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## ACT PLANNING REVIEW AND REFORM PROJECT

The Friends of Hawker Village (FoHV) was formed in 2010 to protect and enhance the residential, suburban, social and environmental qualities of the Hawker commercial precinct and its catchment area comprising the suburbs of Hawker, Page, Scullin and Weetangera. Our comments on the proposed Territory Plan changes are based around our experience in these suburbs, which were developed from the late 1960s.

### Our main concerns

1. Planning for densification has been influenced largely by developers whose main motivation is profit-making;
2. Little input from the community was accommodated in the planning process;
3. New suburbs can be designed to cater for denser development, whereas established suburbs were designed for single housing and individual blocks do not easily accommodate environment-friendly multi dwellings;
4. Densification of established suburbs is disruptive to residents and frequently involves demolition of sound houses, leading to waste of building materials;
5. Reduction in the use of rules to describe the desired outcome of densification potentially gives greater power to developers and investors than to the community that must live with the result;
6. Many architects and developers have long been more concerned with maximising redevelopment than with ensuring an environmentally-desirable outcome that also retains the existing level of amenity;
7. Whilst some inadequacies have been identified in the current legislation, it is not clear that drastic changes to the Territory Plan and the Planning Bill are required.

The main issues are based on the need to provide accommodation for a continually-growing population. FoHV understand **the need for more housing** to cater for the never-ending increase in demand caused by new residents arriving each year. This population growth is largely a result of pressure from some business quarters and economists for greater immigration, which is the responsibility of the Federal Government. We are not, however, satisfied by the solutions suggested by the ACT Government.

The great need to address the causes of climate change, including the concrete jungle associated with dense housing, appears to be overwhelmed by the housing issue. Notably, the introduction to the **Supporting Report** declares that government “must focus on environment, sustainability and economic prosperity” but makes no mention of residents’ needs. It is not clear what “economic prosperity” has to do with provision of housing other than profiteering and requiring more construction workers, thus raising the immigration level

and, hence, requiring more homes, more schools and other facilities – a never-ending circle of needs.

The **Explanation of Intended Effects Design Guide** states that they “will facilitate better design outcomes by providing benchmarks for designing and assessing how development responds to key themes”. Further explanation suggests that the whole process could be so flexible as to invest considerable discretion in the assessor. This will inevitably lengthen the assessment time and cause further complaints from developers.

### **The situation in our suburbs**

Early residential development in Canberra was based on small single houses on individual blocks along with some flats, usually in blocks two storeys high and near the local shopping centre, as in Scullin. It was not until 1969 that the first Canberra townhouse development was introduced, in Mawson. Subsequently, townhouse complexes were built in new suburbs, including Hawker. In earlier-developed suburbs, like Page, Weetangera and Scullin, townhouses were then permitted on various, as yet, undeveloped sections. Page was distinguished by creation of three retirement villages. Since these early days, further densification has occurred with redevelopment of certain areas in the suburbs, such as the site of the former Page primary school, leaving the suburb without any education facility.

Consequently, there is already a range of accommodation types in these four suburbs. Nevertheless, these suburbs have been earmarked for further densification because of their proximity to the Belconnen town centre. The current intention is to permit extra dwellings on old blocks designed for a single home. To date, the result of this practice has been abysmal.

Not only has this process resulted in overdevelopment of blocks planned originally for a single dwelling but it has also meant:

- difficulty designing two storeyed buildings that do not overshadow neighbours and interfere with their privacy;
- difficulty providing all the design essentials including north-facing windows, sufficient garden space and not too much hard surface;
- a loss of green space for trees and shrubs to ameliorate the heat island effect;
- little outdoor space for activities especially children’s games;
- inadequate garage and parking facilities;
- use of the nature strip for regular parking, resulting in loss of grass cover;
- replacing grass on the nature strip with gravel and stones which wash across the footpath into the gutter and thence into the stormwater drains, ending up in the lake.

Whilst the current revision of the Territory Plan aims to improve these outcomes, FoHV doubt whether this will be successful. Our experience to date is that development is largely driven by developers and investors who expect maximum return from their investment. The existing rules and criteria have allowed some bad outcomes to be approved due to rigid legal interpretation that the rules have been designed to implement the zone objectives. This assumes that, if the rule has been met, then the proposal must necessarily comply with the objectives. It is not obvious that the new **Technical Specification** and **Assessment Outcome** proposals will necessarily achieve better results, though it is to be hoped they and the Design Guides will be more successful in maintaining the current urban character. Only time will tell whether these changes achieve the desired purpose.

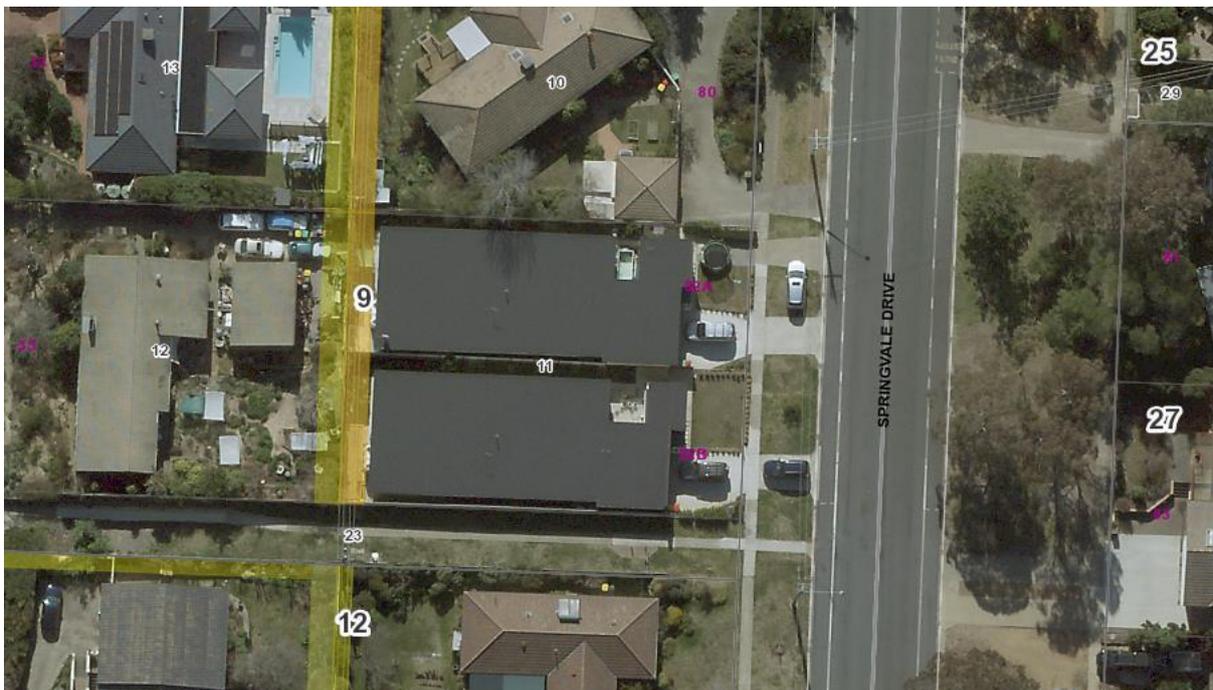
The **Urban Design Guide** supports the early design principles of the Griffins for Canberra. Redevelopment over the past two decades, however, has already undermined this intent with town planning typical of old cities, not the Garden City intent. It is disappointing that *the Territory Plan has no effect to the extent that it is inconsistent with the National Capital Plan, but the Territory Plan shall be taken to be consistent with the National Capital Plan to the extent that it is capable of operating concurrently with the National Capital Plan.* Hopefully, the list of aims in the **Summary of Intended Effects** will be realised in practice and destruction of our garden city will be reversed.

### Dual Occupancy Developments

The current proposal to add densification on RZ1 blocks designed for single houses is not encouraging. Recent densification in RZ2 areas, on blocks designed for a single dwelling, has largely ignored the need for green space on redeveloped blocks, with almost non-existent outdoor areas and concrete driveways running the full length of the block to service the 3-5 units constructed thereon. In contrast, Hawker has large areas of townhouse developments and three-storey blocks of flats that were specifically designed for that purpose from the 1970s. The result has been more practical and satisfying than densification of single-housing blocks in Weetangera and Page RZ2 areas, carried out largely in an ad hoc manner with little consideration of the overall impact on suburban character or on existing residents.

### Local examples

The blocks subject to the Asbestos Buyback Scheme exemplify the negative effects of additional dwellings, including lack of space for trees and other greenery to assist with reducing the heat island effect. The redevelopment at what was 82 (now 82A & 82B) Springvale Drive, Hawker provides an excellent example of these negative effects with narrow setbacks down the sides, virtually no useful space between the two dwellings and inadequate access to the small backyard. As a result, the children's trampoline has been erected in the front yard, close to a public footpath, as visible in the following image.



Above: Block 11 Section 9, Springvale Drive, Hawker

Despite the total block area being 1,149 sq.m., there is no space for effective foliage and Unit 82B gets no sunlight whatsoever. This development does not attempt to redress climate change in any way nor protect the character of the suburb. The image of the broader area, shown below, highlights the lack of green space on this block compared with the neighbourhood, at present.



Another such Mr Fluffy example, below, is Block 22 Section 18, 53 ERLDUNDA Circuit, Hawker, with an area of 952 sq. m. This redevelopment involves two semi-detached dwellings of two storeys with a double garage and separate entrance for each.



Above: Block 22 Section 18, 53 ERLDUNDA Circuit, Hawker

### Suitable blocks

Both the blocks cited above are decent sizes but highlight the issues that need to be considered in determining suitability for dual occupancy. Firstly, blocks need to be wide

enough to accommodate the frontage of two dwellings, including two double garages and driveways. A narrow block that would require the second dwelling to be behind the first one would inevitably result in a longer driveway running down the side of the block to the rear garage, thus reducing the possibility of green space.

Secondly, densification should not be permitted on blocks located on minor roads that are narrow, have smaller verge areas and no pedestrian footpath. Congestion of these roads is more likely, with on-road or verge parking, resulting in potential accident conditions, particularly for pedestrians.

Developments in RZ1 areas should be designed so that:

- living areas are north-facing to benefit from natural warming by the sun;
- neighbouring buildings do not block solar access to the living areas;
- new buildings do not block solar access to neighbouring properties;
- garages face the road to minimise driveway length and concrete coverage of the ground;
- minimal coverage by other hard surfaces is essential to leave room for green space;
- ample car accommodation is provided to protect nature strips from damage;
- decent-sized outdoor areas are available for relaxation and clothes-drying in the sun;
- existing RZ1 setbacks are complied with, at a minimum.

These requirements limit the blocks suitable for such redevelopment. It is possible that the only way dual occupancies can be provided without adding to the heat island effect is for such dwellings to have two storeys, which are not popular. Where two dwellings occur in the one building, the shared wall should be double brick to ensure no noise is transmitted.

Single-storeyed development might be acceptable on much larger blocks but these tend to be located in sensitive areas. Early planners seem to have recognised the need to protect residents adjacent to major roads from excessive traffic noise by ensuring the house is some distance from the back fence. Coulter Drive is an example of this in Weetangera and Page where RZ2 densification has occurred regardless, with homes being built up to the fence-line backing onto this busy, 80kph connector road. Likewise, blocks abutting the nature reserve behind Hawker are larger to lessen the impact of noise and activities on our declining native animal species.

### **Future Investigation Areas**

Large areas of our four suburbs are marked on the Draft Belconnen District Strategy as Future Investigation Areas. Most of these are already zoned as RZ2 but extra area appears to have been added. These are defined as “areas that may be suited to future redevelopment for housing subject to further detailed investigations of factors such as heritage and environmental values, natural hazards, the practicalities of redevelopment, and available infrastructure”. Hawker and Weetangera are deemed to be amongst the most suitable for growth. The “pockets of high suitability for growth” are described as “clustered around the group and town centres”. Given that the only group centre is in Hawker and that it is already surrounded by townhouses and three-storey blocks of flats, further growth is questionable.

### **Conclusion**

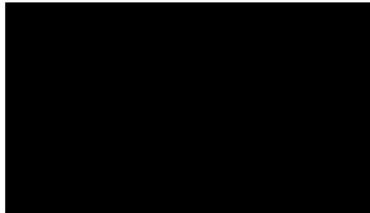
FoHV reject the proposal to extend dual occupancy into existing RZ1 areas. Given our experience to date, we fail to see how any such changes will successfully protect suburb

character. We consider a better result is achieved in new suburbs specifically designed for denser development, as long as adequate tree coverage is provided.

Further, we do not support any review of applicable uses within these zones. Likewise, we see no reason for any setbacks to be reduced. If anything, they should be increased to protect the privacy of neighbours. Further, any carports should be treated as garages as they are commonly enclosed within a few years. An additional concern is whether the water, sewerage and drainage systems can cope with densification given they were designed for low-density residential. Indeed, water supply could limit population growth in the future.

In conclusion, if the ACT Government is intent on introducing second dwellings on RZ1 blocks, is committed to reducing climate change effects and is genuine about protecting the suburbs' character, then FoHV recommend:

1. Dual occupancy to be permitted only on blocks of 1,200 sq.m. minimum size;
2. These blocks must be only on streets that have public footpaths at the front;
3. Blocks must have a minimum front boundary width of 30 metres;
4. Setbacks must be no smaller than current provisions for single houses;
5. Each dwelling should have a total rear outdoor space of 100 sq.m;
6. Removal of mature trees is strongly discouraged and subject to significant fines;
7. Provision and maintenance of green areas comprising a mixture of grass, shrubs and shade trees is mandatory.



Friends of Hawker Village Incorporated

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## **ACT Planning Review – Belconnen District Strategy**

The Friends of Hawker Village (FoHV) were formed in 2010 after a proposal to densify the Hawker Group Centre was first announced. Up till then, this centre was listed as an Intermediate Group Centre, not a full-sized group centre. In 2011, after considerable community objection, the Hawker Planning Reference Group was formed by the ACT Government comprising public servants, consultants and community members, including FoHV. After considerable discussions were held over several months, the then Chief Minister, Jon Stanhope, recognised a stalemate and imposed a two-year moratorium.

Since then, the Supa IGA supermarket premises were taken over by Woolworths. When the TAB closed in 2015, the premises were sold and have been vacant ever since. The Hawker Tennis Centre with its twelve excellent courts beside the Hawker playing fields have also been sold and put out of action. The courts have been neglected and allowed to fall into ruin.

### **Early proposal**

The intent of the original proposal was to build high-rise blocks of flats on the three public carparks. These carparks have always been well used, especially as they accommodate large vehicles, such as those used by tradesmen. The location of the Hawker Centre at the intersection of Belconnen Way and Springvale Drive, enables easy access by vehicles coming off William Hovell Drive via Coulter Drive. Its proximity to Kingsford Smith Drive enables fast and easy access to northern Belconnen by workers en route home from Civic and southern areas.

These carparks are still valued because of their openness and ease of access. With the development of new suburbs in the Molonglo Valley, this access could be even more valuable.

We request that these facts be considered in designing the Belconnen District Strategy.



Friends of Hawker Village Incorporated



**CONSERVATION  
COUNCIL** ACT REGION

Submission to Environment, Planning and  
Sustainable Development Directorate

## ACT Planning System Review and Reform – Draft New Territory Plan and Draft District Strategies

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March 2023

The Conservation Council ACT Region is the peak non-government environment organisation for the Canberra region. Since 1981, we have spoken up for a healthy environment and a sustainable future for our region. We harness the collective energy, expertise and experience of our more than 40 member groups to promote sound policy and action on the environment.

We campaign for a safe climate, to protect biodiversity in our urban and natural areas, to protect and enhance our waterways, reduce waste, and promote sustainable transport and planning for our city.

At a time when we need to reimagine a better future, we understand that the changes we need will only happen with the collective support of our community.

**For further information please contact:**

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## Introduction

Canberra is fortunate to sit within a wonderful and unique natural environment. Not only is the ACT Region home to nationally significant ecosystems and species and the spectacular Namadgi National Park; but our urban landscape is uniquely embedded in the natural environment. Indeed, the urban landscape is connected by nature parks, corridors and waterways that support biodiversity and enhance community wellbeing.

However, the ACT, like many other places in Australia, faces significant environmental challenges. The impacts of climate change, including longer hotter summers, increasingly severe bushfire seasons, and extreme weather events, have already had wide ramifications for nature and the community. In addition, our growing city is putting pressure on biodiversity, through loss of habitat, the proliferation of invasive species, noise, and pollution.

Canberra can become more climate-resilient by investing in green infrastructure, managing water effectively, and ensuring new developments are environmentally-sustainable and designed for future climate conditions. Urban greenspace, supported by increased tree canopy and urban gardens, will improve livability and build resilience.

We can also support our nationally significant ecosystems and species by recognising their values, and protecting and managing them in a way that enhances biodiversity. Investing in nature means that we are nurturing the systems on which we depend for food, clean water and resources, and which hold important intrinsic value.

The following submission finds that whilst the draft Territory Plan and draft District Strategies is an improvement on previous iterations of planning documents; significant revision is required to ensure that biodiversity loss and climate change are adequately considered. The submission recommends a 'A Biodiversity Network' that could support the protection and enhancement of natural values in the ACT, by designating land uses that put conservation values at the forefront. Furthermore, this submission addresses concerns regarding the inaccessibility and disadvantage of the consultation process and documentation itself.

## The Draft Territory Plan

The principal function of the Territory Plan is to guide and where necessary control, the use and development of land in the Territory. A robust planning regime is a necessary plank of a civil society. For it to succeed in this difficult role the Territory Plan must have the confidence of the community, it must be seen as logical, reasonable, fair and as being likely to achieve the communities' strategic objectives. To do this it must be comprehensible and accessible.

The draft Territory Plan consists of a large number of separate documents with complex and opaque interrelationships. It is neither comprehensible nor accessible, especially to the general public. "Planning" is currently perceived by the Canberra community as being poorly executed, unfair, and not aligned with community aspirations. The draft Territory Plan will not improve this situation.

The poor consultation process on the documentation did not aid the community in engaging meaningfully with the material and understanding the implications for their region. While it is appreciated that community workshops were held in each region these meetings were unhelpful for parts of the community that are acutely concerned with certain issues as they were overly generalised. Furthermore, these workshops were often inaccessible for people with young families, commutes, or shift work as they were held in the early evening. Specific workshops with identified stakeholder groups would have allowed for deeper discussion and questions on detailed issues and districts. The Environment sector as a whole should be provided a specific consultation, including the opportunity to have open dialogue with experts.

Without stating clear objectives for the future of the Territory, the draft Territory Plan becomes meaningless. There needs to be a clear measure of the population Canberra is capable of holding and therefore planning to accommodate within set timeframes. Sensibly articulating this future with objectives, including meaningful population targets and research on carrying capacity will allow for a stronger framework and clear path forward.

In the absence of a robust and long term strategic plan the Conservation Council cannot express any confidence in the capacity of the Territory Plan to achieve the environmental and biodiversity outcomes that will be essential for the future of the city. Specifically, unless the plan can robustly demonstrate the capacity of the existing urban areas to absorb expected infill growth (80% or more of the total growth) then we cannot have confidence that the pressure for ever-expanding greenfields areas will not persist. **It is recommended a "green belt" that provides a buffer between ACT and NSW to define the urban edge and protect environmental values is identified.**

Currently, the draft Territory Plan seeks to promote human development for humans, rather than promote a region where humans can live sustainably, and where other species can also thrive, both in harmony with the environment. The promotion of built form for human wellbeing ignores the reality that human wellbeing is built upon a foundation of environmental wellbeing. Introducing the concept of environmental stewardship throughout the draft Territory Plan would be an important step.

**In summary the Council is pleased with the following intentions of the draft Territory Plan:**

- Wellbeing and livability intentions
- amended vehicle parking requirements to encourage and support active travel
- provision of infrastructure for EV charging facilities
- prohibition of gas connections in new residential subdivisions and redevelopments
- introduction of large battery storage as permitted use
- provision for additional housing types such as community housing and build-to-rent development, to assist housing affordability
- 70% of new growth to be within the existing urban areas. However, the Council maintains the policy priority that the ACT Government set a target of 80% of new residential development within the existing urban footprint and there is no further expansion of Canberra's urban boundary after existing identified suburbs in Molonglo, Gungahlin and West Belconnen are completed.

## What is the Territory Plan?

### Part B: The Territory Plan.

In summary this section says that the Territory Plan:

- sets out a statutory framework for the future development of the ACT.
- is a policy about how land can be used and what can be built where.
- is primarily used to decide development applications
- and to make other planning related decisions, such as decisions about the zoning and the use of land.
- may also shape public and private infrastructure investment decisions and guide the future pattern of development in the ACT.

The plan is primarily concerned with day-to-day development assessment and the like. The plan does not have a strategic planning focus. This is reinforced at part C3 of the documentation which says:

*“This Plan gives effect to the ACT Planning Strategy. The planning strategy states the long term planning policy and goals for the ACT, an overarching spatial vision, and strategic directions and desired future planning outcomes (Section 47 of the Planning Act 2023)”*

The question arises as to whether the Plan can adequately perform the functions listed above; to do so it must be, and be seen to be, closely related to the Planning Strategy with clear linkages between the provisions in the Plan and the policy framework set by the Strategy. For the plan to be effective and accepted by the community, the day to day decision making that it drives must be seen to be a logical consequence of the policy framework set by the strategy, which in turn must be derived from a broad community consensus on the future direction of the Territory.

The ACT Planning Strategy was last refreshed in 2018 and it is appropriate that it should be open for review now, as by the time the new Territory Plan is in place (2023 or 2024), five years will have elapsed since the last review. The new Planning Bill (s41) requires that a review be considered every 5 years.

The planning Strategy (according to the Planning Bill S36) is supposed to prescribe:

*(a) the long-term planning policy and goals for the ACT, consistent with the object of this Act; and*

*(b) an overarching spatial vision; and*

*(c) strategic directions and desired future planning outcomes.*

Unfortunately,

- The Strategy only looks forward to 2041, 18 years hence. This is not “long-term”.
- The “spatial vision” only extends to 2041, this is not visionary as it is inevitable that pressure for growth will continue beyond that date and no clue is provided as to where, if or how this pressure will be managed.
- It does suggest future planning outcomes largely and laudably focused on more compact development but does not provide strategic directions to achieve this in a socially and ecologically sustainable manner.

The Territory Plan must operate against this background which will be problematic.

The essential role of a statutory planning instrument such as the Territory Plan is to provide a framework for the resolution of conflicts between land uses and users. A common example in Canberra is the conflict that arises when residential intensification developments are proposed (dual occupancies, apartment complexes) in “leafy” suburbs characterised by large block single residential housing. The existing residents ask the legitimate question “why does this have to happen here?” and “is this the thin end of the wedge, will it go on forever?”. The response “because the Territory Plan says so” is insufficient. The Territory Plan provides the rules (or “outcomes”) it does not provide the justification for them. This justification should be able to be found in the Planning Strategy, but it is not there. In order to provide the necessary backup and logic for the Territory Plan, the Planning Strategy must be amended to include:

- Set a target of 80% of new residential development within the existing urban footprint and for no further expansion of Canberra’s urban boundary after existing identified suburbs in Molonglo, Gungahlin and West Belconnen are completed.
- An estimation of the maximum population potential of the region, based on a development capacity analysis of available land and infill opportunities
- An estimation of the likely ultimate population of the region to a genuine long term planning horizon (perhaps the year 2100).
- Strategies for accommodating the future population within the available land; inevitably this will involve increased densities and must include prescription as to the logical and equitable distribution of densification within existing suburbs. This should feed directly into District Strategies.

The question “what is the Territory Plan” must be seen against this larger context of its role under the overarching framework set by the Planning Strategy. Without support from the Planning Strategy the Territory Plan cannot function properly. The decisions that will be made under its provisions will be unsupportable. Contentious decisions will be necessary if we are to achieve real progress and change from past development patterns; but these will be challenged,

and in the absence of robust policy support from the Planning Strategy, the challengers will win. This poor outcome will be greatly exacerbated in a jurisdictional environment where the scope for very low cost third party appeals is very wide.

The Conservation Council takes a long term view and considers that the planning horizon set by the Planning Strategy of 19 years is grossly inadequate. While the Territory Plan is required to be flexible enough to adapt to challenges and changes as they arise, the environmental and biodiversity impacts of urban growth extend across time frames of far longer than 19 years. The provisions in the Territory Plan, which control day to day decisions that will have impacts over these long timeframes must be underpinned by strategic planning that takes these timeframes into account.

The District Strategies actually take some steps towards resolving the issues identified above – they do include population projections over a longer timeframe (to 2063) and propose housing and employment targets (for each district) for this timeframe, and also propose a diversity of high density housing options. However, The projections are based on assumed population trend growth. **It is recommended projections be based on the population Canberra is capable of holding and therefore planning to accommodate within set timeframes. Research needs to be undertaken on the carrying capacity of the ACT to inform the draft Territory Plan and thus set meaningful population targets to live within our region's means.**

The district Strategies adopt the proposed population growth allocated to them and assume that the growth can be accommodated; a note on Figure 10 in the District Strategies documents says: *“More detailed planning will determine where future development will be allocated. This is likely to depart from the future dwelling distributions shown here”*. Site analysis to determine if and where the growth can actually be accommodated with acceptable urban design outcomes is lacking. This is unfortunate because this is a key question that should be resolved by the District Plans (indeed probably the key question as far as local residents are concerned).

In the absence of a robust and long term strategic plan the Conservation Council cannot express any confidence in the capacity of the Territory Plan to achieve the environmental and biodiversity outcomes that will be essential for the future of the city. Specifically, unless the plan can robustly demonstrate the capacity of the existing urban areas to absorb expected infill growth (80% or more of the total growth) then we cannot have confidence that the pressure for ever-expanding greenfields areas will not persist.

## State of the Environment Report

The ACT's 4-yearly State of the Environment reporting is a requirement of the *Commissioner for Sustainability and the Environment Act* 1993.<sup>1</sup> It is prepared by the ACT Commissioner for Sustainability and the Environment. The most recent report was produced in 2019.<sup>2</sup> The report provides the ACT community and Government with commentary and analysis about the condition of the environment and progress towards sustainability.

It is astounding that the SOE report does not appear to be referenced in any of the various draft Territory Plan documents. The environment as a whole should be a principal reference point for a revision of the Territory Plan, utilising the SOE. It provides detailed recommendations for action and specifies a set of indicators conditions and trends which provide a template for

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<sup>1</sup> <https://www.legislation.act.gov.au/a/1993-37/>

<sup>2</sup> <https://envcomm.act.gov.au/wp-content/uploads/2020/07/SOEFULL.pdf>

Government action. **The Territory Plan should be a principal instrument for the achievement of the actions recommended by the SOE report.**

The draft Territory Plan documentation should be revised to reference all the recommendations of the SOE report to ensure that all are being addressed adequately and to allow future measurement against the indicators provided in the SOE report.

## Critical interconnection with the Planning Bill 2022

The present consultation is in relation to the draft Territory Plan and draft District Strategies. However, the ACT Government has positioned the Territory Plan and District Strategies together with the Planning Bill 2022 as interconnected parts comprising the ACT Planning System Review and Reform Project<sup>3</sup>. The draft Territory Plan and District Strategies are specifically drafted to reference the (presumed) Planning Act 2023 as the authorising legislation.

A previous consultation process on the Planning Bill 2022 closed in June 2022<sup>4</sup>. The ACT Legislative Assembly Standing Committee on Planning, Transport and City Services Report on the Inquiry into the Planning Bill 2022 on 22 December 2022<sup>5</sup>.

The Conservation Council and a number of Member Groups such as Friends of Grasslands and Canberra Ornithologists Group made detailed submissions to the initial consultation and the Standing Committee inquiry. The Environment Defenders Office (EDO) also made detailed submissions on legislative intent and detail at these stages. All of these submissions raise a range of significant concerns in relation to both the in-principle prioritisation and the detailed provisions of the Bill so far as it relates to environmental matters including climate change and biodiversity conservation.

The Standing Committee Report made 49 separate recommendations in relation to the Planning Bill. A significant number of these relate to improvements to the Bill in relation to environmental matters<sup>6</sup>, and specifically reference and ratify the recommendations put forward in Conservation Council, EDO and related submissions. The ACT Government is yet to provide a response to the Standing Committee recommendations.

The Council continues to strongly urge that the Planning Bill 2022 should not be enacted in its current form, and that the recommendations to amend the Bill in a way which elevates the protection and restoration of nature to being a fundamental objective of the Bill and a clear duty of those who administer it should be progressed before enactment.

There is a clear and urgent imperative to protect and restore the environment, including to protect and restore biodiversity, prevent habitat destruction and species extinctions, and address climate change. The environment cannot advocate for itself in planning decisions. In practical terms, despite specific environmental laws, the package of planning legislation, policies

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<sup>3</sup> <https://www.planning.act.gov.au/planning-our-city/act-planning-system-review-and-reform>

<sup>4</sup> <https://yoursayconversations.act.gov.au/act-planning-review/planning-bill>

<sup>5</sup>

[https://www.parliament.act.gov.au/\\_data/assets/pdf\\_file/0005/2156792/PTCS-Report-12-Inquiry-into-Planning-Bill-2022-Final-Report-SIGNED.pdf](https://www.parliament.act.gov.au/_data/assets/pdf_file/0005/2156792/PTCS-Report-12-Inquiry-into-Planning-Bill-2022-Final-Report-SIGNED.pdf)

<sup>6</sup> Recommendations 38 to 46, covered in detail on pages 81 to 91 of the Standing Committee report.

and plans currently in development will be the main day to day way that environmental interests are managed and protected in the ACT.

The Bill in its current form will not match the expectations and aspirations we have when committing in the ACT to legislate for a human right to a healthy and sustainable environment, when committing federally to national environmental laws including demanding national environmental standards, and when committing internationally to far reaching climate and biodiversity objectives as a responsible international actor.

The unresolved status of the Planning Bill 2022 is critically relevant in current consultations on the Territory Plan and District Strategies. It is fundamentally important to have clarity on the detail of the primary legislation under which these subordinate planning instruments will be made and will operate, in order to be assured of the principles and processes, including relevant safeguards, which will protect and enhance the environment within this overall package. It will only be possible to give full feedback on the Territory Plan and District Strategies once the outstanding uncertainty around the Planning Bill 2022 is resolved, including the Government's responses to the Standing Committee recommendations and the final form in which a revised Bill will be introduced and enacted in the Legislative Assembly.

**Accordingly, the Conservation Council strongly urges that the draft Territory Plan and District Strategies are not finalised until these matters concerning the Planning Bill 2022 are clarified and finalised. Further, the opportunity for further submissions should be considered once the Bill has progressed through the legislative process.**

## Part A: Administration and Governance

### A.1 Name of plan and authority

This section says that the plan is prepared as required by Section 45 of the Planning Act 2023, and in accordance with Chapter 5 (of the Act).

S47 of the Act says that

*“Territory Plan to give effect to strategic planning outcomes*

*The Territory Plan—*

*(a) **must** promote principles of good planning; and*

*(b) **must** give effect to the planning strategy and district strategies; and*

*(c) **may** (my emphasis) give effect to relevant outcomes related to planning contained in other government strategies and policies.”*

“other Government strategies and policies” would include, for example “The ACT Climate Change Strategy”, “the ACT Circular Economy Strategy”. Aspects of these policies will conflict with some of the practices of, for example, infrastructure agencies which have evolved historically, based on priorities and costings that are no longer relevant and without consideration of holistic costs. For example, TCCS requirements for street trees place limitations on tree sizes that reduce canopy cover. The tree standards are derived from cost and other practical considerations which should be reviewed to consider the holistic costs and benefits of larger trees and alternative engineering solutions. This could allow larger street trees and better canopy cover outcomes.

Use of the word “may” in item (c) means that these legacy arrangements (policies, standards, guidelines and the like) will be able to remain in place indefinitely. The Territory Plan should be an instrument of proactive change (and must be so if it is to give effect to items (a) & (b)). The word “may” should be replaced with “shall” or “must” to ensure that legacy arrangements are reviewed and revised to align with the objects of the Plan.

## Part C: Planning Principles and Strategic Links

### C.1 Object of Plan

It is acknowledged that the wording in the “Object of the Plan” section is taken from the Bill and that the Bill is moving towards final approval. Nevertheless, the opportunity still exists for an amendment to bring the “object” statement (which dates from 1988) into line with 21<sup>st</sup> century awareness of the environmental and biodiversity pressures that must be urgently addressed.

The “object” statement is as follows:

*“The object of the Territory Plan (the Plan) is to ensure, in a manner not inconsistent with the National Capital Plan, that the planning and development of the Australian Capital Territory (the ACT) provides the people of the ACT with an attractive, safe and efficient environment in which to live, work and have their recreation. (Section 46 of the Act)”*

This has been modified from the equivalent statement in the previous (pre 2007) iteration of the Plan which was:

*“The Object of the Territory Plan is to ensure, in a manner not inconsistent with the National Capital Plan, that the planning and development of the Territory provides the people of the Territory with an **ecologically sustainable, healthy, attractive, safe and efficient environment in which to live, work and have their recreation**”. (our emphasis)*

The deletion of the reference to ecological sustainability was a seriously retrograde step and should be reversed. Similarly the reference to a healthy city.

## **C.2 Statement of principles of good planning**

The statement of principles of good planning fall under 9 headings, of which the 7<sup>th</sup> and 8<sup>th</sup> relate to the natural environment and sustainability.

Whilst it is acknowledged that, on the face of it, no priority is assigned to any of the principles over and above the others there will nevertheless be a perception that those higher on the list may be more significant. In this regard it is instructive to note that in the pre 2007 iteration of the Territory Plan “Sustainability” was the first of a list of 5 goals or outcomes specified in part 2 of the plan. It is also noted that in the current version of the Plan in Part 2.1 the Statement of Strategic Directions, “Principles for sustainable development” are listed first, and under this heading, immediately following “general principles”, “Environmental sustainability” is the next item on the list. The 2018 planning Strategy lists 5 items under the “Vision” heading, the third of which is “sustainable and resilient”.

The Conservation Council believes that a sustainable and resilient environment is essential, so much so that without this, none of the other aspirations can be achieved. Activation and liveability, cultural heritage, quality design, integrated delivery, investment facilitation, long term focus and urban regeneration are all listed as principles of good planning, but none of these can be contemplated without a sustainable and resilient environment within which they can take place. The two other principles: natural environmental conservation and sustainability and resilience, should be moved to the top of the principles of good planning list.

## **C.3 Strategic framework/ context**

### **3.1 Effect of planning strategy**

The text here says “...the planning strategy gives effect to the long term planning policy and goals for the ACT...”. As discussed above this is incorrect.

Because it looks ahead only 19 years the planning Strategy cannot be a “long-term” plan. Consequently, as also discussed above, the Territory Plan will be ineffective because it is not supported by and derived from a properly prepared strategic plan.

The statement that the “.....Planning Strategy is not a relevant consideration for any decision by the Territory Planning Authority, the Minister or another entity made under this Plan in relation to a development proposal,.....” is incongruous and should be deleted. It implies the potential for a conflict to exist between the provisions of the plan and the strategy. If any such conflict exists then it should be fixed, not resolved by simply setting aside the strategy to enable a particular proposal to proceed.

### 3.2 Effect of district strategies

The district strategies are intended to be consistent with the ACT Planning Strategy. Apart from this their role is not defined and their actual relationship with the ACT strategy is unresolved. They have no reason for existence unless they are performing a function that is not already being performed by the ACT strategy, and vice versa. If they are merely required to be “consistent with” then we have two planning documents, potentially covering the same subject matter, sitting side by side. This is illogical.

If district level planning is to be introduced (and this is generally thought to be desirable) then the roles and functions of both the district strategies and the ACT strategy must be defined.

The ACT Strategy (with community input at an ACT wide level) should deal with matters of a metropolitan scale and, most importantly, it must define the districts and set out their respective roles within the metropolitan context. This for example would include the levels of population that each district would be expected to absorb over time in greenfield and infill areas. It would also include metropolitan scale road and public transport planning, open space and wildlife corridors and the like.

This would then provide the basis for district level planning (with community input at the district level) which, for example, would set out the distribution and types of growth and development within the district that would be necessary for it to be consistent with the ACT Strategy objectives.

It is noted that about the first 80 pages of all the district strategy documents are identical. This material should be incorporated in the ACT Strategy.

## Part D: District Policies

As an overarching comment it is unclear why the District policies are separated from the District Strategies. It seems obvious that the two documents should be combined for each district.

### 1.3 Policy Outcomes

Each of the 8 District Policy documents include lists headed: “The desired policy outcomes to be achieved for (name of district) include:”. The use of the word “include” is confusing as it leaves open the possibility that other outcomes may exist but are not listed.

It is also unclear whether all outcomes must be achieved and if not, what is the relative priority?

The Planning Bill (s183(a)) requires that development proposals be assessed against “any applicable desired outcomes in the Territory Plan;” The wording of the outcomes is generally aspirational rather than prescriptive leaving wide scope for interpretation and consequently also for dispute. For example item 3 in the Gungahlin list says “deliver new schools” without specifying where, how many or what type. This is effectively meaningless. Item 4 on the list says “enhance connectivity corridors” between several nominated nature reserves. It does not say how this is to be achieved and the connectivity corridors (which are not interconnected) on Figure 32 in the Gungahlin District Strategy (the Blue-green network plan) do not show these proposed connections.

The policy outcomes seem to closely mirror the “key directions” listed in the District Strategies. This seems to be confusing and unnecessary duplication and a further argument for combining the Policy and Strategy documents for each District.

## 1.4 Assessment requirements

These are highly specific mandatory provisions carried over from the current plan – no comment other than that they should all be reviewed to see if they are really necessary as they add inordinate complexity.

## 1.5 Assessment outcomes

It is hard to fathom why these need to be separated from the Policy outcomes discussed above, item 1 on the list of “assessment outcomes” is, after all, the “stated policy outcomes”.

The assessment outcomes consist of a list of 13 (or in the case of Tuggeranong and Weston Creek, 15) items, against which development proposals will be assessed. None of the items refer to protection of the natural environment, sustainability or ecological integrity. This is completely unacceptable. A list which includes such prosaic items as “suitability of any advertising sign” must surely also include some reference to the protection and enhancement of the natural environment?

Curiously, the majority of the assessment outcomes for all 8 Districts are identical except for Tuggeranong and Weston Creek, both of which include two additional items:

*6. development does not adversely affect the overall function of the commercial centres in terms of economic, social, traffic and parking and urban design impacts*

*7. buildings with frontages to main pedestrian areas and routes within commercial areas incorporate uses on the ground floor that generate activity in the public space*

It's not clear why these outcomes are relevant to these districts and not to others.

Assessment outcomes for specific localities within districts do differ. These seem to be carried over from the “criteria” elements of the current plan.

## Part E: Zone policies

### 1.3 policy outcomes

These sections of the Zone policy documents contain numerous “policy outcomes” and “assessment requirements” specific to each zone, to be read and presumably applied in parallel with the outcomes and assessment requirements in the district policies.

If the zoning provisions are to be uniform across the city then one wonders why there is a need for separate districts, as the planning provisions in each will be indistinguishable from each other. This approach denies the possibility of different districts evolving planning provisions to suit their own needs and community aspirations.

To take a simple example: the assessment requirement for site coverage for single dwellings in the residential code is:

*Site coverage is a maximum of:*

- a) For large blocks: 40% of the block area*
- b) For mid-sized blocks: 60% of the block area*
- c) For compact blocks: 70% of the block area*

The real possibility exists that the citizens of Belconnen may have different views to the citizens of the Inner South as to the suitability of these figures. They may prefer them to be higher or lower or a different mix. The community choice may be influenced by demographic and community attitudes to density and change, and, more practically by block sizes which on average are much larger in the Inner South than in Belconnen - this will result in different overall outcomes with the same percentage site coverage prescription. Presumably this is what district planning is all about – allowing the district community to make its own choices as to exactly how it meets the metropolitan strategic planning objectives.

Additionally, it is simply too confusing to have the outcomes and assessment requirements against which a particular development proposal will be judged spread across two (or several) documents or parts of the plan.

The result is likely to be that the political process will result in the “lowest common denominator” position being adopted and imposed on all districts. This denies the opportunity for one or more districts whose populations may be more progressive or environmentally conscious adopting more environmentally friendly policy positions that may be unacceptable in more conservative districts.

An alternative approach would be to prepare “generic” zone policies which could be written into District Policies with adaptations to suit local circumstances.

#### 1.4 Assessment requirements and 1.5 Assessment outcomes

Similarly to the equivalent section in the District Policies the distinction between “assessment requirements” and “assessment outcomes” is incomprehensible. They should be combined.

### Part F1: Subdivision policy & F2 lease variation policy

The same comments under Part E Zone policies 1.3 policy outcomes apply to these two policy documents – the policies should be written into the District Policies.

## Climate Change

Climate change is the most significant threat to the survival of all life on earth, and requires immediate and significant global action. The impacts of a changing climate are well upon us; increasingly severe fires, storms, floods and droughts are forcing societies and natural ecosystems to transform the way they function. Responding to climate change requires both adaptation (actions to adjust to changes that have happened and are predicted) and mitigation (actions to avoid and minimise further emissions).

The ACT has demonstrated leadership by setting a target of net-zero emissions by 2045, but this is insufficient—we must do more. The science demands that the ACT should aim for net-zero emissions by 2030 regardless of how politically uncomfortable this might appear. This would bring the ACT in line with other leading cities, such as Bristol, Glasgow and Copenhagen who all have zero emissions targets of 2030 or earlier.

The following climate mitigation measures must be provided for under legislation:

- Construction of the residential development should be undertaken in an environmentally sensitive way. The dwellings should be of high quality and energy efficient.
- All new construction should have pale roofs.
- All new construction should have a minimum rating of 8 stars.
- All construction must optimise solar access in winter and shade in summer.
- All new construction should not connect to the gas network, including multi unit developments and aged care facilities.
- EV charging stations available to the community including in all multi-unit developments.
- Set planning rules that reduce house size as a percentage of block size.
- Utilise a variety of native plantings including shrubs and grasses to reach the tree canopy target.
- Set a permeable surfaces target for public space that aligns with the city-wide 30% permeable surfaces target.
- Mandate community infrastructure.

Urban greenspace will help to build resilience against the impacts of climate change, enhance connectivity across the urban landscape, and deliver quality-of-life benefits to the community. Green space, trees and shrubs offer physical and mental well being benefits for our community. Importantly they also cool the urban environment, slow urban water flows and provide vital refuge for wildlife and pollinators across the urban landscape.

## Biodiversity

The community requires assurance that the government via the Planning system is looking after the environment for its intrinsic value. In order to achieve this the draft Territory Plan and draft District Strategies must move away from a human centred approach.

The 2019 United Nations report on biodiversity identified that up to one million species globally face extinction in the coming decades. Australia is not immune, with approximately 100 native species having become extinct since European settlement and a further 1,600 species that are currently threatened. Urban development, invasive species and climate change pose the largest threats to biodiversity, including in the ACT.

Urban development on the lower lying areas of the ACT has had a significant impact on two critically-endangered ecological communities - Natural Temperate Grasslands and Yellow Box-Blakely's Red Gum Grassy Woodlands. These ecological communities include 52 threatened species, and their protection going forward is especially important given their national significance, as well as their intrinsic value and the amenity they bring to our city. Given the pressure on biodiversity from development across the ACT, all areas of moderate to high conservation value should now be appropriately protected and managed for effective conservation outcomes. This protection can be delivered either through the planning system or via the *Nature Conservation Act 2014* - while there may be a preference for it to occur via the latter, the mechanism is secondary to the outcome that is required.

As the 'bush capital', Canberra is fortunate to host a mosaic of natural areas in and around the city. Many of these natural areas are protected under the ACT's extensive reserve system. But, despite its large size, the ACT Reserve system does not adequately cover all of the Territory's natural values leaving many unprotected and mismanaged.

Notably, the reserve system is biased against low lying ecosystems and small areas of natural land. Indeed, 67% of the ACT's Natural Temperate Grassland remnants occur outside the reserve system despite their status as critically endangered<sup>7</sup>. Similarly, many threatened woodland remnants also occur outside of the reserve system, including 80% of Box-Gum Woodland.<sup>8</sup> Many small but significant areas outside the reserve system occur along roadsides, in urban open space, in green corridors between houses, or in rural or urban leases. While they may be small in size, these sites can have environmental significance as they support threatened ecosystems, provide habitat for native species, and/or facilitate connectivity across the landscape. However, areas with conservation value that occur on tenures outside of the reserve system are not primarily maintained for their natural values, which can put those values at risk.

The length of the interface between the ACT's reserves and urban areas is significant and the Draft Territory Plan provides an opportunity to rationalise reserve boundaries to reduce the extent of this interface and improve the buffer for reserved areas. A reduced interface also means potential savings in reserve management with reduced fencing requirements. It is recommended that the boundaries of reserves are simplified to reduce the urban interface impacts.

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<sup>7</sup> ACT Government, *ACT Native Grassland Conservation Strategy and Action Plans*, p21.

<sup>8</sup> Calculations from ACT Government, *Canberra Nature Park Reserve Management Plan*, 2021.

## A Biodiversity Network for the ACT

Areas with high conservation value that occur on tenures outside of the reserve system are not primarily maintained for their natural values. In order to facilitate adequate protection of natural resources, a strategic system that facilitates conservation on and off reserves is required to ensure that all remaining threatened species and communities in the ACT are properly managed and protected in perpetuity. 'A Biodiversity Network' could support the protection and enhancement of natural values in the ACT, by designating land uses that put conservation values at the forefront. The Territory Plan is a substantial opportunity to reallocate both urban and non-urban land use zones to reflect this, consistent with IUCN guidelines, ensuring certainty of management and protection over the long term. By prioritising conservation outcomes whilst allowing for other compatible land uses, the ACT can ensure the protection of environmental values into the future.

A Biodiversity Network would be designed to protect remnants of natural value that are not reserved, whereby these remnants, together with those in reserve, will be unified into a single management and (or) legal framework for protection and implementation of ecological management.

While nature reserves and national parks are important in that they provide a high level of protection against damage and loss, conservation (protection and management) can be achieved across other land tenures, without compromising the land uses that may exist in those places.

The aims of the Biodiversity Network are to formalise conservation and management of biodiversity outcomes on multiple types of public and leased land by identifying them as Conservation Areas, through a combination of protection, restoration and reconnection compatible with other land management objectives. A Biodiversity Network would achieve this by:

- Providing legislative protection to Matters of National Environmental Significance (MNES) and ACT threatened species and ecosystems that are not held in reserve;<sup>9</sup>
- Protecting other natural attributes so that they do not become threatened;
- Supporting representation of all ACT ecosystems in our conservation areas to achieve a comprehensive, adequate and representative (CAR) outcome;
- Increasing landscape habitat, biodiversity and connectivity;
- Implementing consistent and best practice ecological management coordinated across land tenures; and
- Better engaging, cooperating with and supporting land managers, community, special interest groups and associated management and research professions.

In addition, downstream benefits include climate resilience, increased human health and wellbeing, greater opportunities for fostering identity and connection to the natural landscape, improved natural functionality of the environment, and a basis for planning to prevent continuous loss of biodiversity.

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<sup>9</sup> Environment Protection and Biodiversity Conservation Act 1999 (Cth), Part 3 Div 1.

The proposed new Territory Plan for the ACT, in the context of the 2022 Planning Review, is a substantial opportunity to identify Conservation Areas on unleased and leased urban and non-urban land, and ensure they are exempt from development; this would not preclude them from being used for other compatible land uses. Incorporating the Biodiversity Network on rural and urban leases can achieve major conservation gains for protection of woodlands, grasslands, and other MNES through cooperative management agreements facilitated by enhanced support including the provision of resources and advice. The establishment of the Biodiversity Network to protect Conservation Areas across all tenures will ensure a certainty of management and protection over the long term.

### *Biodiversity protection is failing across tenures*

Despite the ACT Government's extensive commitment to biodiversity conservation, the current regulatory scheme is incompatible with the way that nature occurs as a mosaic across the landscape. As such, sites of natural significance occur in reserves as well as on public and leased land.

There are limited requirements for conservation to be considered as a primary objective in land use areas outside the reserve system, making them prone to ecological mismanagement. Existing land use areas are incompatible with the protection of natural values in four primary ways:

1. The reserve system does not protect all conservation areas of importance;
2. Areas of conservation value outside reserves are being lost through expansion of the city and associated infrastructure;
3. Natural resources outside reserves are not consistently managed for conservation values;
4. Areas of biodiversity are fragmented across the ACT.

These are considered in greater detail in attachment 1.

### *Aims of the Biodiversity Network*

The Territory Plan is a substantial opportunity to identify Conservation Areas on unleased and leased urban and non-urban land, and ensure they are exempt from development; this would not preclude them from being used for other compatible land uses.

The aims of the Biodiversity Network are to formalise conservation and management of biodiversity outcomes across tenure on multiple types of public and leased land by identifying them as Conservation Areas, through a combination of protection, restoration and reconnection compatible with other land management objectives. A Biodiversity Network would achieve this by:

- Providing legislative protection to Matters of National Environmental Significance (MNES) and ACT threatened species and ecosystems that are not held in reserve;
- Protecting other natural attributes so that they do not become threatened;
- Increasing landscape habitat, biodiversity and connectivity;
- Implementing consistent and best practice ecological management coordinated across land tenures; and

- Better engaging, cooperating with and supporting land managers, community, special interest groups and associated management and research professions.

*For further information see Attachment 1: Biodiversity Network Paper.*

## **Mature Native Trees**

**Clear Guidelines on the protection of mature native trees are required** for the whole of the Territory especially for developers and homeowners with mature native trees on private land. **It needs to be made clear** how the draft Territory Plan is correlating with *the draft Action Plan to prevent the loss of mature native trees and the Urban Forest bill*.

The following objectives should be regulated to ensure protection of mature trees in new urban areas:

- Early identification and mapping of mature native trees in new development areas, prior to estate planning commencing.
- Requirements to retain mature native trees in new development areas, and only remove trees as a last resort.
- Tree retention and recruitment plans for new development areas prior to submitting the development application (as flagged in the Urban Forest Bill) - including the use of urban reserves to provide connectivity and ecological protection for mature native trees.
- Mandatory percentage targets for the retention of trees in greenfield developments.
- DV369 needs to be fully implemented
- Mandatory buffer zones around Mature Native Trees both to maintain them and to protect and thus recruit trees to become mature in the near future.

See attachment 1 for a framework to manage areas of high conservation value, across all tenures in the ACT, for their environmental value. It considers Mature Native Trees throughout and iterates their essential value to connecting biodiversity across the landscape.

## **Plantings**

Current planting programs across the city often result in the incorrect species in the incorrect place, especially the Urban Forest Strategy, Tree Planting program. Plantings need to be ecologically based plantings using endemic species. **It is recommended the approved species list for planting in urban settings is reviewed and certain species are removed. Planting must be ecologically appropriate. Furthermore, training and professional development for TCCS staff in ecological management will increase the skills in managing, restoring and maintaining plantings.**

## Draft District Strategies

Australia is leading the world on mammal extinctions, with urban development a leading cause of habitat loss in Australia and globally. We need to strengthen our commitment to urban infill to reduce pressure on natural ecosystems. High quality urban development must be accompanied by a commitment to diversifying medium density housing options to provide better choices for the community. Urban greenspace will help to build resilience against the impacts of climate change, enhance connectivity across the urban landscape, and deliver quality-of-life benefits to the community. Green space, trees and shrubs offer physical and mental well being benefits for our community. Importantly they provide vital refuge for wildlife and pollinators across the urban landscape, cool the urban environment, and slow urban water flows. The Council is supportive of a commitment to more single residential homes built within our existing suburbs through increasing dual occupancy developments, high density housing along transport corridors and connecting town centre into the light rail network.

Increasing urban density is about clever design using a smaller footprint, such as houses going up instead of out. The Council recommends that there are opportunities to increase urban density in environmentally sensitive ways and supports it as long the housing is good quality and energy efficient, mature trees are maintained as much as possible, and there is space available to plant new trees. Creative small house design should be utilised to build energy efficient and pleasant houses for people as urban infill. Successfully increasing urban infill is about clever design not bigger design. The Council recommends an investment in higher density housing that takes up a smaller footprint per person, with shared green space – connecting community whilst also being energy efficient and livable.

Currently, the draft District Strategies seek to promote human development for humans, rather than promote a region where humans can live sustainably, and where other species can also thrive, both in harmony with the environment. The promotion of built form for human wellbeing ignores the reality that human wellbeing is built upon a foundation of environmental wellbeing. This interrelationship of improved physical and mental wellbeing from access to green spaces has been acknowledged by the ACT Government in its commitment to the Human Right to a Healthy Environment.

The lack of detail in the maps and the poor consultation process on the documentation did not aid the community in engaging meaningfully with the material and understanding the implications for their region. **It is recommended there is cohesive environmental stakeholder input.** The Environment sector as a whole should be provided a specific consultation, including the opportunity to have open dialogue with experts. Furthermore, the draft District Strategy maps lack detail. **It is recommended the maps be implemented to ACTmap<sup>10</sup> and the maps are detailed at a neighbourhood level.**

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<sup>10</sup> <https://www.actmap.act.gov.au/>

In summary the Council is pleased with the following intentions of the draft District Strategies:

- Intention for The Blue Green Network
- Identification and expansion of active travel paths

### **Comments common to all district strategies**

- The first 80 pages of each district strategy should be moved into the ACT Planning Strategy
- The District Strategies should be combined with the District Policy documents. If necessary as a two-part document: Part A covering the strategic planning analysis, supporting material and the planning strategy; Part B the prescriptive policy that implements the strategy.
- Consultation on the district strategies has been ineffective. While it is appreciated that a significant investment in consultation was made, the method of hosting stand-alone events and workshops is inaccessible for many community members as it creates an additional burden on people to pursue input. It would have been preferable and more effective if community engagement was channelled through existing pathways such as community councils and community groups to minimise consultation fatigue. Furthermore, we have significant concerns that the consultation that did occur was tokenistic owing to the fact that the project timeline does not allow for ample revision of the strategies and the Territory Plan according to the outcomes of community consultation. Indeed, elected representatives have expressed to the Council that its community-led policy, the Biodiversity Network, is unable to be implemented owing to the timescale the Government has committed to. It is our position that the timeline of the project should shift to accommodate community input, as opposed to community input being sidelined to accommodate political timeframes. This is particularly poignant in the matter of the Biodiversity Network owing to its strong community support.

### **District Strategies pages 1 – 80**

As noted elsewhere in this submission, the great bulk of the material in these sections of the District Strategy documents is repeated in all the strategies. It would be much more appropriately located in the ACT Planning Strategy.

The function of the District Strategies should be to implement the “big picture” metropolitan scale planning set by the ACT Strategy, with variations between districts to suit local district circumstances but nevertheless remaining within the broader parameters set by the overarching ACT Strategy.

### **Five big drivers**

There should be no need to re-interpret the provisions of the ACT Strategy as seems to be the case with the specification of the “five big drivers”. The relationship between these and the five “themes” set out in the strategy is obscure. Both are set out on pages 37 and 38 of each District strategy. “Themes” or “Drivers” may be useful but we certainly don’t need both. The confusion is

exacerbated on (for example) page 43 of each District Strategy where there is an attempt to reference district planning “objectives” for a “key driver” back to the ACT Strategy themes.

So, we have gone through a process as follows:

ACT Planning Strategy themes >>>

District Strategy Key Drivers >>>

District Strategy key driver objectives >>>

ACT Planning Strategy themes.

It would be simpler to adopt the district planning objectives into the ACT strategy. Given that they seem to be repeated for all District Strategies this is the logical approach in any case.

## Implementation pathways

There are also 12 “Implementation pathways” on page 9 of each strategy and expanded on in section 4 (page 74). The meaning and purpose of these is obscure. The first, “Blue green network conservation and expansion” does not provide any specific “pathway” or other mechanism for implementation of anything. It cites existing legislation related to environmental protection and makes the vague statement:

*The ACT Government is also delivering initiatives to support and expand the blue-green network, including working with Ngunnawal Traditional Custodians to care for Country. Blue-green network matters are also considered through the assessment and referral process for new developments.*

Whilst the reference to traditional custodians is recognised (albeit some may say that it is tokenistic) this paragraph does not inspire any confidence and could not be considered to be an “implementation pathway”; rather, it is simply stating that as far as matters related to conservation are concerned, we will continue with business as usual.

In a context where “business as usual” has led us to a situation where the environment is rapidly deteriorating this is clearly unacceptable and indeed highly incongruous in what purports to be a forward looking planning document.

## Planning for population and Jobs (pages 32 – 35 District Strategies)

The following statement, referring to future population, is on page 32 of the District Strategies:

*This overall dwelling growth has been allocated into the ACT’s districts in alignment with the population in ACT Treasury’s projections (note – this is not necessarily where new housing should go). The resulting dwelling targets for the longer-term (2063) horizon for each district are shown in Figure 10.*

This paragraph is amazing. It says that the population projections on which district planning is based are not what they should be if proper planning and analysis had been undertaken, they are simply extrapolations of past trends. The purpose of a planning document is to determine what the projections should be. In the absence of this we are not planning anything, we are just accepting that past practice, business as usual, will go on indefinitely.

Just as population growth and its distribution is critical for future planning, so is the growth and distribution of employment. On page 34, with reference to employment, the following appears:

*The projection of additional jobs in each district is shown in Figure 11. The allocation is influenced by the existing distribution and location of jobs between centres and other employment areas within the ACT.*

As with the population projections, this simply accepts that the future will be a continuation of the past. This is the opposite of a sound town planning approach.

### **The Blue Green Network (page 40 District Strategies)**

The Blue Green network plan (page 41 of the District Policies) is simply a representation of the existing ACT conservation lands and corridors. It does not seem to propose anything new or any mechanisms for protecting or improving the existing situation. As such its effect will be limited to a continuation of the status quo – again, simply business as usual which negates the purpose of having a plan.

None of the listed objectives for The Blue Green network (page 43) give any substantial (or even cursory) prominence to the biodiversity values of the conservation lands. The fourth objective refers to “protect nature reserves.....” but only in the context of expanding opportunities for human movement and the “urban experience”. It is clearly all about people, not nature.

**It is recommended the Biodiversity Network be implemented (attachment 1) to appropriately identify, conserve and manage biodiversity values.** Areas with high conservation value that occur on tenures outside of the reserve system are not primarily maintained for their natural values. In order to facilitate adequate protection of natural resources, a strategic system that facilitates conservation on and off reserves is required to ensure that all remaining threatened species and communities in the ACT are properly managed and protected in perpetuity. ‘A Biodiversity Network’ could support the protection and enhancement of natural values in the ACT, by designating land uses that put conservation values at the forefront.

### **The reserve system does not protect all conservation areas of importance**

Under the current regulation system, only Public Land is capable of being declared as a reserve,<sup>11</sup> whereas land with high quality natural values occurs across all tenures in the ACT. The reserve system in the ACT has historically protected bushland above 700 m and therefore failed to protect ecological communities and associated species whose habitat is within lower-lying parts of the ACT. These include lowland natural grasslands, a range of grassy woodland associations, and lowland wetlands.

Table 1 is an extract from the Canberra Nature Park (CNP) Reserve Management Plan,<sup>12</sup> and demonstrates the lack of reservation of key lowland vegetation communities. The table shows that only 20% of the combined total of all existing areas of the lowland woodland community are in CNP reserves and only 26% of Natural Temperate Grasslands are in CNP reserves.

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<sup>11</sup> Nature Conservation Act 2019 (ACT), s169, 170.

<sup>12</sup> Calculations from ACT Government, *Canberra Nature Park Reserve Management Plan*, 2021.

Moreover, of the 36 mapped lowland native grassland sites on Territory land containing critically endangered Natural Temperate Grassland and/or associated threatened species, only 11 are in nature reserves and a further two are proposed for reservation. Of the remaining grassland sites, 23 remnants (64%) occur outside the reserve system, with six of these being on leased land. A further 12 native grassland sites, on Commonwealth land, are managed by various Commonwealth agencies and lack reservation.<sup>13</sup> Additionally, over 40% of the critically endangered Yellow Box – Blakely’s Red Gum Grassy Woodland (Box Gum Grassy Woodland) occurs on rural land.<sup>14</sup>

<b>Table 1: Reserve status of key lowland vegetation communities<sup>15</sup></b>					
	<b>ACT total (ha)</b>	<b>Reserved or managed by PCCS (ha)</b>	<b>In reserve (ha)</b>	<b>% of total hectares reserved or managed by PCCS</b>	<b>% of total hectares reserved</b>
Yellow Box–Blakely’s Red Gum Grassy Woodland	21,975	6,490	4,366	30%	<b>20%</b>
Drooping She-oak Lowland Woodland to Open Forest	670	478	236	71%	<b>35%</b>
Red Box–Tall Grass–Shrub Woodland to Open Forest	1,779	368	270	21%	<b>15%</b>
Snow Gum Grassy Woodland	90	21	21	23%	<b>23%</b>
<b>Total (woodlands above)</b>	<b>24,514</b>	<b>7,357</b>	<b>4,893</b>	<b>30%</b>	<b>20%</b>
<b>Natural Temperate Grassland</b>	<b>1,158</b>	<b>871</b>	<b>305</b>	<b>75%</b>	<b>26%</b>

<sup>13</sup> Calculations based on ACT Government, *ACT Native Grassland Conservation Strategy and Action Plans 2017*.

<sup>14</sup> n 2. Table 1, *ACT Native Woodland Strategy and Action Plan 2019*, p. 19

<sup>15</sup> ACT Government, *Canberra Nature Park Reserve Management Plan, 2021*.

## Areas of conservation value outside reserves are being destroyed

One of the biggest threats to our natural environment in the ACT is the loss of habitat due to urban expansion. The undulating Natural Temperate Grasslands and Yellow Box-Blakely's Red Gum Woodlands that previously existed across this landscape have taken a significant hit as the city's urban form has been extended. Added to this, we are already witnessing the impacts of global climate change – higher temperatures, more extreme rainfall events, storms and bushfires. Now more than ever we need to lift the profile of the environment we live in and rely on for our welfare.

An expanding urban footprint reduces biodiversity, through destruction of habitat, fragmentation, introduction of plant and animal pests and the inability of many native fauna species to survive against predatory or competitive native and introduced fauna or human impacts such as lighting, noise and traffic. Additionally, carbon emissions are increased by the higher private vehicle use resulting from uneconomic or poorly planned public transport infrastructure.

Central to the retention of much of the biodiversity outside the reserve system is the retention of mature native trees, as identified in the Action Plan to Prevent the Loss of Mature Native Trees 2022. Indicative of the loss of habitat, are data on the loss of mature native trees: the majority of mature tree loss in Canberra from 2015 - 2020 occurred at greenfield sites: Coombs (22%), Denman Prospect (12.5%), Throsby (35%), Taylor (31%), Wright (42%) and Whitlam (23%).<sup>16</sup>

To counter the impacts of greenfield development, the 2018 ACT Planning Strategy identifies the objective of ensuring 70% of new housing is within the existing urban footprint. The rate of infill urban development has continued to increase since 2013 and by 2017-18 infill made up 77% of the ACT's urban development. Current greenfield development sites are predicted to be developed by 2031 at which point the city footprint should not be extended and no further greenfield should be pursued. The significant trajectory of loss of grassy woodlands and native grasslands must be curtailed and the remainder conserved.

While supporting the policy of infill rather than greenfield development, significant further pressure on existing conservation areas within the urban footprint is likely as a result of development, disturbance or over-use. To ensure such areas are maintained for their conservation values, these remnants and corridors need to be identified up front and protected. The current maps identifying the 'blue green network' in the draft District Strategies need to be partnered with data, detailed on a neighbourhood level and overlaid with ACTimap. **It is recommended further research is undertaken to identify and protect remnants and corridors.**

## Natural resources outside reserves are not consistently managed for conservation values

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<sup>16</sup> ACT Government, *Action Plan to Prevent the Loss of Mature Native Trees 2022*.

In the face of the dual extinction and climate crises, natural remnants are increasingly important, whether or not they happen to fall within a reserve. Natural remnants provide habitat for threatened and rare species, store carbon,<sup>17</sup> increase soil, air, and water quality,<sup>18</sup> support pollination,<sup>19</sup> control diseases,<sup>20</sup> and increase the liveability of the city.<sup>21</sup> Considering this, best practice ecological management needs to be consistently applied to all areas in the ACT with high natural values; not only areas that contain threatened species and communities, but also areas of other communities and species native to the ACT, to prevent them from becoming threatened.

Management applying the adaptive management approach for the retention and restoration of conservation values should - and can - occur both on and off reserve. There are considerable benefits to applying consistent ecological management, as it can link and coordinate efforts by land managers and volunteers, for improved conservation outcomes and more efficient use of resources.

Three major impediments to achieving more compatible ecological management across all tenures are:

- Private and Government land managers and on-ground staff may have little experience, knowledge or support to apply ecologically based management;
- Management advice provided for ecological outcomes is inconsistent or non-existent; and/or;
- Management for conservation outcomes is frequently viewed as incompatible with the primary land uses (for example, where less frequent mowing in spring would encourage regeneration of native herbaceous species on a site that is usually mown more frequently for recreational purposes).

As a result, many areas are subject to inappropriate or inconsistent management, leaving them vulnerable to damage, loss or disturbance. A review undertaken by the ACT Commissioner for Sustainability and the Environment in 2009 identified that land management actions in many lowland native grassland sites were not being undertaken and more than 50% of the grasslands were in or approaching critical condition.<sup>22</sup> Even within the reserve system, the Commissioner for Sustainability and the Environment found that a better management framework was required to improve the condition and resilience of nature reserves.<sup>23</sup>

To adequately protect all biodiversity appropriate and consistent management of natural values must be undertaken across all land, regardless of tenure. Arrangements have been established to implement conservation management in some areas without compromising existing land uses. Kinlyside Nature Reserve in Hall is managed under a leasehold agreement to achieve conservation outcomes. Other areas are managed similarly with leases over parts of

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<sup>17</sup> Lindenmayer and Vardon, *Ecosystem accounts in box gum grassy woodlands*, 2021.

<sup>18</sup> Smith et al, *The role of ecosystems and their management in regulating climate, and soil, water and air quality*, 2012.

<sup>19</sup> Vanbergen *Threats to an ecosystem service: pressures on pollinators*, 2013.

<sup>20</sup> Zimmer, *Deforestation is leading to more infectious diseases in humans*, 2019

<sup>21</sup> Jacobs et al. *Livability: Natural environment*, 2014

<sup>22</sup> Cooper, 2009, *Report on ACT Lowland Native Grassland Investigation*, Office of the Commissioner for Sustainability and the Environment.

<sup>23</sup> Cooper, 2011. *Report on Canberra Nature Park (nature reserves)*, recommendations 2, 3.

the CNP<sup>24</sup>. **It is recommended the District Strategies identify off-reserve conservation land uses that can ensure consistent conservation management is applied across tenure.** This could include a stewardship program and incentives for landholders to protect biodiversity. Existing programs can be used to improve and enhance ecological conditions of areas (the Connecting Nature Connecting People program, for example).

Applied research, trials and monitoring to measure, quantitatively and comparatively, changes in condition of the natural features and populations of both desirable and undesirable species<sup>25</sup> are required to guide 'best practice' management. Considerable data already exists on long-term monitoring programs run including Government initiatives and community monitoring programs including Canberra Ornithologist Group programs, Frogwatch, Waterwatch and Vegwatch. At regular intervals metadata needs to be analysed to identify patterns in condition and information about management treatments.

### Biodiversity is impacted by fragmentation and edge effects

Fragmentation has been identified as a key threat to the recovery of the critically endangered Natural Temperate Grassland and Box-Gum Grassy Woodland ecological communities.<sup>26</sup>

Connectivity recognises that biodiversity is more resilient to disturbances and adapts better when it forms part of a continuous landscape.<sup>27</sup> Fragmentation through clearing, cropping, damage and disturbance, urbanisation and establishment of infrastructure results in isolation of patches of native vegetation. Modified landscape surrounding these patches act as impediments to species movements, reduce available habitat, enhance the spread of pest plants and animals and modify the climate. Fragmentation also leads to increased edge effects, augmenting exotic plant and animal infestations, noise and light pollution, and increasing bushfire risk.

To mitigate these issues, remnants outside the reserve system can form important links that support corridors for biodiversity to move across the landscape and/or increase the areas already within the reserve system. For example, mature native trees that occur as scattered elements within the urban area, and in higher densities along roadsides and within the rural fabric, as well as within currently conserved areas, provide a significant support base for connectivity. In many cases important biodiversity corridors are degraded or not managed to retain or enhance ecological values. Inherent within this, therefore, is that ecological management of these areas is required to better support biodiversity values. **It is recommended the Biodiversity Network is implemented and appropriately managed to better support biodiversity including through adequate financial resourcing.**

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<sup>24</sup> ACT Government, *Canberra Nature Park Reserve Management Plan*, 2021.

<sup>25</sup> Sharp, *Vegwatch Monitoring Program: Practice and Findings 2011 to 2018: Report to the Molonglo Catchment Group*, 2020.

<sup>26</sup> ACT Government, *ACT Native Grassland Conservation Strategy and Action Plans 2017*; ACT Government, *Canberra Nature Park Reserve Management Plan*, 2021.

<sup>27</sup> Smith, Smith, *Urban edge effects in the Blue Mountains, New South Wales: implications for design of buffers to protect significant habitats*, 2010.

## **Sustainable neighbourhoods (page 57 Districts strategies)**

Future investigation areas (for residential development) are discussed on page 60, reference is made to suitability mapping having been conducted to identify areas in each district that could accommodate further and presumably denser residential development. However also on page 60 the strategy says as follows:

*The locations that are currently shown as future investigation areas may not ultimately be required to meet projected housing demand in each district.*

And then....

*The urban character types are not the same as and are not intended to replace the land use zones in the Territory Plan. Their application in each district and how they would inform changes to zoning requires further analysis, including established character, heritage sites and values, environmentally sensitive areas and natural hazards such as bushfire risk.*

These statements mean that no decisions have been made and all the work is still to be done. The plan is not a plan for the future, again, it is a statement of the status quo and will not achieve any outcomes that differ from the current position.

## **Targets (District Strategies page 73)**

It is incomprehensible that this section is not keyed into the State of the Environment Report, especially the indicators listed in that report.

This section (Targets), which focuses on Table 8: ACT-Wide targets for Planning, should be relocated into the ACT Planning Strategy, where it clearly belongs.

Alternatively, it should be deleted as it has very little meaning. As illustrated by this curious paragraph, quoted in italics with commentary inserted in plain text:

*The targets for 'more nature and retaining water in the city' in the table rely on achieving existing ACT Government plans and strategies. (The plan should be leading, not following, existing outdated government policies) The remaining targets will – once identified – (if they are not identified now when will they be?) represent meaningful aspirations (what is a "meaningful aspiration?) given current performance against the suggested metric (what does this mean?) and the amount of projected future development (where or what development has been projected, this has no meaning?) . Other targets not mentioned here also remain relevant (if they are relevant why are they not here?), including net zero carbon and the 70% urban infill target.*

## **District Specific**

### **Gungahlin**

In addition to the comments made above in reference to district strategies generally, the Council is concerned with the following specific matters in Gungahlin:

- Work collaboratively with and fund catchment and community groups to restore, revegetate and continue managing Kambri/ Sullivans Creek.
- Fund park care groups and research on grassy ecosystems at Budjan Galindji Grasslands Nature Reserve.
- Incorporation of Harcourt Hill reserve into CNP to avoid the need for a separate plan of management and consistency of treatment with other grassland reserves.
- Crace Nature Reserve has an overlay of future urban area. The Council assumes this is an error in the documentation.
- Commit to and ensure Jacka and Kenny are zero emissions suburbs:
  - Construction of the residential development should be undertaken in an environmentally sensitive way. The dwellings should be of high quality and energy efficient.
  - All dwellings should have a minimum rating of 8 stars.
  - All dwellings should not connect to the gas network.
  - EV charging stations available to the community and in all multi-unit developments.
  - Utilise a variety of native plantings including shrubs and grasses to reach the tree canopy target
  - Retain mature native trees in the development area, and only remove trees as a last resort.
  - Where trees are unable to be retained, it is recommended that the contributions of new canopy cover are in excess of the loss.
  - Plant new native trees, shrubs, and ground cover that supports connectivity and habitat for wildlife and pollinators, and reduces the need for mowing as part of the residential development.
  - The top soil is not scraped.

The Council supports the intention to restore waterways and riparian corridors including along Ginninderra Creek and around Yerrabi and Gungahlin ponds to enhance water quality, aquatic and terrestrial riparian habitat and recreational values.

## **Belconnen**

In addition to the comments made above in reference to district strategies generally, the Council is concerned with the following specific matters in Belconnen:

- The Gundaroo Drive duplication and protection of Ginninderra Creek. It recommended the restoration of Ginninderra creek including revegetation is adequately funded and the process continues to be done in collaboration with Catchment Groups and the wider community.
- The management of waterways, including Halls Creek, Gooromon Ponds and Ginninderra Creek. Improved regulation and compliance with sediment and runoff controls on building sites is needed to mitigate stormwater contamination.
- Lawson North identified as possible future urban development. The area is identified as residential as per the proposed but not yet agreed boundaries. Lawson Grasslands, in Belconnen, have extraordinary natural significance. It contains large areas of Natural

Temperate Grasslands and Box-Gum Grassy Woodlands; both nationally listed critically endangered ecological communities. These habitats are home to many unique and significant animals, including, the Gang-gang Cockatoo, Superb Parrot, Golden Sun Moth, Striped Legless Lizard, Perunga Grasshopper and Key's Matchstick Grasshopper. The Council recommends EPSDD to advocate for the protection of Lawson's Grasslands through raising the matter with Defence Housing Australia, the National Capital Authority and Minister for the Environment and Water the Hon Tanya Plibersek.

## **Inner North and City**

The Council supports the expansion of Mount Majura Nature Reserve to include Hackett Horse Paddock.

In addition to the comments made above in reference to district strategies generally, the Council is concerned with the following specific matters in the Inner North and City:

- Impacts to Kambri/ Sullivans Creek and its tributary waterways. While it is noted there is intention to restore the creek "where possible" there are benefits to biodiversity, community physical and mental health, climate mitigation amongst others and should therefore the whole waterway should be restored. It recommended the restoration of Kambri Creek including revegetation and emulating Banksia Street and Lyneham wetlands, is adequately funded and done in collaboration with SEE Change, Catchment Groups and the wider community.
- The lack of canopy in the city and Russel. The 30% canopy target can be reached through a diversity of plantings including ground cover and shrubs.

## **Inner South**

The Council recommends the following in the Inner South:

- Increased native plantings along the lake Burley Griffin foreshore including a diversity of native trees, shrubs, and ground cover that supports connectivity and habitat for wildlife and pollinators, and reduces the need for mowing.
- A buffer for Jerrabombra wetland of an appropriate size and managed effectively in order to mitigate direct and indirect impacts on the high quality, threatened ecological communities within the wetland. This includes diverting the active travel path around the wetland to limit the disturbance impacts on sites ecological values.
- If Dairy Road is to have increased traffic, ensure there are appropriate mitigation measures in place to protect the wetland including a 40km per hour speed limit, speed bumps and signage to indicate to be aware of wildlife crossing the road such as eastern long-necked turtles.

## **Molonglo Valley**

As recognised in the District Strategy, Molonglo is a region that is fortunate to host many significant natural values. Despite recognising these values, the District Strategy does not adequately protect them. In addition to the comments made above in reference to district strategies generally, the Council is concerned with the following specific matters in Molonglo:

- Western Edge Investigation Area - The Council does not support any expansion of Canberra's urban footprint, including the Western Edge. Expanding Canberra's urban footprint to the west of the city is not sustainable development. Any development that takes place must not happen at the expense of natural values; and must only occur after identification and protection of all areas of moderate to high natural values and the incorporation of sustainable lines of connectivity.
- Protection of Bluetts Block - Piney Ridge - Stromlo Blocks 402 and 403, and Denman Prospect Section 1 Block 12 (the "deferred area") are identified in the Draft Strategy as "open space" and "future areas" respectively. As outlined in previous representations to the Government this area is home to a remarkable diversity of plants and animals and plays an essential role in facilitating ecological connectivity across the landscape. Considering this, Bluetts Block-Piney Ridge should be designated as a Nature Reserve.
- Protection of the Molonglo River Corridor, notably the risk posed by habitat fragmentation from the proposed roads that cross the river. An appropriate buffer zone along the river corridor is required.
- Management of bushfire risk from Canberra's western edge.

## **Tuggeranong**

In addition to the comments made above in reference to district strategies generally, the Council is particularly concerned with the proposed road in Bonython. The road in question is likely to negatively impact Stranger Pond, the Murrumbidgee River, and Pine Island Reserve - all ecosystems with significant natural values that should be protected.

Protection of the Murrumbidgee River Corridor is essential, due notably to the risk posed by habitat fragmentation, urban fringe and pollution. An appropriate buffer zone along the river corridor is required.

## **Weston Creek**

In addition to the comments made above in reference to district strategies generally, the Council is concerned with the following specific matters in Weston Creek:

- Western Edge Investigation Area - The Council does not support any expansion of Canberra's urban footprint, including the Western Edge. Expanding Canberra's urban footprint to the west of the city is not sustainable development. Any development that takes place must not happen at the expense of natural values; and must only occur after identification and protection of all areas of moderate to high natural values and the incorporation of sustainable lines of connectivity.
- Management of bushfire risk from Canberra's western edge.
- Recruitment of mature trees - As recognised in the Draft Strategy, Weston Creek has one of the highest shares of tree canopy across the districts, sitting at 25%. In order to maintain and protect this tree canopy a strategy recruitment of mature trees across the district should be considered in the Draft Strategy.
- Active transport infrastructure and availability of public transport.

## East Canberra

In addition to the comments made above in reference to district strategies generally, the Council is concerned with the following specific matters in East Canberra:

- The integration of The Capital Food and Fibre Strategy and Circular Economy Strategy with the East Canberra District Strategy.
- Management of bushfire risk.
- How priority grassland, woodland and aquatic habitats and environmental values are determined. Adequately funded and publicly available research is required to justify.
- Airport North Road. The Council recommends EPSDD raise this matter with the Canberra Airport Group and the Federal Environment Minister asking to suspend the approval for this road and protect the Canberra Grassland Earless Dragon from extinction.
- It is recommended Jerrabomberra East reserve is incorporated into the Canberra Nature Park to avoid the need for a separate plan of management and consistency of treatment with other grassland reserves.

## Summary

In summary the following submission finds that whilst the draft Territory Plan and draft District Strategies is an improvement on previous iterations of planning documents; significant revision is required to ensure that biodiversity loss and climate change are adequately considered. The submission recommends a 'A Biodiversity Network' that could support the protection and enhancement of natural values in the ACT, by designating land uses that put conservation values at the forefront. The Council cannot have confidence that the pressure for ever-expanding greenfields areas will not persist. Furthermore, this submission addresses concerns regarding the inaccessibility and disadvantage of the consultation process and documentation itself.

The Planning System Review and Reform necessitates community and tri-partisan support. The current documentation is not fit for purpose, as outlined in this submission. The Council recommends the process be stalled to allow substantial community engagement and feedback; allow for ample revision of the strategies drafts to be appropriately reviewed and edited; and for matters concerning the Planning Bill 2022 be clarified and finalised.

### In Summary the Council Recommends:

- The Biodiversity Network be implemented to appropriately identify, conserve and manage biodiversity values.
- Further research is undertaken to identify remnants and corridors.
- District Strategies identify off-reserve conservation land uses that can ensure consistent conservation management is applied across tenure.
- Clear Guidelines on the protection of mature native trees.
- Bluetts Block-Piney Ridge should be designated as a Nature Reserve.

- A “green belt” that provides a buffer between ACT and NSW to define the urban edge and protect environmental values is identified.
- No expansion of Canberra’s urban footprint, including the Western Edge.
- Strengthen commitment to urban infill to reduce pressure on natural ecosystems. Set a target of 80% of new residential development within the existing urban footprint and there is no further expansion of Canberra’s urban boundary after existing identified suburbs in Molonglo, Gungahlin and West Belconnen are completed.
- Population projections be based on the population Canberra is capable of holding and therefore planning to accommodate within set timeframes. Research needs to be undertaken on projected rainfall amounts and the carrying capacity of the ACT to inform the draft Territory Plan and thus set meaningful population targets to live within our region’s means.
- The approved species list for planting in urban settings is reviewed and certain species are removed. Planting must be ecologically appropriate. Furthermore, training and professional development for TCCS staff in ecological management will increase the skills in managing, restoring and maintaining plantings.
- There is cohesive environmental stakeholder input.
- District Strategy maps be implemented to ACTmapi<sup>28</sup> and the maps are detailed at a neighbourhood level.
- The Territory Plan should be a principal instrument for the achievement of the actions recommended by the SOE report.
- Provide for climate mitigation measures in legislation.
- Halt the Planning System Review and Reform process.
  - Ensure community and tripartisan confidence and support.
  - Produce adequate documentation that is readable, accessible and fit for purpose.
  - Allow for adequate feedback and redrafting.
  - Until matters concerning the Planning Bill 2022 are clarified and finalised.

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<sup>28</sup> <https://www.actmapi.act.gov.au/>



# Submission to the ACT Planning System Review

March 2023

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# About ACTCOSS

ACTCOSS acknowledges Canberra has been built on the land of the Ngunnawal people. We pay respects to their Elders and recognise the strength and resilience of Aboriginal and/or Torres Strait Islander peoples. We celebrate Aboriginal and/or Torres Strait Islander cultures and ongoing contributions to the ACT community.

The ACT Council of Social Service Inc. (ACTCOSS) advocates for social justice in the ACT and represents not-for-profit community organisations.

ACTCOSS is a member of the nationwide COSS Network, made up of each of the state and territory Councils and the national body, the Australian Council of Social Service (ACOSS).

ACTCOSS's vision is for Canberra to be a just, safe and sustainable community in which everyone has the opportunity for self-determination and a fair share of resources and services.

The membership of the Council includes the majority of community-based service providers in the social welfare area, a range of community associations and networks, self-help and consumer groups and interested individuals.

ACTCOSS advises that this document may be publicly distributed, including by placing a copy on our website.

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**March 2023**

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# Acronyms

ACT	Australian Capital Territory
ACTCOSS	ACT Council of Social Service
CHP	Community Housing Provider
EV	Electric Vehicle
RZ1	Residential Zone 1
RZ2	Residential Zone 2
RZ3	Residential Zone 3
RZ5	Residential Zone 5
TP	Territory Plan





# Introduction

A well-planned city can have a positive impact on all aspects of our lives. It can improve well-being and health, facilitate time saving, increase social and economic opportunities, prevent exclusion and isolation, address housing affordability and promote a strong and sustainable environment.

The current planning system overhaul is an opportunity to improve the lives of all Canberrans, now and into the future. We have the chance to address the shortfalls within our current planning framework and prepare for a more populous Canberra into the future. ACTCOSS welcomes the opportunity to provide advice on the development of our new planning system. If we get this right, we will improve affordability, inclusivity, and sustainability for all.

Up till now, we have failed to adequately plan for the needs of our city. Inequality in the ACT continues to rise. Many Canberrans are struggling to pay their rent and put food on the table. Canberra continues to be the most expensive Australian city for renters,<sup>1</sup> and the jurisdiction with the highest rate of rental stress among low-income renters.<sup>2</sup> This is pushing people out of the private rental market, sometimes into the streets, and putting more pressure on the social housing system and community organisations.

For people on low incomes with accessibility requirements, the situation is even harder. Not only are they wrestling with a low vacancy rate, they are also limited by the number of suitably built properties for their disability or circumstances.

Thanks to inadequate investment in public housing and the private market, our public housing waitlist has ballooned. As of January 2023, 3,169 applicants were on the waitlist for public housing.<sup>3</sup> Those on the priority housing waitlist are waiting 324 days on average to be housed, while those on the standard housing waitlist can be left waiting nearly 5 years.<sup>4</sup> The ACT's public housing stock is at its lowest level in the past decade.<sup>5</sup>

We cannot sit back and let the situation keep deteriorating. We can make changes to the planning system that, if implemented now, will improve housing affordability and

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<sup>1</sup> Productivity Commission, [Report on Government Services](#), Productivity Commission, 2023, accessed 24 January 2023; ACTCOSS, [2022 ACT Cost of Living Report: Tracking changes in the cost of living for low-income households in the Australian Capital Territory](#), ACTCOSS, May 2022, pp 22-23, accessed 27 February 2023; Domain, [March 2022 Rental Report](#), Domain website, n.d., accessed 27 February 2023.

<sup>2</sup> Productivity Commission, [Report on Government Services](#); ACTCOSS, [Urgent action needed to address ACT's worsening housing and homelessness crisis](#) [media release], ACTCOSS, 24 January 2023, accessed 23 February 2023.

<sup>3</sup> ACT Government, [Waitlist and processing times](#), ACT Government Housing website, 2023, accessed 16 February 2023.

<sup>4</sup> ACT Government, [Waitlist and processing times](#).

<sup>5</sup> Productivity Commission, [Report on Government Services](#).



accessibility for years to come. The new Territory Plan (TP) will set the housing agenda for the next decade and beyond. Let's make sure it sets us up for a denser, more affordable city for all to enjoy.

## Recommendations

### Social Planning

- The new TP should focus on social issues affecting vulnerable Canberrans.
- The new outcomes focused approach should emphasise social policy outcomes including affordability, accessibility, social and community infrastructure and amenities, green spaces, and spaces that are safe, inclusive, and well-used by disadvantaged and marginalised groups.
- The ACT Government should establish a social planning unit to advocate for the social needs of vulnerable Canberrans.
- The new TP should embed targeted engagement and community co-design into the planning system.

### Zoning and densification

- Zoning regulations should be amended by either:
  - Upzoning RZ1 to RZ2, and RZ2 to RZ3; or
  - Allowing separately titled dual occupancies and other medium density dwellings to be built in *all* residential zones. At the very least, separately titled dual occupancies should be allowed in RZ1. These must be able to be subdivided before construction.
- All blocks close to major transit hubs should be re-zoned as high density (RZ5) to allow for more housing close to public transport.
- Increased medium density housing will require more investment in infrastructure and public spaces.

### Housing affordability and supply

- Ensure public housing is built close to public transport and community hubs to provide easy access to transport and services.
- Provide financial support to community housing providers to enable them to deliver much needed community housing. This will require affordable land (an economically viable land release rate that allows providers to operate), and reduced land taxes and rates.
- 15% of build-to-rent developments should be designated as affordable rentals.
- The ACT Government should consider mandating or incentivising large builds to offer a percentage of dwellings as affordable housing.



## Accessibility

- Make universal design standards mandatory under assessment requirements in the residential zones policy. As a minimum, the standards should be equivalent to the Livable Housing Design Silver Level. As an alternative, universal design standards should be a consideration under the assessment outcomes.
- Every zone policy should include a policy outcome related to accessibility and inclusivity.
- Accessibility should be an explicit Design Criteria in both the Housing and Urban Design Guides.

## Electric vehicle charging facilities

- The new TP must ensure that charging stations are available in multi-unit complexes and co-located in community facilities.

# Social planning

## Addressing social issues in Canberra

Social planning aims to address social objectives and issues in the community. While planning decisions affect everyone, some vulnerable groups can be significantly impacted by planning decisions. These groups include people with disability, people on low-incomes, Aboriginal and Torres Strait Islander peoples and renters. These groups are often forced to live in the outer suburbs with fewer work opportunities and more limited access to services.

If the ACT Government is committed to their vision of an equitable Canberra as outlined in the ACT Planning Strategy 2018 (Planning Strategy),<sup>6</sup> then planning decisions need to focus first and foremost on vulnerable groups. The new TP must not forget or sideline their needs.

The new TP should work to address social issues like inequality, social exclusion, housing affordability, accessibility, and improved community infrastructure and amenities.

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<sup>6</sup> ACT Government, [ACT Planning Strategy 2018](#), ACT Government, 2018, p 4, accessed 16 February 2023.



## An outcomes-focussed approach done right

The shift to an ‘outcomes-focussed’ approach in the draft new TP is welcome, but the desired policy outcomes should be reconsidered. While it is difficult to clearly summarise the draft new TP’s policy outcomes given they change based on zone and district, there is an insufficient focus on social policy issues affecting vulnerable Canberrans. Looking at the residential zones policy, for instance, there is no mention of affordability, accessibility, or inclusivity in the policy outcomes.

ACTCOSS urges the ACT Government to rethink the proposed policy outcomes to include a greater focus on the social needs of vulnerable Canberrans. Policy outcomes should be aimed at housing affordability, accessibility, social and community infrastructure and amenities, green spaces, and public spaces that are safe, inclusive, and well-used by disadvantaged groups.

## Social planning unit

The ACT Government should establish a social planning unit within the Environment, Planning and Sustainable Development Directorate to advocate for key social objectives. Without a team fighting for social issues, they will often go unconsidered. A dedicated team focussed exclusively on social planning will ensure that gaps are not missed within the planning system and that the most vulnerable Canberrans are not forgotten.

There is precedent for social planning units both around Australia and internationally. One example is the Social Planning Team within the Hobson Bay City Council.<sup>7</sup>

Social planning units are focused on addressing social issues in their community. They play an important role advocating for priority populations. They review specific development projects while keeping social objectives in mind, as well as ensure issues facing vulnerable groups are considered during policy development. They can be a voice in the room advocating for projects that prioritise and incorporate community infrastructure. Without them, developments and services would be designed with less thought given to disadvantaged groups. Crucial infrastructure developments could be missed.

Inclusion and fairness take work. By having a dedicated social planning team, social issues are kept on the agenda.

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<sup>7</sup> Hobson Bay City Council, [Social policy & planning](#), Hobson Bay City Council website, n.d., accessed 13 February 2023.



## Consultation

Part of the new social planning unit's role, and the planning directorate more generally, should be effective, active engagement with the community. They should have a specific mandate to consult with vulnerable and disadvantaged Canberrans on their needs. Without proactive consultation with vulnerable groups, future planning decisions could work to further increase disadvantage and inequity in Canberra. We need to have targeted engagement and embed community co-design into our planning system.

## Zoning and densification

### Restrictive zoning rules

In the ACT, our housing supply is severely limited by zoning rules. With over 80% of residential areas essentially restricted to single dwelling builds,<sup>8</sup> we find ourselves in a situation in which we don't have enough housing, and what we do have is unaffordable for many residents. We have a significant lack of well-located medium density housing. People are being pushed to fringe suburbs to afford a place to live, increasing commute times, travel costs and emissions, and restricting access to services.

Canberrans have made it clear that they want more affordable, medium density housing close to services.<sup>9</sup> Our population is growing, and we cannot continue to keep spreading outwards. It's unsustainable and not what people want.

On paper, the ACT Government has accepted that Canberra needs to become denser. This is shown by their commitment to being a 'compact and efficient' city,<sup>10</sup> and their promise to deliver 'up to 70% of new housing within our existing urban footprint'.<sup>11</sup> They clearly want to increase housing choices, but they are not putting the right policies in place to make that happen.

If we are going to provide a variety of well-located, affordable housing into the future, we must reform our zoning regulations.

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<sup>8</sup> RZ1 makes up 81% of residential land. Dual occupancies cannot be separately titled in RZ1, significantly reducing demand for them in RZ1, see ACT Government, [Housing Choices Discussion Paper](#), ACT Government, November 2017, pp 29, 41, accessed 14 February 2023.

<sup>9</sup> ACT Government, *Housing Choices Discussion Paper*, p 1; ACT Government, *ACT Planning Strategy 2018*, p 28.

<sup>10</sup> ACT Government, *ACT Planning Strategy 2018*, pp 4-5.

<sup>11</sup> ACT Government, *ACT Planning Strategy 2018*, pp 38, 41.



## Missing Middle Canberra

ACTCOSS is a supporter of the [Missing Middle Canberra](#) coalition which advocates for more medium density housing in the ACT. We support the recommendations put forward in their submission.

## Zoning changes

As the 2022 review into the National Housing and Homelessness Agreement states, '[p]lanning and zoning regulations can both facilitate and constrain new housing supply, affecting affordability'.<sup>12</sup> Currently, 81% of residential land in the ACT sits within Residential Zone 1 (RZ1)<sup>13</sup> which the draft new TP states is for 'low-density residential neighbourhoods'. A further 11.5% sits within Residential Zone 2 (RZ2)<sup>14</sup> which is aimed at achieving 'a mix of low to medium density housing'. There are around 97,000 blocks in RZ1 and 9000 in RZ2.<sup>15</sup> Together they make up over 92% of all residential land. It is promising to see that the ACT Government is considering changes to increase density in RZ2, but without changes to RZ1, we will not see the densification that our city requires.

There are a few options the ACT Government could take when it comes to changing the residential zones policy. The first option would be to upzone RZ1 to RZ2, and RZ2 to RZ3. This is ACTCOSS's priority policy. The other option would be to allow separately titled dual occupancies and other medium density dwellings in *all* residential zones, including RZ1. This should include permitting apartments in RZ1.

In addition, all blocks close to major transit hubs, say up to 500m or 700m away, should be re-zoned as high density (i.e., RZ5) to allow for more housing near public transport.

At the very least, *separately titled* dual occupancies should be permitted in RZ1. Like with zones RZ2–RZ5, subdivision should be allowed before construction.

## A slow, dispersed change

We should pause for a moment and acknowledge that, while our proposed zoning changes may seem like they will dramatically and rapidly change Canberra, change

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<sup>12</sup> Productivity Commission, [In need of repair: The National Housing and Homelessness Agreement](#), Productivity Commission, August 2022, p 487, accessed 15 February 2023.

<sup>13</sup> ACT Government, [Housing Choices Discussion Paper](#), p 41.

<sup>14</sup> ACT Government, [Housing Choices Discussion Paper](#), p 41.

<sup>15</sup> Missing Middle Canberra, [Zoning Explainer \[PDF 40.11MB\]](#), Missing Middle Canberra, n.d., p 6, accessed 13 February 2023.



is going to be slow. Unlike spot zoning in which only specific blocks are upzoned, mass upzoning will create much slower, dispersed change.<sup>16</sup>

Higher density in our inner suburbs does not mean Canberra has to lose its garden city character. One could argue that large, modern, single dwellings can affect the character of Canberra all on their own.

## Auckland and New Zealand

In 2016, zoning rules in Auckland changed to allow three quarters of residential land to be used for medium density housing. They have already seen a huge increase in the amount of housing being built. Over a 5-year period, Auckland built approximately 20,000 new dwelling, nearly the equivalent of 4% of its housing stock,<sup>17</sup> and attached housing has grown at a rapid rate.<sup>18</sup> Rental and housing prices have grown at a slower rate than other cities around New Zealand.<sup>19</sup> For example, over a one-year period from June 2021, rent grew by less than 2% in Auckland, while growing by 8% nationally.<sup>20</sup>

Following this impressive result, New Zealand's federal government changed zoning policies to allow medium density housing to be built throughout their five major cities. Specifically, three dwelling of up to three stories are now permitted on existing blocks.<sup>21</sup> They also now allow residential buildings of up to six storeys to be built within approximately 800m of rapid transit stations. These policies both had bipartisan support.<sup>22</sup>

## Increased community infrastructure

If the ACT Government amends zoning policies to permit medium density housing throughout the ACT, there must be adequate investment in community infrastructure and public spaces in response.

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<sup>16</sup> Missing Middle Canberra, *Zoning Explainer*.

<sup>17</sup> R Greenaway-McGrevy and PCB Phillips, 'The Impact of Upzoning on Housing Construction in Auckland', *EliScholar*, 2022, 2330:1–42, p 17, doi: <https://elischolar.library.yale.edu/cowles-discussion-paper-series/2689>.

<sup>18</sup> Greenaway-McGrevy and Phillips, 'The Impact of Upzoning on Housing Construction in Auckland', p 6; R Greenaway-McGrevy, [New Zealand's bipartisan housing reforms offer a model to other countries](#), Brookings website, 2022, accessed 13 February 2023.

<sup>19</sup> M Maltman, [Auckland](#), One Final Effort website, n.d., accessed 16 February 2023.

<sup>20</sup> Productivity Commission, *In need of repair*, p 483.

<sup>21</sup> Ministry of Housing and Urban Development, [Enabling housing density](#), Ministry of Housing and Urban Development website, n.d., accessed 27 February 2023; Greenaway-McGrevy, *New Zealand's bipartisan housing reforms offer a model to other countries*.

<sup>22</sup> Greenaway-McGrevy, *New Zealand's bipartisan housing reforms offer a model to other countries*.



This is not only relevant to new residents; it will also help to bring current residents on board with changes in their neighbourhood.<sup>23</sup> Restricting medium density housing in inner and middle suburbs is often done to appease the existing community. If they can benefit too, then they are more likely to accept increased densification. If higher density means better investment in roads and therefore reduced congestion, new and improved social infrastructure, and more investment in green spaces, everyone can benefit from these changes.<sup>24</sup>

A more compact city means people will live closer to jobs and facilities, and will spend more time walking, biking, and catching public transport, reducing congestion. As a community we will cause less environmental destruction, both through reduced emissions and through less urban sprawl.<sup>25</sup> Higher density suburbs will also spur investment in cafes, restaurants, and entertainment for the growing customer base to enjoy.<sup>26</sup>

Improving infrastructure in established neighbourhoods will be cheaper than the cost of building new infrastructure in greenfield developments.<sup>27</sup> While some infrastructure will have to be added and upgraded, it will be significantly cheaper than starting from scratch.

## Housing affordability and supply

### A lack of supply

Australia is in a housing crisis. This is in part due to our housing supply responding poorly to changes in demand. When demand rises, rather than building more housing, house prices and rents increase.<sup>28</sup>

One culprit for this supply-side failure is restrictive zoning regulations.<sup>29</sup> As discussed above, strict zoning rules that cover most of the ACT make it difficult to build more housing in existing inner and middle ring suburbs. Because the number of

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<sup>23</sup> Productivity Commission, *In need of repair*, p 496.

<sup>24</sup> Productivity Commission, *In need of repair*, p 485-486; E Guerra and M Li, 'The relationship between urban form and mode choice in US and Mexican cities: A comparative analysis of workers' commutes', *Journal of Transport and Land Use*, 2021, 14(1):441-462, doi:<http://dx.doi.org/10.5198/jtlu.2021.1789>.

<sup>25</sup> M Maltman, [How to make housing affordable in Australia](#), One Final Effort website, n.d., accessed 16 February 2023.

<sup>26</sup> X Li, 'Do New Housing Units in Your Backyard Raise Your Rents?', *Journal of Economic Geography*, 2022, 22(6):1309–1352, doi:<https://doi.org/10.1093/jeg/lbab034>, p 3; Missing Middle Canberra, *Zoning Explainer*, p 8.

<sup>27</sup> Missing Middle Canberra, *Zoning Explainer*, p 7.

<sup>28</sup> Productivity Commission, *In need of repair*, p 478; Maltman, *How to make housing affordable in Australia*.

<sup>29</sup> Y Sayin, [The economic costs of land use regulations](#), DC Policy Center website, 2019, accessed 27 February 2023; Productivity Commission, *In need of repair*, p 491-492.



dwellings is in essentially 'capped' by zoning rules, supply is restricted, and prices increase.<sup>30</sup>

To address our housing affordability crisis, we need to build more housing. To achieve this, we must allow higher density builds to be constructed in inner and middle suburbs close to facilities and community hubs.

Governments often focus too much of their efforts on demand-side solutions. While this is important, it will not create the sweeping changes that supply-side policies can. Rent reductions can go a lot further to reducing rental stress than subsidies.<sup>31</sup> Everyone struggling with housing affordability can benefit from a boost to supply, whereas demand-side policies only affect the people who qualify for them e.g., financial assistance or first home owner grants.<sup>32</sup>

The current housing affordability crisis is disproportionately affecting people on low-incomes, Aboriginal and Torres Strait Islander peoples, people with mental illness and those experiencing domestic and family violence. The most vulnerable people in our community are also often renters. If we can grow our housing supply, rental prices will decline, and this will help reduce the number of low-income households experiencing rental stress.

That being said, lifting incomes and financial support for low-income households is also important.

## Public housing

Rates of public housing in the ACT have been declining over the past decade despite a growing population.<sup>33</sup> Waitlists and wait times are growing, with people in dire situations unable to be housed. By increasing the public housing stock, people at risk of homelessness could be housed, and the number of people experiencing rental stress in the private market could reduce.

While increasing supply in the private market will help to address the housing affordability needs of many Canberrans, for some, they will still require access to public housing, especially those at risk of homelessness. People in the most precarious financial and living situations significantly reduce their risk of homelessness when they have access to public housing.<sup>34</sup>

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<sup>30</sup> Productivity Commission, *In need of repair*, p 467.

<sup>31</sup> B Coates and T Crowley, [How to make housing more affordable Submission to the parliamentary inquiry into housing affordability and supply in Australia](#), Grattan Institute, September 2021, p 16, accessed 13 February 2023.

<sup>32</sup> Maltman, *How to make housing affordable in Australia*.

<sup>33</sup> Australian Institute of Health and Welfare, [Housing assistance in Australia summary: ACT](#), Australian Institute of Health and Welfare, 29 June 2022, accessed 27 February 2023.

<sup>34</sup> D Prentice and R Scutella, [What are the impacts of living in social housing?](#), Infrastructure Victoria, May 2018, p 5, accessed 27 February 2023.



Where possible, the ACT Government should build public housing close to public transport and community hubs to provide easy access to services.

## Community housing

ACTCOSS welcomes the inclusion of community housing as a permissible land use in all residential zones and in the community facility zone. We also support the ACT Government's previous commitment to earmark 15% of land releases for public, community, and affordable housing.<sup>35</sup>

If these changes are going to be effective, the ACT Government must ensure that they release land at an economically viable rate. Otherwise, community housing providers (CHPs) will not be able to operate or deliver affordable housing.<sup>36</sup> In addition, CHPs should be given reduced land taxes and rates. If this is done, CHPs will be able to use their expertise to provide struggling Canberrans with another housing choice and reduce rental stress.

## Build-to-rent

Build-to-rent developments provide another housing choice for renters in Canberra. ACTCOSS welcomes the inclusion of build-to-rent as a permissible land use in all residential zones and commercial zones.

ACTCOSS proposes that the definition of 'build-to-rent' be slightly altered to require 15% of dwellings to be affordable rentals. The ACT Government has indicated they will target support for builds that achieve this 15% goal,<sup>37</sup> but have not committed by putting it in the draft new TP. Instead of stating 'the owner of a build-to-rent development *may* provide some or all the dwellings as affordable rental dwellings', it should become a *requirement*.

## Inclusionary zoning

The ACT Government should consider mandating or incentivising large builds to offer a percentage of dwellings as affordable housing. This is called inclusionary zoning.

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<sup>35</sup> ACT Government, *ACT Planning Strategy 2018*, pp 1, 16.

<sup>36</sup> ACTCOSS, [Social housing boost needed under ACT Government's land supply and release program](#) [media release], ACTCOSS, 27 April 2022, accessed 13 February 2023.

<sup>37</sup> ACT Government, [What does Build-to-Rent look like for the ACT?](#), ACT Government website, n.d., accessed 24 February 2023.



## All new housing improves housing affordability

All new housing helps to lower housing and rental prices.<sup>38</sup> While public and other affordable housing is important, boosting public housing is not the only policy required to increase affordability for low-income households. As a priority, we must change zoning regulations to allow for a greater supply of housing in the ACT.

All new housing has a positive impact on general affordability due to an effect called *movement chains*.<sup>39</sup> As people move into new builds, they vacate their previous housing, leaving it available for someone else. That new person vacates their previous dwelling, which is then freed up, and so on. This means that all housing, including market-rate housing, can moderate housing prices for lower-income households and neighbourhoods, not just public and affordable housing.

## Accessibility

The ACT population is aging, and the number of people with disability is growing. The new TP must ensure that all Canberrans have access to services, facilities, public spaces, and affordable housing that meets their needs, regardless of disability, age, or any other consideration.

## Universal design standards

The ACT Government should make universal design standards mandatory for all housing under the assessment requirements in the residential zones policy. As an alternative, universal design standards should be a consideration under the assessment outcomes. As a minimum, these should be equivalent to the Livable Housing Design Silver Level.<sup>40</sup>

While the preliminary Housing Design Guide highlights that '[u]niversally designed apartments are safer, inclusive and easier to access and use for users with impairments', there should be an explicit Design Criteria related to universal design standards under theme 3.

Although there is some mention of the *Australian adaptable housing standard* in the technical specifications for dwellings like supportive housing and retirement villages, these are not wide reaching and are optional. We need a universal design policy across the board.

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<sup>38</sup> Productivity Commission, *In need of repair*, p 478; C Bratu, O Harjunen and T Saarimaa, 'City-wide Effects of New Housing Supply: Evidence from Moving Chains', *VATT Institute for Economic Research*, 2021, 146:1-21, doi: <https://ssrn.com/abstract=3929243>.

<sup>39</sup> Productivity Commission, *In need of repair*, pp 478-479.

<sup>40</sup> Livable Housing Australia, *Livable Housing Design Guidelines: LHA Silver*, Livable Housing Australia website, n.d., accessed 27 February 2023.



## Public spaces and infrastructure

Public spaces, facilities and infrastructure should be accessible to all Canberrans and visitors.

The ACT Government should take a social model of disability approach to accessibility.<sup>41</sup> It is our society and environment that disable people and create barriers to use, not an individual's disability. By removing and not creating these barriers in the first place, we can improve equity in the ACT and give people with disability more control and independence over their lives.<sup>42</sup>

Whether it be a community centre, shopping centre, or sporting facility, planning regulations and decisions should place the onus on developers to take responsibility for creating accessible environments. We should be creating a new culture in which this is the norm and not an afterthought.

Within the new TP and ancillary documents, there should be a greater emphasis on accessibility and inclusivity. It is encouraging to see that accessibility is mentioned in the community facility zone, but we should not limit these aspirations to community facilities. Every zone policy should include a policy outcome related to accessibility and inclusivity.

The Urban Design Guide should also place greater emphasis on accessibility and usability for all, especially under theme 3 – building design and built form. Accessibility should be an explicit Design Criteria.

## Electric vehicle charging facilities

At present, ACT Government schemes to increase electric vehicle (EV) uptake disproportionately favour high-income earners who are likely to transition regardless.<sup>43</sup> The government needs to better target their limited resources to assist lower-income earners to transition to more sustainable technology.

One place to target funding is through charging facilities. As EVs become more affordable and accessible to low-income households, one of the barriers that will keep them out of the market will be charging infrastructure. Many low-income households live in multi-unit complexes and/or are renters. The new TP should

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<sup>41</sup> See People with Disability Australia, [Social model of disability](#), People with Disability Australia website, n.d., accessed 27 February 2023.

<sup>42</sup> Australian Federation of Disability Organisations, [Social Model of Disability](#), Australian Federation of Disability Organisations website, n.d., accessed 23 February 2023.

<sup>43</sup> J Nguyen, 'The Adoption of Zero-Emissions Vehicles by Low-Income Consumers in California: An outcome evaluation of the clean vehicle rebate project', *San Jose State University Master's Projects*, 2020, Spring 5-2020:1-76, doi:<https://doi.org/10.31979/etd.n6a2-y5cp>; Y Vidyattama, D Sinclair, J Schirmer and R Tanton, '[What would it take to get Australians to buy electric cars? Canberra provides a guide](#)', *The Conversation*, 8 April 2022, accessed 27 February 2023.



ensure that charging stations are available in multi-unit complexes and co-located in community facilities. This is a good use of funding. It will allow low-income earners and community organisations to transition to EVs more easily.

Before rolling out new charging infrastructure, the government must consult with disability groups on accessibility requirements. Charging bays must be wide enough to provide wheelchair access, and screens and cables must be at an appropriate height.<sup>44</sup> Charging stations should be accessible and useable by all members of the community who want to use them.

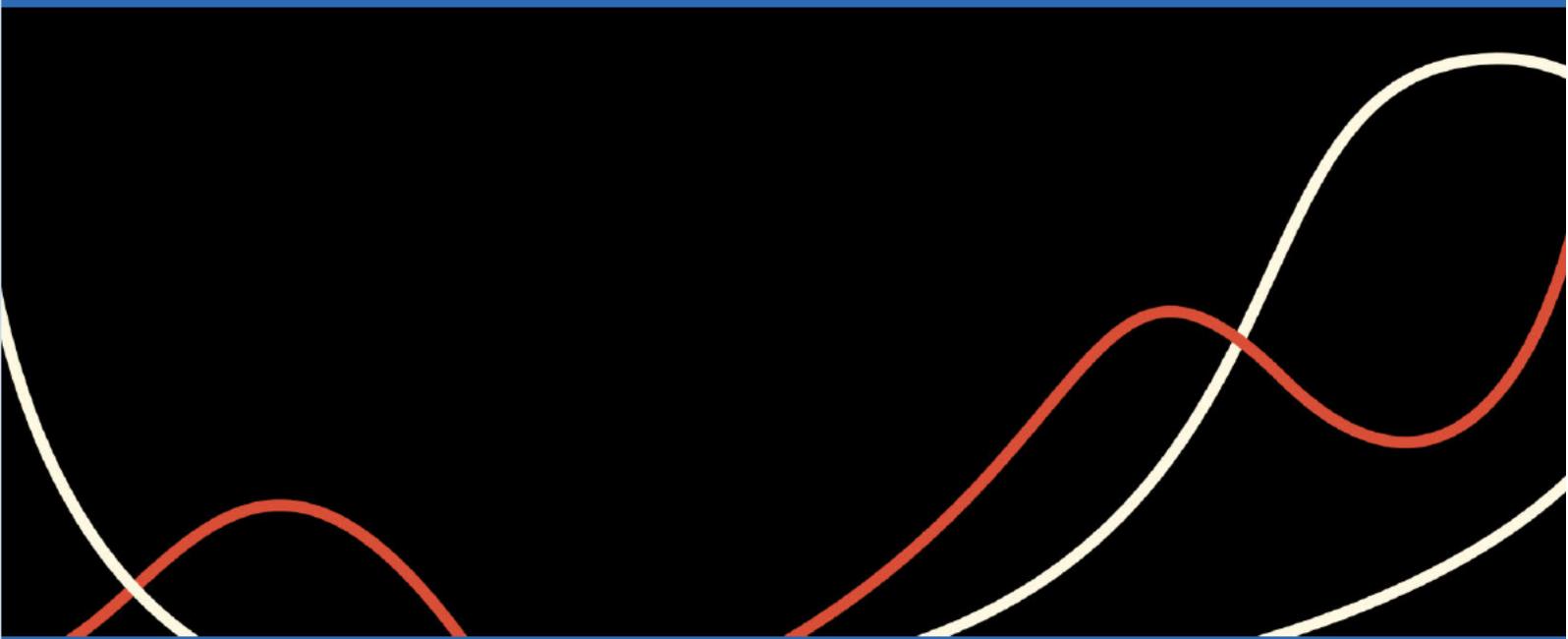
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<sup>44</sup> P Brewer, [‘The needs of disabled drivers were ignored in ACT government's submission on EV adoption’](#), *The Canberra Times*, 2 March 2023, accessed 2 March 2023.

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### **ACT Planning System Review and Reform Project**

The ACT Equestrian Association (ACTEA) wishes to comment on the Draft District Plans underpinning the ACT Planning System Review. ACTEA was established in 1970 as an umbrella organisation to represent all equestrians in their endeavours at all levels of achievement. ACTEA currently represents 14 affiliated clubs and association across a range of equestrian disciplines such as pony club, showjumping, trail riding, dressage, horse trials, eventing and endurance riding. ACTEA also represents the members of the Government Paddock Users Group. ACTEA manages, under licence from the ACT Government and on a purely voluntary basis, the Territory's only elite, public equestrian competition facility.

Under its constitution ACTEA's objectives are to:

- Promote horse riding as a recognised healthy recreational activity;
- Promote the development of equestrian facilities in the ACT;
- Assist the efforts of affiliated associations and clubs to obtain and improve equipment and facilities;
- Improve the standard of horsemanship in the ACT;
- Promote the views of the equestrian public;
- Encourage the support of equestrian activities by the Commonwealth and ACT Government and other persons and organisations.

In the following comments ACTEA proposes first to address issues common across the consultation documents and then address each District Plan individually.

#### **The Quality of the Consultation Maps**

The quality of the District maps on which the citizens of Canberra are expected to comment is bad. There is no reason why each District Plan could not have been easier to interpret. Even the higher resolution maps made available to some Community Councils only made it easier to see how hard it is do differentiate between open space, nature reserves and transport routes. The designers of the District Plans seem to have assumed that no one is interested in open space, an assumption that is not reflected in the supporting documentation. There are also symbols on some of these Plans that do not appear in any

Legend. In the 21<sup>st</sup> Century there is no excuse for this so it must have been deliberate. Running a consultation of such importance and complexity over Christmas and the school holidays is not a good look.

## **Equestrian Trails**

The ACT Government recognises horse riding as a legitimate recreational activity. It has mapped approximately 500k of designated horse trails which can be found at <https://actgov.maps.arcgis.com/apps/MapSeries/index.html?appid=4f9a0dc6b62c4d62b784d4f4d16f299b&folderid=164bb1a3ea574c01b643b0d9cf57dd23> and <https://activeinfrastructure.net.au>. These trails are significant because they are a recreational network which connects the system of Government Horse Paddocks and Equestrian Park at Yarralumla across the Territory. The only equestrian trail which rates a reference is the Bicentennial National Trail and it is so poorly marked that in some places it is impossible to find. Who would know if this was deliberate, an oversight or ignorance? The ACT Government is party to a Memorandum of Understanding with both the ACT Equestrian Association and the Board of the National Trail to maintain this section of the longest non-motorised trekking route in the world but that is not immediately apparent. The maps mentioned above include routes marked in yellow. For many years ACTEA and the BNT have been consulting with relevant government agencies about future proofing the National Trail. At every opportunity offered we have discussed options for moving sections of the Trail further west to avoid encroaching urbanisation and use new route options. It is important for the long-term survival of the National Trail that these yellow lines are taken seriously.

We note that there are a lot of references in the notes to the District Plans about creating and maintaining green corridors. No-one would be against these but we are concerned that they will exclude rather than include equestrian activity. The Canberra Nature Conservation Act 2014 specifically bans horses from ACT nature reserves unless specially allowed under Activity Declarations. ACT Parks and Conservation managers recognise the unscientific bigotry behind this element of the legislation and currently horses are welcome to use some trails in 10 urban reserves and more, further afield in the western ranges. ACTEA continues to work with Parks and Conservation to expand the number of both trails and reserves. In this context we encourage planners to incorporate options for more equestrian connectivity around and through the city in new and expanded green corridors, especially if the pressure of urban infill is going to impact on the safety of existing routes.

The ACT Equestrian Association and the National Trail Co-ordinator seek an urgent cross portfolio meeting to discuss proposals, if any, for the SAFE passage of travellers on the National Trail.

## **Government Horse Paddocks**

There are currently 15 Government Horse Holding Paddocks in the ACT. Most of them have existed since the 1960s and 70s. While some, like Yarralumla and Illoura, are embedded in the green spaces of the suburbs the majority of them are on the city's periphery on old rural land or the designated hills and ridges. While providing homes for horses many of these paddocks are valued elements in the urban green space. Over the years agistees have

planted trees as windbreaks and for shade. Local residents visit paddocks to walk, watch birds and pat the horses. Some people even bring picnics. When the sudden removal of the Curtin paddocks in a land swap was announced in March 2020 many of the loudest protests came from neighbours and the local Community Council. Government paddocks are valued as assets, as managed green space constantly grazed, under bushfire abatement agreements at no expense to the public purse. As more houses are crammed into smaller spaces, and Canberra risks becoming second rate heat sink without a beach, open green country will become a socially and environmentally asset. It is interesting to note that while horse paddocks are often seen by planners as an easy option for development, all the recent horse paddock resumptions have come up against the fact that the grazing regimes have fostered native communities of natural temperate grassland, golden sun moths and pink tailed worm lizards.

The ACT Government puts regular effort into encouraging more physical activity among women and girls but it tends to focus on organised sport, something not all that cohort are likely to embrace. Owning, caring for and riding a horse is a constant responsibility of feeding, exercising and otherwise caring for a valuable companion animal and fulfills an importance role in the physical, mental and social wellbeing of many horse riders.

## **Individual District Strategy Plans**

### **Belconnen District Strategy Plan**

- Cook Horse Paddocks

Cook Horse Paddocks appear to have attracted a ‘new community or recreation facility’ in the corner of William Hovell Drive and Bindubi Street. This is the first time anyone has heard about such a thing, consistent with the usual pattern of paddock appropriation where agistees find complete strangers wandering among their horses with clipboards. Since the horse paddocks are already a recreation facility some clarification is requested. Cook HP is a significant part of the horse paddock system connected as it is, via the Bicentennial National Trail, to both the Arboretum and Equestrian Park.

**Question: What new community recreation facility is proposed for Cook HP and how will this impact on the viability of the paddock facility as a whole? And, when will anyone discuss this with the Cook HP agistees?**

- Parkwood Horse Paddocks

The big issue in the Belconnen District is the future of the Parkwood horse paddocks. As the largest facility with the greatest carrying capacity, the loss of Parkwood could make the entire government paddock management system unviable. The Ginninderry Joint Venture has told ACTEA various things over time including that the paddocks would have to close by

2024. In the short term the more southerly paddocks around the Pony Club site, and the Pony Club itself will be most impacted. ACTEA, the Parkwood agistees and the Belconnen Pony Club have been meeting with representatives of the Joint Venture for going on a decade now and we are no closer to a clear statement about the future. In a letter to ACTEA of 20 June 2014, the CEO of the Land Development Agency stated that the **‘the timing of the West Belconnen project will retain the bulk of the paddock area for up to 20 years.’** Even accepting that letter was written in 2014, the equestrian community expects that the government will live up to this commitment which should protect a viable paddock complex into 2034.

**Question: In 2023 ACTEA is still attempting to convince the government to make good on this commitment – or indeed to even discuss it. When will the ACT Government bring a viable proposal to retain Parkwood Paddocks until 2034 to the ACT Equestrian Association?**

### **East Canberra District Strategy Plan**

- Duntroon Horse Paddocks

Assuming that the proposed high speed rail alignment straight over the summit of Mt Ainslie is yet another mapping error, it must be assumed the alternate route is what will really happen one day when we have stopped squabbling over the Woden route. This alternate alignment which follows the Majura Parkway and wipes out the Majura Pines recreation area will most probably impact the Duntroon Horse Paddocks. These paddocks are a significant element of the Government Horse Paddock system. Paddocks of this grazing quality and size carry those of less value. The loss of any paddocks at Duntroon will be unfortunate and impact on the financial viability of the whole system. The proposed move of the RSPCA facility to the front paddocks of Duntroon is a significant threat and one that could easily be mitigated by moving the RSPCA to Symonston near the existing Dog Pound. Situated, as the paddocks are, under the light aircraft fly way to Canberra Airport and next to the Duntroon life firing range it is a relief to see no proposal for urban development. Duntroon HP are connected to numerous riding trails through Mt Majura Reserve and even up to Mt Ainslie. Since the Majura Valley, including Duntroon HP, is identified for possible development under the Eastern Broadacre Study, ACTEA supports rural and recreational uses in planning decision around Duntroon. This would certainly be consistent with the desire of the current rural leaseholders to maintain the Majura Valley as a food basket for the City.

**Question: Will the ACT Government commit to maintaining, and even expanding, the Duntroon horse paddocks as part of the Eastern Broadacre Study outcome?**

- Pialligo Horse Paddock

Since 2020, EPSDD, through Rural Services has been exploring options for additional horse paddocks in the ACT. The area in question is about 200 hectares bounded by Pialligo Avenue, Oaks Estate Road, Canberra airport and the Molonglo River. They have invested a considerable amount of effort and money over that time in removing weeds harmful to horses, building fences and horse yards. Rural Services anticipates that it will be ready to receive horses at some time in 2024. It is therefore something of a shock to see the entire area identified as a 'possible change area for employment'. It is hard to imagine the possible employment opportunities there will be at a government horse paddock. The equestrian community know from experience that government agencies do not talk to each other but the idea that bits of individual government agencies do not talk to each other is truly frightening.



**Question: How does the Possible Change Area at Pialligo consider the new 200ha horse paddock?**

### Gungahlin District Strategy Plan

The focus of this District Plan is the development of the area just north of EPIC and the extension of the northernmost suburbs above Moncrieff. The main issue for the equestrian community is how this will impact on equestrian linkages.

- Kaleen-Mt Majura Link

For many years an equestrian route, clearly marked on the Canberra UBD and on the TCCS Equestrian map and ACT Government Active Travel maps, has enabled riders agisting their horses in the Kaleen Government Horse Holding Paddocks to ride east to the Mount Majura Nature Reserve. Agistees in the Canberra Riding Club also use part of the route through

Crace Grasslands Reserve and Exhibition Park to reach Mount Majura. Conversely agistees in the Duntroon and Hackett Horse Holding Paddocks could follow the route westward. While the linking route was popular with riders from the east the connection was particularly important to the Kaleen agistees as their only other riding options are restricted to travelling on verges around Kaleen or the Crace Grasslands.

All of this was disrupted by the installation of the tram route down Flemington Road. To our surprise, the Metro project offered to install a Pegasus crossing at the intersection of Flemington and Randwick roads and that is now in place. It took some time for the Mero site works to be relocated to allow horses to reach the crossing. This happened just as ACTEA had negotiated a route through the north-west corner of EPIC and along Old Well Station Road and Morisset Street then a fenced laneway to the Hume Highway near Bendora Stables.

In the words of Gerard Coffey of TCCS, Land Release Infrastructure:

there is a horse trail that comes out of EPIC and goes along the Morisset Road reserve (it's not the BNT) and will need catering for. See following. It won't need a formal pavement, but maybe stabilised gravel, or the like under the arched drainage structure at the Federal Highway end (I'm assuming we're going with an arch?). Also, the trail needs to be as far away from the road carriageway as possible (maybe have the drainage swale drain separating them?).

To our dismay, while that was happening and without any consultation with the equestrian community ACT Roads undertook works on Well Station Road that made it impassable for horses. This astounded us because of all the preceding consultation. And of course, Covid struck and EPIC became a secure testing station and the critical link through EPIC was closed. The consequence of this series of events is that we have a perfectly acceptable and expensive connection between Kaleen and Mt Majura with an impassable gap in the middle.

Agistees at Kaleen are now starting to ask ACTEA about re-instatement of the route. While this is not the BNT it is a very nice route around reserves and open country and it would serve as an east-west walking route as well as for horses. It seems a great pity to let this infrastructure go to waste.

We note that the notes associated with this District recommend a green link between Crace Grasslands and the Mount Majura Reserve.

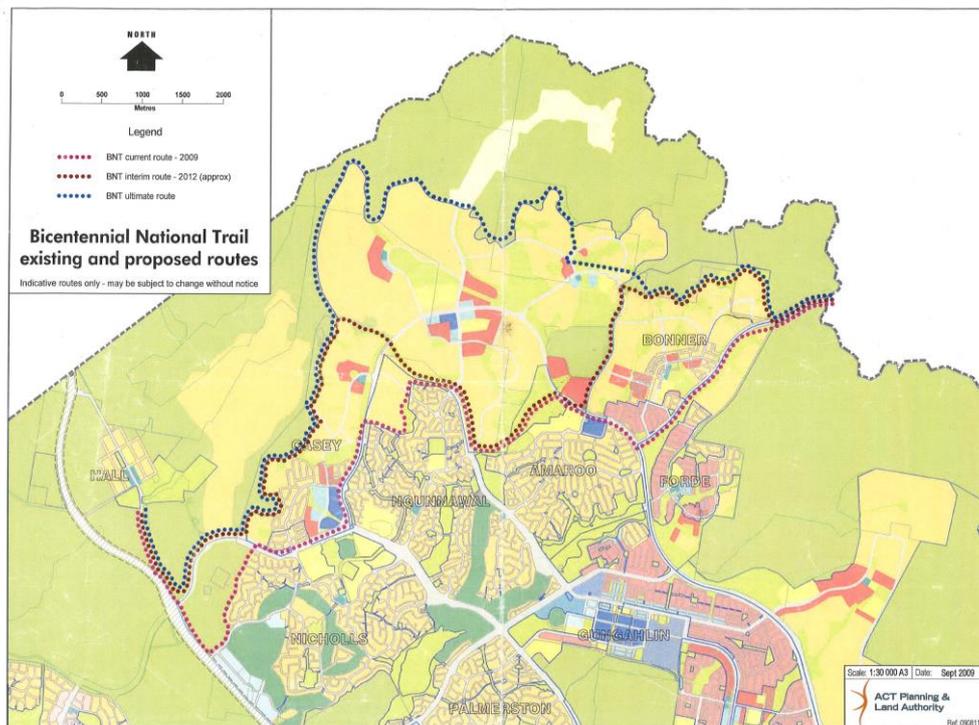
**Question: Is there any reason why the historic equestrian route from Kaleen to Mt Majura cannot be reactivated and the route incorporated into the EPIC redevelopment as a green corridor that would enhance what otherwise in Canberra are ugly developments?**

- Taylor and Jacka

In 2009 the ACT Equestrian Association met with then ACT Planning and Land Authority to discuss plans for the route of the Bicentennial National Trail in the north of Canberra. The map below was the result. Since that time ACTEA has had many consultations with representatives of planning directorates and landscape planning consultants about the on-ground route of the National Trail as the development of Taylor and Jacka have proceeded. It is extremely important that we are across what is happening in these areas because:

- Horses cannot safely travel for any distance on sloping terrain, especially carrying people on their spines and heavy packs.
- There are next to no existing roads or tracks in the area in question.
- The two suburbs are being designed and built by completely different contractors and builders.
- Utility decisions are being made by Evoenergy and Icon Water without any reference to this map or the Bicentennial Trail Memorandum of Understanding.

The District map suggests absolutely no thought has been given to future proofing the National Trail.



**Question: Given that the government wants to ‘enhance connectivity corridors and links between areas of threatened species and nature reserves including between Hall Cemetery.....and the hills and ridges around the north of the district when will planning officials revisit the 2009 map of the proposed BNT route to ensure there is in fact a viable safe alignment for horses to use?**

## Inner North and City District Strategy Plan

- Canberra Riding Club Pony Club

The District Plan shows Thoroughbred Park, as publicly discussed, slated for possible development. We find it extraordinary, however, that the designated area includes the grounds of the Canberra Riding Club Pony Club. The Pony Club has nothing to do with the racecourse. It provides an important facility for young people starting out on their horse owning journey. Just as importantly, it provides a facility that can be used by other equestrian groups. While government representatives have a habit of pointing to Equestrian Park at Yarralumla as the ACT competition facility that reflects complete ignorance of the complexity of the ACT's equestrian world. Equestrian Park is an elite facility for the Olympic Sports supported by Sport & Recreation Services. It is so successful that in 2023 these facilities are already almost fully booked on weekends and increasingly during the week. It makes it very difficult for smaller clubs to find a space to hold events. Equestrian Park cannot miraculously expand to provide for these clubs. Canberra Riding Club Pony Club, with its arenas, grass areas and clubhouse is a facility the ACT Government won't replace if it is lost to our community. Just because equestrian activities are not mainstream does not mean that they do not contribute to the health and well-being of a significant part of the Canberra community. The Pony Club grounds will be irreplaceable.

**Statement: The ACT Equestrian Association supports the Canberra Riding Club Pony Club in its determination to continue its long history of contribution to the health and well being of Canberra youth.**

- Exhibition Park

The long-term plans to develop EPIC and the area to its north, presently overflow parking, will impact an historic east-west link between Kaleen and Mt Majura. This is addressed under the [Gungahlin District Strategy Plan](#).

- Hackett HP

The area the Hackett Horse Paddocks occupy between Anthill Street and Mt Majura Reserve is not identified for redevelopment. Instead, the Notes on this District say: **Investigate expansion of Mount Majura Nature Reserve to include Hackett Horse Paddock**. It is ACTEA's understanding that the push to include the horse paddocks in the Majura Reserve is not motivated by environmental concerns. Afterall, the box woodland values of the site have co-existed with horses for many years. Indeed Paddock 4 of the facility (Block 1329 and part Block 1330) have long been fenced off from grazing. The suggestion that paddock 2 needs to be removed for wildlife connectivity reasons flies in the face of evidence that wildlife quite happily use horse paddocks as corridors. One of the discoveries of the Curtin

Horse Paddock media storm was the huge number of bird species using the paddocks as a wildlife connection. Those paddocks are also host to golden sun moths and pink tailed worm lizards. Environmental surveys will probably find the same is true of Hackett. Since good pasture management means that horses are constantly rotated through paddocks horses spend a relatively short time in any paddock and the more paddocks there are, the less time they spend in any one. It is obvious to the equestrian community that the main impetus for a change in land classification is to prohibit future urban development on the site. Given the predicted heating of our planet and the increase in bushfire threat in the Bush Capital surely open country constantly mown under a Bushfire Operations Plan would be more attractive than an unmanaged fire wick connecting the suburbs to Mt Majura.

**Question: What practical purpose would changing the current land classification and subsuming the horse paddocks into Mt Majura Reserve achieve other than making horses homeless and reducing even further the options for horse owners on the western edge of Canberra?**

### Inner South District Strategy Plan

There is no equestrian activity in this District. However, mapping errors don't improve the quality of the maps!

**Question: Why is the Yarralumla Equestrian Park Offset Reserve shown in Royal Canberra Golf Club grounds?**

### Molonglo District Strategy Plan

- National Trail Route

There are a lot of equestrian trails in the Molonglo District including critical connecting sections of the Bicentennial National Trail. While we appreciate the fact that the Trail even made it on to these maps there are worrying inconsistencies and absences. The Trail is clear through the Arboretum but appears to disappear completely along the Molonglo River corridor. It is certainly endangered by unclear connections around the Peninsula in Coombs and no trace of it through North Western Ponds. The route shown for the BNT through Stromlo Forest Park is incorrect and does not follow the new route along Holdens Pond. The National Trail route needs not to just exist, it needs to be to be SAFE for horse riders which means it cannot be shared with commuter cyclists.

**Question: What thought, if any, are planners giving to maintaining a safe route for the National Trail through Molonglo, particularly along the River Corridor?**

- Whitlam Bushfire Abatement Zone

In Whitlam the bushfire abatement zone between it and Karma Nature Reserve seems to have become a key change area which may have implications for a planned equestrian connection from The Pinnacles to the Molonglo River corridor. ACTEA has been consulted by the Suburban Land Agency since 2020 about the route from William Hovell Drive to the Molonglo through the Karma Bushfire Abatement Zone. This may well be another mapping error but the proposed change area looks perilously close to the Karma Reserve boundary. This route marked in yellow on the ACT Equestrian Map is a potential future route for the National Trail as it is encroached upon by urbanisation. If planners don't plan and give the National Trail somewhere to go in the future, the ACT will be the first jurisdiction to cut the BNT.

**Question: How does this Plan provide for an equestrian connection between William Hovell Drive and the Molonglo River corridor through the Whitlam Fire Abatement Zone?**

- East-West Arterial

The other thing that is missing from the Molonglo District Plan is the East-West Arterial. This has been planned for many years to link the western edge of the Molonglo Valley to the Tuggeranong Parkway. ACTEA has been consulted on this possibility since 2014. However, there is no sign of this link other than a very thin unlabelled, unshaded white line connecting the Zoo Pines toward Denman Prospect. This lack of even an idea suggests that the East-West Arterial is either a long way away or no longer on the books. The fly-over connection planned for the Parkway end will have a serious impact on the trail linking Equestrian Park, the Bicentennial Trail campsite and the Arboretum.

**Question: What happened to the East-West Arterial?**

- Coppins Crossing bridge

Since the poor District maps fail to consider equestrian trails it would be easy to miss the consequences of the development of the transport link along the John Gorton Parkway. When the Decision on the Development Application for the John Gorton Parkway bridge over the Molonglo was handed down it said quite clearly [Coppins Crossing should also be utilised as part of the designated equestrian trail system](#).<sup>1</sup> In the last week ACTEA has been advised by Parks and Conservation that, according to the Suburban Land Agency who are overseeing residential development in the suburbs of Whitlam and Denman Prospect, the existing Coppins Crossing bridge will be retained and incorporated into the active travel network. This will include access for equestrians to cross the bridge.

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<sup>1</sup> Notice of Decision DA # 202037798

This is not what the what the DA said. There is no part of the Canberra equestrian network that fits happily with cycle paths. In the short stretches where we are obliged to share the cycling community, in the main, makes it quiet clear that horses are not welcome on sheared paths. This is particularly the case on commuter paths. During the consultation period for the Bridge we were told that the old Coppins causeway would be retained for the use of government vehicles, walkers and horses and the cycle path would be on the bridge.

The Coppins Crossing causeway is an integral part of future planning for the National Trail and appropriating it for commuter cyclists is inconsistent with the development decision.

**Question: Given the DA decision why has the SLA not discussed its proposed change of purpose with the ACT Equestrian Association?**

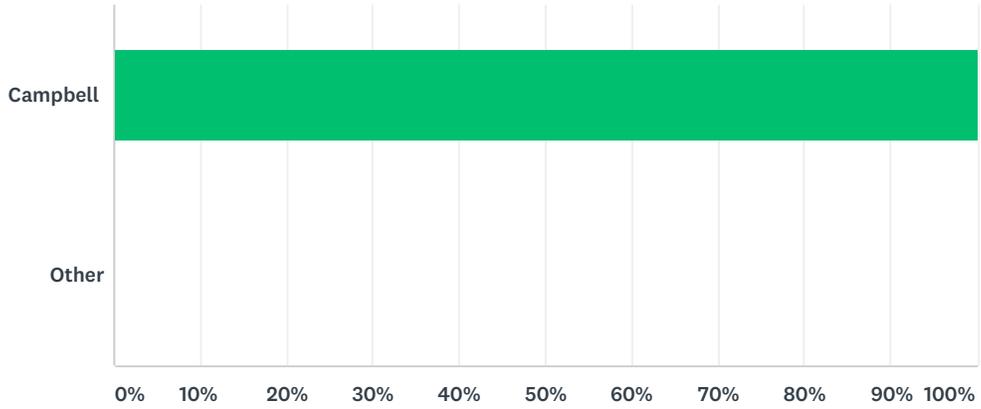
The ACT equestrian community looks forward to hearing some responses to our questions.

Regards

[Redacted signature block]

### Q3 What suburb do you live in?

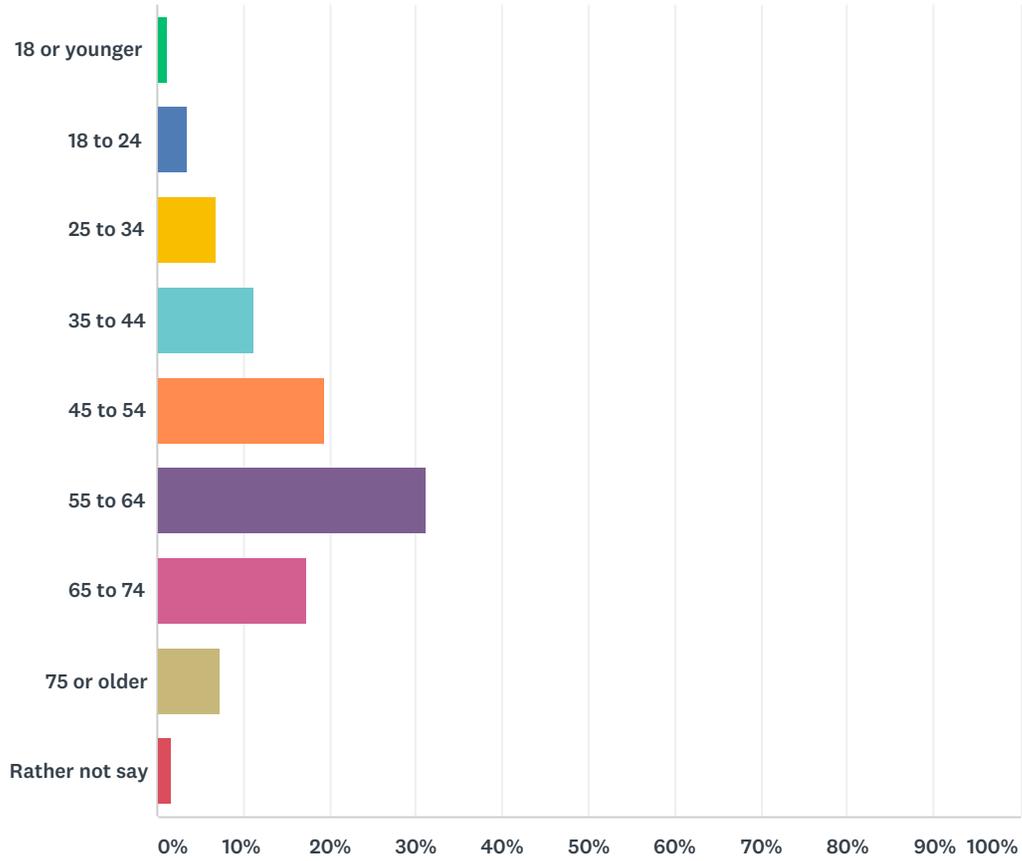
Answered: 231 Skipped: 0



ANSWER CHOICES	RESPONSES	
Campbell	100.00%	231
Other	0.00%	0
TOTAL		231

## Q4 What is your age?

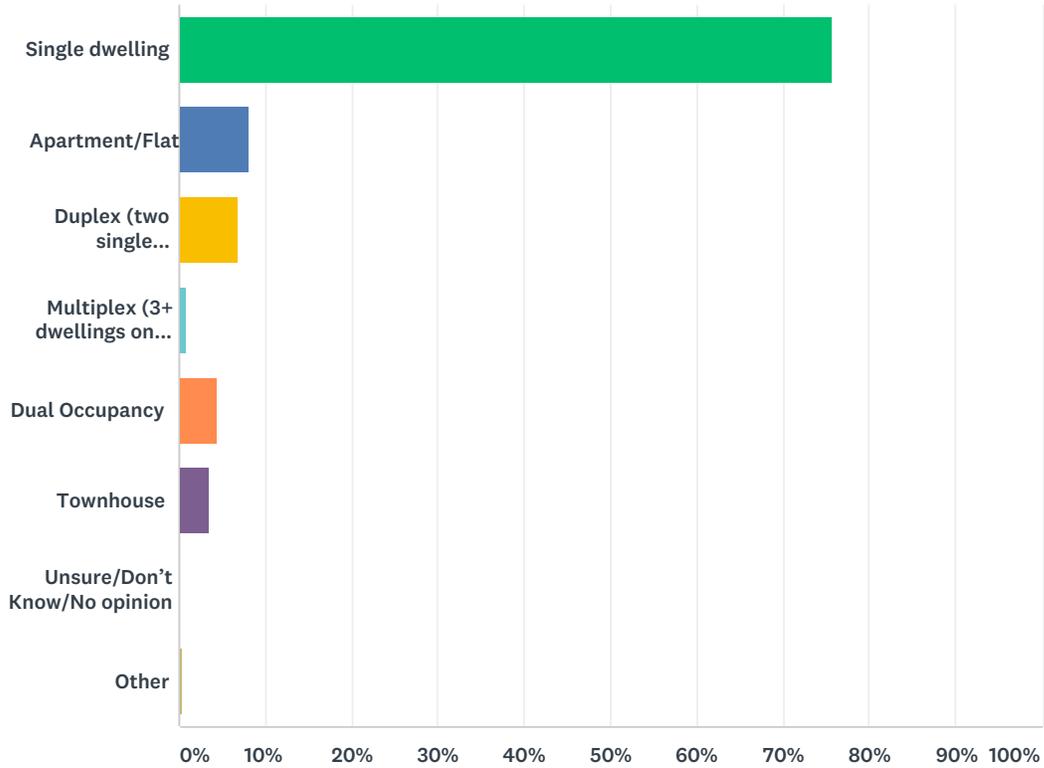
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ANSWER CHOICES	RESPONSES	
18 or younger	1.30%	3
18 to 24	3.46%	8
25 to 34	6.93%	16
35 to 44	11.26%	26
45 to 54	19.48%	45
55 to 64	31.17%	72
65 to 74	17.32%	40
75 or older	7.36%	17
Rather not say	1.73%	4
<b>TOTAL</b>		<b>231</b>

## Q5 How would you describe your home?

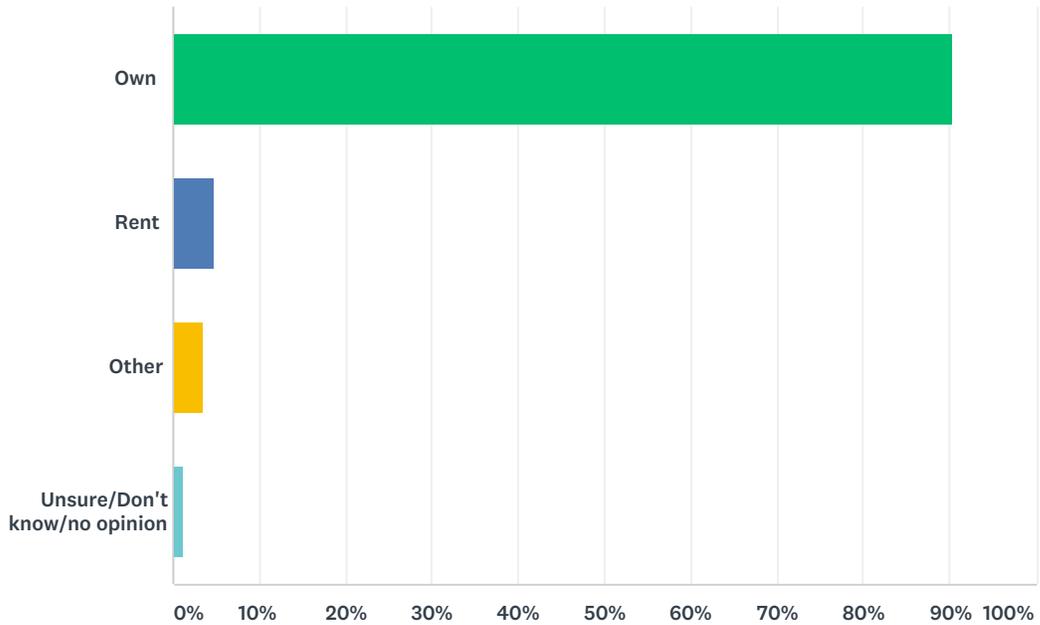
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ANSWER CHOICES	RESPONSES	
Single dwelling	75.76%	175
Apartment/Flat	8.23%	19
Duplex (two single dwellings)	6.93%	16
Multiplex (3+ dwellings on a single block)	0.87%	2
Dual Occupancy	4.33%	10
Townhouse	3.46%	8
Unsure/Don't Know/No opinion	0.00%	0
Other	0.43%	1
<b>TOTAL</b>		<b>231</b>

## Q6 Do you rent or own the place where you live?

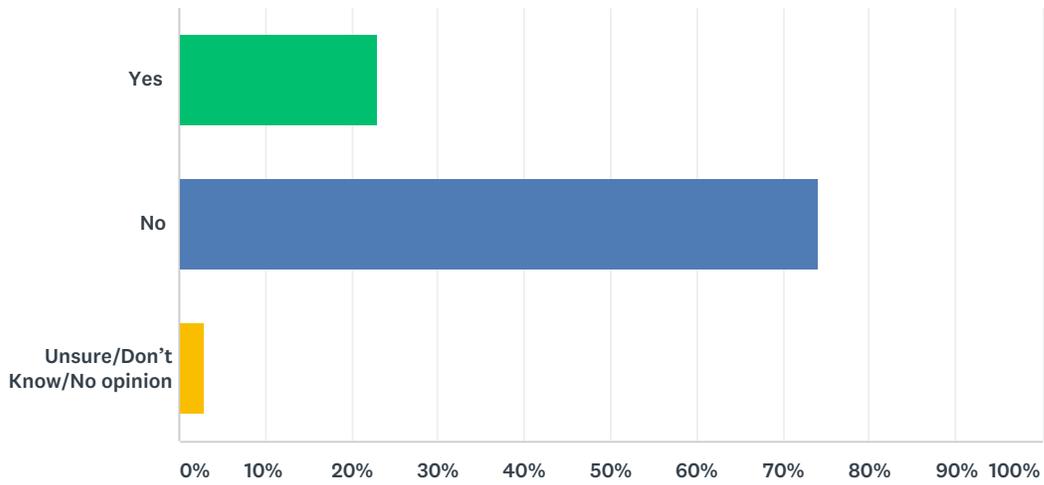
Answered: 231 Skipped: 0



ANSWER CHOICES	RESPONSES	
Own	90.48%	209
Rent	4.76%	11
Other	3.46%	8
Unsure/Don't know/no opinion	1.30%	3
<b>TOTAL</b>		<b>231</b>

## Q7 Before today, were you aware of the discussion paper on Housing Choices released by the ACT Government for community consultation?

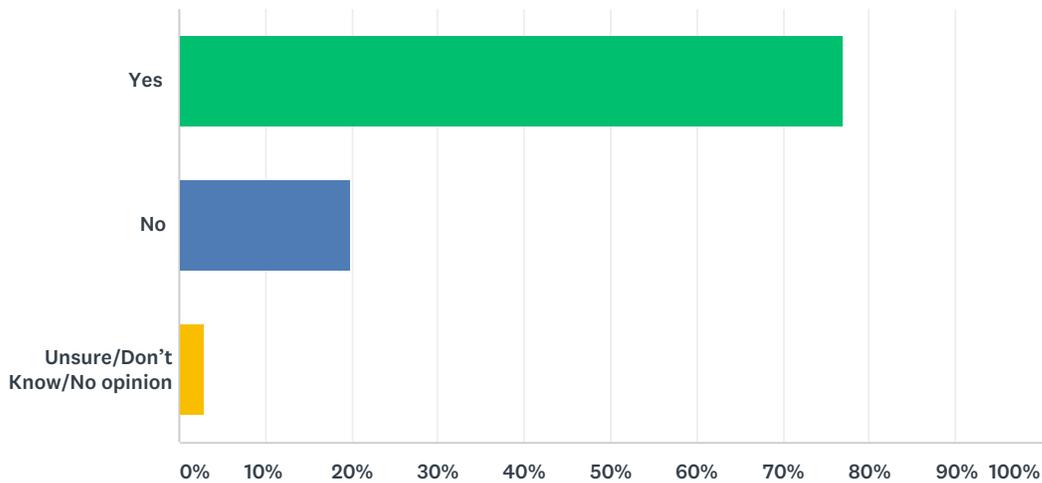
Answered: 231 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	22.94%	53
No	74.03%	171
Unsure/Don't Know/No opinion	3.03%	7
<b>TOTAL</b>		<b>231</b>

Q8 The mix of housing choices in the suburb of CAMPBELL has recently changed with the addition of high density apartment blocks, and approvals for multiplexes (three or more dwellings allowable on a single block). In Campbell, do you think the existing range of housing options (e.g: single dwellings, apartments, townhouses) is appropriate?

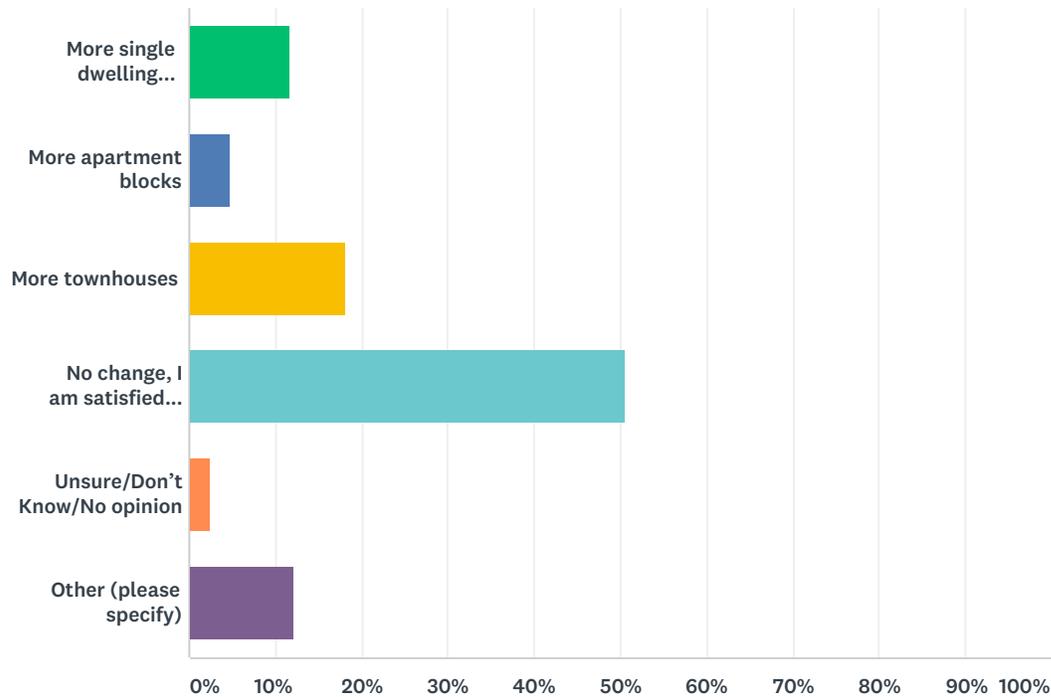
Answered: 231 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	77.06%	178
No	19.91%	46
Unsure/Don't Know/No opinion	3.03%	7
TOTAL		231

## Q9 In your opinion, if any, what EXTRA residential housing options are now needed in Campbell?

Answered: 231 Skipped: 0



ANSWER CHOICES	RESPONSES	
More single dwelling residential housing	11.69%	27
More apartment blocks	4.76%	11
More townhouses	18.18%	42
No change, I am satisfied with the current housing choices	50.65%	117
Unsure/Don't Know/No opinion	2.60%	6
Other (please specify)	12.12%	28
<b>TOTAL</b>		<b>231</b>

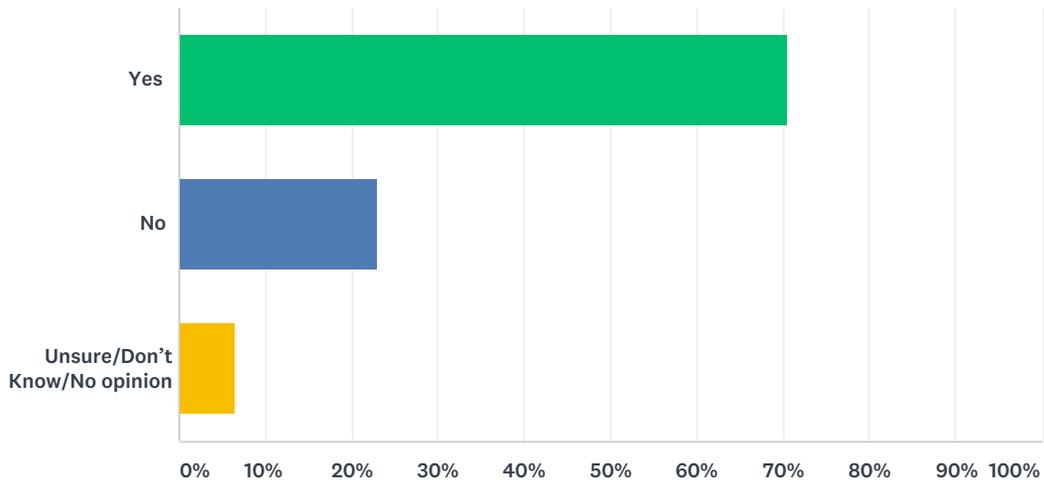
#	OTHER (PLEASE SPECIFY)	DATE
1	I think Campbell appears to be getting very congested	2/17/2018 12:34 PM
2	More age appropriate housing, ie large single level townhouses, for our ageing population	2/15/2018 1:26 PM
3	multipurpose housing for families and ageing	2/14/2018 7:16 PM
4	Limit RZ1 blocks to no more than two units with separate title.	2/14/2018 4:59 PM
5	More single level housing to accommodate down sizers who still require room to carry out hobbies, (including noisy ones)but meet the needs of less bedrooms and smaller gardens. I also believe re need to retain the larger blocks for green cover, to minimise heat and provide clean air	2/14/2018 2:42 PM

## Campbell Community Survey 2018

6	I Think the level of apartment development in C5 and along constitution avenue is a little too dense, traffic and parking will be a major problem as already evidenced with only a small nu,bet of apartments finished and occupied to date. I think more dual dwellings and small single townhouse complex for downsizes would be welcome rather than just high rise apartments.	2/14/2018 12:20 AM
7	Higher density options such as townhouses and units but in the appropriate places near the Campbell shops or along Constitution Avenue	2/12/2018 9:35 AM
8	Smaller ground floor dwellings that would enable down sizing i	2/9/2018 11:19 AM
9	I would allow a few more townhouses	2/8/2018 12:13 PM
10	Campbell needs to do it share like any other suburb in Canberra. This will require a mix of options. Discussion should not be about should it happen but rather how.	2/8/2018 11:33 AM
11	Single level apartment blocks/townhouses	2/8/2018 8:04 AM
12	A good mix of all multi dwelling options	2/7/2018 9:06 PM
13	A balanced and planned mix of housing options	2/5/2018 6:36 PM
14	More dual occupancies, perhaps built as two storey dwellings, thus retaining the garden city appearance and integrity with existing housing stock which already has some 2 storey single dwellings.	2/5/2018 4:43 PM
15	With the addition of the current developments there is sufficient apartment stock in Campbell. However if some of the older blocks were built to the same density (but perhaps to a larger floor area consistent with moden standards) near the Campbell shops on the existing sites that would allow modernisation without significant density increase	2/3/2018 7:45 PM
16	2 per block is ok. 4 is too much	2/2/2018 5:12 PM
17	more single storey small houses, eg duplexes or possibly townhouses	2/1/2018 2:23 PM
18	I think more townhouses and the apartment at Campbell shops would be nice	2/1/2018 12:31 PM
19	Sensitive changes in keeping with the existing environment. Limits to height and density that do not compromise accessibility.	1/31/2018 9:29 PM
20	There appears scope for limited low rise (2 storey) apartment/townhose types developments in some areas.	1/31/2018 5:42 PM
21	Improved infrastructure to cope with existing.	1/31/2018 4:05 PM
22	Over 55 housing. Public housing, since the removal of the public housing in Braddon in favour of huge apartment developments.	1/31/2018 1:04 PM
23	dual occupancy with separate titles	1/30/2018 2:48 PM
24	multi purpose housing. eg. can be single dwelling or two units with inter connecting door	1/30/2018 2:20 PM
25	More townhouses and apartments	1/29/2018 7:23 PM
26	Aged living units	1/29/2018 2:35 PM
27	Maximum of 2 dwellings on RZ2 blocks to provide downsizing options for residents wanting to stay in the suburb.	1/29/2018 11:37 AM
28	More dual occupancy on large blocks	1/28/2018 12:05 PM

### Q10 In Campbell, do you think the right balance of residential housing choices (single dwelling, apartments/flats, townhouses) is available?

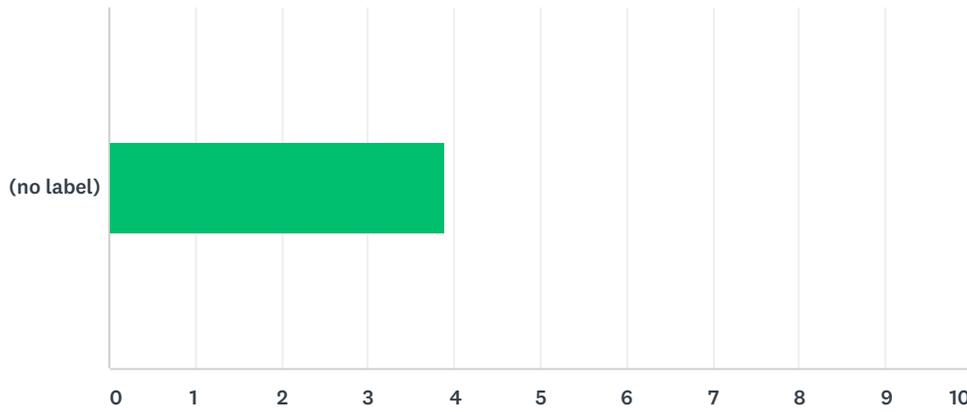
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ANSWER CHOICES	RESPONSES	
Yes	70.56%	163
No	22.94%	53
Unsure/Don't Know/No opinion	6.49%	15
<b>TOTAL</b>		<b>231</b>

# Q11 In context of CAMPBELL, do you agree with the government proposal for further urban infilling to provide a wider range of housing choices?

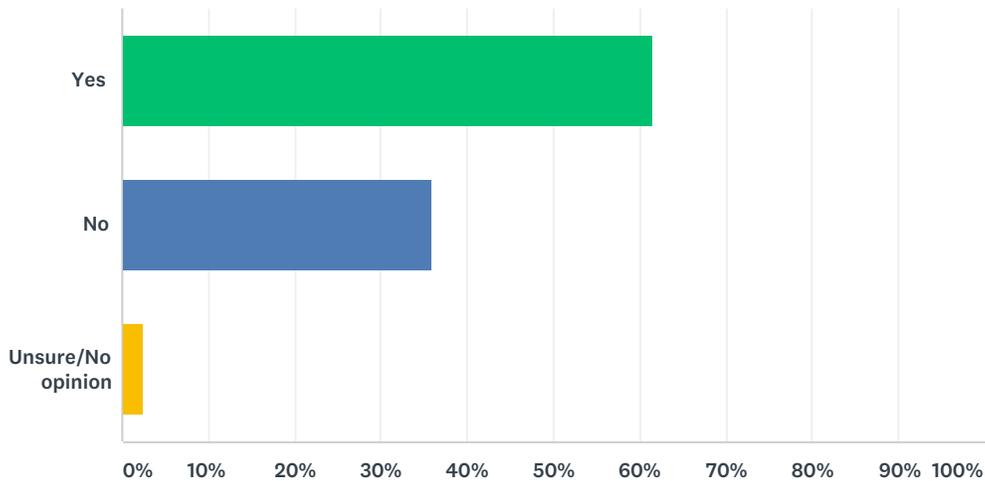
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	AGREE STRONGLY	AGREE SLIGHTLY	NEITHER AGREE NOR DISAGREE	DISAGREE SLIGHTLY	DISAGREE STRONGLY	TOTAL	WEIGHTED AVERAGE
(no label)	13.42% 31	13.42% 31	2.60% 6	12.12% 28	58.44% 135	231	3.89

Q12 There are five residential zones in the Territory Plan. The most common residential zones are:RZI (residential zoning one) code, which generally means a maximum number of ONE house is allowable on a single block andRZ2 (residential zoning two) code, generally means TWO to SIX houses are allowable on a single block depending on the size of the blockAre you aware of what residential code your property is zoned?

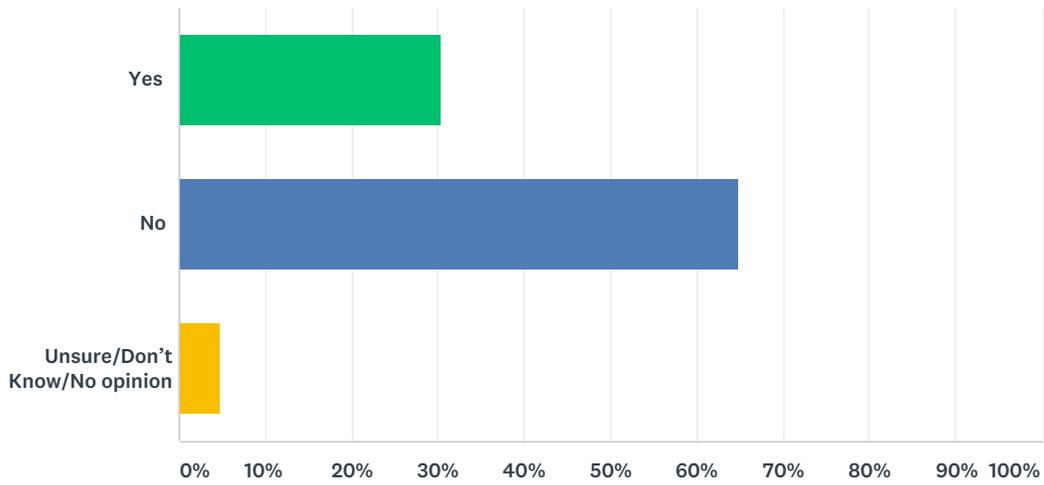
Answered: 231 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	61.47%	142
No	35.93%	83
Unsure/No opinion	2.60%	6
TOTAL		231

### Q13 Are you aware of the recent changes to residential zoning in Campbell?

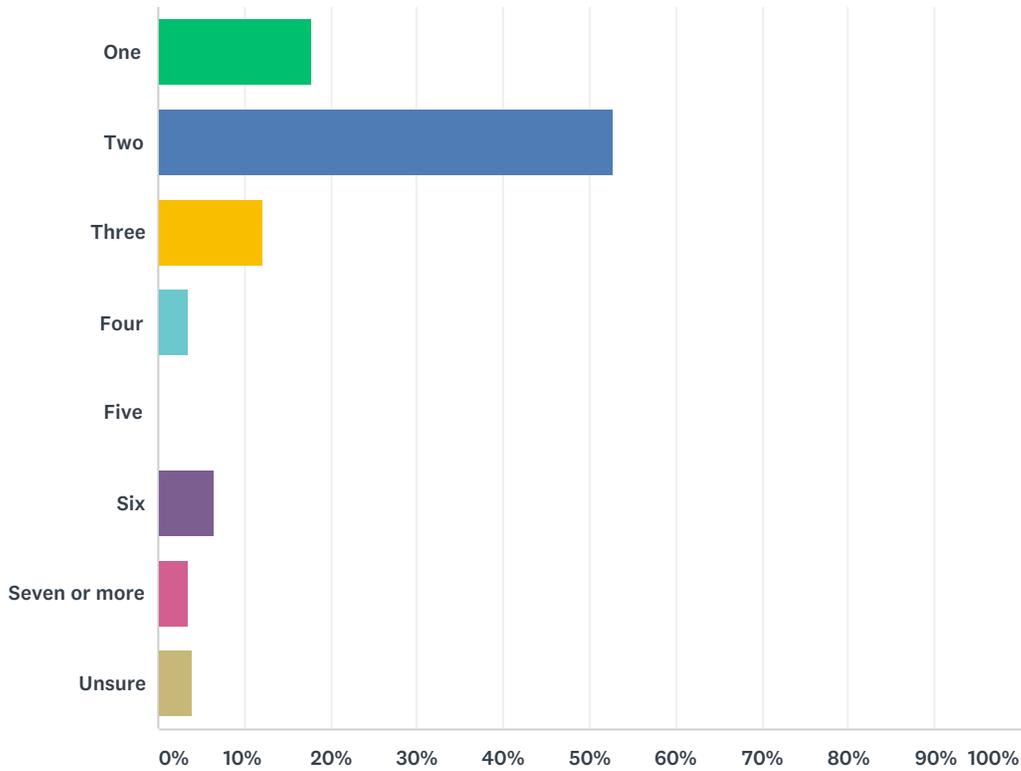
Answered: 231 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	30.30%	70
No	64.94%	150
Unsure/Don't Know/No opinion	4.76%	11
<b>TOTAL</b>		<b>231</b>

Q14 Some Campbell residential houses are zoned RZ2. The category of zoning now allows for existing single dwelling residential houses to be demolished and replaced by up to six single dwellings (depending on size of the block) In Campbell, what would you like to see as the MAXIMUM dwellings allowable on a single residential block?

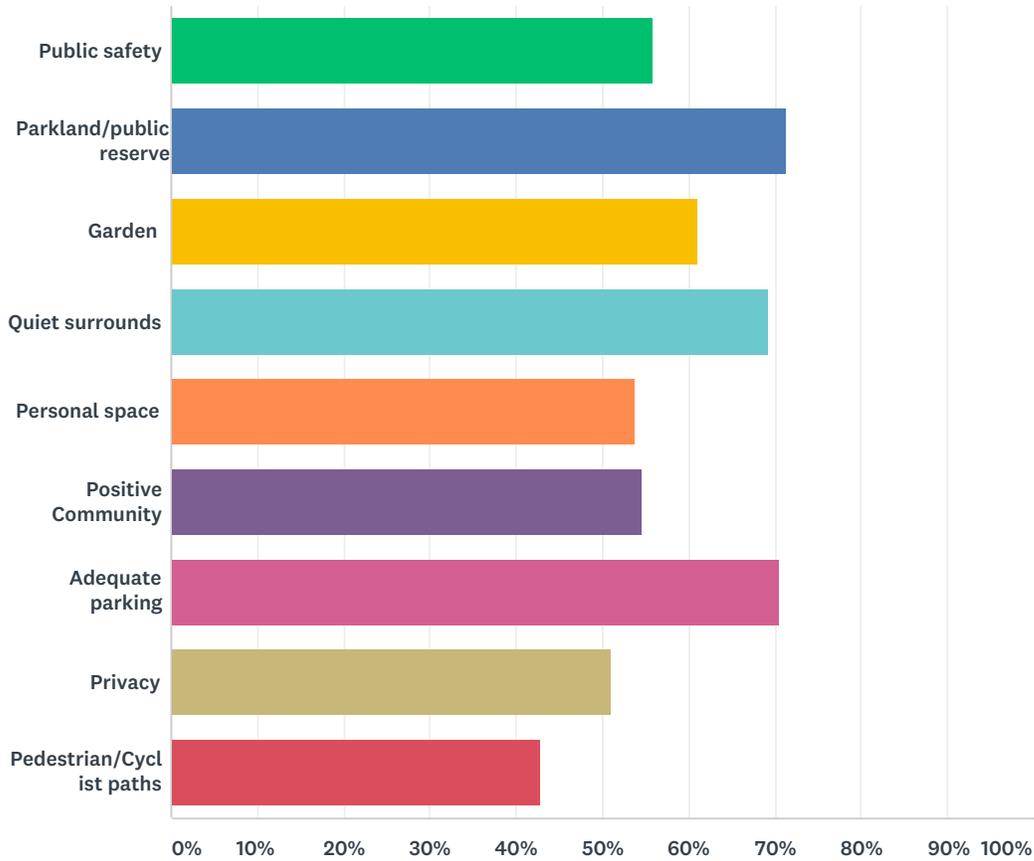
Answered: 231 Skipped: 0



ANSWER CHOICES	RESPONSES	
One	17.75%	41
Two	52.81%	122
Three	12.12%	28
Four	3.46%	8
Five	0.00%	0
Six	6.49%	15
Seven or more	3.46%	8
Unsure	3.90%	9
<b>TOTAL</b>		<b>231</b>

### Q15 What features are most important in a good residential building or development? (select up to five options)

Answered: 231 Skipped: 0



ANSWER CHOICES	RESPONSES
Public safety	55.84% 129
Parkland/public reserve	71.43% 165
Garden	61.04% 141
Quiet surrounds	69.26% 160
Personal space	53.68% 124
Positive Community	54.55% 126
Adequate parking	70.56% 163
Privacy	51.08% 118
Pedestrian/Cyclist paths	42.86% 99
Total Respondents: 231	

#	OTHER (PLEASE SPECIFY)	DATE
1	Tree cover - counters global warming	2/16/2018 3:19 PM

## Campbell Community Survey 2018

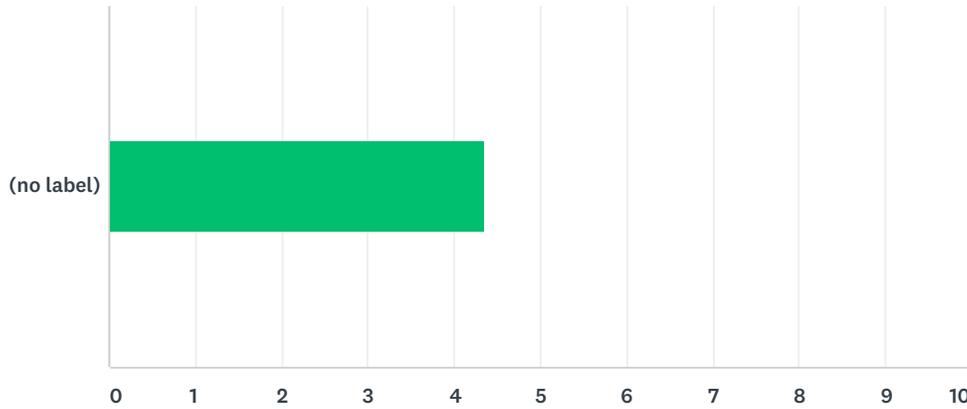
2	NO MORE APARTMENTS	2/16/2018 12:04 PM
3	better public transport	2/16/2018 9:11 AM
4	it says i can not tick three only	2/16/2018 8:38 AM
5	Good architectural design	2/15/2018 11:21 PM
6	Adequate services	2/15/2018 9:29 PM
7	Good public transport	2/15/2018 8:44 PM
8	Solar access, ie north facing, not blocked by other buildings or selfish too tall vegetation	2/15/2018 1:26 PM
9	Not an eye sore	2/14/2018 11:17 PM
10	These are all important considerations	2/14/2018 2:42 PM
11	not high rise - five stories maximum	2/13/2018 5:52 PM
12	High quality architecture and environmentally sensitive design	2/12/2018 8:58 AM
13	Sustainable design, including passive solar heating, solar PV and water heating, natural cross ventilation to reduce the need for air con in summer, and vents to ceiling with solar fans to extract heat, thick insulation, double glazing, external shading in summer, good thermal mass, a green outlook from endemic plants, enabling high biodiversity to remain connected throughout suburbs and bushland/woodland, rainwater collection and use for toilets, washing machines and garden. No cats outside (to protect native wildlife). Ability to walk to shops, parks and community spaces, and cycle safely separated from cars. Encouragement of street parties, and neighbours participating in planting events (of endemic bushes) to build community, beautify the habitat and be a proud participant in actively improving the area.	2/11/2018 10:12 PM
14	Adequate infrasatructure i.e. water/sewerage/power supply.	2/9/2018 11:58 AM
15	Even single dwelling rebuilds should not be allowed fence to fence taking up the whole block and relying on existing gardens to give amenity, excessive paving causing run-off, reduction of privacy and reduction of habitat for native birds and animals.	2/9/2018 11:19 AM
16	Structure of high quality standard	2/9/2018 9:36 AM
17	This is a generic question as each suburb is different and for Campbell I feel you are missing heritage, style and culture.	2/8/2018 11:33 AM
18	Design of houses & apartments including exteriors	2/8/2018 8:04 AM
19	This is rubbish that you must answer all five and this will falsely skew ALL responses, negating the effectiveness of this survey. I have answered the least offensive options with adequate parking, I disagree that ANY of your limited and biased list is the MOST important and I offer this list instead. 1. Quality Schools 2. Proximity to quality affordable day care. 3. Affordability. 4. Reliable infrastructure. 5. Proximity to quality health services.	2/7/2018 9:30 PM
20	Not blocking solar access for surrounding properties	2/6/2018 1:16 PM
21	safe access for cyclists	2/5/2018 8:46 PM
22	safe access for cyclists	2/5/2018 8:40 PM
23	Environmentally sensitive design	2/5/2018 4:53 PM
24	Environmental design with access to sun.	2/5/2018 11:25 AM
25	Appropriate scale, understanding of the neighbourhood	2/4/2018 7:08 PM
26	This forces me to tick 5 boxes, I had ticked 3 but got sent back on submitting "this question requires an answer" - I added quiet surrounds even though it is not 'most important' to me	2/4/2018 10:26 AM
27	Physical beauty ie aesthetically pleasing environment.	2/2/2018 2:35 PM
28	access to public transport. this is a terrible survey	2/1/2018 8:32 PM
29	Access to public parkland	2/1/2018 7:33 PM
30	Infrastructure (eg roads, parking, schools, should match housing availability and population	2/1/2018 2:23 PM
31	Not blocking solar access to neighbouring homes	2/1/2018 8:30 AM
32	Integrity with surroundings and safety on the road	1/31/2018 9:29 PM

## Campbell Community Survey 2018

33	Capacity to handle increased numbers within suburb - ie parking, road capacity, queues at intersections/traffic density, waste management	1/31/2018 5:42 PM
34	Architectural merit. Less visual pollution.	1/31/2018 4:05 PM
35	Owing to the proximity of Campbell to Russell Offices, there are many streets where parking is not allowed. This is a good thing and should be patrolled regularly to maintain the intent of keeping cars off the streets, particularly those on bus routes/close to the four local schools.	1/31/2018 1:04 PM
36	Appearance of building is attractive and well designed and suits surroundings	1/31/2018 10:12 AM
37	excellent design and construction including environmental sustainability	1/30/2018 2:48 PM
38	I choose to live in Campbell because of how it was when I purchased and how it is now - PERFECT in everyway. I don't want the look and feel of my suburb to change.	1/30/2018 12:28 PM
39	your leaflet has teh wrong website address on it it left out teh .com bit	1/29/2018 4:51 PM
40	Adequate Water Pressure, safe uncongested roads	1/28/2018 12:16 PM

### Q16 Generally, do you think Campbell needs more high rise and high density apartments?

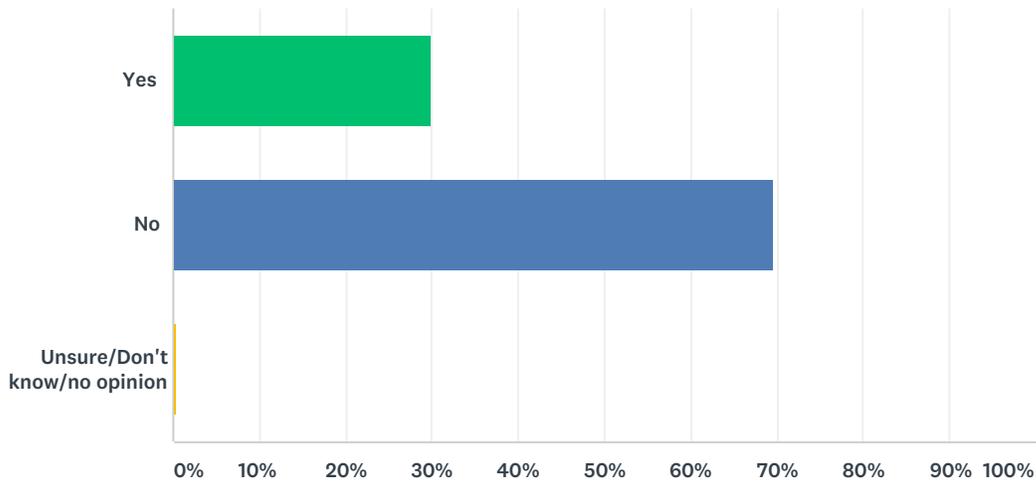
Answered: 231 Skipped: 0



	AGREE STRONGLY	AGREE SLIGHTLY	NEITHER AGREE OR DISAGREE	DISAGREE SLIGHTLY	DISAGREE STRONGLY	TOTAL	WEIGHTED AVERAGE
(no label)	8.23% 19	6.06% 14	3.03% 7	6.93% 16	75.76% 175	231	4.36

Q17 In November 2017, the developers at the ex-service station (vacant block located at the Campbell Shops) on Blamey Crescent, hosted a community 'drop in'. The proposal put forward by the developers was either a six storey complex (ground floor shops with five floors of apartments) OR four storey townhouses. Were you aware of this community drop in?

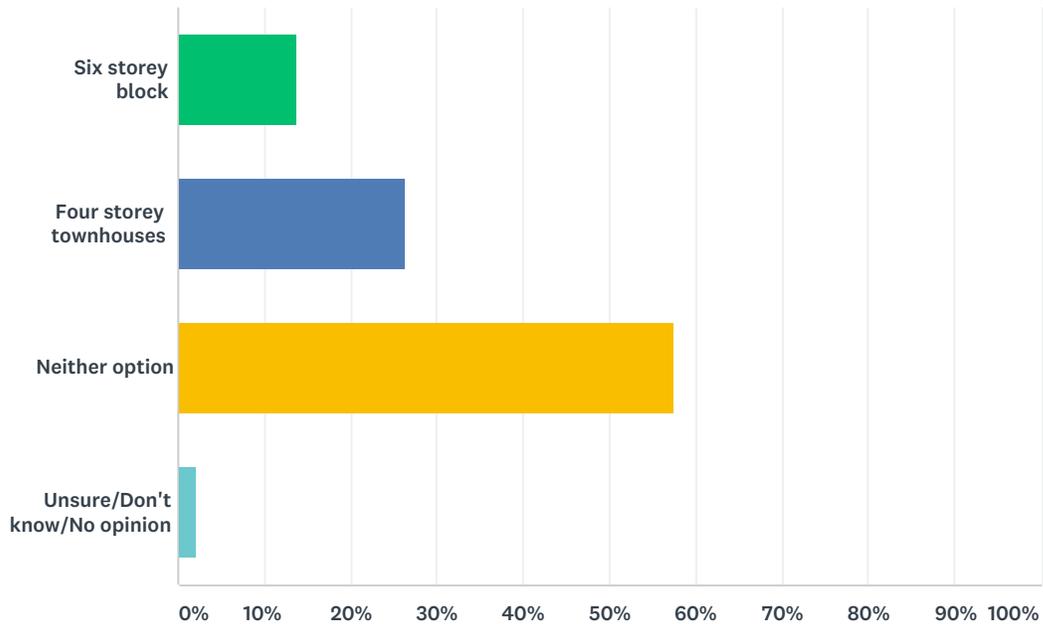
Answered: 231 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	29.87%	69
No	69.70%	161
Unsure/Don't know/no opinion	0.43%	1
<b>TOTAL</b>		<b>231</b>

Q18 The proposal put forward by the developers of the ex-service station was either a six storey complex (ground floor shops with five floors of apartments) OR four storey townhouses. Which is your preferred option?

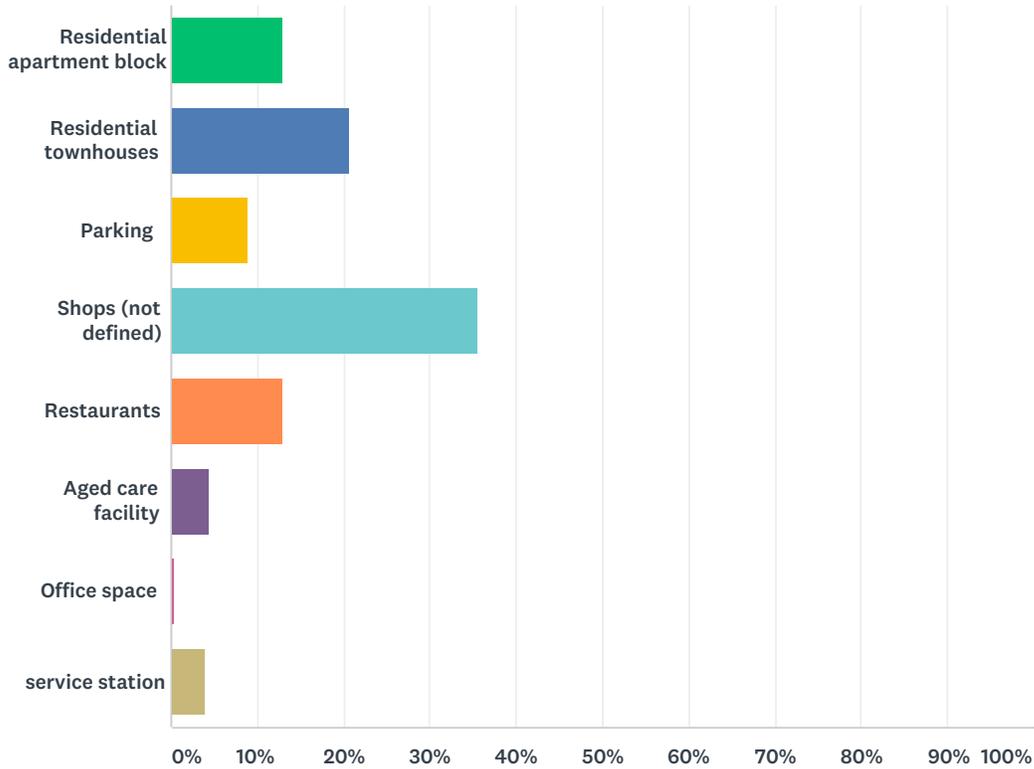
Answered: 231 Skipped: 0



ANSWER CHOICES	RESPONSES	
Six storey block	13.85%	32
Four storey townhouses	26.41%	61
Neither option	57.58%	133
Unsure/Don't know/No opinion	2.16%	5
<b>TOTAL</b>		<b>231</b>

### Q19 In your opinion, what should be built on the vacant block (ex-service station) located at the Campbell Shops?(More than one option can be selected)

Answered: 231 Skipped: 0



ANSWER CHOICES	RESPONSES	
Residential apartment block	12.99%	30
Residential townhouses	20.78%	48
Parking	9.09%	21
Shops (not defined)	35.50%	82
Restaurants	12.99%	30
Aged care facility	4.33%	10
Office space	0.43%	1
service station	3.90%	9
<b>TOTAL</b>		<b>231</b>

#	OTHER (PLEASE SPECIFY)	DATE
1	I checked service station, restaurants, shops - also limited townhouses	2/16/2018 2:15 PM
2	Could not select more than one option. My options are: Shops, Restaurants, office space (suitable to a small community shopping centre)	2/16/2018 1:04 PM
3	NO MORE APARTMENTS	2/16/2018 12:04 PM

## Campbell Community Survey 2018

4	Restaurants, aged care, townhouses	2/16/2018 9:11 AM
5	mix of shops and restaurant and residential	2/16/2018 8:38 AM
6	Commercial/residential	2/16/2018 7:04 AM
7	Some mix of residential townhouses,shops,restaurants and possibly office space. It is a question of good design and how much is too much	2/16/2018 12:07 AM
8	Shops and Parking (could not select more than one option above)	2/15/2018 11:21 PM
9	Pub	2/15/2018 9:29 PM
10	Food market - multi-level, if necessary	2/15/2018 8:44 PM
11	Adequate parking	2/15/2018 8:15 PM
12	Tried to also choose shops and restaurants but it wouldn't let me	2/15/2018 1:26 PM
13	(couldn't select more than one) + professional office(s)	2/15/2018 11:17 AM
14	parking	2/15/2018 10:15 AM
15	Campbell shopping precinct is the worst of the inner north and inner south. It is poorly laid out, unattractive and is not dynamic! This should be a time to redevelop the whole precinct and not just the service station site, to reflect the growing population and ensure that a new supermarket that is adequate in size and pricing can satisfy both an ageing population and influx of young families without requiring cars for all errands. If you live in Campbell you are still dependant on cars (check out walkability score) and this needs to change. If our shops were better then we wouldn't have to travel to the city or majura park for most of our shopping (i.e Ainslie and O'Connor IGAs, high spec chemist and pub restaurant makes Campbell dreary). We need a range of restaurants (not just asian), professional suites, good size supermarket with underground parking to meet the demand.	2/14/2018 11:17 PM
16	a multi purpose building - shops and offices	2/14/2018 7:16 PM
17	Parking is inadequate at Campbell Shops. Either redevelop the centre with more parking at the oval end which may allow other options for the service station. We don't need high rise apartments as current parking is inadequate.	2/14/2018 4:59 PM
18	2 story apartments with underground ample public (paid parking) and resident parking would be ideal	2/14/2018 4:51 PM
19	Ideally in my opinion, the development should be 2 storey with a basement, commercial at ground level and residential above. The heat and traffic generated by either of the two options proposed is not considerate of the local community. I also do not understand how they can propose a residential only development on a commercial site.	2/14/2018 2:42 PM
20	A combination of perhaps a few townhouses and shopping, restaurants, and obviously some parking	2/14/2018 12:20 AM
21	combination commercial and residential with parking	2/13/2018 5:52 PM
22	Residential ATTRACTIVE 3 storey or less apartments with minimal shadow and negative parking impact	2/13/2018 1:49 PM
23	parking	2/12/2018 10:22 PM
24	It is a nightmare to park at the local shops.	2/12/2018 4:19 PM
25	Shops and restaurants	2/12/2018 1:35 PM
26	tavern	2/12/2018 9:51 AM
27	And restaurants - demand is changing fast with C5 and related intensification. Design needs to be sympathetic with the immediate local area. It should serve the needs of the community and not those of the developers and construction industry - the latter do not have a long term interest in Campbell but the residents do. People first.	2/12/2018 8:58 AM
28	parking - the option to select more options does not work!	2/12/2018 12:09 AM
29	Possibly also an aged care place, integrated with other community, especially a kindergarten, if needed.	2/11/2018 10:12 PM
30	Restaurants, shops, and other retail	2/11/2018 8:21 PM

## Campbell Community Survey 2018

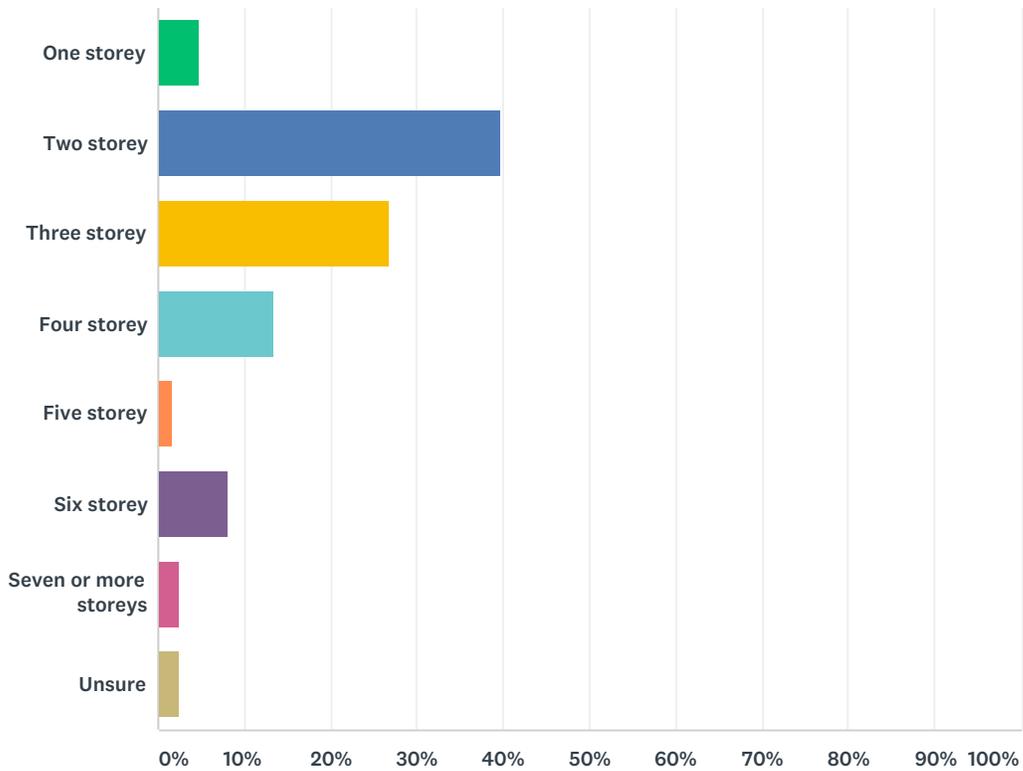
31	Happy for more high-quality (C-5 type) apartments for environmental, community and economic reasons, but the growing population will need appropriate infrastructure--in particular the Constitution Ave tramline for public transport to avoid excessive traffic congestion.	2/10/2018 1:13 PM
32	Townhouse or house 2 story or less	2/9/2018 1:25 PM
33	Unable to select more than one option above. Would also be happy with additional parking for the Campbell shops. With the increased population it has become increasingly difficult to find a car park there.	2/9/2018 11:58 AM
34	Whatever the development it should have generous parking built in	2/9/2018 11:19 AM
35	Or shop with parking	2/9/2018 9:36 AM
36	Plus residential townhouses and restaurant. Could only nominate 1 through system	2/9/2018 7:18 AM
37	Parking, shops underneath and office space above	2/8/2018 9:29 PM
38	two storey (maximum) townhouses with free parking beneath for both occupants and visitors to shops. There will be sufficient shops with the ground floor commercial of Campbell Section 5 and Constitution Avenue redeveloped.	2/8/2018 1:32 PM
39	Could not select more than one. Town houses would suit the existing style of Blamey Rd and shops / restaurants would greatly add to Campbell appeal and convenience.	2/8/2018 11:33 AM
40	Survey won't allow more than one option!	2/8/2018 8:04 AM
41	I am ambivalent. Restaurants and additional shops would be great, but high density housing is also OK.	2/7/2018 9:30 PM
42	Restaurants	2/7/2018 6:27 PM
43	restaurants	2/7/2018 1:04 PM
44	A park	2/6/2018 11:19 AM
45	Shops, offices	2/5/2018 4:43 PM
46	You can't select more than one option! Add shops and restaurants.	2/5/2018 4:34 PM
47	Low-rise residential townhouses with shops below	2/5/2018 2:04 PM
48	Take-away food outlet	2/5/2018 11:40 AM
49	Can't select more than one item!	2/5/2018 11:25 AM
50	wouldn't let me select more than one- ideally should be residential (limited) with commercial under	2/5/2018 9:12 AM
51	mixed shops/restaurants with apartments but not exceeding 4 levels	2/4/2018 8:06 PM
52	Plant some trees instead of buildings	2/4/2018 7:08 PM
53	The form did not allow me to select more than one option. Would also not mind shops, parking and even low level residential townhouses if they were in sympathy with the rest of the suburb and not too many crammed on the block	2/4/2018 5:15 PM
54	Plus parking, shops/offices, restaurants	2/4/2018 3:54 PM
55	a mixture but not apartment block	2/4/2018 12:38 PM
56	Excellent location for a suburban pub	2/4/2018 10:52 AM
57	multiple selection did not work, I would have liked to select restaurants also. I also like choice of cafes so if this option was included I would have liked to tick it	2/4/2018 10:26 AM
58	Plus parking and shops six storeys will totally change the feel of our shopping area.	2/3/2018 10:56 AM
59	Residential + shops (mixed) - OTHER: Question is malformed	2/2/2018 5:12 PM
60	2-3 story mixed shopping and residential	2/2/2018 2:35 PM
61	it's time to redevelop the old shops and replace them with higher density missed use too. it's been an eyesore for years	2/1/2018 8:32 PM
62	Including shops on ground level and underground parking if possible.	2/1/2018 7:33 PM
63	All of the above are suitable imho but the survey is broken (can't select more than 1 option)	2/1/2018 5:39 PM

## Campbell Community Survey 2018

64	I have no objection to more shops and/or residential block, but 4 storeys is too high and would negatively impact the neighbourhood. Three storeys max, preferably 2, with adequate underground parking also.	2/1/2018 2:23 PM
65	But no more than 4 storeys ie ground floor commercial plus 3	2/1/2018 2:04 PM
66	I think an apartment/townhouse would be good to boost the Campbell shops a little. A service station would also be convenient. I am just glad they are going to do something with the land.	2/1/2018 12:31 PM
67	Definitely not something of the proposed height and density	1/31/2018 9:29 PM
68	Shops and/or restaurants	1/31/2018 5:42 PM
69	shops, restaurants, service station	1/31/2018 1:25 PM
70	And more shops/restaurants	1/31/2018 1:08 PM
71	Or over 55 facilities so that locals don't get priced out of the suburb.	1/31/2018 1:04 PM
72	Honestly don't mind	1/31/2018 12:18 PM
73	And town houses and shops with adequate parking.	1/31/2018 10:12 AM
74	Three storey maximum with adequate parking for residents and some public parking	1/30/2018 7:54 PM
75	with parking space	1/30/2018 6:47 PM
76	Shops, restaurants and parking	1/30/2018 2:30 PM
77	Shops and restaurants - it's a beautiful community friendly site at the moment, let's make it even better.	1/30/2018 12:28 PM
78	With all the questions above, the size of the available block and its location need to be taken into consideration, rather than applying blanket rules. Parking and infrastructure such as drainage must be factored in. As for the question below, no. 20, the number of stories needs to take account of infrastructure and parking. And getting out of Campbell onto Parkes way roundabout is already difficult in peak hour so if you want to add more people then you must consider roads, which you never seem to do and that makes me tend to say no to new developments.	1/29/2018 10:12 PM
79	Mixed residential and retail	1/29/2018 7:23 PM
80	Shops + apartments	1/29/2018 6:55 PM
81	mixed residential and commercial	1/29/2018 5:58 PM
82	you cant select more than one option	1/29/2018 4:51 PM
83	something that will be a gathering place for community	1/29/2018 2:35 PM
84	Whatever it is shouldn't be more than 3 storeys	1/29/2018 11:50 AM
85	Restaurants and shops only.	1/28/2018 10:53 PM
86	Shared public space encouraging positive interaction. For instance, coffee shops/community garden/bars/restaurants	1/28/2018 9:06 PM
87	Shops, restaurants & perhaps townhouses if complimentary	1/28/2018 3:13 PM
88	low rise mix of shops, restaurants and residential on top.	1/28/2018 2:02 PM
89	Shops, restaurants or low rise aged care facility.	1/28/2018 10:09 AM
90	A nice pub like Edgar's at Ainslie	1/28/2018 8:12 AM

## Q20 List the MAXIMUM height you would want a building to reach at this location?

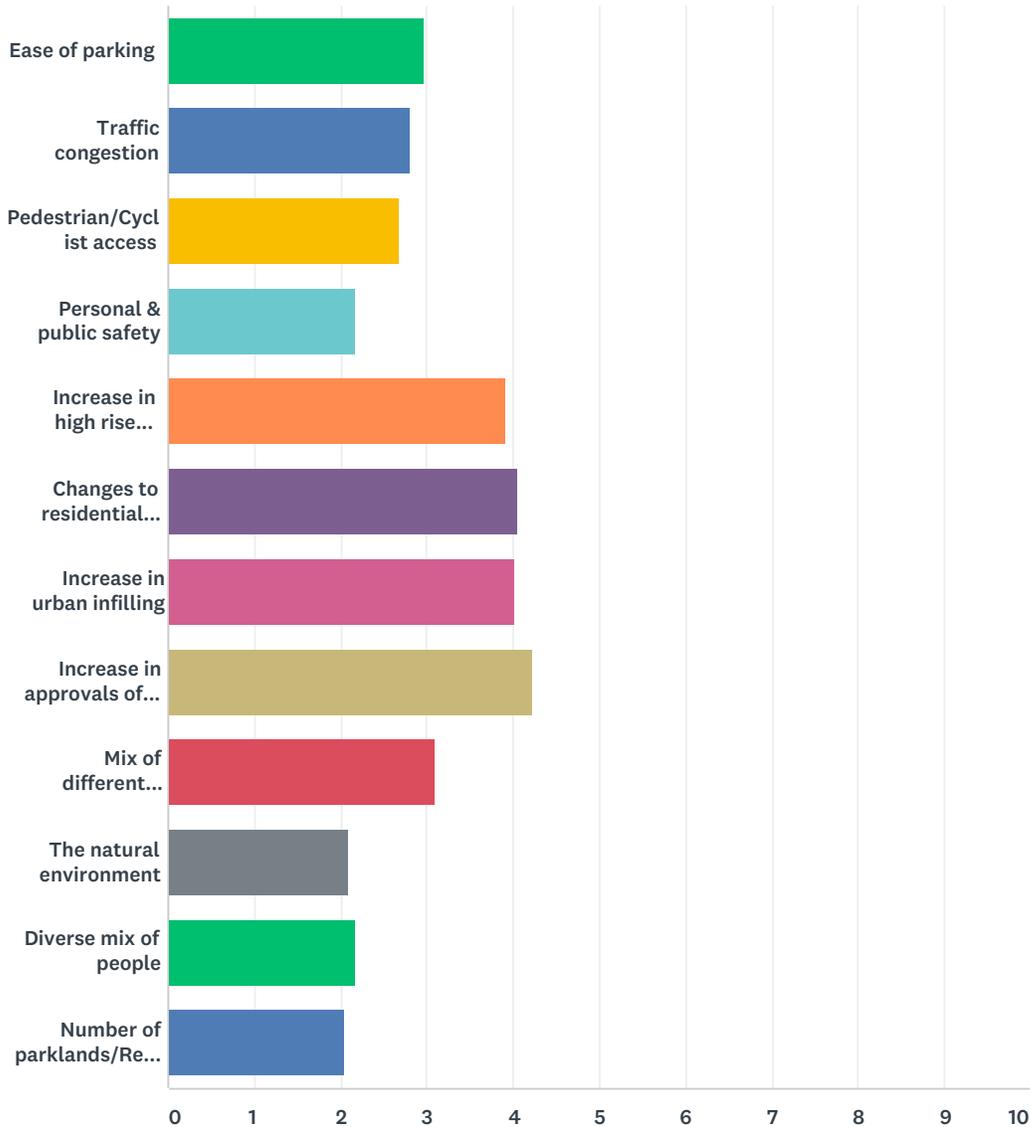
Answered: 231 Skipped: 0



ANSWER CHOICES	RESPONSES	
One storey	4.76%	11
Two storey	39.83%	92
Three storey	26.84%	62
Four storey	13.42%	31
Five storey	1.73%	4
Six storey	8.23%	19
Seven or more storeys	2.60%	6
Unsure	2.60%	6
<b>TOTAL</b>		<b>231</b>

**Q21 THE NEXT THREE QUESTIONS ARE OPTIONAL (option to answer or skip)**Please think about the Campbell neighbourhood in general. We are interested in your level of satisfaction with the following aspects of the area. For each aspect, please record your level of satisfaction.

Answered: 226 Skipped: 5



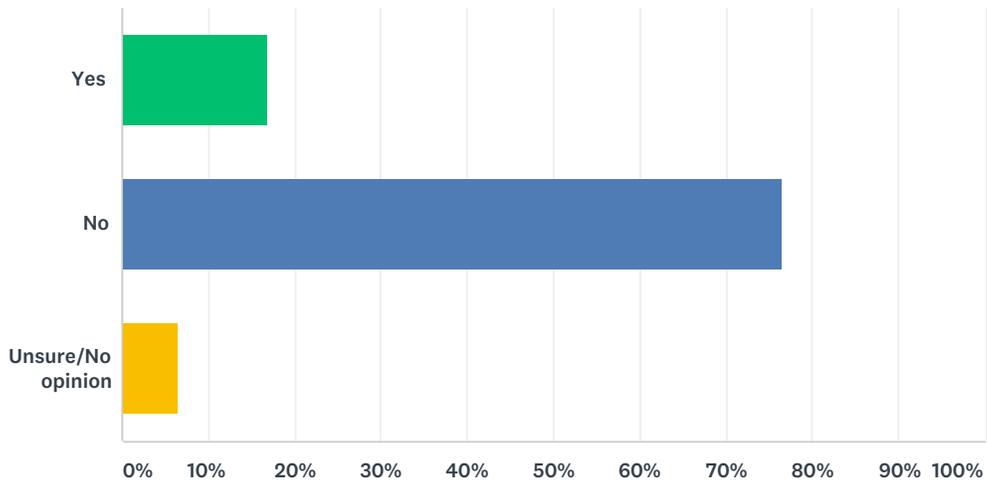
	EXTREMELY SATISFIED	VERY SATISFIED	SOMEWHAT SATISFIED	NOT VERY SATISFIED	NOT AT ALL SATISFIED	TOTAL	WEIGHTED AVERAGE
Ease of parking	8.85% 20	22.57% 51	38.94% 88	21.24% 48	8.41% 19	226	2.98
Traffic congestion	12.00% 27	27.56% 62	37.78% 85	14.22% 32	8.44% 19	225	2.80
Pedestrian/Cyclist access	12.89% 29	34.22% 77	33.33% 75	12.00% 27	7.56% 17	225	2.67

## Campbell Community Survey 2018

Personal & public safety	20.89% 47	46.67% 105	27.56% 62	3.11% 7	1.78% 4	225	2.18
Increase in high rise development	8.48% 19	6.25% 14	17.41% 39	20.54% 46	47.32% 106	224	3.92
Changes to residential zoning	7.66% 17	4.05% 9	13.06% 29	24.77% 55	50.45% 112	222	4.06
Increase in urban infilling	7.59% 17	6.70% 15	14.29% 32	19.64% 44	51.79% 116	224	4.01
Increase in approvals of multiplex (>3 dwellings)	6.67% 15	4.89% 11	9.33% 21	17.33% 39	61.78% 139	225	4.23
Mix of different housing types in the neighbourhood	10.27% 23	17.41% 39	39.29% 88	18.30% 41	14.73% 33	224	3.10
The natural environment	33.78% 76	36.89% 83	19.56% 44	5.78% 13	4.00% 9	225	2.09
Diverse mix of people	22.17% 49	43.89% 97	29.41% 65	3.17% 7	1.36% 3	221	2.18
Number of parklands/Reserves	33.33% 75	40.00% 90	19.56% 44	4.00% 9	3.11% 7	225	2.04

## Q22 Is downsizing to a smaller house something you would be considering in the next 2 years?

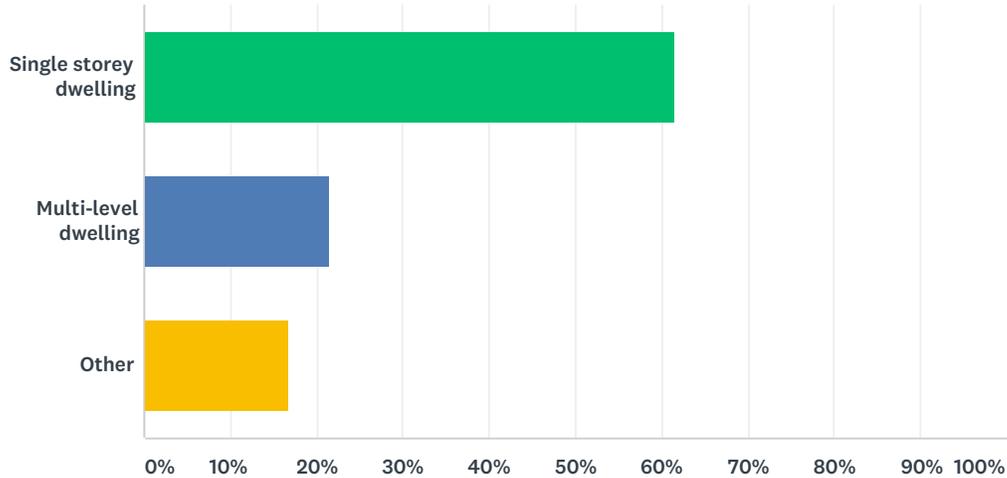
Answered: 230 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	16.96%	39
No	76.52%	176
Unsure/No opinion	6.52%	15
TOTAL		230

## Q23 If yes, what style of housing would you consider?

Answered: 125 Skipped: 106



ANSWER CHOICES	RESPONSES
Single storey dwelling	61.60% 77
Multi-level dwelling	21.60% 27
Other	16.80% 21
<b>TOTAL</b>	<b>125</b>

#	OTHER (PLEASE SPECIFY)	DATE
1	Unknown at this stage	2/16/2018 12:07 AM
2	Townhouse (preferably single storey)	2/15/2018 11:21 PM
3	N/A	2/15/2018 9:29 PM
4	I hope to remain in my home into my old age.	2/15/2018 8:44 PM
5	Townhouse	2/15/2018 8:15 PM
6	A dual occupancy or 3 on a large block after subdivision with unit titles allowing the buildings to be sold separately. Townhouse, duplex in a small development is my second choice. Maybe apartment in a very small small development with low height limit would be third choice.	2/15/2018 4:10 PM
7	Multi dwelling - private housing but communal spaces	2/14/2018 7:16 PM
8	Clearly as we age and start to consider downsizing, we will be looking for single level dwellings with small garden/courtyard	2/14/2018 12:20 AM
9	Would not consider downsizing	2/11/2018 8:43 AM
10	Tiny Home	2/7/2018 10:18 PM
11	Apartment	2/7/2018 9:06 PM
12	Apartment	2/7/2018 9:05 PM
13	2 storey max	2/7/2018 6:27 PM
14	not applicable	2/5/2018 2:19 PM
15	Have already downsized	2/5/2018 11:12 AM

## Campbell Community Survey 2018

16	We have already downsized to a single level dwelling and believe most people would do the same, certainly not to a multi-level shoebox	2/5/2018 9:12 AM
17	I said no	2/4/2018 7:08 PM
18	Not applicable	2/3/2018 7:45 PM
19	I live in a one room flat, but I would like to live in a one or two bedroom duplex or single storey home with a garden of my own. Very little of that exists here. More high rise flats only serve the greedy.	2/3/2018 3:37 PM
20	If No.	2/2/2018 5:12 PM
21	a single story dual occupancy with garden and parking	2/2/2018 2:57 PM
22	Either an apartment/townhouse or a small home.	2/1/2018 12:31 PM
23	Communal with shared facilities	2/1/2018 8:30 AM
24	not applicable	1/31/2018 11:05 PM
25	one or two storey, no body corporate just somewhat smaller with garden to allow razing in place when I get there	1/31/2018 9:29 PM
26	Possibly apartment but will to move to apartment rather than have apartments come to Campbell	1/31/2018 5:42 PM
27	not considering downsizing	1/31/2018 1:25 PM
28	My duplex is <10 sq m. The block is 417, so I am not able to put a granny flat on the land, but this is something that I think I could consider. I could then downsize on my block and my daughter could live in the main house.	1/31/2018 1:04 PM
29	Large Appartment	1/29/2018 7:21 PM
30	not moving	1/29/2018 5:58 PM
31	yes , but who are you ? why did you not include contact details on your flyer	1/29/2018 4:51 PM
32	Already live in a studio apartment.	1/28/2018 9:06 PM
33	I didn't say yes	1/28/2018 8:12 AM

Canberra Ornithologists Group  
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Jamison Centre ACT 2614  
ABN 72 534 628 789



ACT Planning System Review & Reform Project  
Environment, Planning & Sustainable Development Directorate  
ACT Government

### **Draft Territory Plan & Draft District Strategies**

The Canberra Ornithologists Group (COG) is providing some comments on the proposed planning reforms associated with the draft district strategies and the draft ACT Territory Plan.

COG is a volunteer-based community group with around 300 members whose mission includes the conservation of native birds and their habitats. COG plays an active role in advocating for protection of native vegetation/bird habitats and for the mitigation of threats to and impacts on native birds.

The comments do not cover all matters concerning the proposed changes to the Territory Plan, only those specifically relevant to COG's conservation priorities for birds.

#### **Overview**

COG considers that the proposed new approach to planning is overly compartmentalised. It is not linked to any Territory-wide strategic overview, and furthermore each district strategy is based on mapping at an unhelpfully coarse scale. This approach will not deliver the best outcomes for biodiversity conservation and ecological connectivity across the Territory or within individual districts.

The district strategies may be useful for planning urban neighbourhood and community facilities and infrastructure. However, they do not provide, or derive from, a holistic and integrated approach to environmental planning on a landscape scale. A more strategic approach to overall planning is needed to deliver improved outcomes for biodiversity conservation generally, and more specifically for threatened and declining woodland-dependent birds. Such an approach would need to explicitly reference, and incorporate, other Territory planning instruments such as the Loss of Mature Native Trees Action Plan.

COG recommends, therefore, that these proposed changes to the Territory planning system be reconsidered, and that priority areas for biodiversity conservation and habitat connectivity are identified early in the planning process and presented as a layer or overlay to the Plan. This could be in the form of a 'biodiversity conservation network' or biodiversity overlay in the Territory Plan that includes both formal reserves and off-reserve areas identified for management for conservation. There is a particular need in this process to identify rural and urban fringe land for conservation management (whether or not such areas are to be incorporated into the ACT reserve system). The

identification of areas for conservation management needs to be underpinned by evidence-based approach and needs to be applied across all district plans.

As a key part of this approach, COG considers there is a need for more detailed mapping of remnant vegetation and habitat corridors, and mapping areas of significant ecological value or where connectivity can be restored. This is required to ensure that significant areas of ecological value are protected from urban development and associated infrastructure. In addition, areas of ecological value need to be protected from urban-edge effects and the impacts of adjacent development, through functional, evidence-based buffers. Currently, however, there is only a general, 'motherhood' statement about buffers in the documentation underpinning the draft district strategies. This approach then needs to be applied consistently across the individual district strategies.

### **Mature Native Trees Protection**

The ACT Government has declared the loss of mature native trees as a threatening ecological process and has developed an Action Plan for their protection. COG supports the intent, principles and the various strategies/actions outlined in the Action Plan, but does not consider the Action Plan goes far enough to effectively protect such trees with respect to greenfield planning. The Action Plan should mandate measures to protect existing mature native trees at greenfield sites.

Also, there should be Instruments in planning legislation that mandate protection of mature native trees. In particular, early scoping and assessment of mature native trees before urban planning should be mandated in relevant planning policy and legislation. A full and proper understanding of the constraints on a greenfield site/development before any urban planning even starts is fundamental to ensuring the best outcomes for birds and other biodiversity.

- Legislative instruments, including the *Planning Act* and *Urban Forest Bill/Act*, need to state clearly the requirements for protecting mature trees at the start of any consideration of a greenfield future urban area.
- Surveys and assessments for mature native trees should be undertaken at the initial stage of greenfield site consideration, and details of the environmental and other information needs to be gathered must be specified through relevant legislation, eg in EIS scoping requirements or via enhanced Tree Survey Guidelines. Protection of mature trees has to be a pre-requisite of any future urban development.
- Mitigation measures to protection mature native trees at the EIS or DA stage is too late in the process.

### **Molonglo District Plan**

Before urbanisation, the Molonglo River valley was regarded as a biodiversity hotspot in the ACT, particularly for birds of prey. However, the Molonglo District is now considered by many community experts to be poor urban planning in a sensitive river corridor/valley, where an inadequate buffer was provided for the river reserve, and habitat connectivity was compromised.

The compartmentalised approach encouraged by these draft district plans ignores the critical east-west connectivity of the Molonglo District to the Murrumbidgee River corridor. The Western Investigation Area land (west of the Denman-Prospect boundary) is not considered in the district plan even though these areas directly abut.

As a consequence, this approach specifically ignores areas such as Bluetts Block (Stromlo Blocks 402 and 403) that are outside but adjacent to the district map, and that have direct ecological connection to adjacent areas within the district. Denman Prospect Section 1 Block 12 (within the district map) should be identified as an area of significant ecological value in the Molonglo District Plan because of

the buffer it provides to Bluetts Block, as well as for its own intrinsic values. It makes no ecological sense to consider each district independently of lands at their border, and independent of any strategic Territory overlay.

COG's view, also strongly supported by the community, is that Denman Prospect Section 1 Block 12 should be incorporated into nature reserve along with the adjacent Bluetts Block outside the district map. Those blocks are regarded as having vegetation in better condition and with more significant flora and fauna biodiversity values than some of the existing nature reserves in the Canberra Nature Park.

#### **Inner South District Plan**

The Jerrabomberra Wetlands Nature Reserve is the premier wetlands bird habitat in the ACT, with significant biodiversity values. More than 80 species of waterbirds have been recorded in the wetlands, and around 170 bird species in total have been recorded using the wetlands habitat. It is the most important habitat in the ACT for Latham's Snipe, a migratory wader protected under International and Commonwealth threatened species legislation, and also provides habitat for other bird species on Commonwealth, ACT and NSW threatened species lists. Jerrabomberra Wetlands is therefore of national importance as an important drought refuge for water-based species, and a critical seasonal habitat for threatened, migratory bird species.

There should be appropriate buffers and other measures to mitigate urban edge effects from encroaching new urban development, both from Kingston East and Dairy Road.

#### **Belconnen District Plan**

A large area of land, the Central Molonglo, north of Kama Nature Reserve (part of the Molonglo River Reserve) is shown on the district map as 'open space'. This is very misleading, and implies the area is potentially available for use for development. In 2010, the ACT Government varied the Territory Plan to permanently remove the Central Molonglo land/area from being a future urban area, recognising its environmental importance.

It is of concern that several blocks have since been ear-marked in this area for 'infrastructure'. Different locations should be found for these infrastructure proposals.

Mapping should designate the Central Molonglo area as a 'conservation managed zone', and part of a wider 'biodiversity conservation network' (see above). Conservation management principles should be applied as part of land management agreements, including for the protection and enhancement of a key breeding site and trees for the threatened Superb Parrot, and to ensure habitat connectivity (east-west) to the Molonglo and Murrumbidgee Rivers.

COG can be contacted on: [cogoffice@canberrabirds.org.au](mailto:cogoffice@canberrabirds.org.au)

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President Canberra Ornithologists Group  
27 February 2023

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To whom it may concern,

As a representative of the Royals Rugby Union club, inclusive of the Royals Junior Rugby Union and Royals Volleyball Club we make the following comments based on the draft strategic plan for Weston Creek:

- we welcome the investment in the district and the increase in density around the urban centre;
- we note the increased population and need for enhanced urban green spaces to offset the infill;
- we acknowledge the ACT Government well-being framework and commitments to support increased social cohesion, engagement and population health and we recommend government consider upgrading facilities at Rivett district oval, utilising the principles of Universal Design, to include:
  - increased lighting to enable all three fields to be used safely at night,
  - upgraded draining to minimise potential damage to the playing surface,
  - canteen facilities to support the sustainability of groups using the oval, and
  - a multi access gym that can be accessed by users of the oval and oval facilities (cricket, rugby (Seniors and Juniors), Men's Shed, etc).
- we also recommended a multipurpose indoor facility be considered that would extend the current facilities at the Hedley Beare Centre to accommodate the expansion of volleyball, basketball, table tennis and badminton in the area.

The proposals above will assist in ensuring the current and future population growth for the area is adequately accommodated for with recreational and health promoting facilities.

Thanks in advance

**JIM TAYLOR**      **PRESIDENT**

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## ClubsACT Submission - the draft district strategies and the draft new Territory Plan

On 2 March 2023, ClubsACT members met for a consultative discussion on the draft District Strategies and the draft new Territory Plan with representatives of JACS and EPSDD.

Arising in the discussions, the following specific recommendations were made and are endorsed by ClubsACT.

Clubs ACT recommends, on behalf of its members:

- that the District Strategies should provide longer term information about changed land use that is relevant to club diversification efforts. For example, where there is a known future build-up of density along major corridors and around local centres, this should be clear from the documents;
- that rather than listing all club sites in the relevant District Strategies, consider a statement in each strategy document that identifies that club sites are change sites. This would give an express recognition of clubs as subject to priority for changed land use in the Territory Plan and District Strategies;
- seek a closer connection between planning and gaming policy so that government policy about a reduced reliance on gambling revenue through diversification is coordinated more consistently and effectively;
- the definition of 'club' in planning instruments and its effect on land use and zoning to require revision through specific consultation;
- a change to the uses permitted on club land be considered. For example, most club land is CZ6 (or PRZ2). CZ6 permits short stay accommodation but not residential uses. Clubs ACT suggest that allowing residential use of this land is necessary to support their diversification efforts and Government residential densification objectives;
- the government consider a 'class' treatment of club land to allow planning controls to match government gaming policy expectations regarding diversification (similar to SEPPs in the NSW planning system);
- serious oversight to be given to the final plans to ensure that the District Strategies will not become an obstacle to club diversification through land redevelopment. ClubsACT members are concerned that land use changes outside a 5-yearly review of the District Strategies may become more difficult;
- further draft circulation of the District Strategies prior to final consideration by government; and,



- development of a consolidated strategy for club diversification, and support to navigate government processes such as through a 'clubs executive sponsor'. A singular point of entry for the industry to liaise with in their efforts to plan and prosecute development opportunities and to assist in resolving issues. This is a key recommendation of the Licensed club industry.

ClubsACT is happy to expand further on these matters and notes a commitment from EPSDD in the meeting of 2 March that these matters as raised by the industry will be given serious consideration in the finalisation of the plans.

Kind Regards

[REDACTED]



## Canberra Riding Club Pony Club

### Submission re Draft Inner North and City District Plan

The draft Inner North and City District Plan released on 1 November 2022 has flagged the Canberra Riding Club Pony Club (CRCPC) grounds as an area for 'possible change' to urban development.

CRCPC's position is that:

- I. the current purpose of our grounds as a horse riding club, as stated in our lease, remain and be reflected in the final district plan with our grounds identified as a recreational and sports facility; and
- II. the possible change area designation be removed.

(Please note that the CRCPC grounds were omitted from the areas identified in Figure 40 in the draft strategy as a recreational and sports facility).

#### Club History/Background

CRCPC is an incorporated not for profit association located for over 60 years at Block 1 Section 70 Division of Lyneham, Deposit Plan Number 5401.

Our club is an entirely volunteer-based organisation, and its purpose is to promote horse riding, horsemanship, and personal development of young riders. The club was formed in Canberra's early days and established with the commitment of the Federal Government to this site in 1959. In more recent years, our club has benefited from and appreciated the support of the ACT Government's sporting grants programs.

Since our inception we have fostered a strong community, welcoming new members, contributing to the social fabric of Canberra's inner north and being an active part of Canberra's sporting scene.

The club provides an early training ground and mentorship for young riders and their parents (often first-time horse owners). The club's current membership involves 27 riders aged between five and 25 years old and 24 parents, instructors, and volunteers. Each month members and volunteers gather for club rally days for lessons in horsemanship, riding, and horse welfare providing a cost effective and inclusive learning environment for young riders. Club members who are yet to have their own horse can try their hand at riding without a large financial investment by riding other members horses and ponies.



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Our more experienced riders compete at ACT and interstate competitions and often become instructors and judges in the broader pony club community, teaching and assisting young riders themselves. This year club members participated at local gymkhanas and events, Zone 16 Camp at Bungendore, Pony Club NSW camp and championships, Prince Philip National Mounted Games championships and the Royal Easter Show. More than 60 young riders from across the ACT and NSW region competed in CRCPC's 2022 Gymkhana.

While the club has many passionate and talented male members and riders, most riders and members are young girls and women. Many young girls and women who would not otherwise engage in organised sport benefit from the regular exercise associated with caring for and competing their horses. The environment created at the club through its buddy system and volunteer ethos creates a welcoming and safe space for girls, particularly during the preteen and teenage years which can be challenging times in their mental and physical development.

The club offers the community a cost-effective way to enjoy the many mental health benefits of horse ownership. In [Psychology Today Australia](#), the mental health benefits of caring and being around horses are listed as assisting people identifying and processing feelings, building a consistent and sustainable work ethic, building trust with others, reducing anxiety and recovery from trauma. Riders are also outside in all weather, away from their screens and taking responsibility to care for life and welfare of another living creature.

The club's leadership is also entirely comprised of women. This includes several members in their 20s and 30s occupying the roles of Senior Instructor, coaches and club administrators who have developed their leadership skills and confidence through pony club experiences in their teenage years. The growth of our female membership into leadership roles resonates with remarks by the Hon Yvette Berry Minister for Women that "the full participation of women and girls in all aspects of society is critical to the wellbeing of the whole community".

By hiring out our club grounds to other Canberra and regional equestrian sports and training providers we actively supporting Canberra's broader sporting and equestrian community. Although Equestrian Park in Yarralumla has extensive facilities it is booked almost every weekend and the hire fees are a major consideration for small clubs. Our grounds and facilities offer a safe and affordable alternative to fill this gap. Our grounds are regularly used by Southern Tablelands and ACT Working Equitation, Dilutes Australia, Australian Mounted Games Association and NSW Pony Club (which includes pony clubs in the ACT).

### **Our model of agistment is unique in the Canberra region**

There are a substantial number of agistment facilities in the ACT, however we offer a unique set of conditions not available at other facilities.

*Each agisted horse is provided with a yard. The benefits of this are*



- Horses that are prone to laminitis and founder (serious equine conditions) can be taken off the pasture
- Injured horses can be better managed
- In times of drought pressure can be taken off the paddocks with owners able to supplement the feed of their horses

*A supportive environment for riders and their families new to horse ownership*

- Experienced riders and instructors offer assistance to those newer to horse ownership to improve their horsemanship skills to aid in keeping them safe and their horses healthy.

*An environmentally sustainable pasture management system that consists of*

- active management of the paddocks using temporary electric fencing to limit overgrazing and promote carbon sequestration
- active weed management resulting in minimal infestations of Patterson's curse, St John's Wort and blackberries
- composting of manure collected from yards and putting back on the paddocks to further increase carbon in the soil and therefore water retention.

*Excellent facilities for developing skills and confidence*

- Through a combination of volunteer labour, fund raising, donations and government grants CRCPC boasts excellent facilities including a jumping arena, dressage arena, cross country jumps, a clubhouse with a kitchen, toilet blocks and two equipment sheds as well as fenced paddocks. This allows us and other equestrian organisations to run training and competition events, as well as providing facilities for our riders to receive lessons or train.

*One herd policy*

A one herd policy leads to happy, healthy horses in healthy pastures - good for horses and good for the environment. Many agistment properties offer agistment in small one-horse paddocks with no resting of these paddocks. This leads to:

- weed infested or dirt paddocks which are bad for horse health and environmental sustainability;
- poor mental health outcomes for horses – horses are herd animals and need social contact and a herd structure to stay healthy.

In summary we provide agistment that is safe and supportive for families and their riders at a relatively low cost, is environmentally sustainable, and provides an environment that is conducive for content and healthy horses. Potentially, CRCPC could provide a model for horse agistment in the ACT region and as such make an even larger contribution to reducing the ACT and the region's carbon footprint.



## Blue-green network target

The CRCPC grounds assist with meeting the Blue-green network target outlined in the draft district plans of more nature and retaining water in the city.

Retaining the CRCPC grounds current usage is consistent with the ACT Nature Conservation Strategy goal of enhancing connectivity:

*Maintaining and enhancing ecological connectivity is widely regarded as a critical element in assisting biodiversity to adapt to climate change. The Strategy will seek to enhance connectivity between native vegetation patches to allow the easier movement of species across the landscape, facilitating better access for them to additional habitat and resources. ACT Conservation Strategy p.14*

Our paddocks nearest the corner of the Barton Highway and the Federal Highway are substantially native grasslands providing connectivity between the Crace Grasslands Nature Reserve and Mt Majura and contributing to the Blue-green network big driver. Closer investigations are likely to find that this area is a remnant of critically endangered Natural Temperate Grassland once connected to the Crace reserve. We also note that while we actively manage our grounds to prevent infestations of weeds such as Patterson's Curse and St John's Wort, the Crace Grasslands and most ACT nature reserves are infested with these weeds.

Relevant to the issue of connectivity is consideration of holistic planning between adjoining districts. We note that the area of the CRCPC Thoroughbred Park precinct is in the nexus of three district plans (the other two being Gungahlin and Belconnen). We also note that nearby rural blocks in the Gungahlin district plan have also been designated for possible change, and that planning involving substantial change to EPIC and its surrounds is currently underway. How will planning be looked at holistically across the area where these district plans meet to ensure that environmental connectivity between undeveloped areas remains? Furthermore, Canberra was designed around a series of town centres with facilities such as ours located on the urban edges of these centres. How will the draft plans ensure that Canberra does not become a long sprawling urban corridor without the benefit of balanced living offered by an urban edge?

The grounds provide significant filtering of stormwater runoff filtered both through the paddocks and an ephemeral wetland which in recent times has covered about one hectare of the grounds. This ephemeral wetland captures stormwater runoff from the water bodies located on Thoroughbred Park and runoff from a 300m section of Randwick Road and the adjacent area of Crace Grasslands Nature Reserve. This water is



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filtered before entering Sullivans Creek via Yowani Golf and Bowls Club thereby helping to improve the water quality of Lake Burley Griffin.

As a natural harvesting and filtering point for stormwater the grounds support thriving frog and bird populations. There are many small birds nesting on the grounds as well as regular visits by yellow tailed black cockatoos and numerous water birds.

### **Thoroughbred Park redevelopment and proposed Territory Plan variation**

*Has Thoroughbred Park received special treatment not available to a community sporting organisation?*

We note that two options for public consultation were included in the district plan with regard to the redevelopment of the CRCPC grounds Thoroughbred Park precinct: Option A where the racetrack is retained and the surrounding area is rezoned to urban development; and Option B where the entire lease of Thoroughbred Park is rezoned to urban development and all its facilities are relocated. We also note that Thoroughbred Park has been given the option to retain the current location of its racetrack (Option A) with the ACT Government quickly shutting down debate on Option B. Why did the ACT Government include Option B if it never intended to seriously consider this option? Will the ACT Government provide the same choice for CRCPC, that is to retain our lease and remain on our current grounds? If not, why not?

While Thoroughbred Park has rejected moving the race track, email communication with Matthew Kamarul, Executive Branch Manager, Planning System Review and Reform Project, indicates that if they were considering moving Thoroughbred Park the ACT Government would need to consider the race club function and future location.

*"The site in the Draft Inner North and City District Strategy identified as Thoroughbred Park includes other areas around it, including the Canberra Riding Club Pony Club's (CRCPC) lease. These sites are shown together so that future planning of the area can be considered in a holistic and integrated way. There are two concept options proposed for consideration for this area, with reference to principles for those concepts: i) including the race course; and ii) a concept if the race course wasn't there (which would need consideration of race club function and location as part of that concept)." Matthew Kamarul, Executive Branch Manager, Planning System Review and Reform Project in email communication (11 November 2022)*



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Will the ACT Government give CRCPC the same consideration of our 'function and location', as would have been provided to Thoroughbred Park if Option B had remained open for public debate? How will the ACT Government consider our location should our grounds remain flagged as a potential change area in the final plan?

### **Impacts of retaining the designation of 'possible change area'**

Apart from the obvious impact of our grounds being developed and CRCPC losing its home, the label of possible change area means a high degree of uncertainty, and an ongoing threat of future development. The course Thoroughbred Park is currently undertaking to redevelop their grounds is not readily within CRCPC's capacity and lies outside our core business and ethos, apart from the obvious impact of leaving us homeless and the work and expense involved in relocating to new grounds. And the obvious question is where would new grounds be available anywhere nearby?

### **Suitability for new housing**

We note that the draft strategy does not identify the possible change area that includes the CRCPC grounds as an area suitable for new housing (Figure 19) presumably because it does not meet sufficient criteria as listed on p.57. How is the contradiction of identifying the CRCPC Thoroughbred Park precinct as having the "characteristics to accommodate future additional housing" (p.59) justified?

### **Concluding remarks**

In summary, the CRCPC grounds provide a unique, affordable and well-appointed facility for both its members and the ACT and surrounding region's equestrian community.

The club's current location is pivotal to riders, members and their parents being able to care for their horses and riders' learning and development. Horse ownership and riding is time consuming and without a convenient and cost-effective location, the benefits and joys of horse ownership will become harder for club members placing increasing pressure on working families to find the time and resources to support their child's horse ownership and horse-riding journey.

With the increasing pressure on the ACT Territory agistment facilities any move by the club away from its current location will increasingly mean that horse ownership, and its associated mental and physical health benefits, will be limited to those who can purchase their own property or pay for horse agistment, and riding lessons provided by for profit private entities.

A decorative graphic element at the bottom of the page, consisting of a thick, curved shape that transitions from yellow on the left to red on the right, curving upwards towards the right side of the page.

**CANBERRA RIDING CLUB PONY CLUB INC.**

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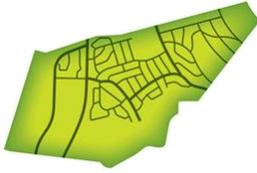


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PONY CLUB**  
CANBERRA RIDING CLUB EST 1959

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Our grounds also assist the ACT Government to meet environmental goals such as connectivity between green spaces and reserves, as well as water filtering systems contributing to water quality in nearby Sullivans Creek. As custodians of the grounds we have actively managed the grounds to enhance these environmental benefits.

The points outlined above strongly support our position that the current purpose of our grounds as a horse riding club, as stated in our lease, remain and be reflected in the final district plan with our grounds identified as a recreational and sport facility, and that the possible change area designation be removed.



## Comments on the draft Inner South Canberra District Strategy

The ACT Government has released a draft Territory Plan. The draft Territory Plan sets out a proposed statutory framework for the future development of the ACT, accompanied by six [check] District Strategies. The draft Plan is accompanied by several other documents, including District Plans and supporting documents. An objective running throughout these documents is increased intensification in residential areas.

The Deakin Residents' Association (DRA) believes that, in relation to the draft Inner South Canberra District Strategy, **urban intensification should be rejected** on economic, social, environmental, cultural and heritage grounds.

### **Urban intensification – comments on the Mecone report**

The DRA believes that there is no case for the densification proposed for the Inner South and that the Mecone report<sup>1</sup> does not justify intensification along the Stage 2B Light Rail route. It is fundamentally flawed and does not provide support for the ACT Government to change zonings or other planning controls.

We note that the Mecone report presented a base intensification case and two additional intensification scenarios (medium and high). The report says that ***the existing planning framework (the 'base case' scenario) has significant capacity for growth***, from around 13,100 to 23,800 dwellings and from 31,300 to 78,900 jobs.

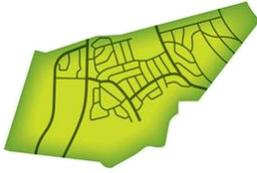
The Mecone report also stated “... ***the need for catalytic changes to the planning controls in the Study Area is not considered critical when purely considering the capacity for growth that already exists in the (planning) controls***” (Mecone p 3).

The Mecone Report:

- did not examine the merits of intensification in a 2022-23 Canberra context
  - and so is a poor piece of research
- repeated the ACT Government's unsubstantiated claim that there is an increasing demand for people to live close to jobs and services,
  - an argument that has been destroyed by the pandemic experience
- admitted that additional infrastructure would be needed to support their forecasts for intensification
  - but says this was not within the scope of their project. This infrastructure includes water, electricity, schools, opens space, etc (Mecone p 4)
- recognised that green spaces and large canopy trees are highly valued by the Curtin community (Mecone p 17)
  - but makes no similar comments in relation to Deakin or Yarralumla.
- acknowledged that Yarralumla Creek is flood prone (Mecone p 41)

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<sup>1</sup> Mecone and Atlas Urban Economics, 2021, Canberra Light Rail Stage 2B, Urban infill capability assessment. A report to the ACT Government



## *Garden Community for the Future*



- and observation that is not reflected in the reports intensification maps

In relation to the ACT Government's claim that there is "an increased demand for the workforce and community to live within a '30-minute city, with homes that are close to jobs and services", no evidence has been provided to support this a claim. In the past, the '30-minute city' objective was claimed to reduce greenhouse gas emissions from internal combustion engines. The advent of electric vehicles makes a nonsense of this argument.

The '30-minute city' also fails to consider the increased mobility of the workforce, which results in frequent changes of workplace location. This objective also fails to reflect the frequent relocation of businesses and government agencies. The workforce is not going to move residences every time one of these relocation events occurs. To do this would involve significant transaction costs.

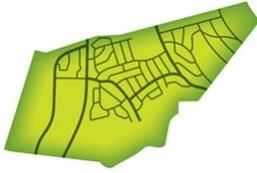
Nor does the '30 minute city' consider the dramatic change in work practice that occurred during the pandemic and which is continuing. Many people now work from home over the internet. They hold meetings on-line without attending their offices every day.

Some of the literature papers and reports supporting intensification are of poor quality, strong on un substantiated assertion and lacking hard evidence.

- Some arguments that have been used in the past are becoming outdated (e.g. Greenhouse gases emitted by cars are often cited as justifying intensification, but the advent of electric vehicles will soon make these concerns irrelevant)
- The increasing occurrence of working-from-home is not recognised, yet this cuts across the arguments about travel time and impact
- Urban heat island effects are rarely mentioned in papers advocating intensification. In suburbs like Wright, increased urban heat in summer as a result of climate change is going to be an issue
- Intensification is predicted to double the climate change costs for cities like Canberra (Troy, 2013)

Other findings from the literature include:

- Claims that higher housing density results in lower energy and water consumption are not supported by the evidence (Troy et al, 2005 & 2006). One reasons for this is that water consumption in apartment blocks is often not individually metered. As a result, there is no incentive to minimise consumption.
- Studies show that higher densities have not reduced car travel, nor have they increased the use of public transport (Mees 2009, 2013; Hall, [year])
- Higher density housing is less likely to use solar hot water or photovoltaic cells (Troy, 2013)
- Increasing density does not result in increased community engagement and there is more disputation between neighbours in higher density housing (Easthope, 2013)
- Advocates of intensification "are tone deaf" to the preferences of citizens (Cox, 2022).



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

In relation to the draft District Strategy for Inner South Canberra, we provide the detailed comments in the following sections.

The DRA considers that the frequent references in the draft Strategy to Light Rail and in particular to Stage 2B are not warranted. Stage 2B has yet to receive environmental and Commonwealth Parliamentary approval. The statements about an east-west light rail spine on page 96 is one example of the more absurd lengths that this document goes in relation to light rail.

We note that electric buses could deliver the same environmental benefits as light rail, at a fraction of the cost and without damaging national capital heritage values.

We also **doubt** that Light Rail will be an improvement to public transport and note there are currently 19 bus stop location in Deakin serving bus traffic in both directions. Light Rail will have only two to service the residential area of Deakin. We fear the bus service will be downgraded if Stage 2b is ever built.

The light rail program proposes that residents within 800 m of the stop should walk to it. We note that the footpath in Deakin are narrow, irregular and often absent altogether. There are no bikeways running through the residential part of the suburb. If there were it could encourage schoolchildren to use them.

The section in the draft Strategy on implementation pathways (page 9) is light on detail.

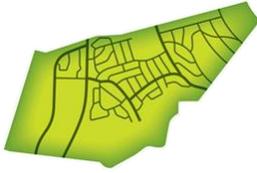
### ***Cultural and Heritage issues***

The Minister's Foreword claims that the District Strategies "will enhance and protect the defining characteristics of each district". However this is certainly not the case for what is proposed in the rest of the document.

For example, the suburb of Deakin was largely designed by the Griffins. Its layout reflects their interpretation of the Garden City concept. Deakin is one of the few Canberra suburbs where the Griffin influence can be seen. As such, Deakin is part of the Griffin heritage and should be protected from development. Its major roads - Adelaide and Melbourne Avenues, are important features of the Griffin Plan. However other roads in Deakin were not designed to carry the sort of traffic that will come about from redevelopment and intensification.

The section in the draft Strategy on future possibilities for light rail in the south Canberra (pages 96 and 97) claims that housing diversity will respect Canberra's Garden city character. We reject this claim. Light rail will do nothing for inner south Canberra's Garden City character. To suggest that installing light rail along Adelaide Avenue will make it a green boulevard and lead to better connections between Deakin and Yarralumla is fanciful.

We are opposed to turning Adelaide Avenue into another Northbourne Avenue even if it were possible. Both sides of Adelaide Avenue are occupied by embassies and schools, neither of which are likely to be replaced through intensification. To claim that intensification of Adelaide Avenue will enhance the local environment is not supported by any evidence we have seen.



## *Garden Community for the Future*



West Deakin provides office space for national organisations and embassies as well as medical facilities. Deakin itself is also home senior embassy personnel. The suburb houses significant schools.

### ***Environmental issues***

The draft Inner South Canberra Strategy claims that one of its “5 big drivers” is a “blue green network”. The document goes on to say that vegetation, nature reserves, open space, water elements and cultural heritage elements are (to be) protected and provide the setting for a city ‘in the landscape’”. This is something that the DRA fully supports. However this driver is not recognised in much of the rest of the document.

Although strategy purports to be part of a blue-green network/biodiversity corridor, bizarrely it seems to stop at Yarralumla side of Adelaide Avenue and there is no continuation of that corridor across to Deakin towards Red Hill Reserve. The only other “blue green” corridors marked in the area seem to be main roads. The ACT bird emblem, the vulnerable Gang Gang, needs every support to face the threats that challenge it. The Strategy should provide real connectivity of habitat.

Increases in density come with significant environmental costs. Apartment buildings in Canberra are excessive consumers of energy. Laundry gets dried in electric dryers. Often, windows cannot be opened to allow air flow. Apartment buildings rarely have eaves or other architectural features to limit sun and heat incursion. Very few apartment buildings in Canberra have rooftop solar energy or solar hot water. Very few apartment blocks have provision for charging electric vehicles.

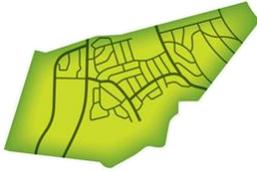
The construction of apartment buildings results in loss of tree cover. Developers in Canberra are in the habit of completely clearing sites of trees before construction commences. Landscaping plans promise minimal plantings which are not verified post construction. The result is that apartment buildings contribute to heat island effects, resulting in their increased use of air conditioning.

Urban heat island effects from intensification should now be much more in focus. Yet urban heat island effects are rarely mentioned by intensification advocates. High density urban development, with large buildings, concrete and pavement, exacerbates the problems arising from extreme summer temperatures. A CSIRO study shows that maximum summer temperatures across Canberra suburbs can vary by as much as 10 degrees. For example, Wright, where the tree cover is a mere 2.2 per cent, does not even have the space between buildings to increase the green canopy. Trees are the most important tool for reducing the heat island effect, providing shade and absorbing solar radiation. There is no way that the Government’s aspirations for a greater than 30 per cent tree cover will be achieved with increased densification.

### ***Economic issues***

The DRA believes that the proposed rezoning cannot be supported on economic grounds. There are several reasons for this.

The draft Strategy offers no details or plan for the orderly transition from what is largely single-family dwellings to a denser suburb. In the absence of such a plan, there will be a mishmash of redevelopment activity that will lead to sub-optimal outcomes. This is already happening in the



## *Garden Community for the Future*



suburb's RZ2 zone. The result will be that some existing houses will become stranded assets, surrounded by multistorey buildings but unable to be developed because of site constraints.

Many existing homes in Deakin are of comparatively recent construction. In the quest to achieve higher density, the demolition of the existing housing stock is likely to occur well before the end of its useful life. As a result, the expected economic benefits from the construction of existing housing stock will not be realised to the extent that building owners had hoped. In addition, from previous experience we know that existing residents will face increased rates as a result of redevelopment pushing up land values.

The cost of upgrading existing infrastructure to accommodate intensification is often overlooked by advocates of intensification. This can require excavations to replace storm water and sewer pipes as well as the provision of additional electric wires and substations. Upgrading these services can be very disruptive for existing residents.

Redevelopment imposes additional costs on people living in areas being redeveloped. These costs unfairly fall on individual residents, many of whom are likely to be forced out by redevelopment activity. Developers, on the other hand, will secure windfall gains from the proposed rezoning.

### ***Social issues***

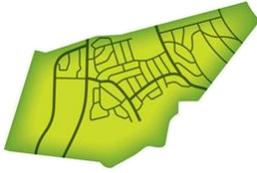
It is well known that Canberrans prefer to live in homes on individual blocks of land (ACT Govt, 2019; ISCCC, 2019-20). This is confirmed by several surveys over the last decade. There are some good reasons for this. For parents with young families, the Australian backyard offers a safe and easily supervised place for children after school. For other households, the opportunity to enjoy a garden is something that is valued.

Denser developments, on the other hand are seen as having some significant downsides:

- Canberra developers have a poor reputation in regard to the quality of construction and unwillingness to address problems.
- Bodies corporate are frequently a serious problem for owners. Disputes over modifications, maintenance, noise problems and parking. This is widely seen as a disincentive to apartment living.
- Privacy issues are also a concern for apartment dwellers.
- Securing in open parking under apartment blocks is a problem with frequent reports of vehicle break-ins

Unless the ACT Government takes measure to address these problems, apartment blocks will remain an unattractive option for Canberrans.

Transport is an important consideration in urban planning. While the objective of improving walkable access to daily necessities ((big issues 5) is welcomed, it needs to be recognised that for some in our community, this is not practical. For some, their age or their distance from shops makes this impossible. Accessible public transport is important, but expecting residents to walk 700 metres to catch light rail is ridiculous. Some parts of inner south Canberra have very few bike paths.



## Garden Community for the Future



### **Deakin local centre**

The Deakin shopping centre is important to local residents. Any redevelopment of the centre needs to recognise the particular problem posed by Duff Place, which is very narrow. The draft Strategy gives no indication as to how any redevelopment will come about or details of the time scale for this to happen.

Redevelopment would need to be agreed with the businesses in the centre and staged so as to ensure their continuity of operation.

Parking is already a difficult issue and more likely to become so if the light rail 2B stop goes ahead.

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Friday 3 March 2023

Dickson Residents Group, Inc. is a community association incorporated in the Australian Capital Territory. We have been advocating for better planning and urban design, place making, community building and meaningful heritage protections since 2010-11.

Dickson Residents Group members welcome flexible well designed sustainable solutions that address long term strategic issues, based on evidence. We welcome transparent decision making, with genuine dialogue in partnership with the community. We recognise that government and industry groups can find the process of working with communities frustrating, but believe that good planning depends on respecting and listening to people, sharing and questioning the data and underlying analysis, and rebuilding trust. We also have lived experience of major projects, administrative reviews in ACAT, mediation, master plans, and working with developers and government agencies to achieve improved results.

What we are facing now is a seismic shift in planning, that is neither well understood nor tested yet in Australia. The draft Territory Plan contains semi-authoritarian powers we have never seen before, with a raft of policies that collapse long standing community values expressed through established zone objectives, and statutory weight removed from what to date have been clear and structured legal rules in favour of ill defined outcomes. More time is needed to make sense of what is proposed, and for the community to have confidence that the outcomes that the system purports to focus on are capable of being delivered via these means.

#### *Summary*

The proposed new planning framework should, in our view, be significantly revised. In its draft form it fails to balance competing interests, encourage participation on the part of the community, or provide the basis for a fair and just society in the future.

The powers of the Legislative Assembly, elected by the population of the ACT, and of its review body the ACT Civil and Administrative Tribunal, would in our opinion be greatly diminished by the draft Planning Bill, draft new Territory Plan and draft District Strategies.

Significant changes are needed to restore confidence in the Planning Review to “deliver a planning system that is clear, easy to use and provides improved spatial and built outcomes across the Territory.”<sup>1</sup>

If the current proposal proceeds without significant changes, public trust and confidence in the ACT's assorted planning bodies and politicians will be further damaged, thereby exacerbating tensions and undermining the democratic principles that should rigorously shape and inform planning for the national capital.

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<sup>1</sup> Pages 9-10, Appendix 1, Section C, Parliamentary and governing agreement downloaded 26/02/2023  
[https://www.cmtedd.act.gov.au/\\_\\_data/assets/pdf\\_file/0003/1654077/Parliamentary-Agreement-for-the-10th-Legislative-Assembly.pdf](https://www.cmtedd.act.gov.au/__data/assets/pdf_file/0003/1654077/Parliamentary-Agreement-for-the-10th-Legislative-Assembly.pdf)

This Submission focuses briefly on the draft new Territory Plan, which consists of 22 components, and is further linked to 9 draft District Specifications, 9 draft District Strategies, 7 non-statutory Technical Specifications that would replace the current legal rules, plus a set of future design guides. The draft Inner North and City (INC) District Strategy is also examined with reference to Dickson. Without access to specialist expertise during this latest consultation phase, volunteers and community groups have had limited capacity to engage meaningfully or effectively. Their involvement at this stage is important, if what goes forward is to have legitimacy.

The draft new Territory Plan hinges on the concept that outcomes such as the ones below together with a set of policy, zoning and strategy maps should replace clear legal rules as the basis for statutory planning. A confusing range of outcomes pop up in each of the 9 draft District Policies, 9 draft District Strategies, plus the seven Zone policies. The language of outcomes uses terms that are not well defined, and can be easily argued in many ways and distorted. We are concerned that endeavouring to assess what contribution a single development might make to a general long term outcome risks opening the floodgates to an onslaught of mediocre proposals, rather than encouraging quality. The new planning authority's capacity to enforce or closely monitor outcomes is questionable.

### 1.3 Policy Outcomes

Development proposals in residential zones will be assessed having regard to the policy outcomes to be achieved for the relevant zone.

The desired policy outcomes to be achieved for residential zones are:

#### All residential zones

The desired outcomes to be achieved for all residential zones:

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.

#### RZ1 – Suburban Zone

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.

#### RZ2 – Suburban Core Zone

The fundamental desired outcome for the RZ2 zone is to facilitate development or redevelopment of sites within reasonable proximity to local services to achieve a mix of low to medium density housing.

Other important desired outcomes to be achieved in the RZ2 zone:

1. Provide for a range of housing choices where the housing is low rise and contains a mix of single dwelling and multi-unit development.
2. Provide opportunities for redevelopment by enabling a limited extent of change in density.

#### RZ3 – Urban Residential Zone

The fundamental desired outcome for the RZ3 zone is to facilitate development or redevelopment of sites to achieve medium density housing.

Other important desired outcomes to be achieved in the RZ3 zone:

1. Provide for a range of housing choices where the housing contains a mix of single dwelling and multi-unit development.
2. Provide opportunities for redevelopment by enabling changes to the residential density and original pattern of subdivision.
3. Provide opportunities for redevelopment by enabling change.

#### RZ4 – Medium Density Residential Zone

The fundamental desired outcome for the RZ4 zone is to facilitate development or redevelopment of sites to achieve a distinctively medium density housing character.

Other important desired outcomes to be achieved in the RZ4 zone:

1. Provide for a range of housing choices where the housing contains a mix of single dwelling and multi-unit development.
2. Provide opportunities for redevelopment by enabling changes to residential density and the original pattern of subdivision.
3. Provide opportunities for redevelopment by enabling change.

#### RZ5 – High Density Residential Zone

The fundamental desired outcome for the RZ5 zone is to facilitate development or redevelopment of sites to achieve high density housing and, where the development triggers the requirement for referral to the Design Review Panel, the development must be designed in a manner that demonstrates design excellence.

Note: Design excellence is demonstrated through the response to the advice provided by the Design Review Panel that the development meets the principles set out in Design Principles for the ACT, August 2019.

Other important desired outcomes to be achieved in the RZ5 zone:

1. Provide for the establishment and maintenance of residential areas where the housing is generally high density in character, particularly in areas with very good access to facilities and services and/ or frequent public transport services.
2. Provide for a range of housing choices where multi-unit developments, typically of a larger scale, are provided for a range of dwelling types.
3. Provide opportunities for redevelopment by enabling changes to the original pattern of subdivision.
4. Provide opportunities for redevelopment by enabling change.

The draft new Territory Plan includes draft District *Policies* that correspond to each of the draft District *Strategies*, and is very different both in content and structure from what currently exists. We welcome the simplified 'user guide' that acts as the front end and appreciate that a lot of work has gone into this Review already. The rationale for sweeping clear legal rules into the Technical Specifications and making what are currently mandatory rules (such as plot ratios, height limits, and maximum number of storeys) optional, even though they control how land values work, seems to us misguided. Appeal rights, in our opinion, would be much more difficult to exercise and the Tribunal's role would be largely erased under this new regime. The system proposed appears to be a giant unjustified swing of the pendulum, facilitating development while sidelining the community from here onward.

The draft INC District Strategy is loaded with unnecessary motherhood statements (rather than concrete examples of proposed changes 'in action') and is in our view heavily focused on the city centre with little or no attention given to quality design outside of that. Ultimately, we find the draft superficial and misleading. Despite running to 156 pages (of which the first 84 are virtually identical in each other district strategy) and articulating a very appealing Vision, we contend it fails to:

- capture the “special character” of the Inner North and City 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
- 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
- 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 of the profit incentives to do 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.

Infrastructure in the Inner North is typically over 60 years old and decaying. Maintenance is inevitably costly, as is wholesale replacement, so sensitive urban infill is needed that recognises the constraints of older roads and networks and important heritage layers, exploring opportunities cooperatively. Yet the draft INC District Strategy is silent as to who will pay for what or how that will be managed. For example, in NSW developer contributions fund new social and physical infrastructure that is planned for with community input about future needs – why is that not being considered here?

The transect analysis appears peculiarly arbitrary, and diagrams in the draft INC District Strategy appear to have been hastily thrown together. Obscure diagrams such as Figure 39 attached (Source: p115) have required de-coding by overlaying with a street map and referring to terms defined in appendices. The “Dickson node” that will make up the northern gateway to the city (corner of Northbourne and Antill) warrants much greater attention to quality design outcomes than appears in any of the documentation.

It was disappointing to discover that streets in Dickson that currently contain a mix of medium density and low rise dwellings near Blue Gum School appear to be slated for six storey high-density housing. There has been no consultation with the immediately affected community, and according to the Legend on p116 these streets possess the characteristics of an “urban centre” but the existing shopping centre doesn’t. Furthermore, the draft District Policy contains a detailed plan to carve up west Dickson (Figure 19 attached, Source: p36), that to our knowledge hasn’t been shown publicly before yet has major traffic implications.

We call on the Directorate’s planning team, the Planning Minister and elected members of the 10<sup>th</sup> Legislative Assembly to put the brakes on passage of this new legislation, and insist that a comprehensive review of the planning system as a whole be carried out in good faith - taking into account practicalities, examining the particular strengths and weaknesses of the ACT system, ensuring balance and public confidence in the long term.

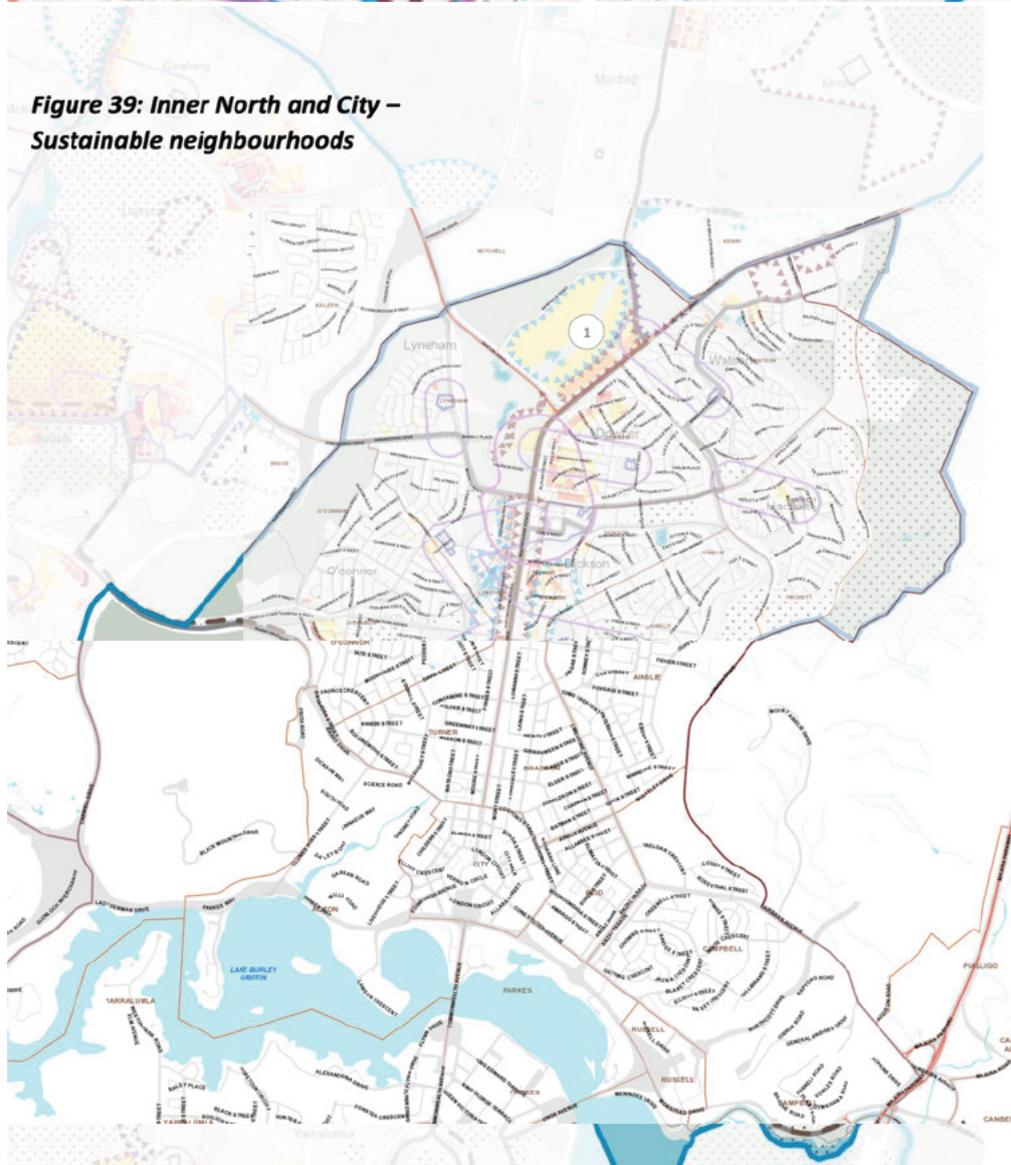
[REDACTED]

**Figure 19 (Inner North)**





**Figure 39: Inner North and City – Sustainable neighbourhoods**



## **Territory Plan Consultation 2023**

Sustainability is the greatest challenge facing our cities today, and planning must meet this challenge. The biodiversity in and around cities must be preserved, since many species there are endangered. This will make cities more liveable and maintain man's connection with nature. This connection is necessary for people to understand the problems facing our environment, and to become involved in their solution.

Recent housing developments have had too little green space between houses and near watercourses, and vacant land owned by the ACT government has become overgrown with weeds. This shows that biodiversity values and open space need to get higher priority in the ACT. There are many good words in the draft Territory plan, but recent developments suggest that the government doesn't really understand them.

To overcome car dependence, and meet climate goals, road networks must be designed so that buses can run through suburbs without going around in circles. Current bus routes are mostly too circuitous and infrequent to attract people from their cars. Once this has been achieved, and car use reduced to a sustainable level, main roads and car parks can be reduced in size, and part of their land can be returned to nature.

The Territory Plan refers to the importance of "Rapid Transit", but there are no public transport services in the ACT that qualify for that name: even light rail is not rapid, and this will limit patronage when the network extends throughout the length of the ACT. Other technologies will need to be considered as Canberra grows, and options kept open for them.

To promote walking and cycling, work places and shops must be located close to homes, with more, smaller activity centres. Growth of shops and work places in Civic and the inner city should be limited.

Urban infill currently means filling inner suburban open spaces with residential buildings. These spaces are needed to restore urban biodiversity, and to provide recreational space for the increased population. Instead, infill needs to be vertical (but not high-rise), so that open space and permeable areas are not decreased by development. Planting area should be at least 50%, to ensure that there is adequate green space for residents, and the rules for medium density need to be revised to make it more environment and people friendly.

Unprotected areas of endangered ecological communities (mainly woodland, Grassland), and other sites of well-preserved bushland, should become nature reserves or parks. Biodiversity corridors should be established and shown on the territory plan.

Since Ginninderry and Ginninderra Falls are to be incorporated in the ACT, they should be included provisionally in the territory plan.

New urban areas adjoining the ACT, such as Jerrabomberra, should be included in ACT planning, because they generate traffic in the ACT, access jobs here, use the same water supply, and affect movements of wildlife into and out of the ACT.

Planning needs to include an assessment of the sustainability of water and other resources needed for a growing city.

Urban and Housing Design Guides should be made available during plan consultation.

**Belconnen District**

West Belconnen will need more employment centres, and light rail will need to be extended further west than Belconnen. West and North Belconnen will also need more public open space: the CSIRO land should provide some of this. Its development should be included in the draft Territory Plan, or at least the provision of open space therein. The adequacy of the Ginninderra Conservation Corridor should be assessed in light of the increased population in West Belconnen.

Mt Rogers area should become a Nature Park.

Kippax playing fields should be retained as open space. The shopping centre can be expanded by building on the car parks, with parking underneath.

Lake Ginninderra East and West should remain as open space, since this area serves suburbs to the west with a shortage of large parkland areas.

[REDACTED]

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# Submission on Molonglo Valley District Strategy

Greater Canberra, March 2023

## About Greater Canberra

Greater Canberra is a community organisation advocating for sensible planning reform to enable a more affordable, liveable and sustainable Canberra. This submission was drafted with the input of Greater Canberra members who live in the Molonglo Valley. Any questions about the submission should be directed to [REDACTED]

## Summary

In this submission, we outline our recommendations with regard to the Molonglo Valley District Strategy. In general, we are concerned that the District Strategies as drafted lack sufficient detail or explanation of their goals to provide guidance on the future of the areas they are intended to design. While these strategies identify multiple areas of potential housing growth, they provide very few clear timeframes on when the proposed future investigation areas will be developed or how the additional dwelling will be included.

With regard to this district strategy, we specifically recommend:

1. Implementing zoning reform to support housing supply in the district
2. Plan for strong population growth
3. Beginning reclassification of the Molonglo Group Centre to Town Centre now
4. Focusing development around the new Town Centre
5. Supporting stronger public transport links through future planning

## Recommendations

### 1 - Implement zoning reform to support housing supply in the district

Greater Canberra is a signatory and strong supporter of the [Missing Middle Canberra](#) open letter, which draws together a range of Canberra organisations to support sensible planning reform. The letter notes that Canberra currently faces a dual housing crisis: an affordability crisis, which is exacerbated by a severe shortage of both private and social housing, especially in our most in-demand suburbs; and a climate crisis, which is exacerbated by our current sprawling suburban form, which leads to increased greenfield development and increased transport emissions.

We, along with our co-signatories, have drafted this letter due to our deep concern that Canberra's current planning policies severely stifle the development of medium density housing, and so are deeply inadequate to meet the demands of these crises. As such, the letter calls for the following policies to be implemented in the new Territory Plan:

- Legalise more private, public, and community-owned duplexes, terrace-houses, and townhouses by upzoning current RZ1 areas to the RZ2 standard, and allow this low-impact housing to be subject to similar streamlined development approval requirements as existing detached homes.
- Rejuvenate local centres and allow for more terrace-housing and low-rise apartment buildings, by upzoning current RZ2 areas to the RZ3 standard.
- Reform the CZ4 local centre zone to more easily allow for apartments above local shops, increasing the height limit to at least three storeys, while reserving ground floor space for commercial use.
- Enable more sustainable housing designs and reduced housing costs for the increasing number of Canberra families who don't own a car, or only own one car, by reducing mandatory parking requirements to 1 car space per home, across all residential zones.

These reforms would make a significant impact to our city's ability to tackle our housing and climate crises, and should be implemented as a priority, and integrated into the assessments conducted as part of this and other District Strategies.

## 2 - Plan for strong population growth

We note the strong divergence between the final population planned for in the draft District Strategy (55,000), and the ACT Treasury's recent population forecasts, which project up to 86,000 residents in Molonglo by 2060. We strongly recommend the ACT Government plan for future population growth now, rather than being caught by surprise. This should include a strong pipeline of active and public transport infrastructure projects, support for key services, such as schools and child care, centred around the Molonglo Centre, and zoning changes to ensure sufficient areas enable urban infill, mixed-use, and medium-density housing.

## 3 - Begin reclassification from Group to Town Centre now

Noting the strong population growth that has occurred over the past few years in the Molonglo Valley, and the continued increases in population forecasts that have occurred since the creation of this draft Strategy, we strongly encourage the ACT Government to consider reclassifying the Molonglo Centre from Group to Town Centre now, rather than at an unspecified future date. Creating a vibrant, attractive, walkable and transit-connected hub at the centre of Molonglo Valley is key to making the area less car-dependent and more sustainable, and to enabling future additional urban infill as the suburb matures. This change will also create certainty for local businesses and stimulate economic activity in the area.

### 4 - Focus new development around the new Town Centre

In light of the aforementioned population pressures, additional population in the Molonglo Valley should be concentrated in the soon-to-be Town Centre, close to shops, services, community facilities and transport links. This should involve increasing height limits in the areas around the centre, along with developing a practical mixed-use design guide to ensure new residential development in the centre is co-located with great facilities and amenities that are useful and attractive to the community.

### 5 - Support stronger public transport links through future planning

Connecting denser development in the Molonglo Valley to high-capacity public transport routes will be essential to reduce carbon emissions and manage traffic flows as the area grows. In light of this, we strongly recommend that the final plan include increased specificity around future transport connections. In the short to medium term, this should involve rapid bus routes, with dedicated lanes and prioritisation where needed, from Woden to Belconnen via Weston Creek and Molonglo, and from Molonglo to City. In the longer term, this should include light rail from Molonglo to City and Molonglo to Woden via Weston Creek. We strongly encourage a 'future-proofing' approach be taken to new road development in the area to ensure light rail and higher-capacity bus routes can be expanded in future with minimal expense.

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# Submission on Weston Creek District Strategy

Greater Canberra, March 2023

## About Greater Canberra

Greater Canberra is a community organisation advocating for sensible planning reform to enable a more affordable, liveable and sustainable Canberra. This submission was drafted with the input of Greater Canberra members who live in Weston Creek. Any questions about the submission should be directed to [REDACTED]

## Summary

In this submission, we outline our recommendations with regard to the Weston Creek District Strategy. In general, we are concerned that the District Strategies as drafted lack sufficient detail or explanation of their goals to provide guidance on the future of the areas they are intended to design. While these strategies identify multiple areas of potential housing growth, they provide no clear timeframes on when the proposed future investigation areas will be developed or how the additional dwelling will be included.

With regard to this district strategy, we specifically recommend:

1. Implementing zoning reform to support housing supply in the district
2. Better documenting and enhancing blue-green connections
3. Planning for stronger economic development
4. Enhancing public transport connections for new housing development
5. Develop more diverse housing options
6. Allow for additional housing near the Weston Creek group centre

## Recommendations

### 1 - Implement zoning reform to support housing supply in the district

Greater Canberra is a signatory and strong supporter of the [Missing Middle Canberra](#) open letter, which draws together a range of Canberra organisations to support sensible planning reform. The letter notes that Canberra currently faces a dual housing crisis: an affordability crisis, which is exacerbated by a severe shortage of both private and social housing, especially in our most in-demand suburbs; and a climate crisis, which is exacerbated by our current sprawling suburban form, which leads to increased greenfield development and increased transport emissions.

We, along with our co-signatories, have drafted this letter due to our deep concern that Canberra's current planning policies severely stifle the development of medium density housing, and so are deeply inadequate to meet the demands of these crises. As such, the letter calls for the following policies to be implemented in the new Territory Plan:

- Legalise more private, public, and community-owned duplexes, terrace-houses, and townhouses by upzoning current RZ1 areas to the RZ2 standard, and allow this low-impact housing to be subject to similar streamlined development approval requirements as existing detached homes.
- Rejuvenate local centres and allow for more terrace-housing and low-rise apartment buildings, by upzoning current RZ2 areas to the RZ3 standard.
- Reform the CZ4 local centre zone to more easily allow for apartments above local shops, increasing the height limit to at least three storeys, while reserving ground floor space for commercial use.
- Enable more sustainable housing designs and reduced housing costs for the increasing number of Canberra families who don't own a car, or only own one car, by reducing mandatory parking requirements to 1 car space per home, across all residential zones.

These reforms would make a significant impact to our city's ability to tackle our housing and climate crises, and should be implemented as a priority, and integrated into the assessments conducted as part of this and other District Strategies.

## 2 - Better documenting and enhancing blue-green connections

The extent of Weston Creek's blue-green network is larger than indicated by the map in the district strategy (many existing urban space green links are not shown in the network). These spaces are highly valued by Weston Creek residents, and their retention and improvement will be key to retaining natural amenity with additional infill development.

**Recommendation:** Expand the extent of the documented blue-green network, and commit to improving these spaces across the district, especially where additional development is likely.

## 3 - Planning for stronger economic development

Most of the small businesses in Weston Creek are service businesses serving the immediate Weston Creek community. Some also cater to Molonglo Valley residents, as that district currently has limited available commercial sites. As more businesses eventually develop in Molonglo Valley, businesses in Weston Creek will lose customers, potentially putting their viability at risk. To grow Weston Creek's predominantly service oriented small businesses, Weston Creek will require more residents, especially living in close proximity to local centres and the group centre.

**Recommendation:** Plan for additional residents in Weston Creek, which will underpin the customer base of its local service businesses and allow them to grow, even as patronage from Molonglo residents fall.

### 4 - Enhanced public transport connections

Weston Creek is reasonably well serviced by its rapid bus connection to the city, however it lacks rapid links to other major centres, most critically Woden. While the Draft Strategy flags potentially expanding the rapid network to link Weston Creek to other parts of the city in the future, it is difficult to imagine future governments prioritising these links given the very weak population growth planned for the area.

**Recommendation:** Plan for additional residents in Weston Creek in proximity to the rapid network to support higher public transport frequencies and additional links to other parts of Canberra.

The Strategy also does not sufficiently integrate new housing with transport corridors. Despite identifying Hindmarsh Drive as a future part of the rapid transport network, it identifies very little of the corridor as a future investigation area.

**Recommendation:** Commit to a route and likely stop placement for future rapid transport routes through Weston Creek, and plan for additional housing along these routes.

### 5 - Develop more diverse housing options

Weston Creek is well suited to development of more, and more diverse housing. It has good transport connections to other parts of Canberra, high natural amenity, and strong access to employment community facilities. Its existing housing mix is dominated by single detached dwellings, the highest proportion of any district (82%). Most of these dwellings are on large blocks, are nearing the end of their useful lives, and will need to be replaced in the coming decades. This presents an excellent opportunity for replacement with more dense dwelling types. Weston Creek also has a higher proportion of retirees than any other district (21%), and while many older residents have a strong connection to Weston Creek, there are limited housing options available to suit older people (newer, accessible, low maintenance, energy efficient).

Despite these opportunities, the Draft Strategy does not plan for sufficient new and diverse housing in Weston Creek. Far too little of the district is identified as suitable for additional housing. Large areas of existing housing in close proximity to the group centre (especially to the south and east) has been excluded from the future investigation areas. Large areas of Stirling and Rivett close to the group centre have been assessed as low suitability for new housing, with little clarity over why this is the case. It is also unclear why the area surrounding the Rivett Local Centre has not been identified as a future investigation area, while this is the case for all other Local Centres in Weston Creek.

The Strategy identifies potential infill housing demand of only 1,300 dwellings for Weston Creek through to 2063, which is too low, and is unlikely to support the population growth necessary to achieve the Strategy's Key Directions on public transport and small business.

**Recommendation:** Plan for more new housing by expanding the area subject to future infill investigation.

### 6 - Allow for additional housing near the Weston Group Centre

The draft Strategy also does not sufficiently identify opportunities for new housing within the Weston Group Centre. The Group Centre contains large amounts of surface parking, and significant numbers of older, low rise commercial buildings. It also has high amenity, as it is adjacent to parklands and densely treed open space to the east and west. This may make some locations highly suitable for redevelopment as mixed residential and commercial (similar to redevelopment of other Canberra group centres, such as Dickson).

**Recommendation:** Plan and zone for additional housing near the Weston Creek group centre.



**SUBMISSION ON DRAFT TERRITORY PLAN AND INNER SOUTH DISTRICT STRATEGY**

**1. OVERVIEW AND KEY RECOMMENDATIONS**

***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. Major surgery is needed to fix the problems.

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

1. 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.

2. The Government must show it evaluates and learns from the outcomes of past initiatives, including by:

- A. Evaluating the Mr Fluffy program which allowed for dual occupancies to be built on Mr Fluffy blocks bigger than 700 sq metres to learn lessons before any expansion of this model across Canberra.
- B. Evaluating the success of RZ2 zoning in providing medium density housing. The ISCCC notes that the Draft Inner South District Strategy's City-wide Implementation Pathways refer to such an evaluation being undertaken in the short term.



***Must provide greater clarity and certainty in decision-making on Development Applications (DAs)***

- It is proposed to drop most current rules, and replace them with vague outcome measures. The draft Territory Plan relies too much on subjective assessment. Desired outcomes in the Territory Plan can mean very different and frequently conflicting things to different members of the community.
3. The Territory Plan must incorporate tighter definitions of desired outcomes, based on verifiable evidence and objective measures of compliance.
  4. Appeal and review rights will be crucial under the new arrangements. The appeal rights of third-party 'interested entities' should be made explicit in the new Planning Bill. Where decisions are based on outcome measures, then internal review arrangements should be available, to improve consistency in decision-making.
    - The proposed arrangements not only give ACTPLA wide discretion to decide on DAs, but also to change, as they see fit, the specifications for 'deemed to satisfy' assessments, and other assessment requirements. This ignores the Legislative Assembly's oversight role.
  5. All mandatory DA assessment requirements must be included in the Territory Plan, to enable Assembly and community oversight. This includes the Technical Specifications, and any mandatory elements of the Design Guides and other supporting material.
  6. Additional key mandatory 'Assessment Requirements' must be adopted covering the current Living Infrastructure provisions, and measures that protect the amenity of existing (and future) residents, including providing solar access, privacy and protection of the character of heritage precincts.
  7. The Living Infrastructure provisions must not be watered down in the new arrangements and must include the current requirement for single dwelling large blocks of 30% minimum planting area, rather than the proposed, without any explanation, of 24%.
  8. The proposed development assessment system should comply with nationally agreed benchmarks, such as the 'Development Assessment Forum' (DAF)'s 'A Leading Practice Model for Development Assessment in Australia'. Currently, it does not.
  9. Any proposed changes to mandatory requirements in the Territory Plan are to 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.

10. The ISCCC recommends 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 have not been discussed.

11. 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.

12. The assessment requirements where a DA is not required are not yet available. A period of at least four weeks for public comment should be allowed when they become available. As these requirements will be mandatory, they must be included in the Territory Plan.

13. If DA exempt knockdown/rebuild developments do continue, notification of the development to adjoining leaseholders should take place, without conferring objection rights, indicating how the development meets the requirements residents identified in our 2019-20 survey that are important to them (see Introduction of this Submission).

14. An explicit requirement that DAs involving protected trees are to be referred to the Conservator is to be included as a mandatory Assessment Requirement in the Territory Plan (or as an amendment to the Planning Bill). Decision makers who decline to follow the Conservator's recommendation(s) should be required to give reasons for their decision.

15. An explicit requirement that DAs involving heritage matters are to be referred to the Heritage Unit and Heritage Council is to be included as a mandatory Assessment Requirement in the Territory Plan (or as an amendment to the Planning Bill).

16. The process of referral and scrutiny of development proposals involving heritage matters requires urgent review.

17. The current Heritage rules must be maintained, and all development must respect the built heritage, streetscape and character of heritage precincts.

18. Property-buyers should be asked to sign a declaration that they are aware of heritage rules and will respect them.

19. It is also very important that traditional custodians of the land be consulted about cultural heritage that needs to be taken into account in the Draft Territory Plan and Inner South District Strategy.

#### **DRAFT INNER SOUTH DISTRICT STRATEGY**

20. There must be a more rigorous methodology for projecting population increases in the ACT and hence the number of additional dwellings required annually, and where.

21. It is not clear how specific areas for future consideration or significant increases in density have been selected. The rationale for the selection of specific areas for potential higher density should be spelt out, either in the Strategy or supporting documentation.

- Given the lack of clear explanation and rationale for the identified 'Investigation Areas' and 'Urban Character Types', the ISCCC cannot endorse the Inner South District Strategy in its current form.

22. Instead of random upzoning 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 to meet the needs of current and future generations.

23. 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 that residents are not going to be listened to.

24. The Strategy should aim to achieve the goals, and follow the principles set out by the Planning Institute of Australia to serve as a guide for the preparation of Local Strategic Plans. In the ISCCC's view, the current Draft strategy does not achieve this.

### ***Inner South District Strategy-Specific Comments***

25. The Inner South Canberra Community Council's "Inner South Canberra District Planning Strategy - Future Directions for our District - 2021" is a comprehensive, locally-sensitive District Strategy. This should be drawn on more comprehensively in revising the Draft Strategy for the Inner South.

26. 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 proposed 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.

27. The proposed District Strategy needs to better acknowledge and manage 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.

- The ISCCC supports the proposed initiative in the Blue Green network to protect and enhance the Jerrabomberra Wetlands Reserve, and the Jerrabomberra Creek corridor.

28. The identified primary and secondary liveable blue-green network does not fully capture the biodiversity network in the Inner South, and needs more work.

29. The need for public housing to be included in new developments is important in the Inner South. For example, this should be included in the list of principles for planning East Lake.

30. Oaks Estate must be included in the Inner South District Strategy, not in the East Canberra District Strategy as currently proposed.

31. Greater consideration needs to be given to the future of the Canberra Railway Station in Kingston (the Strategy states in error on page 88 that it is in Fyshwick).

32. More work needs to be done to identify ways of improving transport access by either making it easier for people to get around by car, by public transport or by active travel<sup>1</sup>.

### ***The Process from here***

33. 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.

34. 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.

35. A structured, ongoing forum to address strategic planning issues on a whole of A.C.T. basis would provide community, industry and expert input into the ACT Planning Strategy, and provide a framework for the development of District Strategies. The current Environment and Planning Forum does not meet this need.

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<sup>1</sup> The Discussion Paper is misleading when it says on page 88 that "The Inner South is currently serviced by rapid bus routes..." They just serve some inner south suburbs. No rapid buses serve Yarralumla, Deakin, Forrest or Red Hill. Oaks Estate has been trying to secure a direct bus service to Canberra for many decades.

## 2. INTRODUCTION

The Inner South Canberra Community Council is the peak body of inner south residents' groups, and its Objects are:

- To protect and enhance the amenity and environmental well-being of Inner South Canberra residents and the broader community.
- To engage, inform, listen to, and represent Inner South Canberra residents, including the vulnerable.
- To actively promote communication and cooperation among residents, local community groups and other stakeholders.
- To contribute to high quality, sustainable planning and design of Inner South Canberra.

The ISCCC's online survey of 555 residents in 2019/20 found that what they value most about their Inner South suburbs is:

- Streetscape (street trees, vegetation, gardens, width of streets) - 71%
- Open spaces (parks, ovals and bushland for recreation) – 69%
- Character (well planned, peaceful, safe, community feeling) – 62%
- Environment (reserves, trees, vegetation, wildlife, flora and fauna) – 60%.

Also, 85% of respondents said that they wanted to have a say on what is built next door or nearby. In particular, they wanted a say on impacts on their access to sunlight and natural light (83%), building height (75%), zoning changes (70%), the amount of green space on the block (64%), and protection of the character of the heritage precincts (59%)<sup>2</sup>.

The Government's aims for the new planning system are to deliver a planning system that is clear, easy to use and that facilitates the long-term growth and development of Canberra while maintaining its valued character.

Based on information now available, the ISCCC's view is that the new planning system will not achieve that aim, and will not provide certainty in relation to what inner south residents most value about where they live. It is not clear; it is not easy to use, it removes both Assembly and community oversight of key decision making rules and, based on the experience to date with the Inner South District Strategy, the Government has simply not demonstrated interest in genuine collaborative community engagement.

To be implemented successfully, the government's urban infill policies will require a high quality, open, and consistent planning architecture to navigate and respond to the often conflicting views on appropriate development. This is particularly important in the context of climate change, and where a 'business as usual

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<sup>2</sup> <https://www.isccc.org.au/final-report-on-isccc-online-community-survey-2019-20> accessed 2 March 2023

' approach to development is no longer viable. Trust in the system will be crucial. The new planning system as currently proposed is not fit for purpose.

### **3. TERRITORY PLAN**

#### ***Deregulation of Residential Development***

The key change in the move to an 'outcomes focussed' approach is to drop most current rules from the Territory Plan.

A few rules remain. For example, for RZ1 and RZ2, site coverage, density and minimum block sizes and number of storeys are retained. Other rules have been removed to a document titled 'Technical Specifications, November 2022'. These cover, for example, setbacks, private open space, solar access, heritage, tree planting, privacy, parking.

The Technical Specifications document does not form part of the Territory Plan, and, to be approved, a development does not have to be assessed against them. Rather *'Where a proposed development complies with a relevant provision in the technical specifications and the technical specification comprehensively addresses the outcome, further assessment regarding those specific provisions will not be required' (TP partD4)*

A problem with this 'deemed to satisfy' approach is that the Technical Specifications document is not part of the Territory Plan. It can be amended by ACTPLA without reference to the Assembly (or indeed anyone.)

This means that ACTPLA can change the basis by which a DA is deemed to comply, and will certainly be under pressure from industry to water down the specifications.

The Planning Bill 2022 provides that:

*the Territory Plan may be supported by background material, guides, advisory notes or anything else (the supporting material) that the territory planning authority considers will help readers to understand and apply the Territory Plan.*

Planning Bill S49 (2)

To use 'supporting material' as a basis for decision making on Development Applications is dubious, and may raise 'error of law' issues. To remove any doubt, if it is desired to have the Technical Specifications operate on a deemed to satisfy basis, then they should be included in the Territory Plan, to ensure Assembly oversight. Also, the Planning Bill must explicitly allow for this use.

### ***Case study: Variation 369 Living Infrastructure***

Variation 369 to the existing Territory Plan came into effect on 1 September 2022, and introduced new rules covering minimum levels of private open space and planting areas, and minimum levels of tree plantings across developments in residential RZ zones. These rules have been incorporated into the relevant codes (Single Dwelling, Multi Unit) in the current Territory Plan.

Other than an unexplained reduction in the minimum planting area for single dwelling large blocks (from 30% under V369 to 24% in the document) the private open space, planting area, number of trees and tree sizes specified in V369 have been carried over into the Technical Specifications.

(It is not clear why the reduction for single dwelling large blocks was made; no justification has been provided, and given the level of consultation around V369, this measure should be pushed back up to 30%).

However, there is a fundamental difference between current V369 arrangements and the equivalent provisions in the Technical Specifications, irrespective of the above marginal change:

- Current arrangements require developments be consistent with the relevant code in the Territory Plan, and assessment against the code's rules and criteria. Under the proposed arrangements, assessment will be against broad outcome criteria
- The Technical Specifications will not form part of the Territory Plan, and, to be approved, a development will not have to be assessed against them. Rather, it is proposed that the Technical Specifications can be used on a 'deemed to satisfy' basis if a proponent chooses to do so.

Basically, a development will not have to comply with the content of V369 unless the developer chooses to do so. As a consequence, it is not clear how the Government will succeed in delivering the promised 30 percent tree canopy cover and other vegetation needed to prevent the heat island effect and ensure the resilience of people and other species in the face of climate change.

### ***Decision Making***

Under the Planning Bill, a decision on a DA must consider, inter alia, 'any applicable desired outcome in the territory plan.'

As supporting documentation indicates

*the focus for development assessment is clearly on the impacts and outcomes of a development, rather than a compliance approach.*

On the face of it, focussing on desired policy outcomes has logic, by bringing broader considerations to bear.

However under this approach, the quality of the outcome measures is crucial. Unfortunately, all of the many 'outcome statements' are qualitative, broad in nature and not measurable. Their interpretation when applied to decision making on a specific DA therefore involves subjective judgement.

For example, desired outcomes for the RZ1 zone include:

- 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.*

Statements such as these are not a good basis for consistent, transparent decision-making. The use of broader, qualitative outcome criteria gives ACTPLA enormous discretion in assessing development applications.

It may be hard to win an appeal against approvals, as this will involve assessing competing subjective judgements regarding these diffuse concepts, rather than more specific assessment of whether a rule has been complied with or not.

Over time, court rulings may provide some clarification, but court appeals are only likely from proponents appealing against rejection of a DA.

It would appear that the Government realises that there is a problem with using such vague, subjective criteria as a basis for assessing DAs. It is proposed to introduce Design Guides to provide clarity:

*The new design guides are fundamental instruments to support an outcome-based approach to the assessment of development proposals.*

It is not clear what this means. It does not help that the Design Guides are currently not available. However, if the Guides do move from simple guidance to imposing mandatory conditions this is a significant step, as the Guides are not part of the Territory Plan and can be written by ACTPLA as they see fit.

Any such mandatory conditions must be in the Territory Plan, to provide Assembly oversight. Again, any use of guidance materials as assessment requirements raises probable 'error of law' issues.

The Development Assessment Forum's 'A Leading Practice Model for Development Assessment in Australia', is a nationally agreed benchmark document. It indicates, regarding assessment criteria:

*Converting policies into clear assessment criteria ensures that decisions consistently achieve policy objectives and that development applications are assessed against relevant criteria. Technically excellent criteria are based on appropriate, relevant, verifiable evidence and lead to objective tests of compliance.*

(A leading practice model for Development Assessment in Australia, Development Assessment Forum, 2005)

This approach needs to be adopted in the proposed Territory Plan; desired outcomes need to be objective and measurable. This will require a reworking of many of the currently proposed subjective outcome measures.

A simple example of an objective, measurable 'desired outcome' would be that any development has to preserve the solar access of neighbouring properties. 'Solar access' is easily defined (certain hours of access in midwinter, etc). How the proposed development achieved this would be up to the proponent, rather than, as currently, conforming to rules about setback, building bulk. Such an approach would provide flexibility for innovation, while preserving a desired outcome of solar access.

Unless the currently proposed outcome measures are reworked, the new arrangements will fail their stated objectives to deliver a planning system that is clear, easy to use and that facilitates the long-term growth and development of Canberra while maintaining its valued character. Instead, it will generate complexity, conflict between new developments and existing residents, greater use of appeals and the courts, and uncertainty for both the community and industry.

Appeal and review rights will be crucial under the new arrangements. The appeal rights of third-party 'interested entities' should be made explicit in the new Planning Act. Where decisions are based on outcome measures, then internal review arrangements should be available, to improve consistency in decision-making.

In some instances it may not be possible to articulate an objective outcome measure. For example, the current Living Infrastructure measures have outcomes relating to canopy cover after 20 years. Due to this time lag, it is impossible to articulate as an outcome that can be assessed at the time of application, and so such measures need to be expressed as rules governing tree planting and open space. In the current context, this would mean adding these rules to the mandatory 'Assessment Requirements' in the proposed Territory Plan.

Also, some measures, such as privacy, solar access and protection of the character of heritage precincts may be seen as so sensitive and likely to generate conflict that they should be made mandatory Assessment Requirements.

If the outcome measures are not reworked to be made more objective and measurable, then it would be necessary to incorporate additional Assessment Requirements into the Territory Plan.

### ***DA exempt developments***

The assessment requirements where a DA is not required are not yet available. A period of at least four weeks for public comment should be allowed when they become available. As these requirements will be mandatory, they must be included in the Territory Plan. Given their significance, they cannot be left to ACTPLA to draft as they see fit.

There is little confidence now that private certifiers are applying the appropriate rules. If it is proposed that outcome measures are used as criteria for DA exempt developments, then this would be unworkable, with a likely total lack of consistency between private certifiers. If such criteria are used, DAs should be required.

Nearby development without notification is a major source of disquiet among residents. Residents have demanded a say on neighbouring knockdown rebuilds (in response to the ISCCC's online survey in 2019/20). The proposed Territory Plan does not provide residents with an opportunity to comment on knockdown rebuilds next door or nearby.

If DA exempt knockdown/rebuild developments do continue, notification of the development to adjoining leaseholders should take place, without conferring objection rights, indicating how the development meets the requirements residents identified in our 2019-20 survey that are important to them (see Section 2, Introduction, of this Submission)

### ***Heritage***

The definition of heritage covers built, cultural and natural heritage.

It is very important that traditional custodians of the land be consulted about cultural heritage. Cultural heritage, in this context, must be taken into account in the Draft Territory Plan and Inner South District Strategy.

The challenge is to protect heritage, in its widest sense, in the context of the government's wish to intensify urban consolidation.

The preservation of the streetscape and character of identified heritage precincts is highly valued by the community.

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.

An explicit requirement that DAs involving heritage matters are to be referred to the Heritage Council, via the Heritage Unit, is to be included as a mandatory Assessment Requirement in the Territory Plan (or as an amendment in the Planning Bill).

The Heritage Act, which is to be reviewed, must not be subordinate to the proposed Planning Act. The future of the ACT's heritage is dependent on the interaction of these two Acts in particular.

## **4. DRAFT INNER SOUTH DISTRICT STRATEGY**

### **4. DRAFT INNER SOUTH DISTRICT STRATEGY**

#### ***The current Draft Strategy***

The ISCCC supports the concept of District Strategies.

However, the way the draft Inner South District Strategy was developed, that is, by ACTPLA following often haphazard consultation, has generated considerable community disquiet. It is not clear how specific areas for future consideration or significant increases in density have been selected. It seems as though this has been mainly a 'desk top' process with little 'on the ground' understanding of what exists currently in many of the highlighted areas. Given the lack of clear explanation and rationale many residents feel that the 'Investigation Areas' and 'Urban Character Types' shown on the related maps are a fait accompli. This has not been helpful, and hardly generated confidence in the district planning process.

By way of example, a stretch of Adelaide Avenue occupied by Embassies is marked as a possible change area. There are apparently random proposed high-density locations dotted around Red Hill, and in particular one above Nelson Park in the middle of The Parks development. There was extensive community and developer negotiation over several years to come up with the final product in The Parks development and now it appears that the agreed position may be reviewed.

Further community examination of the Strategy was made difficult by the lack of high resolution versions of key maps, (Fig 31 and Fig 36), with these only being made available on 15 February, after the ISCCC and Yarralumla/Deakin public forums, even though they were requested by the ISCCC in late November 2022<sup>3</sup>. There is a concern that, down the track, the contents of the Draft Strategy will be used as a justification for specific approvals, with assumed community acquiescence.

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<sup>3</sup> <https://the-riotact.com/community-being-kept-in-dark-on-district-strategies-says-council-chair/633085>, accessed 3 March 2023

There is also concern about the proposed outer boundaries of the Inner South District. Oaks Estate residents have expressed the view that their suburb is already a forgotten part of Canberra, that it has significant heritage sites and value to wider Canberra, and that it should come under the Inner South District Strategy rather than the East Canberra District Strategy.

The identified primary and secondary liveable blue-green network needs more work. For example, a “secondary” blue-green network between Newman and Gunn Streets in Yarralumla, where a breeding pair of endangered Gang Gang cockatoos was sighted recently, stops abruptly at Adelaide Avenue. The only secondary “blue-green” connections shown on the map at Fig 32 through Deakin to Red Hill Reserve are Adelaide Avenue and Hopetoun Circuit, both main roads.

Given all of the above, the ISCCC cannot endorse the Inner South District Strategy in its current form.

The ISCCC’s *“Inner South Canberra District Planning Strategy - Future Directions for our District - 2021”*<sup>4</sup> is a locally-sensitive District Strategy and should be drawn on more comprehensively in revising the Draft Strategy for the Inner South.

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 that residents are not going to be listened to.

### ***District Strategy-Community Forum Comments***

The ISCCC and member community organizations conducted a series of community forums and meetings on the Strategy that were attended by over 300 people. For example, the record of issues raised at the ISCCC ‘s public forum on 7 February is attached. It is also available at <https://www.isccc.org.au/record-of-public-forum-7-february-2023>. The record of the Yarralumla and Deakin Residents’ Association public forum on 14 February is at: <https://www.yarralumlaresidents.org.au/latest-news/show/79>.

The key recommendations arising from these meetings and other feedback from residents, informed by detailed analysis of the draft Territory Plan and District Strategy, are set out in the Overview section of this Submission.

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<sup>4</sup> <https://www.isccc.org.au/isccc/wp-content/uploads/Inner-South-Canberra-District-Planning-Strategy-ISCCC-2021.pdf> accessed 2 March 2022.

### ***Strategic Planning-Best Practice***

The Planning Institute of Australia has established goals and principles of local strategic planning. These are set out below; these should be adopted to guide further development of the Strategy.

*‘the goals of local strategic planning are to protect significant aspects of the local natural and built environment, guide the efficient and effective use and distribution of scarce resources at a local level and also guide the delivery of key infrastructure for the benefit of the local communities.*

[Planning Institute of Australia NSW Policy Statement July 2012 Local Strategic Planning’].

In the ISCCC’s view, the current Draft strategy does not achieve these goals. Its development should reflect the following, drawn from the Planning Institute of Australia’s principles to serve as a guide for the preparation of Local Strategic Plans:

- a) Must be evidence based;
- b) Must take into consideration the views of all stakeholders and those likely to be affected;
- c) Must identify the criteria for making decisions that involve choosing between different strategy outcomes and reconciling the choices;
- d) Must take into account higher order policies or strategies such as International and Federal planning policies;
- e) Must acknowledge that circumstances may change and strategies need to adapt over time;
- f) Must be explicit about responsibilities and accountability for implementation;
- g) Must be holistic rather than focused on one issue;
- h) Must identify how the strategy will be delivered, funded and monitored;
- i) Must address sustainability, equity and feasibility.

## **5. THE PROCESS FROM HERE**

### ***Next Steps***

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, and before the Strategy is itself finalised.

## ***ACT Planning Strategy***

There are many competing views on how to best approach development across Canberra in the years ahead, taking into account the Government's policies on urban consolidation, Living Infrastructure, Climate Change, housing access and affordability, transport and other infrastructure.

These views range from rejection of the need for further infill, to proposals to 'upzone' existing zones across Canberra. Meanwhile, Canberra is building the largest houses in the world (265 square meters), which would appear even more wasteful on a per occupant basis.

A structured, ongoing forum to address these issues on a whole of A.C.T. basis would provide community, industry and expert input into the ACT Planning Strategy, and provide a framework for the development of District Strategies. The current Environment and Planning Forum does not meet this need, as it often spends too much time providing information and not enough on collaboration to consider and come up with options for dealing with strategic planning issues.

**RECORD OF ISCCC PUBLIC FORUM 7 FEBRUARY 2023:**

**KEY CONCLUSIONS**

Overall attendees were dissatisfied with the current Territory Plan, proposed Territory Plan and district strategy and with the process of consultation. The Chair summarised the following key conclusions:

- There is a lack of information provided by the ACT Government including good quality maps to help the community provide feedback.
- Community groups can't be expected to have meaningful input into policy when they don't have accurate and detailed information that informs them of the impact of what's being proposed. The ISCCC can say this isn't acceptable and argue that the date for submissions should start from when we are given proper information.
- There is no evidence of putting the Community first.
- Ask for the rationale underpinning the proposed zoning (eg General Urban, Urban Centre, Urban Core)
- If we are to have an outcomes-based system, it needs to be measurable. What is proposed isn't. There is a need to have compliance irrespective of the system.
- The need for a right of appeal was emphasised.
- There needs to be more focus on heritage and how that is dealt with in the Territory Plan and district strategy. The importance of maintaining heritage, including built heritage and cultural heritage and not just environmental heritage was emphasised.
- There is the need to design for climate change and at the moment it doesn't seem to be designed that way, both in terms of things like green space on blocks and EV charging in apartment buildings etc.
- The need for public housing to be included in new developments is important in the Inner South.
- People expect certainty about what can be built next to them or nearby. Clear rules are needed for knock down, rebuilds.
- People want clear guidance so that they know that they are not going to lose their solar access and that there's going to be adequate green space on residential blocks and near urban intensification areas.
- The future of the Canberra Railway station needs to be examined.
- The need to protect the Jerrabomberra Wetlands is critical.
- Improve transport access by either making it easier for people to get around by car or by public transport.
- Advocate for the inclusion of Oaks Estate as part of the Inner South District strategy.
- Advocate for maintaining the requirement for green space on residential blocks at 30%. We should advocate to ensure that we have the protection of the streetscape

and the look and feel as people move around the heritage areas of the Inner South generally.

- Residents feel disempowered and that they're not going to be listened to. The process seems to be being done in such a way that the Government is ticking the box that it has carried out community consultation, but the Government knows what it wants to do.
- It is important to work cooperatively with the Heritage Unit, in consultation with the Heritage Council, in order to uphold the current clear heritage rules. Proactive steps to improve property buyers' awareness of heritage areas and the guidance provided by the ACT Heritage Register would assist in this regard.
- Send the government the ISCCC's draft District Strategy again.
- When approvals are done, they need to be done in a reasonable time frame. Explore what can be done to address other barriers within the system to speed up appropriate precinct scale development to meet the needs of current and future generations.

### **Reports from Breakout Groups**

#### ***Griffith and Narrabundah – Group 1***

- The rapid transit bus routes need to go through all the shopping centres, but especially Red Hill and they need to have greater consultation with the community and bus users in developing timetables and plotting routes.
- Further development is increasing the heat island.
- The new territory plan must be objective, must be measurable. There needs to be a right of appeal, it needs to be transparent, evidence based, it needs to have a level of compliance, it needs to be assessable, it needs to have a community focus and it has to be designed for the change in climate.
- There is a need to ensure that heritage is maintained across the Inner South.
- The group does not want to see further expansion of RZ 2 areas and wants RZ 1 to remain in its current form with its current definitions.
- The group doesn't want any 'yellow' urban infill in Griffith. It is considered that Griffith has already given a lot of urban infill.
- Old Narrabundah urban infill needs to comply with urban design for climate change.
- New developments must include public housing.
- The group raises the questions "How will the ACT government transparently measure community consultation? How will we know that we have been heard? What weight will be given to the government's draft legislation and how will this occur? How will they give feedback to the community?"
- The ACT government needs to use the ISCCC's Inner South District plan for planning matters and neighbours must be able to have a say on knock down rebuilds.
- Non complying certifiers must be held accountable.

#### ***Griffith and Narrabundah-Group 2***

- If the government wants comments on this, they need to produce maps which people can read and understand. The diagrams are very vague.

- The new plan seems to totally ignore concerns that people have about the existing plan, for example about knock down/ rebuilds.
- If there are no planning rules that are incorporated in the plan and legally enforceable, it's just a waste of time. It will be a free-for-all creating planning free zones.
- The question was raised “How do we influence the government?” It seems to be that there is no way to genuinely influence the government.
- The new plan seems to ignore climate change. There's no requirement for passive solar orientation in any new developments. There is weak support for more trees, but less than hoped and less than was in the draft legislation. There are no requirements for solar panels, or electric car recharging points etc.

### ***Kingston and Barton***

- Focused on particular issues in Kingston and Barton.
- The future of the Canberra Railway Station is very critical to sensible planning in the whole East Lake urban renewal area. It is not something that seems to be given any priority at the moment.
- Another specific issue is planning for EV charging, particularly for apartment buildings. It is understood that the government is going to give some subsidies, possibly starting this year, for individual apartment buildings to provide charging facilities. But there are all sorts of questions about this in practice. Is there enough electricity supply to the area to satisfy what could be a pretty major increasing demand? Where are the charging facilities to be placed? The apartment buildings aren't designed to cope with these for general use.
- Open Space is an issue of concern. If Kingston and Barton are to grow substantially in population, there is going to be a need for more open space.
- There is a need to protect Jerrabomberra Wetlands as a major metropolitan scale resource.
- Improving vehicle access to the area is necessary if there is going to be more development in the area. Roads are already under much strain. There are no specific provisions in the draft strategy. What is planned, for example, for the intersection of Canberra Avenue and Majura Parkway, which is a complete mess at the moment?
- There will be a substantial need for new and improved access roads for East Lake. There is nothing in the draft strategy about that.
- There are questions around the removal of the causeway substation. This is related to the broader issues around the East Lake development. There is concern about where the new underground cables are going to go and what impact that will have on the Jerrabomberra Wetlands.
- The government is reducing the number of car spaces available in buildings. There is a need for improved public transport in the urban renewal areas.

### ***Red Hill***

- There is difficulty with the time allowed to provide comments. The 3 March deadline is very early given the community was only asked in November 2022.

- The government is not providing full information for consultation. The maps are tiny. How can they be used and interpreted? Ministers should be upfront explaining these things and addressing community needs.
  - If the overriding guidance is community, it has been overlooked.
  - The community includes the future community who would perhaps be the younger generation who would like more residences and the group is respectful of that.
  - At the same time, liveable suburbs require good quality built environment and green open space. We need to be respectful of nature and heritage. The government has not addressed community concerns on this matter.
- There is a need for genuine First Nations consultation.
- The public green space and the private green spaces all contribute to that green space. The dual occupancies reduce that private green space opportunity. Could we rethink the Government's proposed reduction from 30% to 24% planting area on residential blocks and argue that that's not compatible with the climate change issues that we're facing?
  - Car park requirements in Red Hill are an issue. The Red Hill shops are already full.
  - There are random proposed high density hot spots in the Government's Sustainable Neighbourhoods map (Fig 36 in Draft District Strategy). There is a high-density blob above Nelson Park.
  - The setback 'promises' were not kept in the Parks development.
  - The community is the whole of Canberra. How can these blocks be randomly selected? What is the formula? Who is making decisions?
  - The group wants an "evening out" (balancing out) of areas/blocks for high density.
  - It appears that developers can now make their own rules.
  - There is a concern about the infill increasing noise levels.
  - The Parks Development comprises 3% land with 20% residences. The colours on the Government's available maps spread the high-density opportunities.

### ***Oaks Estate***

- Oaks Estate residents want to be part of the Inner South District.
- Oaks Estate is already a forgotten part of Canberra.
- Oaks Estate has significant heritage sites and should be valued as part of the wider Canberra community.
  - There was no consultation at the consultation workshop RMC. It was a sales pitch only.
- Residents of Oaks Estate call for access to free bulk billing medical practices and walk-ins.

### ***Deakin, Forrest and Yarralumla***

- The hallmark of this process is that it is developer driven and to increase income for the ACT Government, it's not community driven.
- There is a total lack of readable maps to be used to make reasonable comment. The maps are not sufficiently detailed at the street level. People can't understand what these maps mean for them and can't have a sensible debate.
- There is no rationale for the areas identified as urban core, urban centre and general urban. What are the criteria?

- What does investigation area mean in practice and when are we likely to get clarity on this.
- The community has no faith in ACTPLA to make decisions in the interests of the community.
- There is a need for more detailed requirements for development to reduce the level of discretion for ACTPLA.
- Technical requirements should not be outside the plan. They need to go into the legislation and be measurable and transparent especially on the controversial area of knock down and rebuilds.
- Solar access is critical to a liveable house.
- When approvals are done, they need to be done in a reasonable time frame.
- The maps don't show what is already happening in all the various zones and where there is already overdevelopment or existing facilities.
- It was noted that in heritage areas a residence cannot be varied but can be pulled down.
- There is a real concern that government is acting as if the new plan is already in place with the current decisions being taken on developments outside the rules.
- There is a great demand for townhouses rather than high-rise. Preference was expressed that developments outside RZ 1, should be for townhouses and not high-rise developments.
- Residents feel that the government is not listening.

### ***Heritage***

- The challenge is to protect heritage in the context of the government's wish to intensify.
- The definition of heritage does cover the built environment. Heritage is not solely environmental. However, the view is that the documentation relates principally to environmental heritage. The group feels very strongly that built heritage is an extremely important part of heritage.
- The heritage register and its future needs to be carefully considered, in light of recent developments in heritage precincts.
- The current heritage rules, in the group's opinion, are excellent. They're clear, professional, and comprehensive. The current rules, elucidated in the individual entries in the ACT Heritage Register, should be maintained.
- In addition to proper oversight of the current heritage rules, the group favours the preservation of the streetscape and character of the heritage precincts. The most important element of heritage areas is the streetscape and the character of these precincts as one moves around them.
- Retaining a proper permeable surface minimum ratio is an essential part of the character of these precincts.
- Improving buyer awareness of heritage areas amicably is a high priority.
- There is a plea for a helpful, sympathetic heritage unit, with the oversight of the Heritage Council, to work amicably and promptly with buyers.

## SUBMISSION TO THE PLANNING SYSTEM REVIEW AND REFORM PROJECT – TUGGERANONG DISTRICT STRATEGY

We are making this submission on behalf of the community volunteer group, the Minders of Tuggeranong Homestead (MOTH).

The group is appalled at the apparent disregard shown in the plans to the special status of the Homestead. Of particular concern is the map entitled “infill areas in Bonython, Isabella Plains, Calwell, and Richardson” which acknowledges the Homestead and its environs as “a place of interest” but also encases it in blue triangles as “a possible change area”, and more disturbingly, linked to development of the Calwell shopping area.

The Homestead is a valuable asset which contributes to the cultural and historical aspects of the Territory in many ways.

### Aboriginal

- early settlers recorded a corroboree ground on the site
- three trees with Aboriginal scarring have been nominated for listing on the A.C.T Register of Significant trees, and two have been nominated for the ACT Heritage Register as Murrumbeeja Red Gums
- the Tuggeranong creek and wetland was a source of water and food.
- axe-grinding grooves have been found on a nearby hill.

### Historical

- it's the site of very early colonisation in the Territory; in 1827 James Murdoch was granted 2,000 acres by Governor Brisbane
- a rare convict built timber and stone barn and stables remains in use
- 14 exotic trees over 100 years old with links to the various pioneer families, have been nominated for the Register of Significant trees
- C.E.W. Bean and his team writing the official history of WW1 lived at the Homestead for 5 years during the 1920's
- in 1981 the site was included on the Register of the National Estate
- in 1993 the site was given heritage status by the A.C.T. Heritage Council with the citation including “ machinery shed, barns and stables, schoolroom, shearers and maids quarters” and features such as “ the Bean era cricket pitch” and “ historic trees” confirming occupancy for approximately 168 years.
- a collection of some 15 historic horse drawn agricultural implements

## Environmental

- the Homestead is already shown elsewhere in your plans as part of the “blue-green” network to repair and maintain watercourses and preserve and develop urban green spaces in Tuggeranong Valley.
- Under the ACT Healthy Waterways program, plans have already been drawn up to divert water from the concrete canal on the North side of the property into the old creek line and back into the canal, in order to construct a settlement pond to help alleviate the blue-green algae problem downstream in Lake Tuggeranong
- 40 years ago five plantations of several hundred mixed Eucalypts were planted by government along the Northern property line as both habitat belt and wind break
- the 31 hectares of remnant grassy box woodland provides a “breathing space” for surrounding suburban residences and traffic routes

## Community, Cultural and Economic

- for over 30 years many social events have been enjoyed by members of the local and wider Canberra community such as High School end of year functions, weddings, birthday celebrations, public service and private company conferences,
- each year book launches occur, often connected with Australian history, there are events as part of Heritage week, school student tours and annual events such as the C.E.W. Bean Memorial lecture
- the Homestead is an on-going business with economic returns to government and with its many social and cultural events a source of employment for local people.

We believe the Homestead meets several of the “big drivers and initiatives” criteria set down by Government in this planning reform process. We would hope to see much greater recognition given to its special status, and certainly not lumped in with Calwell shops, as the draft plans are brought to finality.

Yours sincerely

[Redacted signature]

[Redacted name]

[Redacted address]

[Redacted signature]

[Redacted name]

[Redacted address]

To  
Territory Plan Unit  
Environment, Planning and Sustainable Development Directorate  
480 Northbourne Avenue  
Dickson ACT 2602

Date  
03.03.2023

Subject  
Submission regarding the draft new Territory Plan and draft District Strategies

[REDACTED]

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[REDACTED]

### About Molonglo

Molonglo is a Canberra-based property developer delivering both commercial and residential developments. We also operate in Melbourne and Greece. In Canberra, we own several commercial zoned sites. We see ourselves as long term custodians of our sites and continue to invest in placemaking activities to improve the experience of our properties for the general public as well as our tenants.

Molonglo is currently 5 years into a 15 year redevelopment of our property at 1 Dairy Road, Fyshwick (Dairy Road). In April 2021, Dairy Road was rezoned from IZ1 General Industrial to CZ3 Services. In December 2022, the Dairy Road Estate Development Plan was approved (DA202240586). The will support a mix of uses including commercial, light industrial, residential, creative and cultural activity. Most recently, Molonglo submitted a DA for the residential component of Dairy Road, known as the Residential Neighbourhood (DA202341403) and a Lease Variation (DA202341419) to introduce additional commercial uses and increase the permitted gross floor area consistent with the Estate Development Plan.

### Executive Summary

Our submission identifies 4 key recommendations to improve the new Territory Plan:

1. Part 1.5 of District Specification DS4: Inner South **must be amended** as follows: "Some portions of this locality are subject to special requirements under the National Capital Plan"
2. Assessment Outcome 34 of the Commercial Zones Policy **is redundant and must be removed**. The requirement for a noise management plan as this matter is appropriately and equitably dealt with under Assessment Outcome 27 of the Commercial Zones Policy. The requirement for an air quality assessment and odour management plan can be combined in Assessment Outcome 33.
3. Outcome 35 of the Commercial Zones Policy **must be amended** to apply to a "subdivision design application" which is the correct replacement term for an estate development plan.
4. The Commercial Zones Policy **must be substantially amended** to clarify actual intended outcomes for each Assessment Outcome.

### Preamble

The new Territory Plan includes four 'tiers' to be addressed in a development application:

1. **Policy outcomes**. These are desired outcomes to be achieved, regardless of the means by which the outcome is achieved. Policy outcomes typically relate to zones (where they replace zone objectives), but may also relate to districts.
2. **Assessment requirements**. These are the mandatory development controls within a specific zone or for specific development types. They are essentially the new 'rules'.
3. **Assessment outcomes**. These are mandatory outcomes to be achieved, regardless of the means by which the outcome is achieved. Assessment outcomes typically relate to the zones. They are essentially the new 'criteria'.
4. **Technical specifications**. These are discretionary controls that suggest a possible solution that supports compliance for the particular issue or provision. Technical specifications have been

MOLONGLO

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designed to achieve the assessment outcomes, but are not the only means by which to achieve those outcomes.

In addition, District Strategies and Zone Policies also employ Development Compliance Provisions, which notes that complying with the relevant Technical Specifications is a simple way of achieving the preferred Assessment Outcomes. It is understood that as the Provisions involve Technical Specifications, they are clearly only one way to achieve a suitable development outcome, albeit likely the safest route to take. Technical Specifications are referred to as “reference or benchmarks”, but no indication is given as to acceptable tolerances, if these have even been considered by the planning authority at all.

Molongo’s key concern is with the assessment outcomes contained in the district and zone policies. These are poorly drafted and vague statements that fail to provide sufficient guidance for the proponent as to the acceptable level of information expected by an assessment officer. The vagueness of so many of the assessment outcomes will likely expose proponents to lengthy delays as a result of requests for further information during assessment. This is especially concerning considering the increased power of the planning authority to request (and publish) information under section 163 of the Planning Bill 2022, and the observed decrease in skills of assessing offers over the years.

## Criticisms

### District Specification DS4: Inner South

#### 1.5 Fyshwick

This part of DS4 applies to the Dairy Road site (Dairy Road mixed use area). It states that “some portions of this locality are “designated land” under the National Capital Plan”. This is incorrect. Figure 12 of the National Capital Plan identifies Designated Areas (the term “designated land” is a misnomer). The Dairy Road site is not located within a Designated Area. Part of the site is subject to special conditions of the National Capital Plan as it is within 200m of an Approach Route (the Monaro Highway) and has direct frontage to the Approach Route (see Part 4.24 of the Plan).

**Recommendation 1:** Part 1.5 of District Specification DS4: Inner South **must be amended to correct errors** as follows: “Some portions of this locality are subject to special requirements under the National Capital Plan”

### PART D4: Inner South District Policy

#### Assessment Outcome 33: Air quality assessment and Assessment Outcome 34: Noise and odour - internal sources

Outcomes 33 and 34 have been copied verbatim from Rule 11 and Rule 12 of the current Fyshwick Precinct Code. This is a poor planning outcome and lazy policy drafting by the authority. Residential Use is already proposed for the Dairy Road site, evidenced by the approval of the Dairy Road Estate Development Plan (DA202240586) and the lodgement of the proposed Residential Neighbourhood (DA202341403) and Dairy Road Lease Variation (DA202341419). The issue of perceived and site specific air quality and odour management issues should be managed through the assessment process for these specific applications.

Regarding noise, a noise management plan was endorsed by the EPA as part of the approved Estate Development Plan (refer to Notice of Decision Condition 10). This report concludes that the current Rule 23 of the Commercial Zones Development Code is suitable to manage future potential noise at Dairy Road. Rule 23 remains in the New Territory Plan at Assessment Outcome 27 of the Commercial Zones Policy. Therefore, the noise component of Assessment Outcome 34 is redundant.

Regarding odour, an odour management plan is currently being finalised in accordance with the existing Rule 11 and Rule 12. This will satisfy Condition 7 of the Estate Development Plan approval. The requirement for ongoing odour management plans for subdivision (including unit titling) is illogical. The

approved Estate Development Plan establishes the subdivision pattern for Dairy Road. Any unit titling will only apply to the residential component, which is a sensitive receiver as opposed to a potential emitter. The unit titling of a residential building can only occur once that building is constructed. In order to obtain the development approval for that building, the application must have already satisfied the EPA with an air quality assessment. Further, a residential building could operate as built to rent, without the need for a units plan and therefore without the need for an odour management plan, avoiding compliance with Assessment Outcome 33 all together.

We have debated with the planning authority at length regarding this matter during the preparation of Draft Variation 377 (approved 30 April 2021). The planning authority gave in to the demands of the Environment Protection Authority (EPA) then, and continues to yield its planning power to the EPA with the new Territory Plan in relation to the Dairy Road site. No other land in the ACT, CZ3 zoned or otherwise, is subject to the obligations for EPA endorsement regarding air quality and odour. It is a disappointing and inequitable outcome if these Dairy Road specific obligations for air quality assessment and odour management continue in the new Territory Plan.

**Recommendation 2:** Assessment Outcome 34 is **redundant and must be removed**. The requirement for a noise management plan is appropriately and equitably dealt with under Assessment Outcome 27 of the Commercial Zones Policy. The requirement for an air quality assessment and odour management plan can be combined in an amended Assessment Outcome 33.

#### **PART D4: Inner South District Policy**

##### **Assessment Outcome 35: Subdivision application**

Outcome 35 is the proposed replacement of the existing Rule 23 of the Fyshwick Precinct Code. However, the current working of Outcome 35 refers to 'subdivision application', which has the same meaning as section 7 of the Planning Act 2022 according to the Draft Territory Plan Dictionary (Part G1). This means it would apply to any application for subdivision, as opposed to only applying to an estate development plan, as Rule 23 currently does.

**Recommendation 3:** Outcome 35 **must be amended** to apply to a 'subdivision design application' which is the correct replacement term for an estate development plan.

#### **Commercial Zones Policy**

The Commercial Zones Policy lists 25 assessment outcomes (which should be 24 due to a duplication of outcome 2) and 2 additional assessment outcomes in a separate table, which are essentially select criteria from the existing Territory Plan. Of the 25 assessment outcomes, approximately half include actual outcomes e.g. "11) *Site coverage allows for sufficient space for landscaping, deep soil zones and water infiltration*". The remaining assessment outcomes do not include a distinguishable, measurable outcome.

The 25 mandatory outcomes must be achieved in a development proposal, regardless of the means by which the outcome is achieved. However, as noted above, they are poorly drafted and not all desired outcomes listed include actual outcomes; some are simply statements, as follows:

- 5) the functionality and usability of the development for its intended purpose/use.
- 8) site constraints including noise, bushfire, flooding, contamination or hazardous materials.
- 9) impacts of non-residential development on surrounding residential amenity.
- 13) impacts on and connections with the natural environment.
- 15) Electric vehicle parking and access to charging locations.
- 16) end of trip facilities provisions.
- 18) accessibility and adaptability provisions.
- 19) water sensitive urban design (WSUD) provisions.
- 21) serviceability in terms of infrastructure and utilities services.
- 22) suitability of any advertising or signs.

24) any applicable statement of environmental effects

Failure to clearly articulate desired outcomes will inevitably lead to uncertainty, dispute, conflict and delay.

Critique of the the above outcomes includes, but is not limited to, the following:

- Outcome 8 provides no direction for the proponent as to the desired outcome for managing site constraints, and no measure for the assessment officer to determine whether the proponent has achieved an outcome.
- Outcome 15 is equally vague, and would appear only relevant for mixed use developments. Commercial developments vary widely and so do their vehicle parking needs. A standard office building in a town or group centre is not typically self-sufficient when it comes to onsite vehicle parking.
- Outcome 19 seemingly replaces the whole Water Sensitive Urban Design General Code from the current Territory Plan with a single line.

As an example of redrafting, Outcome 8 could be reworded as follows: "The proposed development considers and effectively responds to site constraints including noise, bushfire, flooding, contamination or hazardous materials."

Further, there are errors. Outcome 2 is duplicated and should be revised to be consistent with the wording of Outcome 3, e.g.

*2) A proposal demonstrates sufficient consideration of and response to the Urban Design Guide where it includes a proposed development that is:*

- a) Defined as being at precinct scale or urban design development,*
- b) Exceeding one hectare,*
- c) Comprise more than 1,000m<sup>2</sup> of public or common space, or*
- d) Required to seek advice from the Design Review Panel.*

**Recommendation 4:** The Commercial Zones Policy **must be substantially amended** to clarify actual intended outcomes for each Assessment Outcome.

#### **PART D4: Inner South District Policy**

##### **Figure 15: Fyshwick Precinct Map**

We note that the corresponding table of additional permissible development and prohibited development is not included in the draft Inner South District Policy. On the basis that it is the same as the current Fyshwick Precinct Map and Code, we draw your attention to Molonglo's existing request for a Technical Amendment (Code Amendment) to the Fyshwick Precinct Code to amend the area in which Residential Use is permitted at Dairy Road.

EPSDD has provided entity advice from EPA regarding this matter. On the basis that Molonglo can provide information to address EPA's advice, there is no reason that the requested Technical Amendment should not form part of the final Inner South District Policy.

#### **Approach to assessment**

The planning authority prides itself on its independence. This approach removes the potential for political interference that may occur in other jurisdictions where local government is both the assessor and the approver. Unfortunately, for the ACT, the approach to assessment means it is closed to applicants. While this approach may make sense under the current rules based system, it cannot continue under the new outcomes based system for the new Territory Plan.

Given the vagueness of the new Territory Plan as exhibited and the absence of published assessment guidelines, there is little certainty for applicants to understand how to navigate this new system, particularly when an application seeks to challenge the Technical Specifications. In these cases, assessment under an outcomes based system requires a level of skill to determine whether an outcome is suitably met.

For applications where the planning authority intends to approve an application subject to conditions, the obvious approach would be that applicants are afforded an opportunity to negotiate those conditions. If the planning authority, and ACT Government more broadly, want to be true facilitators of innovation in the built environment, then it must be willing to undertake a transparent and accessible approach to assessment. The ability to engage in an open dialogue prior to finalising a Notice of Decision will help clarify any unresolved assessment matters and make any post-approval amendments or provide further information to satisfy conditions of approval. This should also be the approach prior to publishing a request for further information under s163 of the Planning Act 2022.

### **Draft Inner South District Strategy**

The Dairy Road site is correctly identified as a 'proposed change area'. Similarly an area either side of the railway between Ipswich Street (west) and Newcastle Street (east) in Fyshwick is identified as a 'potential change area'. No explanation is given as to the potential changes, though the Strategy notes that change areas are predominantly responsible for meeting future housing and jobs. Fyshwick is in desperate need of a comprehensive strategic land use assessment that extends to the whole suburb, not just the identified change area. This assessment must review Fyshwick's zoning, land use and employment activities in the context of East Lake and the change in character from an industrial estate to a mixed use light industrial, commercial, tech and innovation precinct. We urge EPSDD to undertake this action as a strategic planning priority.

### **Conclusion**

Molonglo's submission identifies 4 key recommendations to improve the new Territory Plan:

1. Part 1.5 of District Specification DS4: Inner South **must be amended** as follows: "Some portions of this locality are subject to special requirements under the National Capital Plan"
2. Assessment Outcome 34 of the Commercial Zones Policy **is redundant and must be removed**. The requirement for a noise management plan as this matter is appropriately and equitably dealt with under Assessment Outcome 27 of the Commercial Zones Policy. The requirement for an air quality assessment and odour management plan can be combined in Assessment Outcome 33.
3. Outcome 35 of the Commercial Zones Policy **must be amended** to apply to a "subdivision design application" which is the correct replacement term for an estate development plan.
4. The Commercial Zones Policy **must be substantially amended** to clarify actual intended outcomes for each Assessment Outcome

In addition to the above, we have identified opportunities to improve the implementation of the new Territory Plan. In practice, the planning authority must be willing to negotiate development approvals in order to identify and agree effective site specific solutions and thereby effectively manage an outcomes based approach to statutory planning.

Finally, the EPSDD must prioritise a strategic land use assessment for the whole of Fyshwick to inform any potential change areas in the Inner South District Strategy.

Molonglo looks forward to future opportunities to constructively engage with the planning authority.

Yours sincerely

