

## The District Strategies and Sustainability

The ACT District Strategies employ a weak concept of sustainability. They prioritize economic goals specifically an old constant growth paradigm over social and environmental goods.

The central priority of the District Strategies is economic growth and development. Social and environmental values when they conflict with this goal are marginalised. This is evident as any subsequent losses are offset and presented as though those losses are neutral.

For example financialising land by removing zoning protections referred to as "changing urban character" has been shown to lead to unaffordable housing.<sup>1</sup> Similarly environmental losses of hectares of critically endangered Box Gum Woodland in green field areas and the planned cumulative removal of mature and hollow bearing trees on private land are treated as exchangeable for other natural areas or replacement saplings. (See Urban Forest Bill)

On this basis the use of terms like "blue/green network" and "liveability" should be seen as part of the rhetoric associated with cities which are seeking to build an urban green brand.<sup>2</sup> This kind of city making approach is associated with the selective integration of environmental goals in urban planning only when those goals suit the profitable outcomes of developer interests.<sup>3</sup>

The scale of the District Strategies proposed land use changes provide numerous examples of development in the older suburbs planned around "green" areas either Reserves or urban open spaces and waterways which is strongly associated with "urban green grabbing".

Urban green grabbing has been described as the appropriation of land and resources by developers. It allows them to extract additional rent and surplus value by building residential projects near valuable green sites like reserves or in areas where governments spend money to establish green amenities.<sup>4</sup> The Neighbourhood maps show the intention to change land use to allow exactly this kind of development adjacent to Reserves and around existing urban parks.

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<sup>1</sup> Cameron Murray & Mark Limb (2022) We Zoned for Density and Got Higher House Prices: Supply and Price Effects of Upzoning over 20 Years, Urban Policy and Research, DOI: [10.1080/08111146.2022.2124966](https://doi.org/10.1080/08111146.2022.2124966)

<sup>2</sup> M. Garcia-Lamarca, I. Anguelovski, H.V.S. Cole, *et al.* Urban green grabbing: Residential real estate developers' discourse and practice in gentrifying global north neighbourhoods Geoforum, 128 (2022), pp. 1-10, [10.1016/j.geoforum.2021.11.016](https://doi.org/10.1016/j.geoforum.2021.11.016)

<sup>3</sup> J. Long, Constructing the narrative of the sustainability fix: Sustainability, social justice and representation in Austin, TX Urban Studies, 53 (1) (2016), pp. 149 172, [10.1177/2F0042098014560501](https://doi.org/10.1177/2F0042098014560501)

<sup>4</sup> Garcia-Lamarca et al., 2022 M. Garcia-Lamarca, I. Anguelovski, H.V.S. Cole, *et al.* Urban green grabbing: Residential real estate developers' discourse and practice in gentrifying global north neighbourhoods Geoforum, 128 (2022), pp. 1-10, [10.1016/j.geoforum.2021.11.016](https://doi.org/10.1016/j.geoforum.2021.11.016)

The disproportionate focus on economy and capital accumulation, over environmental and social goods and private interests over community inevitably leads to social injustice and environmental degradation.

### **Tuggeranong District Strategy Comments**

For example to the ordinary person concerned about the environment the Tuggeranong District Strategy is a misleading document. It includes pictures of some of Tuggeranong's natural values and marketing speak about the importance of those values but nothing of substance on how they will be preserved.

The District maps for Tuggeranong are silent on how important unique biodiversity values which have evolved to provide essential ecological services to residents in the face of climate change, create a sense of place and support local wildlife will be protected from development.

### **Mature and Remnant Trees**

Tuggeranong contains mature and remnant trees recognised as keystone species and found across the suburban fabric on both private and public land. In parks and in private gardens.

Their presence is foundational to maintaining local biodiversity, quality of life for residents and movement for local native species. Some are scattered and others form part of natural corridors.

There is no meaningful reference in the planning maps of the location of mature and hollow bearing trees or a representation of natural corridors and how they will be impacted by the proposed planning strategy and certainly no mention of how they would be protected from development.

The Tuggeranong community can expect a significant loss of mature and hollow bearing trees under the proposed District strategy.

### **Urban Parks and Private Gardens**

Urban parks accommodate important urban adapted native species they house mature and hollow bearing trees and this important local biodiversity is dependent on surrounding gardens. Together they form the primary experience people have with their natural environment.

The scale of development forecast for the Tuggeranong District Strategy does not support these values.

For example urban parks will be subject to disruption to establish sites for water sensitive urban design which are civil engineering works in the form of retention basins to mitigate

flooding risks caused by densification. See p96 It can be expected that these sties will lose their natural biodiversity and be replaced with industrial landscaping.

Urban parks will also be used to offset the loss of tree canopy on private land with a denser application of "canopy trees" as an attempt to mitigate excess heat generated by densification. Recent research shows this is likely to fail. As a water limited city Canberra can mitigate flooding events by increasing vegetation but its geographical location prevents it from using vegetation to mitigate urban heat. <sup>5</sup>

In all cases generalist bird species which represent an important bridge in connecting people in urban areas to their natural ecosystems can be expected to decline with the densification of urban landscapes leading to a homogenizing process.<sup>6</sup>

The Tuggeranong community can expect that under this planning strategy their urban parks will decline in biodiversity including native birdlife and they will experience increased impacts from from urban heat.

### **The Blue/Green Network**

It is misleading to suggest the Blue/Green Network is designed to protect natural values when its purpose is clearly to accomodate upgraded civil infrastructure including civil engineering works for storm water which will flow from the large increase in hard surfaces and to provide a network of pedestrian pathways. (See 10 p81 - Tuggeranong District Strategy)

The consequences of the proposed retrofitting of these areas and concentration of high traffic in these areas will be to destroy whatever existing natural values remain, directly when upgrading infrastructure and indirectly when industrial landscaping measures and management strategies are applied in an attempt to dress the infrastructure for community use.

This will produce homogenized landscapes of the kind promoted by large development interests. It will not protect Tuggeranong's biodiversity and the ecological services it has evolved to provide which it is in the community's interests to protect.

The Blue/Green Network cannot reasonably be expected to protect the natural values in the Tuggeranong District or elsewhere in Canberra particularly where it follows waterways, natural corridors and creates further fragmentation in the Reserves.

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<sup>5</sup> Cuthbert, M.O., Rau, G.C., Ekström, M. *et al.* Global climate-driven trade-offs between the water retention and cooling benefits of urban greening. *Nat Commun* **13**, 518 (2022).

<https://doi.org/10.1038/s41467-022-28160-8>

<sup>6</sup> Big changes in backyard birds: An analysis of long-term changes in bird communities in Australia's most populous urban regions

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## **The Reserves**

The Reserves surrounding Tuggeranong contain important natural values including important flora and fauna documented on ACTMAPi. The impact on these values from the proposed development strategy are not documented in the Tuggeranong District Strategy maps.

The Tuggeranong District Strategy Maps indicate the Reserve areas have been treated as an offset for loss of green space. They will be subject to incursions from additional recreational pathways as part of the Blue/Green Network. Reserve areas will under this strategy be woven into the urban fabric as substitutes for loss of private gardens and urban open space which inevitably flows from the scale of the medium to high density planning strategies proposed.

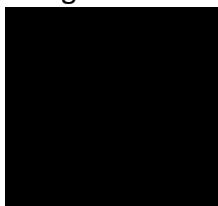
The document says the strategy will "...activate reserves and green corridors, particularly in areas of housing density". (see p27 Tuggeranong District Strategy)

Further the goal is for significant additional hard surfaces through natural corridors and Reserves with a projected increase of 80-120km. See Table 8 ACT-wide targets for planning.

In addition a regional road link is pictured traversing reserves with important biodiversity values adjacent to Theodore and Conder. (See Figure 16 p50 Tuggeranong District Strategy)

The community cannot reasonably expect to protect natural values in the Reserves surrounding Tuggeranong Valley with a District strategy that uses them as an offset for significant loss of green space in the urban footprint.

Regards





## **Submission on Draft District Strategy for Woden 2022 – 1 March 2023**

Thank you for the opportunity to comment on the Draft District Strategy for Woden 2022. It appears that considerable research and analysis has been undertaken in its development. Whilst I welcome or am not averse to the general directions of the Strategy, some elements are quite concerning and appear to be inconsistent with the notion of Canberra as a garden city and the “bush capital”.

I would like to offer the following comments:

- Continued expansion of Canberra is of course unsustainable both environmentally and economically. I therefore support greater in-fill and more flexible use of land within and between existing suburbs.
- That said, this should be done sensitively and reflecting the need for maintaining and enhancing the natural environment as much as possible. A key focus should be increasing tree cover and green spaces.
- I do support for example, increasing dual occupancy sites or townhouse developments, but, having lived in Sydney, I would not support unfettered development of medium/high density buildings which are simply “cheap boxes for humans” without decent design, respect for the environment or amenity.
- Dual-occupancy and town-house developments should be restricted to 2-3 storeys, to avoid changing the character of a suburb, and reduce “overlook”.
- In the case of Curtin, further in-fill is supported but not at the expense of green spaces on the suburb side of the stormwater channel. These are areas very well used by people of all ages across the day. This space should in fact have further tree planting and design to improve its amenity and create a more parklike area.
- The proposed edge streets seem incongruous and unnecessary and would significantly degrade the existing areas. Stating that the streets would better define the suburb just seems ludicrous.
- The space between the stormwater channel and Yarra Glen/Athlon Drive appears to be an ideal location for further residential development. This area is really only used by a small number of people (myself included with our dogs) and would have the benefit of being close to the tramline and offer possible reduced traffic noise from Yarra Glen.
- The horse paddocks also represent an ideal area for further suburb expansion with a range of building types (single, multi storey, residential, shopping etc), but with as much green space and trees as possible.
- Further development and improvement of the Curtin centre is strongly supported. The recent multi-storey building changes have made a significant improvement to the site. I welcome further residential, retail and community development to enhance and contribute to building a sense of a local community resource.
- With a number of caveats, re-naturalising the storm water channel is strongly supported as it would hopefully improve the physical environment and water quality. Any changes to the channel would have to ensure no repeat of the 1971 floods. The loss of life was substantial and the long-term effects for the families and friends has been profound. With the climate changing, and more expected severe weather events likely to occur, housing development close or up-to the creek seems reckless.
- I do find the proposed re-development of the Yarra Glen roundabout a vexing issue. On the one hand, this is a relatively large space, close to Woden and transport and is

little used apart from it being a walking and cycling transit area. It therefore represents a potentially pragmatic use of space. That said, it is quite well used as a corridor to Curtin by residents of the nearby multi-storey apartments and this should not be restricted.

- In terms of design, we need to avoid creating inaccessible “residential islands” surrounded by busy roads. The development of an additional road around the roundabout seems rather strange and would encroach on the edge of Curtin further reducing green spaces, including the recently constructed rain gardens.
- The edge street connecting to Holman Street is not supported. This would appear to allow for housing development on the edge or body of the Holman Street oval. Apart from the oval being an old building refuse site, contaminated with asbestos and other products, this would affect an area well used by local residents. Indeed, the oval should be further developed as a recreation site with more trees, and, for example play areas for children, shaded seating and outdoor exercise equipment.

I would also like to make some comments about the Strategy process:

- The Strategy and proposed changes appear to have “come out of the blue”. Perhaps I am not “connected” enough, but myself, friends and neighbours were only just recently made aware of its status. Quite a few residents are quite alarmed and consider that they have not been adequately consulted.
- The document itself is not particularly accessible as it is long, uses a significant amount of planning jargon and map illustrations which are difficult to interpret and almost seem drawn in a child-like manner. This is no doubt contributing to concerns and alarm of residents. Even as a well-educated and ex-public servant of over 20 years, I have found the document difficult to navigate and comprehend.
- The Strategy would benefit from a plain English summary of the specific, proposed changes that is easily understandable.
- I also recommend further community consultation that is widely made known. Residents are rightly concerned and would be more comfortable with being better consulted.

Again, thank you for the opportunity to comment. I would be happy to be contacted for further feedback. My comments can be made public but only in a de-identified manner.

Thank you,

[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
3 February 2023

## **Comments on the draft Inner South Canberra District Strategy**

To whom it may concern

We wish to raise concerns about the draft Territory Plan and in particular the draft Inner South Canberra District Strategy (draft Strategy) – and submit that it should be rejected on environmental, social and economic grounds.

Some urban intensification is justifiable but this is already occurring within the existing planning framework indeed the Meccone report estimates that the current framework would allow for almost a doubling of dwellings from 13,100 to 23,800. Changes to the planning controls, to allow, indeed encourage, radical intensification seem to:

- be driven by funding for stage 2 of the light rail
- ignore the character of the suburb where residents value green spaces and large canopy trees
- miss the opportunity to increase density while developing housing that would be suitable for families, retirees wishing to downsize and live independently but not in multi-storey apartments.

### **Environmental issues**

From an environmental perspective, multi-storey apartments will increase the urban heat island impact of dwellings which is going to become increasingly important with climate change and will not support optimal usage of rooftop solar and other green energy solutions. In addition, it is important that planning laws do not inhibit the uptake of EVs – extreme densification will do this as charging EVs in apartments is notoriously more challenging than in single dwellings.

I support the concerns raised on page 2 of the Deakin Residents' Association submission which challenges the assumptions underlying the environmental benefits of urban intensification.

The type of intensification permitted under the draft Strategy is inconsistent with the stated aim of 30% canopy cover.

### **Social/Cultural issues**

Far from the draft Strategy “enhance[ing] and protect[ing] the defining characteristics of the [Inner South]”, the draft strategy will radically alter it. Allowing multi-storey apartments (up to 6 storeys) in the pocket between the Girls Grammar schools, the shops and LaTrobe Park would destroy the current leafy feel of the area

- as such apartments cannot be developed along much of Adelaide Avenue because of current usage (The Lodge, embassies and schools) there is no reason to move such development further into the suburb and away from the planned public transport corridor
- if that corridor, and a redeveloped shopping centre, are attractive to residents, increased densification can happen under existing planning controls in this pocket



- there are also less disruptive opportunities for densification and multi-storey apartments further south along Adelaide Avenue including West-Deakin, around the Mint and the Curtin horse paddocks.

The suggestion that the draft strategy would increase linkages between Yarralumla and Deakin is unsubstantiated, unrealistic and of uncertain benefit given that many residents of the 2 suburbs already use both shopping centres.

### **Safety issues**

The closure of the Adelaide Avenue ramps onto and off Kent/Novar Streets and resultant detour demonstrates that the current road network cannot readily accommodate increased traffic flows. This also impacts pedestrians. During peak hours and at the start and end of school hours it is difficult/dangerous crossing Hopetoun Circuit, MacGregor Street, Stonehaven Crescent. This is inconsistent with any aim of reducing car usage.

### **Legal issues**

The proposal to move to outcomes-based planning reduces certainty for land-owners, developers and planners. It is untested, the working is vague and opportunity for scrutiny of the Legislative Assembly is reduced. There is a significant risk that aggressive development plans will not be moderated either through planning laws that set objective standards/measures or through political or judicial appeals processes.

Partly due to its radical nature, it is unclear how the transition between the current zoning and the planned zoning in the pocket between the Girls Grammar schools, the shops and LaTrobe Park would be managed. There is a real prospect that the amenity and land values of existing residents in that pocket will be adversely affected. This is likely to also impact surrounding areas of the suburb.

Thank you for your consideration.

[Redacted signature]

To: ACT Government

This Submission responds to the invitation to provide comment on the draft new Territory Plan and Dual Occupancy developments.

### Draft new Territory Plan

The draft of the new Territory Plan that has been released for comments is not fit for purpose and needs to be fundamentally re-worked and re-structured. Reasons for this include that the current draft does not specify the desired outcomes with sufficient precision and relegates some important specific rules into technical standards that the government of the day can amend at will.

This approach will fail to deliver the minimum standards required to ensure sustainable, liveable and affordable residential areas.

A substantially restructured and revised draft needs to be developed after meaningful consultation with the community and then released for public comment. With goodwill from the government this should be able to be achieved within months rather than longer.

A restructured and revised draft should include:

1. Legislated sufficient minimum mandatory standards, in a form that only the Assembly can amend, that guarantee acceptable planning, construction, and living standards. These should include solar access, private and public green space and setbacks from boundaries;
2. measurable outcomes to complement the minimum mandatory standards so that the Planning Authority can stop developments that meet the specific standards but that do not meet the intent of the law.

There should also be an accessible avenue for the community to seek an external review of all decisions by the Authority, and any Ministers' powers should be excluded in all but truly exceptional circumstances (and then subject to disallowance by the Assembly).

3. Require the Planning Authority to seek the views of an independent panel (appointed by the Assembly, comprising relevant experts and members of the community) on important planning matters and development proposals, and to publish those views.

### Dual Occupancy Developments

You also have sought comments on whether more single residential homes should be built within our existing suburbs through increasing dual occupancy developments.

I consider this should be allowed but with enough safeguards to prevent over-development and ensure good outcomes for existing and future residents (in addition to increasing housing access, affordability and choice).

More specifically (and in response to some of your questions):

1. Minimum block size. On balance, I consider the minimum block size that applies generally should also apply to the blocks that become separately titled.

This approach implies that more than two blocks could be formed (subject to meeting the other safeguards).

2. Living infrastructure. I consider that a minimum % of each block should be required to be maintained as living infrastructure (ie plants).

This implies a maximum coverage ratio (ie hard surfaces including house footprint compared to block size) but for the avoidance of doubt this should also be mandated.

3. Environmental considerations. I consider that an overriding requirement should be for public and private built and other spaces to be liveable (so solar access is critical), sustainable, and affordable to construct and maintain.
4. Number of storeys. I consider that a maximum height limit be stipulated that allows up to 2 storeys, subject to meeting strict safeguards concerning, at least, solar access for all other affected blocks.

I also consider that before changes are made to RZ1 there be a review of experiences with blocks that were multi-titled as part of the Asbestos Buyback Scheme.

Furthermore, I consider there should be a review of outcomes in existing RZ2 areas before those areas are expanded to see if the existing rules are a suitable basis to allow that zoning to be applied more widely.

I am happy to discuss these comments.

Regards

[REDACTED]  
[REDACTED]

## **Comments on the draft territory plan**

[REDACTED]

[REDACTED]

## **Climate change and Affordable housing**

I think that the two ACT issues that could be most obviously addressed by our planning system are Climate change and Affordable housing. However, in my opinion, the new planning system does not adequately address either of these issues.

## **Actual Goals of the new planning system**

When he was first appointed Chief Planner, Mr Ponton said his goal was to write the Territory plan on one A4 sheet of paper. Clearly he failed.

In fact, looking at the new system or looking at the diagram of the new system in the draft territory plan it appears that the new system is more complicated than the current one.

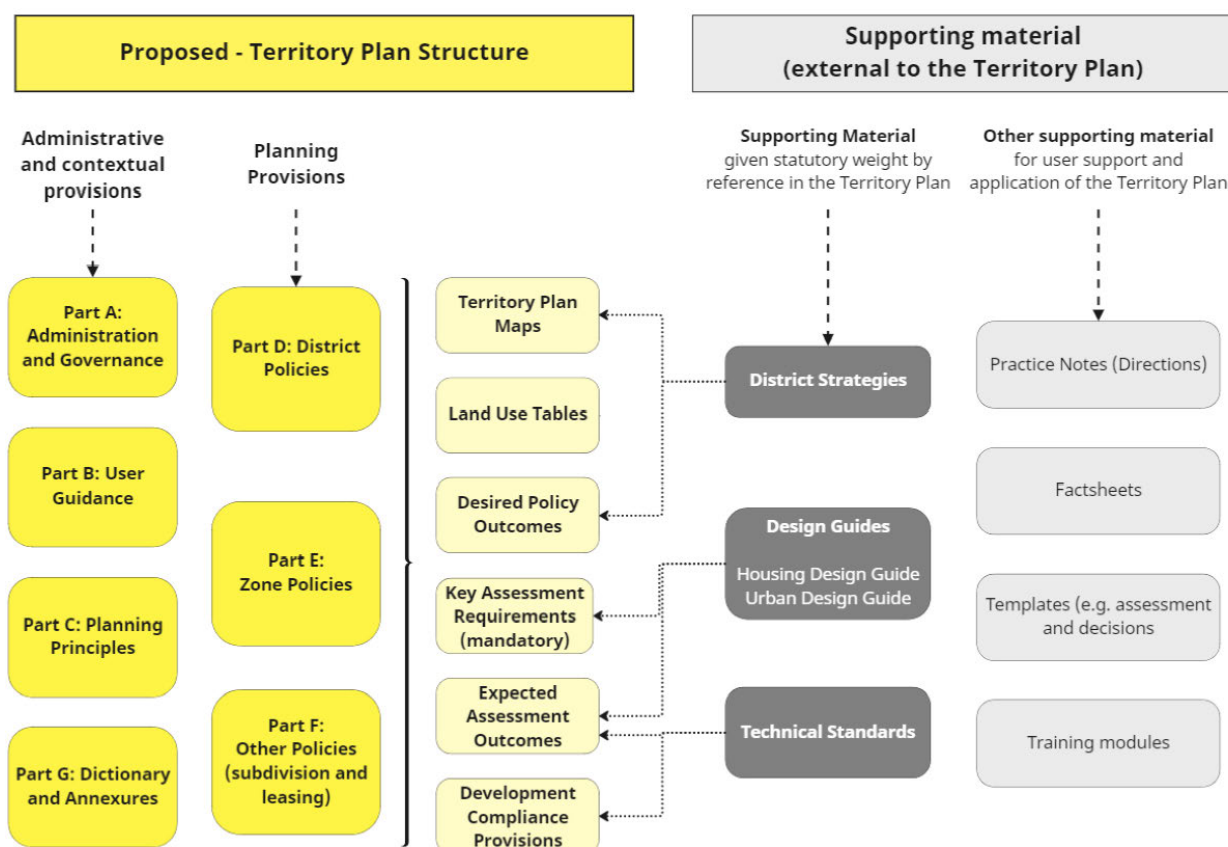


Figure 1: Territory Plan structure and supporting material

I find it very hard to work out what is in fact legally enforceable in the new system and what isn't. I know I am not the only one who is confused.

I have not been able to read all the draft territory plan and its supporting documents, let alone understand all that I have read. I am confident that there are many other issues I would like to raise if I had more time or better understanding.

### Contents of the Territory plan

The Planning Bill requires the Territory Plan to contain:

- a map (the Territory Plan map) identifying districts and designating land-use zones in the ACT
- the policy outcomes to be achieved by the plan
- requirements and outcomes against which development proposals are assessed

Clearly there is a Territory plan map. However I am confused as to what policy outcomes are to be achieved by the plan and the requirements and outcomes against which development proposals will be assessed. I have spent hours searching for a clear statement of what they are.

The New Territory Plan supporting report P6 states “The policy provisions in the Territory Plan give effect to planning related Government policies.” Is this broadly where the planning outcomes come from? How does this relate to PART C: PLANNING PRINCIPLES AND STRATEGIC LINKS ?

It seems like a reasonable proposition, that the planning system should give effect to government policies. In practice it could mean many things and many changes as government policies change in ways that are not always compatible. An obvious example in the planning area is the desire for both denser housing and for increased tree canopy. As the territory plan is currently written, it looks like the tree canopy will not be achieved.

We clearly have an affordable housing crisis in Canberra, yet the Territory plan does little to change this. Large expensive dwellings are still fine.

The new territory plan does not appear to enhance our environment. Many of the areas suggested for residential expansion within the current urban boundaries are environmentally sensitive. This is inevitable given that the NCA will not let the ACT build on the hills and buffers and 80% of the urban area is RZ1 where the planning rules support large single dwellings and not urban densification. Thus the blue/green areas, as they are described in the district strategy documents, are densification targets.

I do not have the time, or technical capacity, to adequately analyse the “requirements and outcomes against which development proposals are assessed”. However as the new planning system is ‘outcomes bases’ it seems vital that the requirements against which development proposals are assessed are clear and will ensure the desired outcomes.

Looking one local (for me) example, for Mawson it says “22. Development retains reasonable solar access to key public spaces, particularly the public courtyards.” What is reasonable? Is it reasonable now? Even more nebulous is “28. Development within Figure 8 maximise the potential of a future light rail stop. “What does that mean? Should all of Mawson group centre become a park and ride? That would probably satisfy the criteria.

The new territory plan seems like it will give more discretion to the Chief Planer and Authority to advance their and/or the government’s preferred outcomes. There are just too many competing outcomes to achieve them all. As always, planning is a political process.

### **Consultation process**

The government has refused to have any physical town hall meetings about the new territory plan. Very cynically, Mr Ponton went to all the community councils to announce the new territory plan was coming and refused to take any substantive questions. The government has

refused to allow officials to attend community council meetings and answer questions about the new territory plan and planning bill. Town hall style meetings are very useful for the audience as they get to hear about issues that they had not even considered. They are useful for the government as they can explain what they mean and reduced misunderstandings and gain an idea of what issues concern people.

I think that there was one teams town hall style meeting. The one I attended was very useful.

The government has held a lot of 'listening post' consultations. It's a real positive that they have gone out into most parts of Canberra. However the staff for the government at shopping centre consultation that I attended knew nothing about the planning changes. They also refused to let people write their own comments down. All had to be written by the government staff.

All of this is another example of the government favouring individual rather than community to divide and conquer.

In terms of issues where consultation was particularly problematic, I would first highlight the overall complexity of the system as I mentioned above. As well, its really unclear what transacts mean and what their role in the new territory plan is (zero right now?) or will be, presumably major.

The future of RZ1 is the other example of particularly poor consultation. The YourSay consultation website has a section, which is not visible without scrolling down, that says the government is interested in comments about dual occupancies. Recently there has been a lot of press about "the missing middle" and I am wondering if a deal has been done. I will write more about this in terms of what I think should happen from a planning point of view in its own section. However in the previous term of the Assembly the government ran a very useful deliberative democracy process called "Housing Choices". I suggest the government should respect the work that went into that process and use the outputs to inform the residential housing changes.

## **Residential zones**

The draft Territory plan says that the desired outcomes to be achieved for all residential zones are:

1. Residential zones are primarily for residential developments but permit other development that complements residential uses and streetscapes.

2. Development should be of a scale and nature that recognises and responds to the zone hierarchy.

3. Facilitate development that is resilient to climate change, has good solar access, is energy efficient, with sustainable water use as well as encouraging active living and active travel.

Objective 1 seems self evident.

Objective 2 is not always being achieved. In RZ1 blocks are starting to be redeveloped as large houses or McMansions which are not compatible with the scale of adjoining residences. RZ1 development in some new areas is denser than RZ2 in some older areas.

Objective 3 is not, in my opinion, being achieved. Most multi unit developments are east or west orientated so that is not good solar access or energy efficient. It is also not resilient to climate change as they over heat in summer and require air conditioning to be comfortable. Modern home design seems to prioritise comfort and time saving over active living and active transport. I could write more on this subject but I'm sure you get my point.

I think that Objective 3 should be strengthened with measurable objectives. We have a number of relevant ones enshrined in other parts of government policies. They could include:

- Housing more people as it is expected that Canberra's population will continue to increase
- Preservation of green space both public and private, especially trees. This could include the government policy of urban tree canopy of 30% minimum. This will help preserve the natural environment, reduce the urban heat island effect and has proven positive mental health benefits
- Better solar access so that houses get the comfort and efficiency benefits of northern aspects and there is space for productive gardens.
- Quiet enjoyment for all residents, including privacy and solar access. As Canberra becomes denser both privacy and solar access are at risk.
- Affordable houses, Canberra median house price is now over \$1 million which is not affordable for most of us.
- Low environment impact, such a limitation of scope 3 emissions and operational greenhouse gas emissions.

Our current policies encourage large houses covering the whole block that are not affordable. They do not meet the zone objectives.

Given the increase in multi unit developments, we need to develop better ways, which are equitable to the lower income unit owners in particular, to redevelop unit titled residential



areas. This may be outside the planning systems current scope, but nonetheless it needs to be worked on for our future.

## **RZ1 Changes**

80% of the urban area of Canberra is RZ1. Much of it was built a long time ago and is either being renovated, knocked down and rebuilt or the owners are considering change. This means we need to get the redevelopment rules right now.

Many commentators are suggesting that we just let the RZ2 rules extend to RZ1. The redevelopment in RZ2 is largely leading to luxury townhouses that, once you include hard surfaces, cover almost all the block. They are not affordable for people or the planet.

The territory plan policy outcomes for RZ1 are

The fundamental desired outcome for the RZ1 zone is to achieve and/or maintain low density residential neighbourhoods in suburban areas.

Other important desired outcomes to be achieved in the RZ1 zone:

1. Provide for a range of housing choices that meet changing household and community needs.
2. Limit the extent of change that can occur particularly with regard to the residential density and original pattern of subdivision.
3. Ensure development respects valued features of the neighbourhood and landscape character of the area and does not have unreasonable negative impacts on neighbouring properties.

Given the rapid increase in Canberra's population it seems strange to have "low density residential neighbourhoods" as the fundamental desired outcome. There are many McMansions now in RZ1 and new RZ1 have a coverage amount of up to 70% so it is clear that the "fundamental desired outcome" of "low density residential neighbourhoods" is not being met if it concerns the density of built form. There are areas of new RZ1 developments that are higher density than RZ2 developments.

The restrictive rules of RZ1 specifically do not allow for objective 1, "range of housing choices".

The rules do help meet objective 2 "Limit the extent of change". However it is not clear that the limited change they allow is the best. Given the increased population that the ACT government expects Canberra to have, and the desire to not extend into Greenfield areas, it seems bizarre to want to limit the change in residential density as a zone outcome.

It is hard to evaluate the success of objective 3 “respects the valued features of the neighbourhood and landscape character”. However, the number of trees removed suggests that objective 3 is not being met.

The ACT can do better with our large RZ1 area. I suggest

- Allow unit titling for any block of 300sqm or larger. Unit titling allows common facilities such as shared driveway, parking areas, garden etc. It allows existing land to be used more efficiently than subdivision where the new blocks are entirely separate.
- Allow block consolidation so as to get more useable sites
- Remove the limit to the number of dwellings on a block. The density can be managed by coverage, solar access and privacy (stopping overlooking) and minimum dwelling size rules
- Change the definition of ‘coverage’ in the planning system to include impermeable surfaces, in particular concrete driveways. This will better protect open green permeable space and enhance the options for trees on any redeveloped RZ1 blocks.
- Allow 2 storeys in all of RZ1 with limited attics
- Apartments should be permitted in RZ1, and in particular manor house configurations.
- Permit cohousing in RZ1, there is no reason to forbid it.
- Encourage adaptive reuse of existing buildings rather than knockdown rebuild. This reduces scope 3 emissions substantially and it likely to lead to more existing trees being preserved. There are many ways to do this. There could be a commitment to facilitate a unit title subdivision that enables the existing house to remain. Planning fees could be a lot less. Planning fees could reflect scope 3 greenhouse gas emissions. There could be agreement as to how much work has to be done to upgrade the house to current EER regulations when major renovations are done. ACT government could sponsor a prize for both builder and architects for good renovations rather than demolitions. This is where the new planning system’s commitment to flexibility could come in.
- Move our rates system to be market or improved capital value rather than land value based. This would create a more equitable rating system and discourage large houses.

RZ2 should basically have the same rules as RZ1, the difference should be just allowing a higher coverage of the site. For multiunit in RZ1 and RZ2, the rules currently say “Site coverage is a maximum of 45% of the block area.” For single houses, Site coverage is a maximum of:

- For large blocks: 40% of the block area

- For mid-sized blocks: 60% of the block area
- For compact blocks: 70% of the block area

Thus the current rules favour large single residences. This is unsustainable from a social (increases isolation), economic (they cost more) and environmental (more resources per person) point of view.

I support limited rezoning of RZ1 to RZ2, with good consultation before hand, as well as the changes above.

Areas of multi unit development should allocate space for productive land use, in other words, community gardens. These can be a useful source of food as well as a good social connection. Ideally they are locally based and supplemented by bigger gardens/farms such as Canberra City farm. It should be preserved as a buffer between the wetlands and residential development.

### **Affordability**

While I think that much of the problems of our housing market are due to our financial system, taxation system, capitalism, over population and over consumption, there are still things that the ACT government can do to encourage more affordable (financially and environmentally) housing that supports human happiness and minimises negative environmental impacts.

The changes I have suggest for RZ1 and other residential areas would increase the likelihood of building smaller, more affordable (for people and planet) buildings.

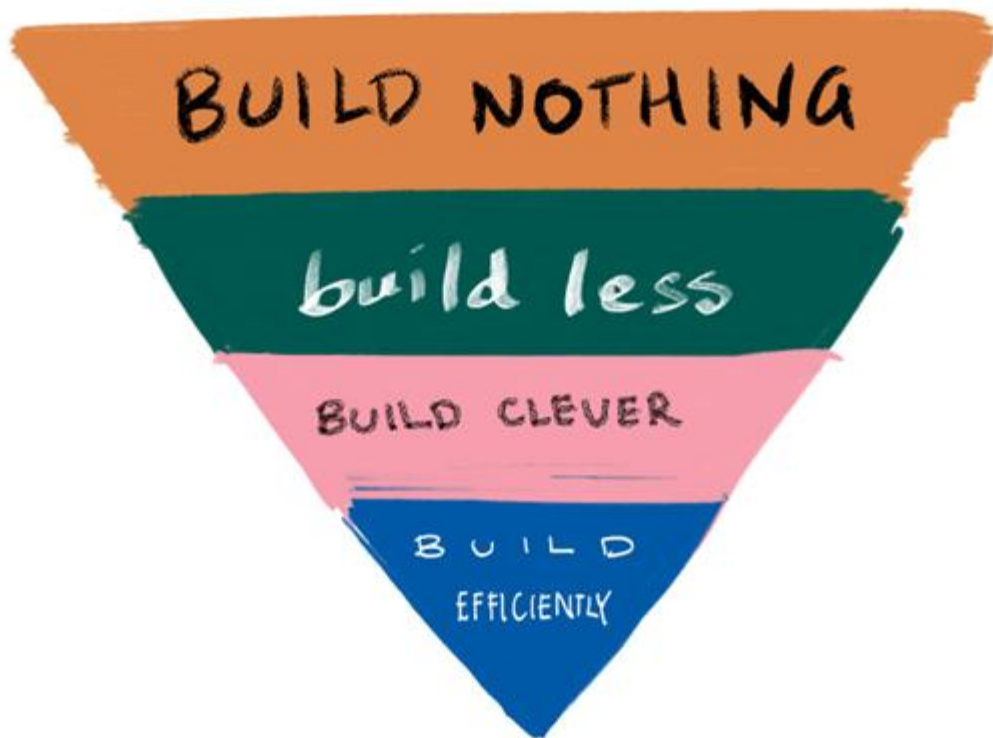
### **Environmental impact**

The new territory plan appears to ignore all scope 3 emissions. Globally construction emissions are reported to be in the order of 30% of greenhouse gas emissions yet they do not feature in the Territory plan.

On P62 the Woden district strategy and it in all the other strategies I assume says “New development has to make an ‘oversize’ contribution to lowering carbon emissions given the constraints to retrofitting the existing housing stock.” How does the oversize contribution of the construction industry to carbon and other pollution get accounted for? It appears that the ACT government is just ignoring scope 3 emissions and intending to in effect export our greenhouse gas emissions. The ACT government should model the likely greenhouse gas emissions of the building that it is planning to allow. This modeling should include all emissions – ie scope 3 and construction as well as operational. From a climate change point of view it doesn’t matter where the emissions come from. NASA says “CO2 residence time between 300 to 1,000 years. So it is very important to reduce emissions now.

I agree with the hierarchy (figure below) as presented in “Scope 3 Greenhouse Gas Emissions in the ACT” a publication of the ACT Commissioner for Sustainability and the Environment. I would like to see the Territory Plan implement it.

## THE BUILD HIERARCHY



The new Territory Plan should implement all the recommendations from the “Scope 3 Greenhouse Gas Emissions in the ACT” with respect to the construction industry.

### **Enforcement**

The current rules in the territory plan are not well enforced. That is one of the reasons that appeals against planning approvals are so important as they are an enforcement mechanism, admittedly an expensive and inefficient one. With the new outcomes based system, enforcement could be harder as the outcomes would be less clear. In addition, I think the planning bill makes it harder for appeals to ACAT and intended to reduce public consultation.

## **Comments re impact on Woden**

These are some specific comments based on the Woden District Strategy, policy and some related documents.

### **Level of commitment behind the Woden District Strategy and District Policy**

For each district, the government has produced two documents, the District Strategy and a District Policy. The District policy is part of the proposed new territory plan and appears to be the legally enforceable part of the planning for each district.

Given this, my first comment is that the ACT government appears to be deliberately created confusion with the 2 documents. The one that is most understandable to the public 'promises' or at least discusses much much more than the policy document which is generally incomprehensible to the public.

The policy document is largely the same as the current policy, with a few changes which reduce public space amenity and facilities. It continues to allow the reduction of public space and amenity, in particular in town and group centres central open gathering space. The residents of Curtin fought long and hard for sun in their central square. As a result, they have a solar fence of 5m on the edge of their central square. I understand that the new territory plan will remove that protection. Mawson and Woden central areas have no solar protection. This is wrong.

### **Proposed changes to Phillip Pool**

This will allow the current 50m public pool to be replaced by a 25m pool and some associated aquatic facilities. The site has been sold to Geocon who is one of the ACT's largest residential developers. This appears to be financially rewarding land banking.

Woden residents are just as entitled as the rest of Canberra to publically accessible swimming facilities. At the very least, the planning requirements for the site should be strengthened to require the pool to be affordable to access and cost no more to use than other pools in Canberra. It should also be accessible. I assume it will basically be part of a new residential tower and the tower owners should not be allowed to impose dress restrictions that will keep people out.

### **Comments from here are based on the Woden District Strategy**

### **Role of the hospital**

The hospital is barely mentioned in the future vision for Woden – why? It is not mentioned in the directions for Woden page, page 93. It is currently the tertiary hospital for ACT and south east NSW Figure 14 page 45 does not connect town centre and hospital. Ever since the Canberra Hospital at Acton was blown up, it has been clear that the previous Woden hospital would become the main Canberra hospital.

The government, in my opinion, should have been prioritising transport connection, especially public transport, between the hospital and Woden.. The plan has the connection east-west , in particular connection to the Hospital as Strategic investigation area. The strategy says “Connecting to the hospital “Better linkages between the Woden town centre and Canberra Hospital will be considered as well as other local transport improvements identified through the implementation of the ACT Transport Strategy.” Only considered, not acted on. “ Table 12: Woden initiatives – Strategic movement to support city growth” does not mention the hospital.

The government also should be facilitating the spread of the hospital into nearby residential areas, instead of cramming it into the one bloc. In particular, Palmer street residences could easily be converted into consulting rooms for doctors. Patients and doctors could walk between hospital and doctors rooms. This is common in other cities in Australia.

Figure 25 Page 86 has a purple area the other side of Yarra Glen from the hospital. It is not clear what this is indicating, will it become an employment area? The ACT government could gradually buy up the townhouses on the Phillip side of the hospital to eventually use for the hospital. In the short run they could be used for accommodation for interstate patients and their families or hospital staff.

### **Comments on the 5 big drivers page (page 38)**

#### **Blue Green connections**

A better Blue Green connection is a good idea. The document says “Explore opportunities to restore natural environments along Yarralumla Creek as part of an enhanced blue-green connection including potential for wetlands. (page 8)

Where is the spare space in the Athlon drive corridor if light rail and more residential development are coming? Has the government updated the flood modelling given climate change and increased hard surfaces in Woden? If there is an intention to naturalise Yarralumla creek why was the Mawson sediment ponds and other water improvement assets built metres above creek level? Why is high density housing planned along much of the Yarralumla Creek.

This section appears to be ideas without any intention to implement them.

#### **Economic**

This section largely ignores the hospital and the rest of Woden. It is all about reinforcing the Civic – as it was called in the Burley Griffin’s plans – role.

### **Strategic Movement**

This section is based on the proposed light rail. What about until the light rail comes? What about areas such as the hospital that the light rail will not service?

Over recent years the bus services in Woden have decreased and there does not seem to be any commitment to improve them.

The plan has connection east- west, in particular connection to the Hospital as a strategic investigation area. Why not action on this as it is a significant transport requirement?

Is there a commitment to keep bus stops as they are part of the plan? The transport overview on page 23 ignores bus rapid transit. Woden currently has a good express bus service which is being degraded by the government. It would be good to see that recognized.

### **Sustainable neighbourhoods**

It is good to see the commitment to more social and affordable housing. I agree with (p56) “New development in future should incorporate new social and affordable housing, including the 15% target on residential land release sites in the ACT Housing Strategy.” However the goal needs more action to make it happen.

The map of where it is suitable to have new housing for Woden, and the rest of Canberra, shows that most of it will be in the blue/green areas. This is not a good outcome environmentally. It comes I assume because the ACT can’t develop on the hills and buffers as the NCA would not allow it. The government has decided as a matter of policy to leave the existing residential zones untouched both in location and policies.

In my comments about the Territory plan as a whole I will discuss how we could change zoning rules so that we can redevelop parts of RZ1 to accommodate more people and still keep as much green space. We need to do things like this rather than developing in the environmentally sensitive blue green areas. I note the feedback “Feedback from the community “ in table 9 P92 Design efficient homes and make them smaller.” This plan doesn’t do that, but it could.

The district strategy at this point mentions urban character analysis and an urban transact. This is hugely confusing for me and I know others. It would increase transparency and confidence in the government if it gave more information about its intentions here.

On P64 it is good to see “**Improve the urban environment** – Where additional density is proposed, work with development proponents to:

- • leverage, activate and upgrade open space to enhance public domain
- • enhance the civic amenity of centres with new squares and/or new community buildings
- • modify and expand existing street networks to improve walkable access to centres

- protect and restore open space areas and corridors, or create new open space connections, to fill gaps and enhance ecological sustainability in the blue-green network. “

The reverse is happening in Woden. The town and group centers public space is being overshadowed and our sporting facilities are being turned into residences. Our bus interchange has been demolished.

With our current building rules, we are getting less urban tree canopy not more.

Page 59, Figure 19 shows the potential areas for new housing. However it ignores the issues with existing multi unit developments which under current ownership rules are very difficult to redevelop.

### **Inclusive Centres**

It is good to see a commitment to “All residents in Canberra should be able to walk to a group or local centre where they feel welcome and safe and can find basic goods for day-to-day living.” Hopefully this will include more provision for disabled Canberrans who cannot easily walk? Better public transport and safer paths?

The general emphasis on community facilities is to be commended. As mentioned before Woden does not have many apart from a great hospital and a deteriorating express bus system. It would be very pleasing to see more arts and cultural facilities. Some of our schools are full as well. Our community facilities, especially sporting facilities have often been turned into housing.

### **Page 97 Future possibilities for the light rail corridor – Inner South and Woden Districts**

This all sounds super positive and it seems the light rail will make everything better. I will make a few less positive comments.

“Light rail will complement and connect seamlessly with other transport modes as part of Canberra’s wider public transport network.” That sounds great, but its not that easy in Civic or Dickson, the 2 current interchanges on the light rail route. Crossing a 3 lane road is not seamless.

“Unlocking potential at the gateway to Woden town centre” Many older residents remember why the huge intersection is there – the deadly floods. What work has or will be done to ensure that no more people are killed there? Hopefully the roundabout could prioritise bus travel as well as light rail.

“Re-imagined Yarralumla Creek connecting through the district”. Its easy to visualize Yarralumla creek as it was when I was a child and grew up in Yarralumla. What is hard to imagine is a naturalized creek fitting in with all the development that is proposed along the side



of the creek in a time when climate change has increased the likelihood of severe rain events and thus flooding.

“The Phillip service trades area effectively turns its back on the Athllon Drive corridor. This could be reversed with a public transport stop and urban development fronting both sides of the corridor with frequent pedestrian connections.” FYI there is currently 2 bus stops on Athllon drive in the Phillip trades area. Once the light rail goes to Woden and stops there the stops will be less useful as they will not have buses going to Civic only to Woden or Tuggeranong.

### **Looking at the plans for the changes to various parts of Woden**

Figure 41: Principles for Woden town centre p 123 has the 2 hubs which are new CIT plus car park on Hindmarsh Drive. Has the government really just given up on Woden itself?

Figure 42: Principles for Phillip and Athllon Drive p 124 This has the new residential area building over existing conservation area, an area with large trees plus well used walk ways. I have annotated the diagram in red.

1 is an area of large existing trees. Given the government’s promotion of increased urban tree canopy it is hard to see the justification for removing these trees.

Area 2 contains 2 well used pathways. One meets the shared path between Mawson and Woden at the bottom of Power street. I assume that the path will be relocated slightly to serve the expanding population. However the other part of the Y shaped path connects to Bride place. As far as I can see, that path will be built over. This is not a good way to encourage active transport. Also in the area I have labeled with 2 is a conservation area, established to support kangaroo grass, will have housing built on it.





3 March 2023

EPSDD

Territory Plan Submissions

Dear Planning Reform team,

## Submission on Draft Inner North and City District Strategy and Draft Territory Plan

### Introduction

The Canberra Racing Club (CRC) is the lessee of Thoroughbred Park, the home of thoroughbred horse racing in Canberra. The site includes Blocks 6, 7 and 9 of Section 69 Lyneham and is a 64 hectare block currently zoned NUZ1 Broadacre. CRC have a market value Crown Lease for Thoroughbred Park with a 77 year term remaining on the lease. CRC is committed to providing horse racing, horse training, club activities and events at Thoroughbred Park indefinitely. This letter provides a submission on the draft Inner North and City District Strategy as it relates to CRC's site in Lyneham.

In the period of 2018 to 2021 CRC invested significantly into the preparation of a Thoroughbred Park draft planning study to support long term revenue diversification for the club. In late 2021 CRC submitted a draft planning study to the Territory Plan Unit of EPSDD which included a range of detailed assessments and site investigations to support a proposed change to the zoning of part of Thoroughbred Park. The purpose of this submission is to facilitate appropriate mixed use and residential redevelopment, while maintaining the racing track, horse training facilities and Club on the site.

During the consultation period for the draft Inner North and City District Strategy, CRC has met with EPSDD and expressed our concern that although Thoroughbred Park has been listed as a key site within the strategy, it is evident that the strategy has been considered in the absence of the detailed assessments and site investigations which were included within the Thoroughbred Park draft planning study.

CRC believe that there is ample evidence in the Thoroughbred Park draft planning study to support the site being recognised as **'Urban Centre'** in character due to its location and to be identified as a **'proposed'** change area (rather than 'possible') in the final Inner North and City District Strategy.

### Summary

CRC supports the work that the ACT Government have undertaken to review the planning system with the aim to simplify it, improve the balance between certainty and flexibility and incorporate character, context and design as key elements of the system, detailed strategic planning for each district and an outcome focussed Territory Plan.

CRC are pleased to see that the initiatives proposed in the draft Inner North and City District Strategy broadly complement our aspirations for the future of Thoroughbred Park, albeit CRC are not proposing the removal or relocation of the Racecourse (as identified in *Figure 42*). To the contrary, CRC plays an important role within the Canberra community and envisions that Thoroughbred Park can help to provide needed infill housing and

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development opportunities within the inner north. This development can support the big drivers for the district planning and ACT Planning Strategy which will help Canberra to grow as a resilient, sustainable and compact city. To further support this, we request:

1. The site to be identified as a **'proposed'** change area (rather than 'possible').
2. The site be recognised as **'Urban Centre'** in character due to its location.
3. References to roads through the Kamberra site be removed.



Figure 1 Thoroughbred Park. (ACTMAPi)

## Inner North and City District Strategy

It is understood that the district strategies are intended to be dynamic documents that evolve and put the directions from the ACT Planning Strategy into a more localised context. The role of the district strategies is stated as:

- Setting a future direction for each of Canberra's districts
- Provide a guide for implementing the ACT Planning Strategy at a district level, including guidance on desirable areas of growth and change based on accessibility to services, transport and amenities to inform the district policies under the new Territory Plan.
- Informing the provision of infrastructure, community needs assessments, and assessment of major development and rezoning proposals and more detailed precinct and site planning.
- Assisting in achieving coordination between infrastructure, transport, planning, climate change and living infrastructure strategies and delivery of initiatives at a district level.

Some of the key directions for the Inner North and City that relate to the site include:

- Protect, enhance and restore habitat values in key blue-green corridors including re-naturalisation of Sullivans Creek and its tributaries.
- Future development contributes towards living infrastructure aims.
- Develop economic and mixed-use hubs at and nearby light rail stops along the Northbourne Avenue corridor based on sustainable urban development principles.

We support these directions and the associated initiatives for the Inner North identified under each of the five drivers.

The draft district strategy identifies the need for around 22,400 additional dwellings by 2063 as infill development. Based on investigations in the planning report provided to EPSDD (for Thoroughbred Park to support the proposed rezoning) we identified that the site could support up to **3,200 dwellings, 14% of this infill**.

As a strategic gateway site to the city and northwest growth corridor, a master planned outcome on this site with the unique mix of open space, manicured and planned landscapes, employment, entertainment and **‘Urban centre’** built form has the potential to set a new benchmark for integrated and modern living in the ACT.

### Key Sites and Change Areas

The site is identified as part of the only “key site and change area” in the district as a “possible” change site. It is coloured in yellow in Figure 39 which indicates a “General urban” character in the transect analysis included at Appendix 1. Two options are proposed for the site, Option A, which includes the racecourse, and Option B, excluding the racecourse. As discussed above, CRC has a market value lease for this site and intends to continue to operate the racecourse at this location. The site is not public land. Therefore “Option B” is not being contemplated, nor should the ACT Government be proposing this option as part of this strategic planning document. Should the Club’s position change into the future, this could be assessed in subsequent 5 year review cycles of the district strategy.

In 2021, CRC submitted a detailed planning report to EPSDD proposing changes to the site which broadly reflects the principles identified for Option A in the District Strategy. This included a concept plan and investigations to facilitate a proposed rezoning for part of the site. The Racecourse and club facilities would not be rezoned but would be improved and consolidated on the site. The planning report described CRC’s aspiration to create a mixed-use racing, residential and commercial precinct which compliments and capitalises upon Thoroughbred Park’s racing activities.

The planning report and Traffic Impact Assessment prepared in consultation with Transport Canberra and City Services ruled out consideration of a road connection from the site through the adjoining Kamberra site to the Federal Highway due to impacts on the broader network. This was removed from the revised scope for the planning report (12 July 2021) and not considered further. However, this has been included in Figure 41 of the strategy as a principle for consideration in relation to planning for the site. This should be removed.

The site is ideally located to provide for future housing and growth to create a new sustainable neighbourhood due to its proximity to existing services, amenity and the light rail and is situated close to other sites which are undergoing change at both Yowani and Kamberra Winery.

At the meeting between Clubs ACT and EPSDD held on 2 March 2023, EPSDD advised that a site which had either a live Development Application or Territory Plan Variation Request would be considered a “proposed” site under the district strategy.

Given the comments made by EPSDD and that detailed planning work has already been undertaken for this site and submitted to the Planning Authority, the site should be recognised as a **“proposed”** change site in the district strategy. The site should also be considered **“Urban centre”** in character (Figure 39) due to its proximity to light rail and the type of development and zoning contemplated in the planning report which is for medium-high density residential, mixed use or business zones. This would support the implementation of planning that

encourages the supply of affordable, diverse and sustainable housing and associated development in this part of the inner north.

We note that to implement the initiatives in the Inner North and City District Strategy, there is also a requirement for timely delivery of upgrades to utilities and infrastructure by the ACT Government to support future growth and development.

As the proposed concept and rezoning proposal closely aligns with the district strategy, we anticipate support for the proposed plan variation to realise these aspirations. There is no benefit to CRC, the Canberra Community or ACT Government in delaying the recognition of the site's suitability for urban infill. It should be noted that the Thoroughbred Park draft planning study includes a consultation report where the Gungahlin and Inner Community provided overwhelming support for the proposed re-zoning of part of Thoroughbred Park.

### Exhibition Park in Canberra (EPIC)

Exhibition Park in Canberra (EPIC) is identified in the district strategy as an important location within the district as one of the only spaces across the city with the capacity for large-scale events. The draft District Strategy states:

*EPIC will be supported by the services and amenities available in the Dickson Group Centre. The redevelopment is expected to include capacity for a new 10,000 square metre indoor venue for events and exhibition space, with accompanying commercial floorspace. The site's function as the primary location for large events in Canberra will be retained. No residential development is proposed.*

The CRC site is close to EPIC and therefore changes proposed at the interface between Thoroughbred Park will need to be managed to ensure that EPIC can continue to operate large noisy events, without being unduly restricted by the presence of residents. The planning study prepared on behalf of CRC included a noise assessment which considered the matters around this.

There are a number of uses and development types that are appropriate and suitable along Flemington Road in proximity to EPIC. CRC is seeking flexibility and opportunity through the rezoning process so that future development can respond and adapt to change. To mitigate potential noise impacts from EPIC there are controls that can be included in the Inner North District Policy to address noise in future development.

Measures include:

- Identifying blocks on the CRC site as potentially affected by noise from external sources, so that this is clearly communicated as part of future planning.
- Include building controls into the District Policy for precinct 2 (corner of Flemington Road) that require all private open space to be partially/ fully enclosable on the eastern side.
- Residential development in precincts 2, 3 and 5 to require that all dwellings shall be constructed to comply with the relevant sections of AS/NZS 2107:2016 -Acoustics –Recommended design sound levels and reverberation times for building interiors (the relevant satisfactory recommended interior design sound level).

### Draft Territory Plan

While the district strategies are one part of the process to review and reform the ACT Planning System, these sit alongside the new Territory Plan. It is understood that the district strategies have informed and will continue to inform the district policies in new Territory Plan by identifying areas of potential future land use change and providing guidance on the expected character of development in those areas.

Once the site is rezoned, the new Territory Plan will provide an outcomes focus for development assessment in accordance with the Inner North District Policy and the relevant zone and other policies applicable to future development.

### Closing

Thank you for this opportunity to comment on the new planning system. CRC request that EPSDD recognise the substantial work undertaken by CRC in preparation and ongoing finalisation of the Thoroughbred Park draft planning study by amending the site to be identified as a '**proposed**' change area rather than 'possible' within the final Inner North and City District Strategy.

Yours sincerely



## **SUBMISSION/FEEDBACK ON DRAFT TERRITORY PLAN AND INNER SOUTH DISTRICT STRATEGY**

My husband and I have owned our house on [REDACTED] since 1995. Prior to that we have lived elsewhere in Canberra since 1978. We moved to Forrest for reasons of proximity to our son's school (Canberra Grammar School), the character and environment of the Forrest area and its natural and built heritage characteristics.

I have been involved in the Forrest Residents Group (FRG) for some years and more recently the Inner South Canberra Community Council (ISCCC). My husband and I intend to spend the rest of our lives to the extent possible in our house [REDACTED] (ageing in place). To that end we have determined that our house enables wheelchair access and other ageing in place requirements.

We are aware of the submissions on the Draft Territory Plan and District Strategy from other Forrest residents, Community Groups and other interested parties. We therefore outline hereunder areas of the draft documents upon which we and they have made comments.

### **DRAFT TERRITORY PLAN**

#### ***Must be simpler and easier to use***

- The Government's stated purpose for the planning reform is: "To deliver a planning system that is clear, easy to use and that facilitates the realisation of long-term aspirations for the growth and development of Canberra while maintaining its valued character".
- The draft Territory Plan and supporting documents do not meet the stated purpose of a clear and easy to use planning system. The multiplicity of documents and their complexity will make them difficult to understand, to administer and to evaluate. Radical surgery is needed to fix the problems.

#### **Must demonstrate genuine commitment to an outcomes-based approach based on evidence**

- If the Government is transforming the planning system by moving to an outcomes-based approach, it should demonstrate its genuine commitment to that approach by showing that it is informed by evidence. This will contribute to confidence that as Canberra grows and develops, its valued character will be maintained.
- The draft Territory Plan relies too much on subjective assessment. It should have clear, quantifiable outcomes measures. The government's definition: "Good outcomes that meet community needs" can mean different things to different members of the community.
- The Government must show it evaluates and learns from the outcomes of past initiatives.



## **Must provide greater clarity and certainty in decision-making on development applications (DAs)**

- The Territory Plan must incorporate tighter definitions of desired outcomes, based on verifiable evidence and objective measures of compliance.
- Key mandatory DA assessment requirements from the Technical Specifications and other supporting material must be included in the Territory Plan, to enable Assembly and community oversight.
- In particular, there must be mandatory requirements for measures which protect the amenity of existing and future residents, such as access to sunlight/natural light, privacy, amount of planting area on residential blocks, building height, and protection of the character of heritage precincts. Residents have demanded a say on neighbouring knockdown rebuilds (in response to the ISCCC's online survey in 2019/20). These issues matter to people because they facilitate a live able environment.
- The proposed Territory Plan does not provide for these key characteristics of a live able environment, so the Government must make such key requirements of concern to residents mandatory and include them in the Territory Plan rather than in Technical Specifications and Design Guides which create uncertainty as to outcomes.
- The Living Infrastructure provisions which came into effect for established suburbs on 1 September 2022, and which are critical to climate change resilience, must not be watered down in the new Territory Plan. It seems, for example, from the Technical Specifications (page 5) that single dwelling residential blocks larger than 500 sq metres will only be required to have 24 percent plantable area on the whole block rather than 30 percent laid out in the Living Infrastructure provisions in the current Territory Plan. This seems to have been done by changing planting area to a percentage of private open space instead of the whole residential block.
- The proposed development assessment system should comply with nationally agreed benchmarks, namely the 'Development Assessment Forum' (DAF)'s 'A Leading Practice Model for Development Assessment in Australia'. Currently, it does not.
- As the Design Guides are not yet available, a period of at least four weeks for public comment should be allowed when they become available.
- The criteria for exemption from the requirement for a Development Application are not yet available. A period of at least four weeks for public comment should be allowed when they become available. As these criteria will comprise mandatory criteria, they must be included in the Territory Plan.
- Proposed changes to mandatory requirements in the Territory Plan should be treated as a major amendment, with appropriate notification to the Legislative Assembly and provision for the amendment to be disallowed if the Assembly considers that to be the appropriate action.

- An explicit requirement that DAs involving protected trees should be referred to the Conservator should be included as a mandatory Assessment Requirement in the Territory Plan (or as an amendment to the proposed Planning Act). Decision makers who decline to follow the Conservator’s recommendation(s) should be required to give reasons for their decision.
- An explicit requirement that DAs involving heritage matters are to be referred to the Heritage Unit and Heritage Council should be included as a mandatory Assessment Requirement in the Territory Plan (or as an amendment to the proposed Planning Act). Decision makers who decline to follow the Heritage Council’s recommendation(s) should be required to give reasons for their decision.
- The current Heritage rules must be maintained, and all development must preserve the built heritage, streetscape and character of heritage precincts. Property-buyers should be asked to sign a declaration that they are aware of heritage rules and will respect them.

## **DRAFT INNER SOUTH DISTRICT STRATEGY**

- There must be an evidence-based, more rigorous methodology for projecting population increases in the ACT and hence the number of additional dwellings required annually.
- A clearer evidence base is needed for the proposed Transect approach to Urban Character Types (eg. General Urban, Urban Centre, Urban Core), and how it informs the building heights shown in the Sustainable Neighbourhoods maps, how it would interact with the zoning provisions in the Territory Plan, and how it will ensure resilience in the face of a warming climate, including through the provision of adequate green space and tree canopy cover to prevent heat islands. A regularly updated heat-map is required to provide evidence that developments do not lead to temperatures harmful to health.
- Instead of random up zoning in a district, it is preferable to have structured community engagement to ensure co-design of precinct scale developments, and then improvement of processes between participating Government agencies, the private sector and the community to deliver the redevelopment of precincts in a timely way.
- The ACT Government must use a genuine and well-structured, rather than “rubber stamp”, community engagement and co-design approach on the district strategies, including by promoting the community engagement processes widely, at accessible times and places, with reasonable timeframes for comment, and by providing good quality, high resolution maps and other information to support the community in providing better informed feedback. This is especially important in view of current community feelings of disempowerment and the experience of not being listened to.
- The Inner South Canberra Community Council’s “Inner South Canberra District Planning Strategy - Future Directions for our District - 2021” is a thorough, locally-sensitive, attempt at a District Strategy. This should be drawn on more comprehensively in revising the Government District Strategy for the Inner South.

- The proposed District Strategy needs to better acknowledge and deal with heritage. Currently it seems to address heritage mainly under the Blue-Green Network under Conservation Connectivity. It is important to acknowledge and maintain built and cultural heritage, not just natural heritage. The Sustainable Neighbourhoods Section and map at Fig 36 need to clarify this.
- At the same time, the ISCCC and we support the proposed initiative in the Blue Green network to protect and enhance the Jerrabomberra Wetlands Reserve, and the Jerrabomberra Creek corridor.
- We consider that the identified primary and secondary live able blue-green network does not fully capture the high value biodiversity network in the inner south and needs more work.
- The need for social housing to be included in new developments is important in the Inner South.
- More work needs to be done to identify ways of improving transport access by making it easier for people to get around by car, by public transport or by active travel.

### **Ambiguity and lack of clarity of the area proposed**

From our perspective my husband and I also have concerns regarding the Future Investigation Area (white circle with number one in it on the inner south map). The white dot (Number 1) is in an isolated area with no evidence for its inclusion. It is not in immediate proximity to other services, proposed transport, light rail; rather it is amidst one and two storey Forrest suburbia. It does not meet the five drivers: it is not an inclusive centre; it is not part of the blue-green network; it is not in the immediate vicinity of light rail; and It is not a “sustainable neighbourhood”. Forrest is in fact one of very few suburbs which does not have a shopping/services area. Page 118 and Figure 38 are the only “detail” provided for this area. Not being linked like the other dots to hubs with detailed explanation is therefore vague and cause for concern as to what may be intended in the future.

It is confusing that while Page 118 refers to Section 19, Figure 38 map shows both Section 19 and Section 12 all outlined by the same blue bold lines. The narrative refers to the bowling club which is on Section 12. It is unclear whether the reference to apartment buildings includes the townhouses on Section 12. Similarly, the bowling club (Section 12), and the tennis club and church on Section 19 could in future be encouraged by developers to sell and relocate.

Furthermore, the “key principles” shown on Page 118 Figure 38 do not appear to be principles that provide clear visibility of what could happen. This leaves one with concerns regarding future rezoning implications.

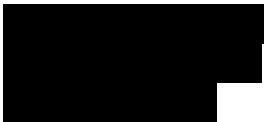
### **The Process from here**

- Once comments received have been incorporated, the next version of the Planning Act and Territory Plan and associated documents should, as a package, be released for final public comment before they are finalised.

- The process of developing the Inner South, and other, District Strategies should provide for a further period of community engagement after the Planning Act and Territory Plan are finalised.
- The ISCCC and we recommend that the government seek advice on the risks of moving to discretionary decision making, as inevitably there will be merits and judicial review. The likely monetary and social risks are a consideration that has not been discussed.

Importantly and in summary overall, there needs to be clearer governance, review and appeal processes built into both the Territory Plan and the District Strategy. Without such measures being clearly articulated in the documentation, and processes put in place to achieve such measures, many of the less clearly defined outcomes will fail to materialise appropriately.

Thank you from your consideration of the above matters.



# Submission in response to Draft Woden District Strategy

[REDACTED]  
[REDACTED]  
[REDACTED]

I have lived in Woden since 1965 and in Curtin, with my family, since 1986. I can find the northern edge of Curtin without the need for a new 'edge street' to 'clarify it'.

My first reaction to the Woden District Strategy was that the proposed changes would ruin what people love about Curtin: green space to play and enjoy sun and shade, according to the season; cool tree-lined streets and parks; fresh air, away from road noise and pollution; paths to walk or ride to school or work, paths to walk for pleasure and walk dogs; houses with shady gardens for outdoor physical activity, mental health and neighbourly interaction. Future planning should acknowledge the value of these features and enhance them, rather than undermine them for the benefit of revenue.

The 'spin' which has been employed to describe the proposed changes in a positive light shows contempt for the intelligence of residents and disregard for their previously provided feedback on development of Curtin through consultations including the Curtin Group Centre Masterplan, 'Mr Fluffy' block re-developments and the protracted Curtin shops redevelopment. Why hasn't this feedback been listened to?

The focus of changes along the proposed tram route makes it clear that the main game is to allow developers to help pay for the tram. That is not a good enough reason to ruin Curtin and surrounding areas for existing and future residents. Curtin residents are not against well-designed, compliant development which leads to overall improvement, but it must not be at the expense of the community's health and wellbeing through loss of green space and trees, increased heat islands, reduced air quality and increased traffic flows and congestion. Importantly, it should not be developer led. The ACT Government should be, and will be, held accountable for poor planning outcomes.

The current design and environment of Curtin supports neighbourhood connectedness and an associated sense of relative safety and security because we see and engage with our neighbours in streets, parks and the local shops. As more multi-unit developments take over previous single occupancy blocks, and higher density living is promoted in surrounding areas, this is changing and so too, the amount of traffic and congestion. Poorly planned developments in Molonglo contribute to this traffic and congestion as McCulloch Street and Carruthers Street have become the new rat run for Molonglo residents accessing Woden Valley.

The 'outcomes' focus of the proposed Woden District Strategy seems to be code for loosening existing controls on development to allow developers greater sway over what and how changes are made. Such freedom would no doubt be attractive to developers, architects, designers and builders, but what power would the community have to object to unsound or unreasonable development when 'outcomes' are less regulated and more subjective than under the current system?

Experience shows that the current system of planning rules, regulations and appeal mechanisms are no guarantee of a good outcome for existing residents. An approach which loosens rather than tightens these controls is unlikely to achieve desirable outcomes which respond to the future challenges of climate change and an ageing population.

Specific issues which particularly concern me are as follows:

### **Reduce climate change impacts**

An overarching objective for the Territory Plan and the District Strategies must be to adapt the urban environment for climate change and to reduce its effects such as increased heat. Despite high-level policy statements, implementation mechanisms, such as the technical specifications in the draft Territory Plan, fall woefully short of what's needed. Technical specifications for adapting to and reducing the impact of climate change are critically important: 40% of residential blocks must be soft planting area with 30%–40% tree canopy cover; buildings in residential zones RZ1, RZ2, RZ3 and RZ4 must be no more than 4 storeys, preferably less, to enable cooling by trees.

### **Yarralumla Creek and Canberra's 'blue-green network'**

The Yarralumla Creek corridor must be preserved and enhanced. The Creek and its surrounding area are important to the community for recreation, active travel and reducing urban heat. All the 'key sites' and 'change areas' for Curtin in the Draft Woden District Strategy involve the Yarralumla Creek corridor. Its value to the community must be preserved and enhanced in any changes, including restoring natural environments along Yarralumla Creek as part of an enhanced blue-green connection.

### **Key site and change area: Curtin edge north and south**

A 'new edge street' through the Yarralumla Creek corridor, supposedly 'to clarify the urban edge to Yarra Glen', is not acceptable as it would destroy the amenity this treed open space provides for the community for walking and cycling. The Yarralumla Creek corridor defines the urban edge to Yarra Glen perfectly well and the proposed street would significantly degrade the blue-green connection of the Yarralumla Creek corridor. Losing trees would increase the urban 'heat island' effect for this part of Curtin, which is not acceptable. Increasing the number of trees, together with retaining the open green space, would be a better blue-green enhancement than the proposed 3-storey dwellings on an edge street.

The Yarralumla Creek corridor would benefit more from separate pedestrian and cyclist pathways for active travel, rather than new streets. A new street crossing Yarralumla Creek is not acceptable as it would significantly degrade the Yarralumla Creek corridor and destroy the amenity this treed open space provides for the community. It would also increase traffic in local residential streets. A bridge for pedestrians and cyclists over Yarralumla Creek is strongly supported as it would connect the new residential area in the former horse paddocks with the rest of Curtin and its active travel routes. It would also open the north side of the Creek to community recreational use.

### **Key site and change area: Former Curtin horse paddocks**

Any development must reduce the impact of climate change: there must be a significant amount of treed public open space; 40% of residential blocks must be soft planting with 30%–40% tree canopy cover on each block; buildings must be no more than 4 storeys to enable cooling by trees. A bridge for pedestrians and cyclists over Yarralumla Creek is essential to connect this new residential area with the rest of Curtin and open the north side of the Creek to recreational use by the community.

### **Key site and change area: Woden north**

The roundabout area is a significant heat island and is not a suitable site for more buildings. Recent high-rise developments to provide 'landmark buildings' for Woden have resulted in loss of existing community outdoor amenity and threaten the continued operation of the much-loved Phillip Swimming Pool. The proposal for 'community and retail facilities' and 'public activity hubs' such as cafés within the roundabout and nearby, along Yarra Glen is not explained, but does not make sense.

The whole area is flood-prone. I still remember the colour of the sky one stormy night in 1971 when seven people died after they were washed off that roundabout and down along Yarralumla Creek in a flash flood following heavy rain. A memorial to those who died is nearby in the greenspace and is a sober reminder of what nature can do. It must not be allowed to happen again.

Recent heavy rain resulted in the stormwater drain being so badly damaged by heavy water flow that bricks and concrete from the floor of the drain were washed all the way down to the horse paddocks. The water level in the drain can rise very quickly and without warning, causing fast flowing and dangerous water levels which overflow the sides of the drain particularly towards Curtin north near McCulloch Street overpass. The best use of the whole area is treed parkland to provide a cool place for residents of the nearby apartments and to enhance the Yarralumla Creek corridor.

A new street between Holman Street and Theodore Street through the Yarralumla Creek corridor is not acceptable as it would destroy the amenity this treed open space provides for the community. The 'built frontage', intended to permit 3-, 6- and up to 12-storey dwellings facing the planned light rail tracks, would threaten the value of the green walking–cycling corridor by removing mature trees and reducing recreational space, thereby undermining the value of the Strategy's 'blue-green network' in Woden.

### **'Local centre' on Theodore Street, Curtin (site of Daana Restaurant)**

The Draft Woden District Strategy must be amended to reflect that this site is not a 'functional local centre' as shown in Figure 31 in the Woden District Strategy Plan. Block 23 Section 29, Curtin (83 Theodore Street) is zoned CZ4: Local Centre but it is small (1039m<sup>2</sup>) and does not meet the functional definition of a Local Centre on page 159 of the Strategy: 'Smaller shopping centres that provide convenience retailing and community and business services that meet the daily needs of the local population'. For planning purposes, it cannot be treated as a local centre equivalent to those in Lyons or Hughes, for example.

### **Densification**

More dwellings in residential zones (densification) must not be at the expense of the community's health and wellbeing. A critical test for any proposed densification must be 'no adverse impact on the health and wellbeing of individual Canberrans'. The proposed new Territory Plan and Draft Woden District Strategy fail this test as they would exacerbate urban heat, which will decrease health and wellbeing. More dwellings in residential zones must not be at the expense of public and private open space and tree canopy cover. The amount of local public open space must be maintained or increased. 40% of private blocks must be soft planting area with 30%–40% tree canopy cover on each block.

### **Subdivision of residential blocks (Dual Occupancy Developments)**

Subdivision of blocks in RZ1 must preserve the existing character of these areas. To ensure this, the following principles should apply: minimum block size after subdivision of 400m<sup>2</sup>; all dwellings to front a public road or public open space; maximum building height of 2 storeys; and 40% of each block to be soft planting area with 30%–40% tree canopy cover on each block.

### **Radburn area protection**

The Assessment Outcome to maintain and improve the existing 'Radburn' housing pattern is strongly supported.

### **Keep the sunlight in Curtin Square**

Good solar access for the central courtyard of the Curtin Group Centre (Curtin Square) was a major issue for the Curtin community during the master planning process for the Centre and consideration of the development to the west of the Square. The result was that protection of solar access for the square was incorporated into the Territory Plan in 2018. The proposed new Territory Plan would significantly reduce this protection. The proposed assessment criteria for developments, which increase building heights and remove the 5m 'solar fence' around the Square, would result in a substantial increase in overshadowing compared to the existing Territory Plan

The central courtyard of the Curtin Group Centre is highly valued by people of all ages and backgrounds. One critical factor in the amenity it provides to the community is that it has sunlight throughout the day with a high level of solar access throughout the year. Consequently, the protections of solar access that were in the Territory Plan must be included in the Woden District Policy section of the new Territory Plan:

- The maximum height of buildings to the north, east and west of the central courtyard is one storey with a total height not more than 5 metres.
- Buildings close to the central courtyard do not overshadow the courtyard beyond the shadow cast by a notional 5-metre-high fence measured at the boundary adjoining the central courtyard at winter solstice between 9:00am and 2:30pm.

### **Prevent bad planning outcomes**

Planning decisions must not be made without input and review from the community as these decisions affect Canberrans' everyday living over long periods of time. The community is severely disadvantaged if the planning system lacks transparent, enforceable rules, standards and review mechanisms which can be relied upon in decision making processes. Outcome-based approaches which have insufficient regulatory controls and penalties provide opportunities for unscrupulous operators to exploit the system for personal or financial gain at the expense of people's health and wellbeing. The Federal Government's outcome-based approach to aged care, with associated de-regulation, resulted in a Royal Commission into the disastrous outcomes.



## Submission to ACTPLA re the Tuggeranong district strategy – from a Kambah perspective

[REDACTED]

[REDACTED]

[REDACTED]

I write as a resident of Kambah for roughly 42 years and for many of these years as an active person within local community organizations concerned with equitable local community development and suburban long-term climate resilience and sustainability.

My key points include

- Outrage at the so-called consultation process as it is so appalling
- Confusing documentation and unclear links between all the ACT Planning documents
- The lack of clarity of the relationship of Kambah as part of the Tuggeranong Valley within the Tuggeranong District strategy - Kambah is a unique suburb, and requires a dedicated planning and development strategy
- A key feature of our suburb to be retained above all else is the protection of the Murrumbidgee River and its various lateral connections and associated ecology – human usage of valuable water systems such as the Murrumbidgee appears to be almost automatically destructive and viewing potentially sensitive areas as open to private development would be consistent with an ongoing destruction of our natural assets and therefore is opposed
- Maintain and further expand the ‘green’ areas within Kambah and including both sporting and recreations spaces vulnerable to developer and government predation.
- Oppose high rise development within the suburb as it is against the Kambah urban design, character and aesthetics
- Oppose fiercely the so-called yellow areas around the McQuoid’s Hill nature reserve as being open to subsequent investigation – a term which belittles the idea of a district strategy as it is so unclear, so vague and lacking in transparency to be really interpreted as an ‘open slather’ and which is opposed
- Keep Kambah affordable
- Note and oppose the continuation of the loss of such local infrastructure as schools, small shopping centres and health facilities – there is no community centre within the large Kambah suburb
- the paucity of discussion regarding a future local economy is significant – this applies also to the Tuggeranong District as a whole where what might be a climate resilient and sustainable wealth creation process is almost totally missing and thus undermines any so-called strategy

## **Comments on the Tuggeranong District strategy from a Kambah perspective**

The context of my submission includes being most aggrieved as to the process by which the new ACT planning process has been undertaken. In particular, the lack of time, poor timing and nature of public consultation, the genuine lack of engagement of the wider local community within this process and the lack of evidence for proposals being put forward by ACTPLA and the ACT Minister.

The results in the wider ACT Planning process documentation as seen from this perspective include a diminution of the nature of our democracy in the ACT. With all its faults the Legislative Assembly has to have a key role in the broader policy directions of the future for the ACT at a time of major environmental change. Thus, I oppose the terrible obfuscation and lack of transparency being proposed in so many of the relevant planning documents and the poor governance proposals including linking the Planning Act, The proposed Territory Plan and the District strategies. These issues are manifest within the Tuggeranong District strategy. Later I refer to processes by which objections to actions by developers and government are hindered under this series of Planning documents.

With this submission, I focus upon the Tuggeranong district plan and especially where it refers to Kambah. It is worth noting that no public discussion process about this issue of a District strategy occurred in Kambah – further evidence of my earlier assertions regarding the paucity and poverty of the so-called consultation processes claimed for the development of these issues around Planning for the ACT.

As a matter of Principle, I support the idea of a District strategy but with important caveats.

1. Firstly, these strategies must be clear as to their community goal – and the existing draft Tuggeranong Strategy does not make this at all clear.
2. Secondly, there must be resources, time and sensitive process to properly engage with the local communities – a clear failure in the present process.
3. Thirdly, such a strategy must include the local ecology and local fauna as stakeholders – abolish human exceptionalism theories – a ‘blue-green’ driver is not the same.
4. Fourth it must be cognizant of equitable intergenerational impacts – something not spelt out presently or clearly in the existing Draft Tuggeranong Strategy
5. Fifthly, strategies can be valuable as a guide for all stakeholders but not a document for those to use to exploit community ends, such as developers or governments seeking land-related income, and so the power relationships operating in the community around its future direction must be made clear and be addressed: and
6. The mechanism for review, monitoring and reporting ‘progress’ and the outcomes of the strategy need to be made clear and engage the local community – an issue not discussed within the Tuggeranong District strategy

Underpinning these issues are key values of trust, transparency, responsibility and review for espoused results – our form of democracy! These values must be worked at by all stakeholders and are not idealistic aspirations. The present Planning process including around the Tuggeranong District Strategy fails in these terms

## Kambah

Kambah was the last suburb planned and developed by the NCDC in Canberra. That it, it was developed under a public sector auspice.

Kambah has an ambiguous relationship with the rest of the Tuggeranong Valley and especially the Tuggeranong Town Centre. Kambah is regarded as the gateway to the Tuggeranong Valley through which many people (particularly in their road vehicles) pass on a daily basis, and yet it has easy road access to Woden, Weston and even Civic. Thus, Kambah residents, while utilizing the Tuggeranong Town Centre, nevertheless also turn away from this activity centre and head north.

The type of economy of the Tuggeranong Valley ostensibly assumed in the strategy needs to be reviewed in detail as its essential retail underpinnings may be very vulnerable to changes in work habits, changes in wealth creation processes and their sustainability, international competition, the advent of AI and new transport methods. None of this discussion exists in the Draft Tuggeranong Strategy to its detriment.

The assumptions behind the Draft Tuggeranong strategy are open to severe challenge and thus proposed actions found within it in response are likely to be inappropriate. For example, if a key driver of a future local economy as appears to be proposed in the Strategy is a public transport system (in this case light rail from Woden to Tuggeranong Town Centre) this matter must be evidence-based reflecting community needs. The light rail mode of public transport has little relevance to most Kambah residents.

Community needs may well be changing dramatically into the future. Therefore, it is hard to see the light rail proposal as a driver of change in Kambah. Where is the evidence base to support the argument. This is not to say public transport or even light rail isn't a part of the answer, it is just that in any future as portrayed in this document there is no evidence base behind the proposal.

Kambah residences in forums and surveys over the years highlight the environment as being a key factor in their appreciation of living and working in this suburb. In summary these qualities are those which are to be preserved in any District strategy.

- It is well linked to the wider Canberra city
- The suburb is not claustrophobic – residents and travelers can see the mountains and the hills, have the Murrumbidgee river close by and the associated habitat is healthy
- Has the unique east-west environmental corridor which preservation has been overlooked in such developments as the Tuggeranong parkway
- Has appropriately sized blocks which are good for kids, fosters a sense of community
- Had a mix of small shopping centres – some of which have been lost without the implications being considered
- Has a rich local history and heritage from Indigenous peoples, rural past and examples such as the Woolshed on Springbett street still being frequently used
- Was the last suburb planned and developed by the former NCDC with a range of benefits including the lack of profit as a key driver presently seen in all other

suburban developments in Canberra these days and the oft-remarked quality of the construction entailed across the suburb

- Has enough space and open areas to enable people to live in an independent manner – supporting better individual health
- Good tree cover in most streets and proper border spaces

Resident concerns are

- that urban developments are radically undermining these healthy aspects of life in Kambah
- the fire hazard for much of Kambah - particularly in areas west of the Tuggeranong parkway and include around and adjacent to the Kambah pool road, around the McQuoids Hill Nature Reserve and northwards parallel to the Murrumbidgee river.

We note the very high fire rating of Kambah in the appropriate District Map and can attest personally to this issue as being really significant in future planning where weather patterns are forecast to be hotter and drier and perhaps less unpredictable.

The list of implementation pathways in the draft strategy ostensibly to address these community priorities are so general that they are meaningless. The strategy needs to be clear as to how these community held values are to be further advanced. Otherwise, we as residents are asked in this process to trust someone or other to do so (Very unclear) – **but we don't** - based on past ACTPLA, Government and developer behaviour's.

### **Strategy uncertainty**

In the draft strategy for Tuggeranong, there are what I describe as yellow- coloured sections. The map Legend suggests these yellow-coloured sections are “further Investigation areas”. In the Kambah area these cover or are close to so-called primary green networks to be preserved and expanded. They also include areas around McQuoids Hill nature reserve which is regarded by residents as vital both socially and ecologically to the health of the district.

It is most unclear from the Draft District Strategy what is the status of ‘for later investigation’? It is important to know what is to be investigated? How does it work? Is it tied to the existing strategy and if so, how exactly? What is the process by which such later investigations will be undertaken and by whom and for what purpose It seems to be an open slather option, and this degree of freedom in an environment lacking in trust is strongly opposed. Further suburban sprawl into these areas would be a fearful error.

### **Other Key points and summary**

The draft Tuggeranong District Strategy is superficial, generic, loaded with unnecessary motherhood statements (rather than concrete examples of the proposed changes ‘in action’) and in my view, ultimately misleading. Despite running to 156 pages (of which the first 84 pages are virtually identical in each other district strategy), this strategy fails to:

- capture the “special character” of the Kambah or explain how that would be protected in practice when proposals that potentially threaten it arise (as they have in the past and will continue to)
- offer any considered analysis of changing work practices/shopping behaviours/travel patterns, the shift to electric vehicles and need for rapid charging stations, or related structural implications
- identify why this strategy will perform better than previous strategies nor how proposed outcomes will be monitored and reported upon for achievement
- deal with critical issues such as climate change impacts and the urgent need to adapt the built environment and boost living infrastructure in readiness, or the public health and ecological impacts of prolonged periods with temperatures over 40C – and issues regarding other fauna and flora
- deal with persistent failures of the private residential and commercial markets to improve the quality of design and construction or to offer affordable rents, because the profit incentives driver does otherwise
- address the need for the full spectrum of social and physical infrastructure (facilities plus services) to keep up with expected demographic projections where land supply is heavily constrained – there is no community centre arrangement in Kambah

Additionally, the rationale for sweeping clear legal rules into the Technical Specifications and making what are currently mandatory rules optional (such as plot ratios, height limits, and the number of storeys), even though they control how land values work, is misguided.

Appeal rights, in our opinion, would be much more difficult to exercise and the ACAC Tribunal’s role would be largely erased under this new Planning regime. The system proposed appears to be a giant unjustified swing of the pendulum, facilitating development while sidelining the community from here onward. Local experience in Kambah over the past 16 years has shown unscrupulous developers in cahoots with special purpose leases holders requires an open process for community engagement in these matters and where the emphasis is upon the proponent to justify changing such special and public leases to show there is no loss of public amenity and value. By proposing a curtailing of the appeal rights of private citizens and community groups, this action reinforces and underlying concern expressed about the present draft Planning process as undemocratic

Finally, within the Planning Bill 2022 which I regard as requiring major overhaul, s47 especially needs to be amended to reflect the provision of the Planning and Development Act 2007 namely ‘s108(2) The planning strategy is not part of, and does not affect, the territory plan.’, and the District Strategies should not be referenced in the legislation.

I am always happy to discuss these matters further. However, at a minimum I require feedback as to the responses to the points I made in this submission.

## Submission ACT Planning-Review

Outcomes based planning is a poor model leaving the way open for developers to have carte blanche. Governments need to deliver on clear, detailed and transparent guidelines that reflect what the community values. Furthermore there are a significant number of apartments badly built. A well known fact. These deficiencies will be compounded with proposed intensification. Let's get that right with effective inspections and strict penalties before adding more of the same on a large scale...except it wouldn't be. It would be even worse with an outcomes based model.

Living in a community one experiences or can see the repercussions of planning that could have been or could be so much better with consultation. For example traffic is already a problem in the narrow streets of inner south communities especially with the closure around Kent Street. Many more cars are travelling through Yarralumla and the speed is much greater, unless there are traffic jams which are far worse and more frequent.

Areas set aside for parking are also of concern. One cannot assume that with the light rail suburbs along the way will no longer need a car. A car is a necessity for many families. Work places, schools, after school activities, day care, retirement villages are not all conveniently located. The elderly need the mobility a car is able to give. Good planning will acknowledge the needs of all.

Again green space is not a luxury. It has been proven in overseas developments that the lack thereof in apartment complexes contributes to antisocial behaviour. The trend is to cleverly include adequate green common areas, forsaking a little profit yes, however the government will be remembered as good custodians of a socially healthy built environment.



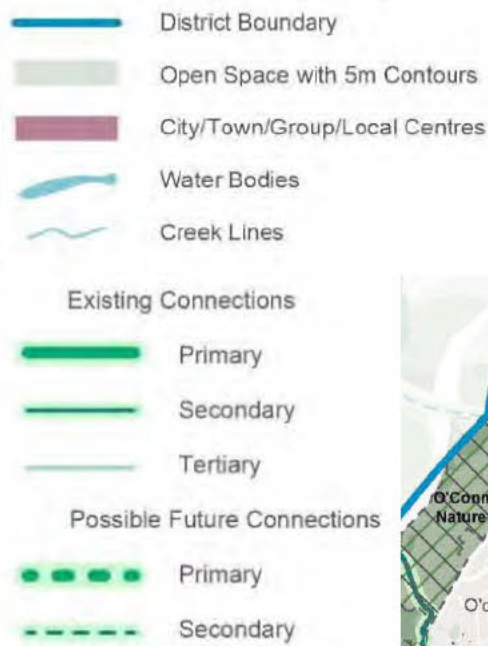
Yarralumla



All elements of district strategies should be subservient to Biodiversity Network principles  
(see <https://conservationcouncil.org.au/blog/2023/01/13/a-biodiversity-network-for-the-act/>)

- A. Protection in perpetuity of key biodiversity areas linked across the landscape;
- B. Implementation of consistent and best practice ecological management;
- C. Conserving important ecosystems, habitats and wildlife corridors;
- D. Supporting the recovery of threatened species;
- E. Maintaining ecosystem functions and securing ecosystem services;
- F. Enhancing resilience against threats; and
- G. Retaining and connecting remnants of fragmented ecosystems within developed landscapes.<sup>30</sup>

**Figure 35: Inner North and City – Blue-green network**



Concept is fine but the scale and the tones of green make this map hard to read

There is a BIG problem with connectivity between Mt Majura Nature Reserve and the Nadjung Mada 'off-set' area. There would be a need for a wildlife bridge over the federal highway

This stretch of Antill St is NOT a 'primary existing' green connection. It's rather deadly, actually

Sections 75,85,86 need to be rezoned and incorporated into Mt Majura Nature Reserve

Not clear what this 'future primary connection' means. It runs through fire protection areas and along service roads & power lines.

Include urban parks in 'potential habitat areas'

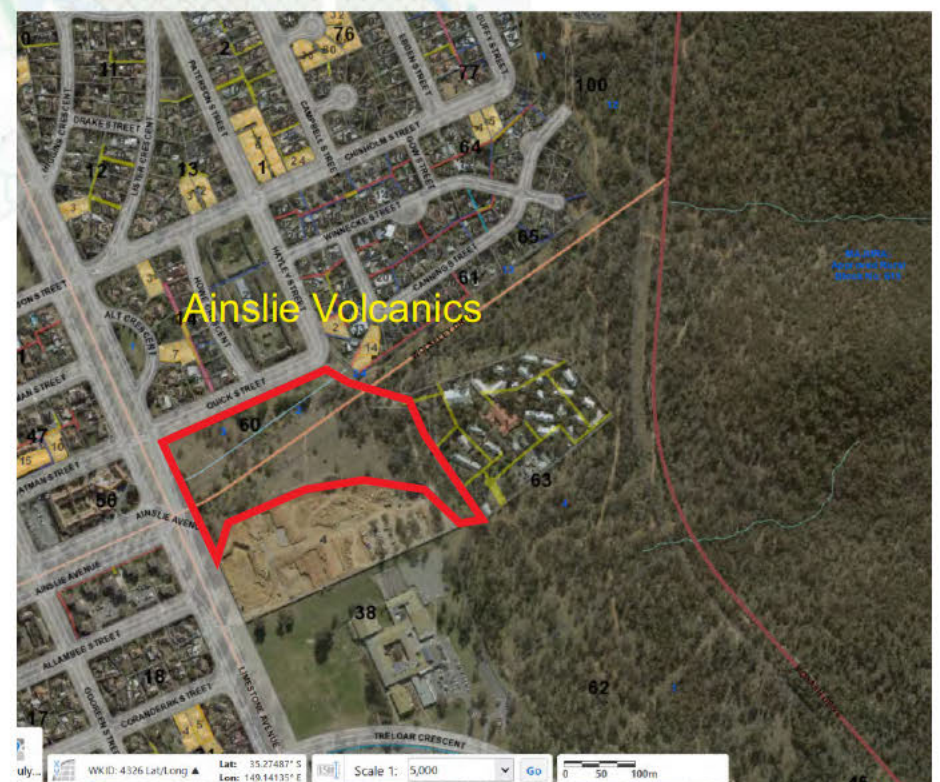
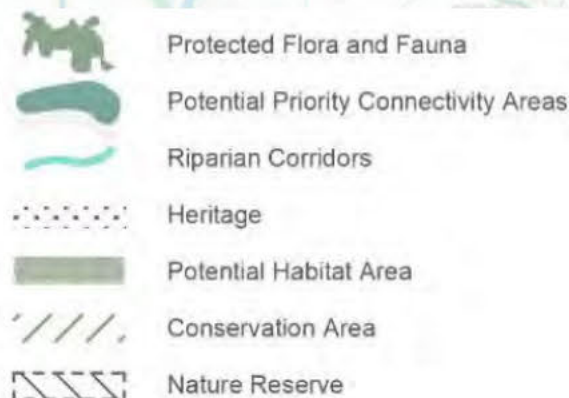
Incorporate the Ainslie Volcanics site into Canberra Nature Park

All of Mt Majura and Mt Ainslie **Nature** Reserves should be in the Inner North District

Why are Mt Majura and Mt Ainslie 'Heritage' and Black Mountain and O'Connor Ridge not?

Black Mountain is a **Nature Reserve**

Map all large surface car parks across Canberra and build social/supportive/affordable housing above these areas.





**From:** [REDACTED]  
**To:** [FPSDD Communications](#)  
**Subject:** New Planning Legislation  
**Date:** Friday, 3 March 2023 10:44:14 AM

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Please regard this as a submission for the appropriate ACT Planning System Review and Reform project

I object to the new planning legislation. The Government has not explained what the problem is. Apart from saying the system is broken. where, how, in what way? These questions need to be answered before moving on the legislation assuming that is the best way to solve the problem.

I do not understand what "Outcome Focussed means. All processes have an outcome, welcome or not. One might suggest that this means an outcome pleasing to the minister, or the Chief Minister, or perhaps just the Chief Planner. Wherever. But not a good model for public administration.

The removal or reduction of third party appeals is dangerous, as this is a vital control against the spread of corruption in planning. Which of course Canberra is just as prone to as other Australian jurisdictions!.

[REDACTED]



## **New Territory Plan**

We are told that: “The new Territory Plan will deliver an ‘outcomes-focussed’ planning system. An outcomes focus means the new Territory Plan is centred on quality, results and performance rather than just compliance with prescribed technical rules. It places greater importance on how developments perform in their setting to achieve wellbeing, social, environmental, cultural and other priority outcomes.”

Like many people I feel totally sceptical about these words. I have zero confidence that this will result in better outcomes. When bad proposals are submitted, at least the current rules provide clear and (hopefully) unambiguous statements that can provide a basis for a decision.

My fear is that under the new plan it will be impossible to ever actually reject a DA because there will be no grounds that will stand up to scrutiny through an appeal process.

It will not be long before people complain about the ambiguity of the new plan, and people start asking for the certainty provided by some clear and definite rules.

The old motto is that “the grass is always greener on the other side of the fence”.

## **Mixed Use Zoning does not work**

I have had a number of encounters with Mixed Use Zoning (CZ5) in Coombs, where I live. Clearly this is a zoning category that does not achieve its objectives.

I strongly support the idea of mixed use. We need to do what we can to get away from the lifeless purely residential zoning that occurs in much of Canberra, where the only way for most people to reach the services they need is to drive to the nearest local/group centre.

Developers do not like the idea of mixed use development, so they buy sites with this zoning, then build apartments with no commercial component. I have been told it is not possible to enforce the requirement for a commercial component as developers just will not do it.

Other problems are that, where a commercial component is included:

- It can be difficult to attract tenants for the commercial parts of the site, sometimes remaining unoccupied for long periods of time.
- There is conflict between commercial and residential occupiers, over matters such as noise, smells, removal of rubbish, traffic, lift use. Etc.

I do not have a solution to offer, but raise it as a matter requiring a lot more work.

## **Reform of the RZ1 zoning**

RZ1 zoning is the suburban zone where most housing is built on single residential blocks. Clearly lots of people want these, but (in Canberra and in other major cities) these zones are just a slowly unfolding disaster.

The blocks get smaller over but the houses get bigger. There is no space for gardens or back yards. The houses are oriented to the street rather than the sun. Most houses present

a giant double garage to the street. Everyday, most residents get into their cars and drive to where they need to be for the day, so for most of the time they seem like a deserted desert.

RZ1 zoning needs to permit and encourage a far greater diversity of housing types, including medium-density homes such as townhouses, duplexes, terrace houses, and small apartment buildings. This is sometimes referred to as the “missing middle”.

Missing middle housing is a proven way to provide more and better homes for Canberrans, while meeting our environmental and climate goals. For centuries, cities around the world have relied on medium-density housing to enliven urban areas, create stronger communities, and connect people with each other, and with great jobs, transport, and services. More recently, Auckland’s reforms to allow for more medium-density housing have stabilised housing costs in the face of continued growth in rents in peer cities across New Zealand and Australia.

### **Revitalising existing Local centres**

All over Canberra we see local centres that are struggling. We need strategies that enable and promote vast amounts of medium density residential development around the existing centres, so the commercial components of these centres gets a fresh lease of life. Local centres provide much needed local provision of services as well as local employment.



ACT Planning System Review  
Draft new Territory Plan and draft District Strategies

Dear Sir,

Thank you for the opportunity to comment on the Draft Territory Plan and supporting documents provided so far. I would have liked the Directorate to attend a public meeting in Old Narrabundah to verbally inform our community of what is proposed in the changes to future planning for our immediate area. These new documents are proposing a complete change to the current build form and streetscape of almost all of Old Narrabundah.

There is a lot of documentation provided for comment, this is understandable because the changes need to pass through legislation, however, for the average person who is not an expert in tracking through hundreds of pages of documents this is a monumental task.

These documents contain warm and fuzzy language and I feel it would have been prudent for Government and the Directorate to at least meet the people of Old Narrabundah and be open and honest about the proposed changes and the vision that they have for our area. This information could have been extracted in detail for our local area and presented at a public meeting which would have then given the residents of Old Narrabundah the opportunity to give informed comment on the proposals.

I do not support the overall intent of the planning process to be based on outcomes alone. Unless a commitment to legally binding rules and regulations are written into the supporting documents, like the Urban Design Guide and the District Strategy, and the subjective language is removed, administering this new Territory Plan will be a nightmare.

I have concerns that if dual occupancies are allowed into RZ1 areas as a whole then our streetscape could change drastically. It is evident from the Mr Fluffy homes that have been redeveloped in Old Narrabundah that on most sites two very large homes were constructed, not really adding to housing choice. Strong rules governing how and where dual occupancies can be built in an area may help preserve some of the character of our streetscape.

I expect that clear maps will be available to the community for comment before the next round of consultation on the District Strategy for Old Narrabundah and its finalisation. What was presented for comment in this process was undecipherable. No one I have spoken to was aware of the indicated wholesale change in our already high density loop streets to RZ3 - RZ5 or the changes to our CZ6 areas. The leaflets that were available at our one pop up session were blurry and misleading leading to uninformed comment. I also expect that further detailed community consultation will occur for the random blocks that have been highlighted for intensification around Old Narrabundah.

It appears the intention of population intensification is for residents to use public transport, however, Transport Canberra's R6 bus route does not offer a quick link to the city as it stops at every bus stop from Goyder Street to the city. Access to the R6 is very difficult for the resident of the thousand plus homes in Old Narrabundah as we have to walk to the other side of Sturt Avenue to McIntyre Street or across Jerrabomberra Ave to Goyder Street with only one available safe crossing, a walk of over 1 kilometre for lots of residents. For this reason the R6 bus should be rerouted down Goyder Street and along Kootara Crescent to run past our local shops providing much safer access to a rapid bus service for our local residents.

I also hope that under the District Plan an evaluation will take place on the existing RZ2 areas of Old Narrabundah. The forecasted development when these areas were introduced is only just beginning to come to fruition and achieving the intended densification.

I cannot find anywhere in the documents reference to protecting neighbours privacy or solar access. Neighbours right to privacy and sun needs to be protected and requires confirmation in writing in the documents somewhere. I have concerns that if neighbours are not mandatorily informed of development adjoining them and the opportunity is not afforded to them to make comment on a development neighbouring their home then we will have a community at war because of the fear of what could happen next to them.

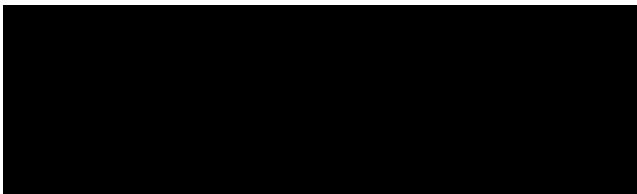
I oppose any site with a regulated tree being allowed to remove that tree for a development under any circumstance. If the tree is assessed by an expert and given approval to be removed then a tree that will develop to a similar height and width needs to be planted in its place somewhere on the block. This is the only way to preserve the existing tree canopy on residential blocks into the future.

As our city grows laws need to be strengthened to protect and allow our heritage areas to grow. This is a reflection of our community's culture and planning should protect these valuable assets.

In my area of Old Narrabundah safe access to the bicycle path network nearby is very restricted. I would like to see this rectified in any new plans for the area.

I am concerned that future building design will continue to add to the urban heat effect of our city into the future. I would support a strongly worded Territory Plan that ensures that basements, at least in residential and small multi-unit developments, do not extend beyond the main structure of the building. This would allow for deep-rooted plantings on the blocks to maintain our green streetscapes.

Social Housing is a big player in the fabric of Old Narrabundah and needs to be actively supported with additional services put in place in our area. A planning system that places high needs community members in one location without support mechanisms close by is not conducive to the well-being of the Housing client or the surrounding community. This has been an issue in our area for many years and needs addressing in any future planning outcomes.



Comments on Draft Belconnen District Strategy and Draft Territory Plan

03/03/2023

Please find below brief comments on aspects of the draft Belconnen Strategy for the areas in Bruce and other matters.

*Proposed Education and Sports Innovation Precinct, Bruce (inc UC, AIS, CIT, Radford, Calvary Hospital and surrounding green space), and Sustainable neighbourhood areas (UC campus and AIS), p.99 and p.111.*

- note that the areas mapped for the precinct include/overlap with important wildlife corridors that are mapped on the Blue-Green network map p.99, especially areas around Calvary Hospital (zoned NUZ3), and the green space between Gossan Hill and John Knight Park (ie. behind CISAC), currently the site for some UC residences and parking.
- the area around Calvary Hospital includes rare orchid habitat, box gum woodland remnants and hollow bearing eucalypts including Gang gang nesting sites. Superb parrots are frequently seen at AIS.
- on UC campus, both the planted areas and the undeveloped green space in the west of the block provides connectivity from Flea Bog Flat and Gossan Hill in Bruce to Lake Ginninderra and north to Lawson woodlands and grasslands.
- note that Flea Bog Flat (PRZ1), Block 4 Section 21, Bruce, to the south of Gossan Hill Reserve, includes EPBC Yellow Box-Apple Box (u178) areas of high floristic diversity and supports important woodland bird habitat, notably small birds.

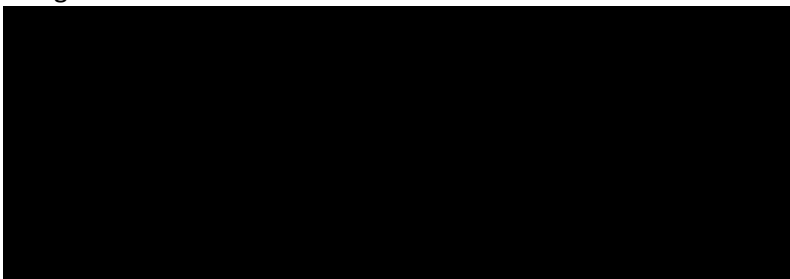
While the concept of a precinct is supported, the environmental impact of any developments in these areas (Precinct and the proposed Sustainable neighbourhood on the UC site and the Light rail extension to Belconnen), including on connectivity, needs to be fully assessed and mitigated.

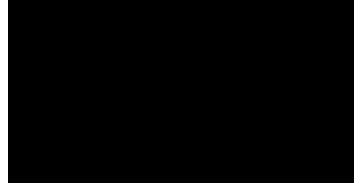
The South Bruce community values strongly its location between the forests of Gossan Hill with its diverse understorey and the high conservation value woodlands of Flea Bog Flat – the residential area itself with its dense tree canopy and garden plantings also provides important habitat for native fauna. Overdevelopment in the proposed precinct would impact on the overall natural bush character and amenity of South Bruce.

**I strongly urge the ACT Government to fully consider and implement the proposals in the Biodiversity Network paper prepared by the Conservation Council and Friends of Grasslands so that areas of conservation value, especially off-reserve remnants, are better protected and managed.**

These are my personal views – my affiliations are listed below fyi.

regards





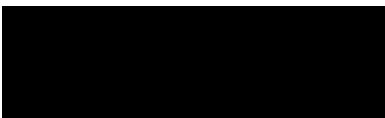
Dear Members,

I am writing to you as a Resident of Yarralumla, to strongly object to the proposed densification of this suburb in the draft new Territory Plan.

My reasons for this are:

1. The plan to build multi-level apartment blocks along both sides of Adelaide Avenue goes totally against the vision of our city's original designer, Walter Burley Griffin. As I understand it, he wanted suburbs to be screened from major thoroughfares by vegetation. This has been done to some extent, giving rise to Canberra being known as "The Garden City". This is a significant part of the attraction Canberra has to tourists and residents, as it is such a rare thing for residential areas to be unobtrusive.
2. Yarralumla is a contained area - bounded on 2 sides by Lake Burley Griffin, & on the other 2, by major thoroughfares. This gives it a unique, "old-world" character which will become increasingly rare & precious in time. Maintaining the current, leafy streetscapes & housing block sizes will become increasingly important not only for the benefit of vegetation on the impact of Climate Change, but also aesthetically - beautiful, shady, "heritage" streetscapes are also, I believe, a drawcard for tourists.
3. As Yarralumla is a contained space, & planning permission already exists for a significant developmental expansion in the former Forestry precinct and Heritage Brickworks, there cannot be adequate space for the increased demand for shops, recreational areas, school expansion, & the vehicular access to all these, if there is even higher population density in this constrained suburb.
4. As one of the oldest suburbs in Canberra, with part of its original buildings (Westbourne Woods) already minimally preserved, I feel it is imperative to resist the temptation to treat Yarralumla like any other suburb, & not to preserve its unique, beautiful aspects for future generations to appreciate.

I sincerely hope that this aspect of the draft Plan is abandoned as a retrograde step committing the mistakes so often made in other cities, when profit from unattractive & poorly planned 'development' is prioritised over preserving a valuable, irreplaceable heritage .







2<sup>nd</sup> March 2023

EPSDD  
Territory Plan Submission

## Submission on Planning Reform – Active Travel

Dear Planning Reform Team,

### Background

The provision of Active Travel Facilities in Canberra has a mixed history.

I have been involved for some time both as an advocate and a consultant.

The greatest challenge is the seamless planning and delivery, with the planning to be done by EPSDD and the delivery and maintenance by TCCS.

Until recently, there was a reasonably good system for the delivery. The planning and maintenance would be best described as ad-hoc.

In 2019 the ACT Government (TCCS) produced “Planning for Active Travel in the ACT”.

This document set out:

- Useful policy context
- A description of the Active Travel Network including route types and facilities
- The interaction of relevant Municipal Infrastructure Standards (MIS05)
- Planning requirements that would deliver an improved network.

To accompany this document and the MIS standards, the Active Infrastructure web site was established to present the map of routes. Training was delivered by TCCS to ensure a broad understanding of the system by planners, designers, advocates and other practitioners.

The above system was good but not perfect. Various elements lacked ownership within the ACT Government.

The biggest issue however was that it was not widely adopted within EPSDD in the preparation of Master Plans. The failure to adopt common nomenclature for route types and facilities leads to misaligned infrastructure.

## Current Situation

Many practitioners are relying on the Active Travel Practitioners Tool to understand how their project interacts with the network, but the active travel network is being revisited through the Active Travel Plan.

I contributed to a significant submission on the draft plan, but the final plan is yet to be released.

Active Travel is discussed throughout the draft District Strategies. A common theme at almost every community engagement session that I attend is the desire for better walking and cycling infrastructure. But the draft District Strategies confuse active travel and blue/green networks and don't present a worthwhile active travel map.

At present there seems to be no clear direction in the planning, design and provision for active travel.

A recent example is the City Renewal Authority's Acton Waterfront Park Community Engagement Concept Design that failed to acknowledge the Main Community Routes in the area or adopt the correct nomenclature for the proposed routes. This leads to designs being proposed that are not to the correct standard.

It is understood that Guidelines are being prepared that will address active travel to some extent, but these have not been released for review.

## Preferred Outcome

The District Strategies (or the Active Travel Plan?) should present a map of the active travel network that can be referred to by practitioners when undertaking master planning or proposing development.

Clear responsibilities need to be established for the maintenance of the map, with changes reflecting new master planning outcomes etc.

The route types and facilities need to be clearly defined and the nomenclature adopted by all directorates (and the National Capital Authority).

The Territory Plan needs to provide clear requirements for proponents to deliver connectivity or appropriate upgrades to the network.

It is strongly recommended that a review be undertaken of the 2019 system to ensure that all of the elements are being adequately addressed in the planning reform project and more broadly by the ACT Government (given that many paths are exempt from DA, and there are other processes like café licencing that are not governed by the Territory Plan, the planning reform project alone cannot address all elements).

I would happily volunteer my time to discuss this with you.

Sincerely

