - completely out of line with Territory Plan and North Weston Concept Plan; have not been considered in TA; significant risk of adverse light pollution to residents in McCubbin Rise; not something to be expected in RZ1 zone
- Nowhere in Concept Plan for North Weston 2008 does it mention CZ3 zone with a fast food outlet and petrol station
  - Proposed site inconsistent with planning models uses in similar areas such as Flemington Road, Franklin, Harrison, John Gorton Drive Wright and Coombs – no service stations or fast food outlets adjacent to residential zones
  - Change is inconsistent with the Canberra culture and spirit
  - Propose amendments be withdrawn and amended to alternate site at Block 57 Section 52 Coombs
  - TA should be withdrawn/not approved in current form due to inconsistencies.

### Response

The proposal is not considered to be inconsistent with Section 48 of the *Planning and Development Act 2007* which states that “...the planning and development of the ACT provide the people of the ACT with an attractive, safe and efficient environment in which to live, work and have their recreation”. The proposal is considered to be consistent with the structure plan for the area.

Structure plans contain the overarching principles and policies for the preparation of future urban areas and guide the development of concept plans. Concept plans apply the principles and policies found in a structure plan and are used to guide the preparation and assessment of development in the area to which the concept plan applies. The North Weston Concept Plan provides a framework for future development for the area of North Weston. Concept plans, by their very nature need to be sufficiently flexible to be able to respond to changing community needs through the strategic planning process.

Although the concept plan does not specifically mention the CZ3 zone with a fast food outlet and petrol station, the concept plan does anticipate commercial uses in the suburb. The proposal is inconsistent with the current concept plan, however the

proposal is consistent with the overarching principles contained in the Molonglo and North Weston Structure Plan. Concept plans can be amended by technical amendment provided they are consistent with the principles and policies of the respective structure plan. Part of the changes proposed in the technical amendment is to amend the concept plan to adjust the commercial zone placement and include the CZ3 services zone into the concept plan and amend the wording in the plan accordingly.

Structure plans are sufficiently high level and broad to allow for changing circumstances and community needs at the concept planning stage. They are not intended to provide a detailed list of activities and uses within a zone or conceptual area. Service stations are generally located in commercial zones and both the structure plan and concept plan makes provision for commercial nodes to service the needs of the community.

The North Weston Concept Plan provided for a CZ5 node within the initial planning framework, in close proximity to the North Weston Pond, however due to changes at the detailed design stage including an amended road alignment and removal of the bridge over the pond the initial location for the node was no longer considered optimal. It is more appropriate to have the CZ5 zone and CZ3 zone collocated with good accessibility to a major road and existing infrastructure. Community uses are permissible within the CZ5 zone.

There is sufficient space provided to allow for extensive verge and tree plantings in accordance with the concept plan, and signage will be appropriate and complementary to the site and sensitive to its location, whilst still providing sufficient visibility to the service station.

The service station site is separated from the RZ1 residential area in McCubbin Rise by the Cotter Road dual carriage arterial road which is clearly visible from the dwellings fronting Dargie Street. The presence of a busy major road adjacent to the residential area of McCubbin Rise contributes to the impact on residents and would have been an influential factor in mandating noise mitigation requirements in these dwellings according to the ongoing provisions (OP1) in the Weston Precinct Map and Code and associated provisions in the single dwelling housing development code in the Territory Plan.

The reason for not including the service station in the proposed redevelopment of the Weston Group Centre and the timeframes for the Molonglo commercial centre are explained in part 2.5 of this report.

Response to comments regarding the TA and the Territory Plan's Statement of Strategic Directions:

- Paragraph 2.3: The CZ3/CZ5 commercial node in north Weston is well placed for access to public transport, with the bus stop and 'bike and ride' facility located in close proximity to the node. The commercial node will include the CZ5 zone which is a mixed-use zone and will encourage mixed use development.
- Paragraph 2.5: Parts of north Weston are located in close proximity to a major transport route – ie. Cotter Road, which is one of the main arterial roads feeding into the city from Molonglo Valley and Weston Creek. McCubbin Rise is separated from the commercial node by this road. The garden city character is still maintained with extensive tree planting along the arterial route and access

- from the suburb to surrounding open space including Hills Ridges and Buffer (NUZ3 zone) areas and Urban Open Space (PRZ1 zone) areas.
- Paragraph 2.6: The reasons for not including the service station in the Weston Group Centre expansion and the timeframes for future development of commercial hubs in the Molonglo Valley are dealt with in part 2.5 of this report.
  - Paragraph 2.10: There is adequate open space provision and access to open space for McCubbin Rise residents.
  - Paragraph 2.15: The proposal will not impact on any significant landscape features that give the national capital its character and setting.
  - Paragraph 2.16: The garden city character and bush setting qualities are still maintained with extensive tree planting along the arterial route and access from the suburb to surrounding open space including Hills Ridges and Buffer (NUZ3 zone) areas and Urban Open Space (PRZ1 zone) areas.
  - Paragraph 2.17: Advertisements and signs will be carefully controlled to maintain environmental amenity and will be required to meet specific Australian Standards for signs and lighting at the development application stage. The Environment Protection Agency (EPA) will also be involved in assessing the application for compliance in terms of maintaining environmental integrity and pollution control.

The service station and co-located fast food restaurant model responds to current market conditions including the increased focus on efficiency due to increased operational costs and a trend towards larger catchments (compared with the now largely defunct petrol stations located in local centres throughout Canberra). The Site Selection and Commercial Feasibility report states that consultations with service station operators confirmed that local traffic volumes were the most important factor contributing to site selection, and that operators would look to secure a site able to sell 1 million litres a month. The site is located on a major arterial road which can accommodate large volumes of traffic using the road.

The reason for not considering Block 8 Section 52 Coombs (the TAMS depot site) has been dealt with in part 2.5 of this report.

## **2.8 Lack of landscape screening/ visual buffer to McCubbin Rise (Submitters 3, 4)**

- Lack of trees/screening vegetation (cf. other areas such as new intersection of Cotter Road/Lady Denman Dr which received large amount of trees/shrubs with no houses in sight)
- McCubbin Rise has no visual buffer to proposed site.

### Response

The concept plan refers to Cotter Road from Weston Creek to the Tuggeranong Parkway being “landscaped with extensive verge plantings of large canopy trees to provide an attractive approach road to Weston and Molonglo and filtered screening to adjoining development”. This will provide a visual buffer to the proposed site.

## 2.9 Lack of integrity in planning process (Submitters 2, 4, 5, 6, 9)

- Underhanded and inequitable approach of altering Territory Plan once residents have bought land and often invested life savings in building a house:
  - Relied on Territory Plan to inform decision regarding purchase of land in McCubbin Rise based on location of RZ1, RZ4 and commercial zones across the road, appropriate distance away and far enough down the hill to not dominate outlook
  - Proposed petrol station and fast food outlet make mockery of submitters decision making process and submitters trust in the information in the Territory plan
  - Changes are occurring within a year of moving in, as the area is still being developed, and surely a sign of poor initial planning
  - Changing the Territory Plan at this stage makes the current Territory Plan a clear misrepresentation of what submitters were being sold
  - Changing the Territory Plan at this stage denies submitters right to make an informed decision and is therefore inequitable and unfair
- Should not be any need to change Territory Plan at this late stage:
  - Need for second petrol station should have been foreseen at the initial planning stages for the new areas
  - Proposed developments should be included in the initial plans so that potential residents can make an informed decision when deciding whether or not to buy into an area
  - Two possibilities relating to current situation:
    - i. Incompetence of initial planning for Molonglo Valley: therefore unfair to expect residents in McCubbin Rise to pay price for poor planning
    - ii. Decision to find location for second petrol station intentionally left until after [surrounding residential] land sold for premium price, making current variation even less palatable
- Integrity of comment process:
  - Ref/Quote from minutes of Weston Creek Community Council meeting 30 April 2014: “Site will be ready for sale early 2015”
  - Makes mockery of due process, consideration of comments, entire decision already a foregone conclusion
- Identification of site by the Government based on site selection and commercial feasibility study and includes service station operators – questioning validity of these operators having independent view of the planning process.

### Response

Zones that are subject to a future urban area (FUA) overlay are not fixed on the Territory Plan map, but provide an indication of proposed land uses for future development intentions based on strategic planning outcomes over an extended timeframe, but also allow for some flexibility in the refining of specific land use locations during the more detailed estate planning process. Changes can be made to zones within a FUA and the associated concept plan via technical amendment provided the rezoning is consistent with the principles and policies of the overarching structure plan.

The nature of the FUA zones and concept planning process allows for refinement in zoning and associated land use to respond to changing circumstances as community, economic, and environmental factors.

The North Weston Concept Plan indicated a commercial hub in the new suburb, however changes to some road alignments and layouts have meant that the location of the hub has been reassessed and it is considered that a more suitable location would be at the intersection of Cotter Road and Kirkpatrick Street.

Service station operators were consulted to provide input into the site dimensions and access requirements of this type of activity. This was to ensure that the site design, irrespective of location, would be usable.

With reference to the minutes of the Weston Creek Community Council (WCCC) meeting on 30 April 2014, the Land Development Agency (LDA) advised that the minutes contain inaccuracies regarding the timeframes for the sale of the site. At that time, the sales process was not as far progressed as suggested in the minutes and has been refuted by the LDA.

Responses to comments regarding the strategic planning stage (2008) for the new areas of Molonglo and north Weston are provided in 2.7 of this report.

## **2.10 Measures to mitigate negative impacts (Submitter 8)**

- If development goes ahead, what measures will be in place to mitigate the negative impact on local residents from neon signs and increased traffic?
- Should include limit on operating hours, elimination of neon signage and significant nature strips. Should be included in Territory Plan as a condition of development.
- Push for maximum returns by operators will have very unfortunate outcome for local residents

### Response

Issues such as lighting and odour emissions will be required to meet specific national and environmental standards. These will be addressed during the development assessment process. These include Australian Standards AS1668.1, AS1158.3.1 and AS4282 for control of lighting and odour.

The visual impacts can be mitigated through extensive buffer and landscape planting which will be requirements included in estate development planning and conditions of approval for the development applications.

Sections 13 and 22 of the North Weston Concept Plan specify requirements for verge planting whereby a verge of approximately 10 metres wide will be maintained along the length of the site and will consist of mature plantings for screening vegetation.

The traffic impact assessment prepared by the Traffix Group in 2014 states that: 'Intersection analysis for the post development conditions indicates that the key intersections of Cotter Road/Kirkpatrick Street/Dargie Street and Kirkpatrick Street/Kirkpatrick Street will continue to operate satisfactorily following full development of the subject site'.

## **2.11 Minister's response (Submitter 4)**

- Minister should be advised to either reject TA under s76(3)(b) of the Act or refer the TA to the appropriate Committee of the Legislative Assembly for further consideration

### Response

The planning and land authority within the Environment and Planning Directorate has the delegation for determining decisions on technical amendments.

## **2.12 Support for proposed service station (Submitter 10)**

- Pressing need for an additional service station for Weston Creek/Molonglo Valley residents
- Proposed site is in a central location that is convenient for both Weston Creek and Molonglo Valley residents
- Signalised intersection at Cotter Road/Kirkpatrick Street – safe access to and from site
- While not preferable, WCCC acknowledges that it is necessary for inclusion of fast food outlet if petrol station development is to go ahead, given importance and need for new service station.

### Response

Noted.

## Interpretation service

ENGLISH	If you need interpreting help, telephone:
ARABIC	: إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήστε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajnuna t'interpretu, ċempel:
PERSIAN	: اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
PORTUGUESE	Se você precisar da ajuda de um intérprete, telefone:
SERBIAN	Ako vam je potrebna pomoć prevodioca telefonirajte:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacımız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

### TRANSLATING AND INTERPRETING SERVICE

**131 450**

Canberra and District - 24 hours a day, seven days a week