



# Deakin Residents' Association

## *A Garden Community for the Future*

6 December 2017

Applications Secretariat  
Planning and Land Authority  
Environment and Planning Directorate  
Dickson, ACT  
[By email to [esddcustomerservices@act.gov.au](mailto:esddcustomerservices@act.gov.au)]

### **Block: 13 Section: 49: PROPOSAL FOR A NEW AGED CARE FACILITY & LEASE VARIATION**

I write on behalf of the Deakin Residents' Association (DRA) to record our concerns about the proposal to vary the lease and develop a 102 bed residential aged care facility on Block 13 Section 49 Deakin, Development Application 201732711 hereafter '*the proposal*'.

We believe that a high-rise nursing-home on a tiny block on Grey Street, Deakin is not the best use of the site. The proposal will cause a number of problems for the residents and neighbours. It will exacerbate existing traffic problems and noise, fails to provide adequate parking and will overlook the adjacent residential area. The size and location of the site is inappropriate for the intended use by clients. The proposal will limit options for the route of light rail.

More fundamentally, the DA does not comply with the Development Control Plan which takes precedence over the Territory Plan controls that are applicable to the site. Therefore it cannot be approved.

#### **The Deakin Residents' Association Inc.**

The Deakin Residents' Association is a non-profit association incorporated in the Australian Capital Territory. The DRA's objectives are:

- To enhance the residential, suburban, social and environmental qualities of Deakin, consistent with garden city planning principles.
- To contribute through community discussion to planning and land management in the ACT as it impacts on Deakin residents.

Membership is open to any resident of Deakin or holder of a residential lease in Deakin.

#### **Public meeting 15<sup>th</sup> of August 2017**

The DRA convened a meeting on 15 August 2017 to discuss the proposal. The meeting was attended by more than eighty people. Consultants representing the proponents addressed the meeting. Comments, and questions followed from the floor. A record of the meeting is on the DRA website at [report](#).

The meeting was generally supportive of the need for additional high quality aged care accommodation in Canberra but it had major concerns about this proposal. The general view of the meeting was that the site was too small. It is unsympathetic to needs of vulnerable aged clientele and their stressed carers. The majority of attendees were opposed to the proposal.



In regards to traffic, Sellick Consultants claimed at the meeting that their traffic survey and analysis led them to the conclusion that the development would impact only marginally on traffic flow. DRA disputed this at the time and still does.

The meeting agreed that current urban intensification projects in Deakin should not proceed in isolation but be part of an integrated strategic masterplan. The DRA believes there is a need for consideration of the cumulative impact of this proposed on Grey Street, the Kent Street developments at Equinox 2 and proposed units on and surrounding the Telstra building plus the Federal Golf Club development. More generally DRA advocates a review of the ACT planning strategy to ensure the future development of Canberra is more socially, environmentally, financially and economically sustainable. This position was overwhelmingly supported by the meeting.

### **Town Planning Consultancy engaged to review the DA**

Deakin Residents' Association retained the services of Ted Streatfeild RPIA, an expert in planning. Mr Streatfeild's comments on the DA are attached. We draw your particular attention to his observation that the DA does not comply with the Development Control Plan applicable to this site in a number of respects. Given that the DCP takes precedence, this is a major issue.

His review also identified issues in regard to parking inadequacy, the removal of protected trees, the lack of an active frontage to Hopetoun Circuit and waste collection conflicting with pedestrian access and car parking at the front of the building

### **DRA specific concerns.**

#### *Traffic implications*

DRA considers that the proposal will create unacceptable traffic congestion in the area. The traffic study in the proposal takes the (general) position that it will only marginally increase the traffic problems. The DRA takes the view that the proposal will make an existing bad situation much worse.

Grey Street is already subject to severe congestion before and after school. Traffic backs up in Hopetoun Circuit and at its intersection with Gawler Crescent. This traffic includes a number of school buses. The traffic is so heavy that it has been necessary to prohibit parking on one side of Fergusson Crescent so that buses can use this street to avoid the chaos at the Hopetoun Circuit / Grey Street Intersection.

Grey Street is a narrow urban access which, we submit, was not intended to accommodate multiple buses and cars, let alone the traffic that will be generated by the proposal. Already, frustrated drivers can be observed in Grey Street crossing into the lane of oncoming traffic and making u-turns over the centre divider. This will only get worse (and more dangerous) if the proposal proceeds.

Traffic congestion in the area will be further impacted by the proposed development of Yarralumla. The proposed Brickworks development will bring additional vehicles to Hopetoun Circuit in Deakin. We note that Yarralumla does not have a service station.



DRA does not accept the argument that shift changeovers can be managed to avoid peak traffic periods as this would entail starting or finishing outside business hours with the implication of penalty rates. Additionally, personnel working in care facilities are often detained on shifts. Yet the proposal assumes that they will be able to get away in a narrow time window before / after school traffic congestion. The traffic study appears to include some data from days when school traffic was not present. It fails to discuss the difficulties currently faced by school buses which will be exacerbated by the proposed development. There are a number of errors of fact in the traffic study.



*Figure 1 Junction of Grey St and Hopetoun Ct showing proposal site*

### *Light rail implications*

Plans for the light rail from Civic to Woden anticipate a stop at the intersection of Hopetoun Circuit and Adelaide Avenue. If the stop is at the same level as the Adelaide Avenue roadway, an expensive lift or escalator will be needed to get passengers up to the stop from Hopetoun Circuit. However, if the tram comes down the side ramp, it will presumably stop before reaching Hopetoun Circuit and then return to Adelaide Avenue. DRA anticipates that this option for the Hopetoun Circuit stop will be precluded by the proposal.

Indeed, the site is one of few undeveloped pieces of land along Adelaide Ave available for densification and capable of justifying the light rail expenditure, as has been the case on Northbourne Avenue. Building a nursing home on the site could discourage light rail patronage compared to other options such as an appropriately sized multi-unit development, as was previously proposed.



## Parking

In the view of our planning expert and of the DRA, proposed on-site parking is not sufficient and does not meet the requirements of the Parking and Vehicular Access General Code. The attached advice from Mr Streatfeild details the failures to meet requirements.

In addition, we have not been able to identify the precise number of employees who will be working in this facility. However, from the information we do have, the number of parking places does also not appear to take into account that at shift changeover time, there will be up to twice the number of employees needing a park. The documentation acknowledges a shortfall of parking spaces on the site and our expert report confirms this. To overcome this, the proponents propose to annex one side of Grey Street and also some space at the Deakin shops. The DRA considers this to be an unjustifiable expropriation of public space.

We have also received an independent assessment of parking requirements, based on more realistic visitation of the aged care facility, and this is set out below. We consider that you should require a wider survey of visitation at a range of similar size nursing homes in Canberra, rather than accept an assessment by the developer based on its own interstate facilities. In our experience many carers would want to visit every day.

### Number of spaces

Parking requirement	Number of spaces
Day staffing (assuming 70% of 36 need a parking space)	27
12 assisted living units	4
Visitors to residential care facility (one visitor for each resident per week)	13
Respite care patients being delivered or picked up by carers	20
Visiting specialists (doctors, physios, etc)	5
Visiting tradesmen	3
Other visitors (company reps, govt officials, etc)	3
Provision for shift change over	3
Contingency (temporary storage, etc)	4
<b>Total</b>	<b>82</b>

The proposal does not provide adequate off-street parking that would be used by carers dropping off and picking up their charges when visiting the proposed respite care centre.



Further, the proposal admits that some visitors will have to park behind the Deakin shops and then attempt to cross Hopetoun Circuit. On the day the parking consultants visited, there were some spaces available. The Canberra Bridge Club and the Fitness First Gym report that their members already have difficulty finding parking in this area. The DRA does not believe that visitors will park behind the Deakin shops. Instead they will try to park much closer in Grey and Robe Streets and in the bottom end of Fergusson Crescent (where parking is already restricted as noted above). We have been unable to find any consideration of this in the documentation.

The DRA considers that, should this aged care facility proposal proceed, it must be self-sufficient in parking by providing a second level of basement parking.

#### *Pedestrian safety*

Hopetoun Circuit has a 60 kph speed limit, which many drivers regularly exceed. It has only one pedestrian crossing which makes crossing very dangerous. Within 500m of the proposed facility there are three schools and an Early Learning Centre. Some of the students walk to the school. They need better protection from traffic.

The DA consultants have proposed reducing speed limits and installing new crossings, but the DRA is not convinced that they will eventuate. Since May 2017 DRA has had an outstanding representation to the ACT Government to lower speeds on Hopetoun Circuit and McGregor Street and install more pedestrian crossings. In these representations we noted that 40 kph restrictions apply in Kingston and Manuka. We note that other jurisdictions make better provisions for pedestrian safety.

#### *Construction phase*

Parking (and traffic) would be a particular problem during the construction phase. Concrete trucks trying to make deliveries in congested Grey Street would be bad enough. But the subcontractors working on the site will also want to park nearby so they have access to the equipment. For nearby residents, this will mean putting up with blocked driveways and vehicles illegally parked on nature strips. (Remember that residents are responsible for the maintenance of nature strips).

#### *Overlooking and size of development*

The DA proposes a four and five-storey structure which, because of the slope of the land, could result in the highest section being even higher than the Ambassador Apartments. As a result, the new building will overlook (and invade the privacy of) a significant number of residential blocks in Deakin. The DRA believes that the scale and height of the proposed development is out of all proportion to the site and out of keeping with the adjacent residential area.

The development will overlook the Sri Lankan High Commission and Embassy of Saudi Arabia on the other side of Adelaide Avenue. Have their views been sought? It will also overlook the Early Learning Centre and the Canberra Girls Grammar School. The suggestion that a few trees planted in the very limited space on that side of the development would address this concern is not realistic.

The consultants claim that the proposal will have a much lower impact than other possible developments such as a multi-unit residential development. This is not correct. Indeed, such a



development was previously proposed for this site and the DRA negotiated an acceptable design – which did not proceed to construction.

#### General unsuitability of the proposal for the site

The DRA believes that the proposal is inconsistent with the local residential character and density and that it is unlikely to provide adequate benefits for vulnerable aged and their carers. The proposal would locate a large number of people needing care on a very small site. It is described in the documentation as 'vertical aged care' with the density of the development clearly designed to allow the operation of a financially viable facility on a small site. Its size means it is not able to provide the sort of garden environment that DRA members believe should be available to people needing aged care. Other nursing homes in Canberra are set in green environments with extensive walkable outdoor gardens, large and pleasant enclosed gardens at street level for elderly patients, trees, ponds, and places for visiting birdlife.

The noise and air pollution from traffic on Adelaide Avenue also makes the proposal unsuitable for the site. The DRA is aware of residents in the Ambassador Apartments who are unable to use their balconies facing Adelaide Avenue because of noise and pollution. They cannot even leave the doors to their balconies open on hot nights. Yet the aged care facility has been designed with balconies facing Adelaide Avenue!

The building is described as 'complementing the Deakin residential area'. We beg to differ. It is completely out of scale with the adjoining residential area. The proposed building, with its hard surfaces and monumental features, would be yet another ugly high-rise development on the side of Adelaide Avenue, a national processional route.

#### Conclusions

The DRA is strongly opposed to this development. It is inconsistent with the applicable Development Control Plan. We consider that it is an inappropriate use of the site; that other sites could better meet the needs of its clients; that it will exacerbate existing traffic problems and noise; it limits the options for the light rail route should it go ahead, fails to provide adequate parking and will overlook the adjacent residential area.

The DA should not be approved.

Yours sincerely,

George Wilson  
President