



SUBMISSION FOR ACT PLANNING REVIEW AND REFORM

Dear Minister Mick Gentleman MLA,

On behalf of the members of the Landscape Architecture community, the Australian Institute of Landscape Architects (AILA) ACT broadly supports the intentions and principles of the Planning System Review and Reform. The AILA champions quality design for public open spaces, stronger communities, and greater environmental stewardship. We provide our 3,500+ members with training, recognition, and a community of practice to share knowledge, ideas, and action. Alongside government and allied professions, we work to improve the design, planning and management of the natural and built environment.

AILA ACT commends the ACT Government for the review and reform of the Planning System and their seeking to give clarity and a 'line of sight' between policy, development controls, implementation, and city management. We appreciate the need to deliver the vision for a well-designed resilient city in a changing climate; adapting and inspiring an array of outcomes.

AILA ACT has continually expressed its willingness to engage with the Environment, Planning and Sustainable Development Directorate (EPSDD) in the process of review and reform, especially regarding 'testing' the mechanics of a revised system. This remains the case, and indeed as per the issues highlighted in this submission are best addressed through more open dialogue and proactive engagement.

This submission responds to key issues and concerns raised from the Planning Reform document and how they will pertain to delivery and sustainability of the 'Bush Capital,' the policies, and strategies to retaining and managing what is valued, as well as how these will be determined and measured. AILA ACT reiterates the Act and new object to achieve liveability, prosperity and well-being. We highlight the need to meet the well being indicators for the ACT and a whole living system approach to obtain balance between natural and built environs required for a well-designed city.

AILA ACT are appreciative of the ACT Government's investment into the review and reform process and are happy to contribute further to discussions and provide valuable input as needed. We believe that with broader industry involvement during policy formation, we can achieve better understanding and support in the delivery of the desired outcomes. Thank you again for inviting this feedback, we look forward to further opportunities to work with you.

Regards,

Cia Flannery
AILA ACT President



Acknowledging and giving priority to the bush capital

- There must be investment in a comprehensive, dedicated Landscape Policy plan for the ACT that will assess and ensure the integrity of the landscape system and address its quality and management through the various land uses and scales
- Landscape character mapping is important to provide data to underpin principles of good planning and key objectives as stipulated in the Act, refer below:

(3) The following matters are important in achieving the object of the Act:

(a) the knowledge, culture, and tradition of the traditional custodians of the land, the Ngunnawal people.

(b) planning for population growth and evolution of the Territory while protecting those aspects that make the Territory an attractive place in which to live.

(c) the ACT's biodiversity and landscape setting, including the integration of natural, built, cultural and heritage elements.

(d) high-quality, people-focussed, and design-led built outcomes that respond and contribute to the distinctive characteristics of the local area, and sense of place.

(e) a sustainable and resilient environment that is planned, designed, and developed for a net-zero greenhouse gas future using integrated mitigation and adaptation best practices.

- We need to provide a baseline of existing conditions to test proposed planning and development impacts on the wellbeing indicators for the ACT. This has been successfully implemented in other city-state jurisdictions such as Hong Kong: https://www.pland.gov.hk/pland_en/p_study/prog_s/landscape/e_index.htm

This baseline data set underpins EIS planning, engineering, and development projects in Hong Kong, allowing the community to better understand the proposed changes in terms of landscape character impacts.

- We need to understand the existing conditions when applying principles and design outcomes to proposed 'district level' planning. We need to better address questions of: ***what is important? how will it change? how is it connected within the wider networks (ecological, economic, social, cultural, etc)?***
- The Territory's landscape is not ubiquitous and is a living system. To preserve the integrity of the 'bush capital,' as well as meet the need for housing density, amelioration of climate change, tree canopy, health, walkability, and ensure connectivity in habitats, the landscape must be *considered as a whole system*. The Canberra and Territory landscape cannot continue to be fragmented into open space; recreation; reserve land use zones; nor treated as an add on, or leftover condition in estate, residential codes etc.



Strategic Planning

Integration of other Territory wide policies, strategies.

- The continued focus of ACT planning on the 'spatial' outcomes begs the question as to how there will be better integration with other policies/management of the city and the Territory more broadly. Clearly the form of a city has implications for the economy, social equity, personal cost of living, water, energy and even food security.

How will the cascading plans respond to these broader city management issues? Will the Strategic through to the Development Controls give some reference to the Territory's Well-Being indicators (as used to assess the merits of proposals)?

- Similarly, there are Territory wide issues/ policies and initiatives that have a spatial dimension but are not canvassed/or detailed in the Planning Strategy. For example, the strategic actions set out in the Living Infrastructure Plan, Transport Planning, major projects, cultural sites, and protection of biodiversity. All of these have or should have a Territory wide framework that sets out more comprehensive objectives, actions. Addressing connectivity and distribution across the Territory is critical to all of these and must be identified.

Will the policies that set these out be incorporated into the ACT Strategy and given some form of statutory planning effect?

Keeping the Strategic live and responsive

- The 30-year planning horizon for the strategic plans is supported, however, these plans need to be responsive to change.

Will these plans include performance indicators/measures that facilitate monitoring and trigger early reviews? Will the strategic plans be reviewed and revised regularly...nominal 5 years?

How responsive to change will the strategic plans be? How will their effectiveness be monitored? Who will critique and review?



District Planning

Retaining the Strategic Outcomes through District Planning

What framework will inform District consultation? What is the non-negotiable Territory strategic outcomes?

- Not surprisingly consultation on District Planning raises issues pertaining to 'liveability' and more specifically to the liveability of that district. However, each District will have individual spatial characteristics/urban forms that will lend themselves to doing the heavy lifting to achieve key Territory wide outcomes e.g., some districts have a street/block pattern that are appropriate for urban intensification, other districts may be bounded by significant nature reserves.

Likewise, within each district and even along streetscapes the character can/should potentially vary?

- Responsible and responsive assessment of heritage values and streetscape character will be a key input into District Planning, who will determine these? Will Heritage override these principles?
- The uniqueness of each District presents issues for community consultation and how to address various disparities between community expectations and implementation of strategic outcomes. For example, where a district can deliver good urban intensification, but community desired outcomes are for lower density or perhaps where a community seeks the same amenities/recreation facilities as the neighbouring.
- ACT's green and blue corridors need to be mapped, zoned, and then integrated into the district plans.

How will ecological values of key habitats be protected and managed in District Plans? (This also applies to water management etc)

- Similarly, the results of consultation on District Planning reveals a 'consumption' attitude to the environment/open space, that is, it is focused on the amenity provided. This raises concerns regarding the ecosystem service value of many areas, which may not have perceived high amenity, as well as the management of the environment, both regarding its aesthetics and responsibility.
- Landscape does not work to definite and linear boundaries. Many will border more than one District zone.

How will the character and intent of these spaces be captured in the district plans?



Development Codes

- Identifying outcomes through both Performance and Deemed to Comply criteria is laudable. This has the potential to simplify Development Codes. However, unless the outcomes are 'quantifiable' then ambiguity in assessment will remain and has the potential to ramp up. Relying on the 'qualitative' means relying on the discretion of the assessment/ arbitration authority.
- Identifying Performance Outcomes that can be 'measured' sets clear non-negotiable targets, e.g., buildings fronting streets will ensure that public space enjoys minimum of 5 hours of sunlight between 10 am and 5pm. Such performance outcomes/targets
- identify what is critical in the social contract and the allows innovation in the delivery of the development.
- There is scope to use existing targets from other policies or even the well -being indicators to form up these quantitative outcomes.
- It is acknowledged that this requires greater effort and precision in setting the Performance Criteria, but this would be rewarded by greater clarity and transparency for all stakeholders.
- Performance Criteria need to be unambiguous, to state clearly what is the non-negotiable outcome. These should incorporate targets already identified, address the wellbeing indicators – they should be quantitative and measurable.

Statutory Relationships between plans and codes

- Relationships between cascading plans and which plans will have priority in assessment. Currently land uses codes override general codes.
Will district plans have more or less 'legal' weight than 'codes'?



Community Consultation and transparency in decision making

- Effective community engagement – funding and resourcing is required to maintain this.
- ***What framework(s) will be put in place to give transparency to decisions as to how competing interests of community, development, environment etc, are made?***
- ***What process will determine what is a 'Territory Priority Projects'? what thresholds are set to determine its benefit? Who assesses the merits and benefit – does it go through a cabinet process? Is it subject to independent scrutiny?***

Design Review Panel

- Need for Design Review Panel to assess a broader range of projects (than current), including but not limited to Estate Planning, Institutions, Heritage and Culturally significant sites, and Government Projects
- Need for Design Review panel to consist of core representation by Architect, Landscape Architect and Planning institutes, receive more funding and thus help implement a design outcome driven planning system.
- Likewise, as is evident in other jurisdictions, there is a need for a Senior Landscape Architect to be part of the Government Architect's office to advise on all landscape matters and ensure the bush capital vision is retained.