

**WATSON COMMUNITY ASSOCIATION (WCA)  
SUBMISSION ON DA200915606  
BLOCK 2 AND BLOCK 3, SECTION 75, WATSON**

**EXECUTIVE RECOMMENDATIONS**

- The WCA recommends strongly against a development of this scale, and considers it should be reduced. Excessive scale and density and low cost housing is an unacceptable mix.
- The land should have been opened to competitive tender.
- We disagree with the Community Title Scheme (CTS) structure which is proposed for this project.
- Any subsequent development should be designed so that blocks would take full advantage of solar orientation and stormwater.
- All exceptional, high and medium value native and habitat trees on the site should be saved.
- Significantly more urban open space should be provided within the development. Reliance on the adjacent nature reserve as a substitute for local open space would significantly downgrade the status of the Canberra Nature Reserve.
- All stormwater and bushfire risk mitigation should be internal to the proposed development, and not rely on any encroachment onto Canberra Nature Reserve.
- There must be a closed fence between the development and the nature reserve, and a mandated domestic animal containment policy. The entry point(s) into the nature reserve must lead to formed track(s), to avoid disturbance of sensitive vegetation.
- One or more of the existing buildings should be retained and devoted as public community facilities open to a range of local community groups.

**PART 1  
INTRODUCTION**

The Watson Community Association (WCA) wishes to raise three matters of relevance to the DA.

**1. PROCESS and COMPETITION**

The WCA notes with concern the lack of competition, land gift to the developer, and associated, hidden loss to taxpayers associated with this development.

Why is it that the lessee, the ACT government and the planning agencies have favoured just one proponent throughout the Draft Variation and DA processes? We question why the ACT government and the planning agencies requested a planning study be conducted by the proponent in order to justify a Variation to the Territory Plan? We consider, that instead, a fully scoped EIS should have been written to coincide with the subsequent development application in a timely

manner. The planning study was written in 2004, and is now very much out of date in regard to assessment of external impacts from developments in nearby suburbs of Gungahlin, NSW and in north Watson. Not only that, but the planning study, which has been used in lieu of an EIS, has not been submitted along with DA200915605, although it is referred to by the proponents. How is the public expected to understand the proposal if these documents are not provided?

The second concern revolves around the Direct Sale of part of Block 2 to the proponent. Why did the ACT government given in-principle support for a direct sale and why was this a necessary pre-condition in order to justify the issuing of Draft Variation 261? By accepting a fee from the proponent for an application for a direct sale of land, it appears as if this transaction has become a fait accompli.

## **2. GRANTING OF LEASE**

When and why was a 99 year lease over Block 3, Section 75 recently granted under the same land use conditions, if the planning agencies were aware that the lessee considered a portion of the site to be economically unviable? If the Heritage Village entity (apart from the Service Station and Motel) was unviable, why wasn't the lease resumed by the ACT Government and the block subdivided? The ACT government could have easily re-zoned the remaining land and offered it to competitive tender in the new land use. Through following this inexplicable and untransparent process, the ACT government is foregoing the opportunity to save two hectares of native vegetation on Block 3. It could also have saved a few of the very well constructed and maintained buildings on Block 3 for open public community uses, which Watson was promised but is currently devoid of.

## **3. COMMUNITY TITLE**

The WCA is extremely concerned that the entire development will operate under a registered Community Title Scheme (CTS) and questions whether this will allow for proper management of the site in the longer term.

According to the proponent, 'Although relatively new to the ACT, Community Title Scheme developments have succeeded in other localities throughout Australia for many years and have been proven to provide an affordable housing alternative'.

We consider that a single body corporate will be incapable of properly managing a densely packed and diverse estate containing 316 dwellings. The estate will be managed by a Community Title Body Corporate. The body corporate will be responsible for maintaining street lighting, roads, common open space, tree maintenance and stormwater. Almost all of the utility and infrastructure will be placed under or adjacent to the roads. Who will be financially responsible for maintaining or replacing the body corporate infrastructure if utility infrastructure, not managed by the body corporate, is under a privately owned road?

What agency will be responsible in the event of a failed body corporate? Will the ACT government be forced to intervene?

How onerous will the body corporate fees be? How will body corporate fees impact on the longer term affordability of such housing? Will public housing agencies be interested in participating in housing within a registered Community Title Scheme?

## **PART 2**

### **EXERPTS FROM REPORTS SUBMITTED BY THE PROPONENT IN THE DEVELOPMENT APPLICATION**

#### **SUPP-200915605-Design\_Response\_Report-01.pdf**

##### **1.4.3 Majura Reserve**

The eastern boundary of the development adjoins the [Mount Majura Reserve](#) which is under management of Parks Conservation and Lands.

It is anticipated that no works, other than some very minor regrading work, will be carried out that will encroach into the nature Reserve. A section of the reserve will be utilised as active storage space for the detention of stormwater runoff from the existing catchment.

Key features of the interface with the Reserve are:

- Bush fire protection zone is integrated with interface to the reserve, providing good separation and access
  
- Dwellings designed to take advantage of outlook to reserve, avoiding fences.
  
- Fencing type on boundary with reserve incorporates open fencing with provision for pedestrian access to the reserve

##### **2.7 Tree Damaging Activity**

There are a number of regulated trees on the subject site which are proposed to be removed as part of this Development Application.

A Vegetation Assessment has been undertaken across the site. The Vegetation Assessment was originally completed in 2004, with a re-assessment completed in 2009. This reassessment takes into account the changes in tree condition due to the current climatic conditions. Further assessment has been undertaken to identify "Habitat" trees.

High value trees have been retained wherever possible. A large number of high value trees have been retained within community open spaces, road corridors and within landscape areas of the larger multi unit sites. Medium value trees located within and adjacent to the high value trees have been retained for contribution to the landscape. Habitat trees of high and medium value have been retained in open spaces.

A copy of the updated Vegetation Assessment and Reports, and Tree Management Plans are provided with this development application (Appendix J.1 to J.6).

##### **2.8 Environmental Requirements**

The DA is subject to the Impact Track level of Assessment as the proposal triggers the requirement for an EIS to be undertaken as per those activities identified under Schedule 4

of the Planning and Development Act 2007. Specifically, the EIS Triggers relevant to the proposal include Activities 4.2.5(d) and 4.3.3(a) specified below:

*4.2.5 Proposal for construction of a sewerage treatment plant..., or sewer reticulation system, designed to service a residential subdivision that -  
(d) is to be within 100m of a body of water, whether natural or artificial, waterway or Wetland*

*4.3.3 Proposal involving -  
(a) the clearing of more than 0.5ha of native vegetation; or*

An application was made to the Minister in July 2009 for an exemption to be granted under Section 211 of The Act, whereby: "The Minister may exempt a development application ... from a requirement to include an EIS if satisfied that the expected environmental impact of the development proposal has already been sufficiently addressed by another study, whether or not the study relates to the particular development proposal."

The proposed development was exemption from any further environmental assessment on the 19<sup>th</sup> August 2009, by the Chief Planning Executive, as delegate for the Minister (refer to Appendix C.1)

## **4.8.2 Proposed Stormwater Infrastructure**

The [Mt Majura Nature Reserve](#) catchment, directly to the east of the development, will be diverted to a stormwater bypass pipe, sized to carry the 100yr ARI flood event. This flow will also be partially detained through the use of an embankment forming part of Road 1 and Road 7. Although the embankment and all earthworks will remain within the site, a small section of the nature reserve will be inundated from time to time. Parks Conservation and Lands has given approval to this method. In the event of a greater than 100yr ARI storm, or failure of the stormwater pipe, a safe overland flow path has been determined, via Road 3, Community open space, Part of Road 1 and finally discharging into the proposed water quality control pond (Appendix C.2)

## **4.12.3 Street Trees**

Deciduous street trees of either upright or spreading habit are paired across the street to provide canopy over the carriageway whilst maintaining illumination standards from street lighting. Large deciduous street trees are located along the Antill Street verge to enhance this public realm interface.

## **4.24 Bushfire Risk Assessment and Management Concept Plan**

The existing managed Outer Asset Protection Zone (OAPZ) shall be maintained within the adjacent [Mount Majura Nature Reserve](#).

## **6.2 Trees**

R40

In accordance with section 148 of the *Planning and Development Act 2007*, where the development proposal requires groundwork within the tree protection zone of a protected tree, or is likely to cause damage to or removal of, any protected trees, the application is accompanied by a [Tree Management Plan](#) approved under the *Tree Protection Act 2005*.

*Note: 'Protected tree' is defined under the Tree Protection Act 2005.*

OR

C40

If an approved Tree Management Plan is required, but not provided, then a draft Tree Management Plan is to accompany the application. The draft Tree Management Plan will be

referred to the relevant agency in accordance with the requirements of the *Planning and Development Act 2007*.

A Draft Tree Management Plan has been provided as part of the Development Application. Great steps have been taken to retain and maintain a significant number of trees within the proposed development. The Tree Management Plan should be referred to the relevant agency in accordance with the requirements of the *Planning and Development Act 2007*.

## 8 Traffic Analysis

The traffic impacts associated with the proposed development are summarised below. A full Traffic Impact Assessment (TIA) is included in Appendix L of this report. The TIA investigates the traffic generation and distribution characteristics of the proposed development and comments on the impact that the development will have on the surrounding road network.

- The proposed development at Watson Village, consisting of 316 dwellings, will generate approximately 2060 vehicles per day or 206 vehicles per hour in the morning peak period. This traffic generation for the development has been calculated using 6.5 trips per dwelling. The development consists entirely of Blocks with areas less than 250m<sup>2</sup> these are significantly smaller than conventional residential Block sizes; therefore, a lower traffic generation rate has been applied.
- The roads adjacent to the development have adequate capacity to accommodate the additional traffic generated by the proposed development.
- Parking demand generated by the development will be accommodated within the development site and no overflow parking will spread into the neighbouring suburbs.
- The expected traffic volumes on all internal roads within the estate are below the required thresholds for the relative road classifications.
- No existing street in the surrounding road network will experience excessive traffic noise as a result of the proposed development.

## **SCRITERIA-200915605-Response\_to\_the\_Residenti-01.pdf** **FUTURE URBAN AREAS RESIDENTIAL SUBDIVISION DEVELOPMENT** **CODE**

### **Part B(2) – Additional requirements that apply when an Estate Development Plan is not supported by a Precinct Code**

#### ***Element 1: Neighbourhood Design***

##### **1.6 Tree Protection**

R113 (c) All Exceptional, High, and Medium Value Trees are retained and protected in accordance with a tree management plan approved by the Conservator.

Yes – the proposed development has gone to great lengths to respond to the identification and retention of as many exceptional & high value trees as is possible. Many of the trees retained are either located within the communal open spaces within the development or within the larger Multi Unit sites. The multi unit sites are better equipped to effectively manage and maintain regulated trees within the ACT. Only those trees that had to great an affect on the viability of the development have been identified for removal.

### **Part B(1) – Estate Development Plan supported by a Precinct Code**

#### ***Element 6 Block Layout and Building Envelope Plans***

##### **6.1 Section Size**

R58 (c) Smaller blocks and blocks capable of supporting higher density are located in sections adjacent to commercial centres, public transport, or high amenity areas such as parks.

Yes – the proposed development provides smaller blocks and blocks capable of supporting higher densities which are located in sections adjacent to public transport (Antill Street) and high amenity areas such as the communal and adjacent public open spaces ([Mt Majura Nature Reserve](#)).

### **6.5 Compact Blocks (<250m<sup>2</sup>)**

R69 (m) Compact blocks are located:

a) Opposite parkland open space; or b) Within 100m of parkland open space; or c) Adjacent to a minimum 10m wide verge.

Yes – compliance is met with the development. All compact blocks within the development are situated within either 100m of Public Open Space ([Mt Majura Nature Reserve](#)) or one of the four (4) internal Community Open Spaces

## **Part B(2) – Additional Requirements that apply when EDP is not supported by a Precinct Code**

### ***Element 1 Neighbourhood Design***

#### **1.2 Movement Networks**

C104 (c) The vehicle, cyclist, pedestrian networks, land use mix and block density minimise fossil fuel use by reducing local vehicle trips, travel distances and speeds, maximising public transport effectiveness, and encouraging walking and cycling to daily activities.

Yes – the layout of the estate responds to the changing needs of the community. Located close to the city and in close proximity to the existing public transport network, use of non fossil fuel dependant transport options are encouraged. The pedestrian network provides efficient and safe access to Public Transport (proposed Bus Stop in Antill Street) and encourages walking and outdoor activities to take advantage of the adjacent [Mt Majura Nature Reserve](#).

C107 (c) The street network takes account of the topography and vegetation (including existing trees and regeneration), respects any existing or potential site assets, and takes advantage of opportunities for views and vistas.

Yes – the street network considers the topography, vegetation and servicing needs of the site. Many of the existing trees have been retained within the communal open spaces. The proposed ponds are an intricate part of the site drainage and development water re-use strategy whilst opportunities to maximise the benefits of the adjacent [Nature Reserve](#) have been explored as part of the design process of the development.

## **Part B(2) – Additional requirements that apply when an Estate Development Plan is not supported by a Precinct Code**

### **Element 1: Neighbourhood Design**

#### **1.5 Traffic Noise**

C111 (c) Long-term forecasts for traffic volumes have been taken into account and potential areas of excessive noise levels together with remediation techniques are identified in accordance with *ACT Noise Management Guidelines* or its successor.

Yes – the long term traffic forecasts were reviewed as part of the Planning Assessment process to inform the Territory Plan Variation. No further assessment is necessary.

## **Element 2: Street Networks**

### **2.1 Traffic Impacts & Residential Amenity.**

C116 (c) Traffic generated by a development is within the acceptable environmental capacity of the roads and streets.

Yes – a traffic assessment was carried out as part of the Planning Study to inform the Territory Plan variation and **no further assessment is necessary.**

## **Part B(1) – Estate Development Plan supported by a Precinct Code**

## **Element 2: Street Networks**

### **2.2 Corridors & Precincts**

R6 (c) Junctions between the external roads and the internal street network are located so as to minimise restriction of movement on the roads, and to avoid **traffic volumes** in excess of 6000 vehicles per day (vpd) on major collector streets and 3000 vpd on minor collector streets.

Yes - both roads intersecting Antill St illustrate maximum spacing between them.

## **Element 3: Pedestrians and Cyclist Facilities**

### **3.2 Safe Crossings**

R38 (m) Where traffic volumes exceed 3000 vpd or speeds exceed 50 km/h, safe crossings are created with the use of pedestrian refuges, slow points, thresholds or other appropriate mechanism.

Yes – Crossing of Antill St to Aspinall St will have pedestrian refuge within splitter island at roundabout

## **PART 3 WCA RESPONSES TO DOCUMENTS PRESENTED WITH DA200915605**

### **1. WCA RESPONSE TO THE DRAFT TREE MANAGEMENT PLAN**

The WCA objects to the Draft Tree Management Plan as it allows for the destruction of so many significant native trees, including 20 habitat trees used by hollow nesting species. There is also no succession planning for those which will be saved, and some of those which will be saved will suffer from potential damage from encroachment of roads, ponds and adjacent housing. Our view is based on the following analysis:

- There are 203 significant trees (those requiring tree demolition approval) on the site. Of these, only 92 are scheduled to be retained (90 native) and 111 are scheduled to be removed (80 native).
- Of 30 habitat trees on the site, 10 are scheduled to be retained and 20 removed.
- Some of the habitat trees are erroneously considered insignificant trees because they are dead.
- The remainder of the 445 trees mapped on the site will be removed. The ACT does not currently have an offset provision to replace these trees on equivalent land elsewhere.

## **2. WCA RESPONSE TO THE CLEARING OF MORE THAN 0.5 HA OF NATIVE VEGETATION ON SE MARGIN OF BLOCK 3 AND BLOCK 2**

As the WCA is the sponsor of the Watson Woodlands Parkcare group, we find the clearing of native vegetation covering 2 ha to be irresponsible. Only 15 of 63 significant trees are scheduled to be retained, and only 2 of 11 habitat trees are scheduled to be retained. The remainder of about 156 trees on this portion of the site is scheduled for removal, including regenerating eucalypts of various ages.

## **3. WCA RESPONSE TO ENCROACHMENTS IN THE MAJURA NATURE RESERVE**

The WCA objects to all encroachments in the Majura Nature Reserve. The development should be downscaled with an adequate buffer zone to accommodate stormwater and bushfire risks. We consider that a retention basin to capture stormwater, a Gabion retaining wall up to 3 metres high to direct stormwater to this basin, and the maintenance of an Outer Asset Protection Zone around the perimeter of the development is a significant encroachment on the Nature Reserve, not 'very minor re-grading' works.

WCA is concerned that the proponent is planning this development as if the Nature Reserve is to be treated as Urban Open Space. This does not give adequate consideration to the bio-conservation and bio-diversity values it represents. Allowing open fencing with easy provision for pedestrian access to the Nature Reserve where there are no formed tracks would be highly inappropriate. The nearest formal entry point to the reserve lies to the south of the development, and this is the only location where entry by people and domestic animals (on leashes) is appropriate.

It appears that the Body Corporate would be left to make a decision on whether to allow animals on their property. WCA considers that in view of the sensitive location of the site right next to the Nature Reserve, these decisions should be mandated by the ACT government, in conjunction with Parks Conservation and Lands. Closed cat and dog proof fencing should be required to be erected along the boundary between the development and the Nature Reserve.

## **4. WCA RESPONSE TO TRAFFIC ANALYSIS**

The effect on traffic, as in all matters related to incremental development such as DA200915605 represents, is conveniently reduced to its individual impact on the immediate surrounding area, and not on a suburban or regional scale. The broader scale impacts will have serious external social and economic implications, as we will attempt to demonstrate here. The road works required to upgrade the dangerous 1.5 km northern section of Antill Street would be costly, and would most likely be imposed inappropriately on the ACT community rather than the developer. We are also concerned that the 2004 traffic report, included in the Planning Study, has been used to inform Variation 261 to the Territory Plan, and DA200915605. We strongly dispute that this study is adequate to

describe traffic conditions in our suburbs in 2009 and into the near future, and request that a new study be prepared. In particular, the proposal for a pedestrian refuge and splitter island at the proposed roundabout in DA200915605 will be a very dangerous crossing point based on expectations that traffic escalates to levels approaching those between Watson and Hackett.

The Watson Community Association has analysed traffic volume figures obtained from two widely spaced studies in 2002 and 2008 at the T-intersection at Knox Street and Antill Street in Watson.

In brief, the traffic analysis compiled as part of the planning study in 2004 (not provided with DA200915605) mentions the following in relation to Antill Street. 'Where traffic conditions permit the road should be capable of handling 10000 vehicles per day (5000 vpd in each lane)'. A Roads ACT commissioned survey in 2008 recorded 3715 vpd traveling southwest, and 3235 vpd traveling northeast on Antill Street between the Knox Street and Madigan Street T-intersections on weekdays.

We are concerned that in the Traffic Analysis (refer Section 8 for the DA above), the 316 dwellings are estimated to generate approximately additional 2060 vehicles per day exiting and entering the development along Antill Street. Given the turning characteristics from Aspinall Street into Antill Street in the 2009 survey, the majority of this traffic is expected to be exiting left and returning right from Antill Street. If these traffic projections turn out to be accurate, there is a likelihood that anything up to extra 790 vpd in each lane will be transiting between Knox Street and Madigan Street along Antill Street. This brings us much closer to the 10000 vpd nominal road capacity figure of Antill Street between the entry points into Watson and Hackett. The Sandford Street extension to the Federal Highway at the Watson Village and continuing development in eastern Gungahlin would ensure that this figure is reached well within the 5 year development time frame given to complete this development.

An analysis of morning weekday peak hour traffic would also show that south-west bound traffic volumes will exceed the nominal 1400 vehicles per hour (vph) capacity within 5 years (in 2008 it averaged 900 vph) between Knox Street and Madigan Street. This is likely to result in a costly traffic light solution than a roundabout. During the peak hour, the section of road between the entry points to Hackett (Madigan Street) and Watson (Knox Street) has to be crossed by pedestrians, bicycle riders, and motorised vehicles. Safety becomes a high priority.

There are numerous reports from residents of increased traffic, and excessive speed, along Aspinall Street and Knox Street in Watson. Aspinall Street was noted as having reached capacity in the 2004 report. The problems in Madigan Street in Hackett have been well described to Roads ACT.

The Watson Village development would put further unacceptable pressure on parking at the local Watson Shops, which is already a concern for Watson residents.

**Conclusion**

This proposal is unacceptable to the WCA because of the inappropriate process for the alienation of publicly owned land, the lack of recognition of environmental values associated with the location, and the shortsighted and dated analysis of traffic impacts in an area facing excessive traffic flows and risk to children attending the three local primary schools.



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