ACT for Bees and Other Pollinators is an organisation dedicated to raising awareness of the importance of bees and pollinators for the health of the environment and food security and has multiple recommendations on the Draft Territory Plan.

Further information on ACT for Bees and Other Pollinators is included at Attachment 1.

ACT for Bees and Other Pollinators has 10 recommendations that it would like the ACT Government to consider and incorporate where possible into this current review of the Territory Plan. It would also like the ACT Government to embed these recommendations into policy on the future management of Canberra's natural environment, green spaces, and gardens. These areas are what make Canberra such a unique, liveable city and it would be devastating to lose them and our endemic biodiversity because of poor management practices.

Overview of Recommendations

RECOMMENDATION #1: The draft Territory Plan and draft District Strategies should not be finalised until the final revised form of the Planning Bill has been proposed by the ACT Government, and only following amendments and further consultation which may be appropriate based on the revised Bill.

RECOMMENDATION #2: District strategy maps should be re-released with larger maps, finer scale to allow for useful review by community members of specific sites.

RECOMMENDATION #3: Blue-Green network is too vague as it does not adequately consider conservation and biodiversity value of sites and requirements of species aimed to be protected. This needs to be strengthened in the Territory plan and district strategy.

RECOMMENDATION #4: Consider the inclusion of the recent Conservation Council publication on a biodiversity network, including detailed mapping of habitat biodiversity value and connectivity across the whole ACT
https://conservationcouncil.org.au/wp-content/uploads/BRIEFING_BIODIVERSITY-NETWORK-_Final_Version_December.pdf

RECOMMENDATION #5: Provisions to restore waterways and riparian corridors including along Ginninderra Creek, Lake Ginninderra, Molonglo River and urban stormwater ponds, to enhance water quality, aquatic and terrestrial riparian habitat, including for pollinators, and recreational values.

RECOMMENDATION #6: Provide greater inclusion and resourcing for First Peoples within the District Strategy Inc. Greater provision for Cultural Burning and other Ngunnawal / Ngunawal land management practices.

RECOMMENDATION #7: Consideration for biodiversity values in and around Molonglo Valley, taking into account the edge effects from any future development which can negatively impact remaining remnant patches.

RECOMMENDATION #8: Ensure all mature trees in the current and future Molonglo development footprints are preserved (including retaining minimum viable natural habitat area to support tree health).

RECOMMENDATION #9: Given the high biodiversity value of Bluetts Block, ensure that no further urban development takes place in Denman Prospect Block 12 until a full ecological assessment of the values of this area has been undertaken.

RECOMMENDATION #10: Ensure there is a strong enforcement mechanism within Molonglo Valley and wider landscape for the implementation of strategic planting to support bees and other beneficial insects and birds with a range of year-round foraging opportunities.

Planning Bill

The Planning Bill omits mention of protection of biodiversity in the ACT. Once enacted the Planning Bill will be the main legislation under which decisions impacting the environment are made on a day-to-day basis in the ACT. The Planning Bill should not proceed until it is amended to follow the recommendations of the ACT Legislative Assembly Standing Committee on Planning, Transport and City Services Report on the Inquiry into the Planning Bill 2022 dated 22 December 2022 relating to environmental matters (recommendations 38 to 46).

RECOMMENDATION #1: The draft Territory Plan and draft District Strategies should not be finalised until the final revised form of the Planning Bill has been proposed by the ACT Government, and only following amendments and further consultation which may be appropriate based on the revised Bill.

District Mapping

The district strategy maps are at too large a scale and provide little indication of which specific areas are proposed for future changes. ALL members consulted by GCG indicated they had minimal understanding of which areas are to be affected based on the maps provided in the strategies. More suitable and useful maps should show

- Specific Nature Conservation sites as detailed in the ACT grassland, ACT woodland and ACT riparian strategies

- Any new conservation sites since the establishment of these nature conservation strategies
- The legal and or conservation status of all sites e.g. reserves, open space, etc.
- Areas to consider for future conservation value, either through formal reserves or urban open space, including areas to be targeted for restoration.
- These maps should also show information on remnant indigenous vegetation within the built-up area, outside the green-blue areas and features such as ephemeral and other wetlands.

RECOMMENDATION #2: District strategies should be re-released with larger maps, finer scale to allow for useful review by community members of specific sites

Nature, Biodiversity and Connectivity

The reference to "restoring connectivity corridors as links for threatened species", as well as "restoring waterways" are of significant importance to the planning for the ACT Bush Capital. However, the information provided in the district strategy on how this would be facilitated as well as the poorly designed mapping, indicated there is a strong need to strengthen this biodiversity and connectivity focus of the "Blue-Green" network.

RECOMMENDATION #3: Blue-Green network is too vague as it does not adequately consider conservation and biodiversity value of sites and requirements of species aimed to be protected. This needs to be strengthened in the Territory plan and district strategy.

The provisions for habitat corridors must consider the variety of ecosystems found within the ACT, specifically Natural Temperate Grasslands and Box Gum Woodland (both EPBC listed as critically endangered), and important riparian habitat corridors. The Territory Plan represents an important opportunity to identify Conservation Areas on unleased and leased urban and non-urban land that are not held in reserve, and provide legislative protection to threatened species and Matters of National Environmental Significance.[i]

RECOMMENDATION #4: Consider and implement in full the recent Conservation Council publication on a biodiversity network, including detailed mapping of habitat biodiversity value and connectivity across the whole ACT.

RECOMMENDATION #5: Provisions to restore waterways and riparian corridors including along Ginninderra Creek, Lake Ginninderra, Molonglo River and urban stormwater ponds, to enhance water quality, aquatic and terrestrial riparian habitat, including for pollinators, and recreational values.

Ngunnawal/Ngunawal Country and First Nations Inclusion

We welcome the inclusion of Ngunnawal custodians of Canberra; however, these acknowledgments could be much stronger. Likewise, what is promoted as the value of First Nations' culture and its deep understanding and practice of land management is grossly understated. More needs to be said on its rich past, and its re-emerging manifestation.

RECOMMENDATION #6: Provide greater inclusion and resourcing for First Peoples within the district and greater recognition of First Nations' peoples in the District Strategy INC Greater provision for Cultural Burning and other Ngunnawal / Ngunawal land management practices.

Feedback on Molonglo District Strategy

Future Development

The recent development around Denman Prospect does not integrate the natural landscape in a way that benefits biodiversity or fosters a connection between residents and the environment. New houses have been installed with plastic grass or stone front lawns and inadequately-sized footpaths that can only accommodate small street trees. Large shady trees are essential to mitigating urban heat island effect and building climate resilience, while bee-friendly gardens and pollinator corridors with year-round flowering are vital to support the populations of a wide range of pollinators.

RECOMMENDATION #7: Consideration for biodiversity values in and around Molonglo Valley, taking into account the edge effects from any future development which can negatively impact remaining remnant patches.

RECOMMENDATION #8: Ensure all mature trees in the current and future Molonglo development footprints are preserved (including retaining minimum viable natural habitat area to support tree health).

Bluetts Block-Piney Ridge is an area of high-value, remnant dry forest and Box-Gum Grassy Woodland. It has significant biodiversity and also plays an important role in landscape connectivity from the Murrumbidgee corridor, through to the Molonglo River and north to Black Mountain. The current EIS Exemption application from Capital Estate Developments for Denman Prospect Block 12 does not fully assess the impacts of urban development on high biodiversity areas, nor has there been any consideration of the merits of establishing a buffer between the urban edge and medium-high biodiversity areas.

RECOMMENDATION #9: Given the high biodiversity value of Bluetts Block, ensure that no further urban development takes place in Denman Prospect Block 12 until a full ecological assessment of the values of this area has been undertaken.

It is important that the ACT Government allocate funds to educate developers and oversee their compliance on planting for pollinators.

RECOMMENDATION #10: Ensure there is a strong enforcement mechanism within Molonglo Valley and wider landscape for the implementation of strategic planting to support bees and other beneficial insects and birds with a diverse range of foraging opportunities year-round.

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[i] Briefing: Building a Biodiversity Network Across the ACT, Conservation Council ACT Region (December 2022)

ACT for Bees & Other Pollinators is an organisation dedicated to raising awareness of the importance of bees and pollinators for the health of the environment and food security. As a part of our Vision we are working towards the ACT becoming a 'Bee and Pollinator Friendly' Territory, where government, education, business and community practices and behaviours support and encourage healthy bees.

- Raise awareness with the ACT and regional community and key stakeholders about the importance of healthy bees and pollinators and bee-friendly practices that enhance agricultural and honey productivity, food sustainability/security and public and environmental health.
- Promote pollinator-friendly plant propagation, gardening and environmental practices in home gardening, farming, workspaces, public recreation parks, gardens, open spaces and beekeeping.
- Develop curriculum materials and resources for schools and other educational organisations about the importance of bees and bee-friendly practices.
- Promote the importance of pollinators and pollinator-friendly practices in the wider Australian and Global community.

We have been involved in a broad range of community projects including:

- Since 2016 developed 3 Australian curriculum aligned resources for schools 'Love Food? Love Bees!' in partnership with Cool Australia. Reached 750,000 students November 2022.

- Collaborating with the Ginninderry Development in West Belconnen to develop pollinator corridors within the development. Stage 2 MacNamara will be planted with 500 metre grids for year round flowering.

- Successfully lobbied the Australian Capital Territory (ACT) Government to adopt ACT for Bees additions in their MIS 25 Landscape Planting list. The list now includes flowering times, nectar/pollen/seed resources and species of forager (bees, butterflies, birds and habitat for small animals) and used by all ACT Government agencies and land developers.

- 2020, we teamed up with Landcare ACT and Friends of Australian National Botanic Gardens to run a ½ day event ‘ Bees, Butterflies, Birds: Maximising biodiversity by supporting pollinators.’ We were very pleased with the broad support from all sides of ACT Government for bees and pollinators.

- April 2021- Ginninderry gave ACT for Bees a grant to stage an event for developers and landscape architects – ‘Planting for Pollinators in Urban Design.’ that brought together people in the ACT Government and businesses in the community who are working in environment and land development. The participants included landscape architects and students from the Planning and Landscape Design Faculty at the University of Canberra, ANU, Fenner School, garden design and maintenance businesses, architects, teachers and students from CIT horticulture course, Bunnings Fyshwick and Airport stores, Royal Canberra Golf Club, Greening Australia, Landcare ACT, Catchment Groups, Friends of Grasslands, the Sustainability Officer at Yass Shire Council and the speakers from Queanbeyan Palerang Shire Council as well as Canberra Region Beekeepers and Ginninderry staff.

- Been actively involved on the World Bee Day committee with a broad range of Embassies, Australian Parliament House, Capital Region Farmers Market, the Australian National Botanic Gardens, IKEA, Bunnings, Landcare ACT in organising and presenting at World Bee Day celebrations since the Inaugural World Bee Day 2018.

On Tuesday 22nd of November, Suzanne Orr MLA introduced a Bee and Pollinator motion into the ACT Legislative Assembly with specific reporting requirements. It passed with support from both the ACT Greens and ACT Liberals. Issues highlighted included:

- how public policy supports bee and other pollinator populations;

- threats to pollinator populations, including biosecurity threats and Government responses to these threats; and

- how Canberrans are educated on the importance and role of pollinators within our urban environment.

STRATEGIC PLAN 2022-2025

ACT FOR BEES
& OTHER POLLINATORS

VISION To educate people about the importance of bees and other pollinators for food security, biodiversity and healthy ecosystems.

MISSION To work with all stakeholders to ensure bees and other pollinators thrive in the Australian Capital Territory and the broader community by educating and empowering people to live, work and learn in pollinator-friendly ways.

VERSE May the bees teach us about the interconnectedness of all of life. We will work together to keep these connections strong.

PRIORITIES

EDUCATION & COMMUNICATION

ACT for Bees will continue to provide curriculum for educators and resources for the wider community.

ADVOCACY

Raise awareness within the ACT, regional community and key stakeholders about the importance of healthy bees and bee-friendly practices that enhance agricultural and honey productivity, food sustainability and security, and public and environmental health.

PARTNERSHIPS

ACT for Bees will establish and maintain strong positive relationships with relevant industry, government and community groups.

GOVERNANCE & FINANCE

Resource and equip ACT for Bees to become self-sufficient and effective in order to achieve its strategic goals.

KEY INITIATIVES

- Continue to build curriculum resources with Cool Australia, including the development of a new unit on Regenerative Agriculture.
- Contribute to Annual World Bee Day.
- Continue ongoing talks and presentations to community.
- The ACT has an election commitment to make a Bee and pollinator Friendly Territory. ACT for Bees will contribute to this by:
  - building on ACT Government Urban Planting Guide and Planting Calendar
  - encouraging pollinator friendly practices in government policy and program delivery, and
  - Establishing pollinator networks through collaboration with other agencies.

- Continue to contribute to the ACT Government's Food and Agriculture Strategy.
- Advocate use of Integrated Pest Management (IPM) and/or organic methods where practicable.

- Continue to develop relationship with key stakeholders such as ACT Government, Suburban Land Agency, Ginninderry, Conservation Council ACT and Canberra Environment Centre.
- Continue to work with Rotary Club of Hall to establish pollinator corridors / networks within the surrounding region.
- Continue to Identify future opportunities for collaboration with other community groups.

- Establish a funding model that pursues funding arrangements, such as grants, speaking opportunities and events. Funding expenses such as professional memberships, website costs and other incidental costs (brochures, branding, merchandise etc.).
- Continue to meet regularly and communicate to members.
- Retain Memorandum of Understanding with the Canberra Environment Centre to ensure public liability coverage for volunteers.
- Use events, social channels and the newsletters to encourage volunteers to contribute to the organisation.

ACT Rural Landholders' Association of Farmers

ACT RURAL LANDHOLDER'S ASSOCIATION RESPONSE TO DRAFT EAST CANBERRA DISTRICT STRATEGY PLAN

Introduction

The ACT Rural Landholders' Association, established in 1927, is the peak body for primary producers in the Territory. The association exists to support its members, the current custodians of the Territory's rural lands who produce food and fibre and look after nature on land and water.

The RLA's products are as diverse as our landscapes and our members, from the broadacre grazing paddocks for sheep and cattle along the Murrumbidgee River, to the exotic black truffle forest and boutique vineyard on the slopes of Mount Majura. The Territory's farms are rich in culture, history and offer a range of visitor opportunities.

Rural land and agriculture are an important part of our history and critical to our future success. If we truly wish to become a vibrant, liveable and sustainable city – then agriculture and rural land management must be central to our thinking, inform future policies and guide decision-making in the ACT.

Agriculture in and around our cities is key to this vision. Farmlands surround Canberra, and our actions can enhance the liveability and well-being of the city's citizens and protect people and property from harm by managing fire and flood as best we can. Farms are the buffer between the city and the bush.

We will continue to advocate for the target of retaining at least 15% of the Territory as rural land for farming and all its co-benefits for the environment, our community and the National Capital.

We value continued consultation and having a seat at the table to influence decision-making and restore our environment. However, rural land cannot be viewed as future development or offset, and it is time to utilise the potential of the rural community to achieve the planning priorities and future of the Australian Capital Territory.

Yours sincerely,

[redacted], President

ACT Rural Landholders Association of Farmers

[redacted]

The key issues

- The Parliamentary and Governing Agreement for the 10th ACT Legislative Assembly contains the following policy item in Appendix 5: "No. 23.2 - Change Territory Plan overlays to convert productive farmland from Broadacre zoning to Rural zoning, including in the Majura Valley, and provide certainty for agricultural leaseholders through long term leases."
- Maintaining productive farmland needs to be included in the district strategy.
- There needs to be clarity on what 'possible change area for employment' means, which is general industrial. This proposal and type of land use should be reserved for industrial land in Fyshwick, Hume or Beard, not the Majura Valley, which gives legitimacy and strength to Canberra as a food and wine destination. We call on the ACT Government to prevent any industrial development or acquisition of farmland for offsets in farmland like the Majura Valley and prevent prime agricultural areas from becoming industrial precincts.
- Food, heritage and agriculture are scarcely mentioned within the strategy. It should and can be a primary driver for East Canberra and must be linked with blue-green and economic access. Keywords associated with strategies, like the NRM plan and Food and Fibre Strategy, must be included and referenced frequently.
- Woolshed Creek is one of eight main water catchments in the ACT and extends from the NSW border in the north to the Molongo River. The proposal for industrial will result in significant pollutants directly affecting agriculture in the Majura Valley, Pialligo and Lake Burley Griffin. Think of this area as the lungs of Canberra. The soils help the air and waterways breathe life into the whole of the blue-green network.
- The ACT requires 99-year leases for all rural landholders just like urban leasees; anything else is unfair and undermines any agricultural prospects for our city. Farmers in the ACT understand the risk of living next to a capital city and that their leases can be terminated with little notice, cause or compensation. East Canberra contains most of the short-term leases in the ACT, which hinders economic and environmental opportunities.
- Maps within district strategies need to include the current land use and detailed visuals. More engaging and easy-to-understand maps will inform the community that the area is a manageable canvas for the community. There are essential natural resources and businesses visible that are managed by people who care for the environment and our future. www.majuravalley.com.au is an example of an interactive map showcasing current land use and tourism opportunities and how to capture East Canberra's diversity and culture.
- Planning outcomes should not come at the expense of agricultural land. Farmers are custodians of the lands that are the landscape setting for the National Capital, the managers of natural resources and conservers of nature, and businesses producing food and fibre.

Introduction
The key issues
1. Blue-Green Network.
2. Economic access and opportunity across the city.
3. Strategic movement to support city growth.
4. Sustainable neighbourhoods.
5. Inclusive centres and communities.

1. Blue-Green Network.

Protect, conserve, and enhance priority grassland, woodland and aquatic habitats and environmental values, including along the Molonglo River and Jerrabomberra and Woolshed creeks.

Targets: 1. More nature and retaining water in the city. 2. Expand liveable blue-green network connections

Direction: Protect, conserve and enhance priority grassland, woodland and aquatic habitats and environmental values, including along the Molonglo River and Jerrabomberra and Woolshed creeks.

In 2013, over 100 hectares of Majura West in the East Canberra District were turned into native temperate grassland conservation to protect the endangered flora and fauna. This strategy would have held high value with proper management, but due to a lack of monitoring and maintenance, the grasslands are now overrun with weeds and have been left to turn grey.

Several residents of the Majura Valley have Woolshed Creek running through their farms and hold the woodland, the aquatic habitats and the environmental values close to their hearts, with many of the residents going above and beyond to conserve the quality of the creek.

Woolshed Creek is one of eight main water catchments in the ACT and extends from the NSW border in the north to the Molongo River. The proposal for industrial will result in significant pollutants directly affecting agriculture in the Majura Valley, Pialligo and Lake Burley Griffin. Flooding of the creek line and surrounding floodplain would be extensive, with depths between 0.25 and 0.5 metres across the broader landscape. Flood depths could exceed 3 metres in some places close to the main channel[1]. As we know from recent experience, severe flood events will only worsen, and the effects of climate change will significantly impact our environment.

With the proposal for light industrial building in the East Canberra District in people's minds, this will cause light, sound and traffic pollution with poor air quality. As a result, the future of the district's wildlife, woodlands, aquatic life and rivers will significantly change for the worse. Our landholders and land carers must stay with their ground and continue to create healthy, clean habitats for the surrounding wildlife and land whilst providing local food for the wider Canberra community.

The extent of this ecological community is not fully mapped in the Majura Valley never-the-less ACTMAPi shows that box gum woodlands covering virtually the total area of at least six Majura Valley rural blocks potentially meet the criteria for listing under the EPBC 1999, and the ACT Nature Conservation Act. These Majura blocks are 670, 671, 672, 710, 611 and 578. Another seven Majura Valley rural blocks protect 15 box gum woodland patches, ranging in size from three hectares to 25 hectares, all also potentially meeting the criteria for listing under the EPBC 1999 and the ACT Nature Conservation Act. These blocks are 731, 732, 51, 716, 715, 706 and 730. The ACT Native Woodland Conservation Strategy and Action Plan, 2019 notes that woodland patches can have local and regional habitat connectivity value as stepping stones for birds and mammals between more prominent habitat areas.

In addition, other tenures in the Majura Valley support areas of potential box gum woodlands, including the shooting range, Defence lands, and the Australian Federal Police. Several Majura Valley rural blocks are also habitats for the Golden Sun Moth, Striped Legless Lizard and rare plants, including ACT-listed orchids, which according to ACTMAPi, potentially occur on at least five Majura Valley rural blocks: 732, 731, 52, 706, 730.

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[1] ACT Government, 'Flood Information for Woolshed Creek'. (2018) Accessed at:https://www.environment.act.gov.au/__data/assets/pdf_file/0011/1286912/ACT-Flood-Maps-Woolshed-Creek-ACCESS.pdf

Reference: *Draft District Strategy East Canberra 2022* page 95.

Initiatives	Timeframe	RLA'S Response
1.1 Enhance, restore and connect priority areas of grassland, particularly north of Canberra Airport and in the south around existing grassland reserves and adjacent in NSW. Enhance, restore and re-connect priority areas of grassland, particularly through the Majura Valley and Jerrabomberra around existing grassland reserves, and with linkages to reserves in other districts and native grasslands in NSW.	Ongoing	Enhancing the East Canberra district landscape holistically is the sustainable approach to a biodiverse and vibrant landscape. Only considering grassland linkages in isolation from the existing rural land would result in a fragmented and less effective enhancement, therefore lessoning the beneficial impact that the whole area could have. Rural land in the Draft New East Canberra District Strategy with high environmental significance and threatened species and ecological communities listed under the EPBC Act (including "Callum Brae") is shown in Figure 1. However, this land needs to stay under farmers' management with the recourses and passion that have led to the current positive land outcomes.
1.2 Enhance, restore and re-connect priority areas of woodland, particularly around Mount Ainslie and Mount Majura and habitat connections into the Inner north and city district, as well as between Callum Brae, Isaacs Ridge and West Jerrabomberra nature reserves and their connections into the Inner south and Tuggeranong districts.	Ongoing	Several farmers in the East Canberra District take responsibility for planting mature, biodiverse wildlife corridors throughout their properties, connecting to the nature reserves of Mount Majura and Mount Ainslie. With heritage yellow boxes and red gums providing shelter to wildlife and the young trees being two decades old, farmers take stewardship in planting a dense line of native trees to help the landscape and habitat thrive. Supporting the current landholders will enhance the woodland connectivity.
1.3 Protect and restore areas of Woolshed Creek, Jerrabomberra Creek, Woden Creek, and Scrivener Creek and their tributaries as riparian corridors, and linkages to the Jerrabomberra Wetlands and Narrabundah Wetlands.	Short term	Farmers have continuously been heavily invested in the creeks and waterways running through and adjacent to their properties. With prolific monitoring to ensure that no contaminants or debris leach into the precious waterways, providing ongoing government funding will ensure that the landholders can sustain their efforts. Building a light industrial site near any waterways will only show a detrimental impact—accentuating rainfall runoff due to concrete slabs that will be directed straight to the nearest channel. This will show a significant spike in contaminants, which run directly into the Canberra community's water supplies.
1.4 Explore wildlife crossing opportunities for the Majura Parkway, Canberra Avenue and Monaro Highway to re-establish connectivity between the important woodland and grassland habitat in and around Mount Majura and Mount Ainslie in the west, and Commonwealth land in the east.	Medium term	Encouraging the current landholders to plant dense, biodiverse and interconnected wildlife corridors on their properties would be an active initiative. Building any light industrial structures or implementing additional transport into the area will only harm the well-being of the native wildlife
1.5 Consider opportunities to enhance the primary blue-green network for recreation benefits in highly used recreational tracks and linkages at Mount Ainslie and Mount Majura, around	Medium term	In December 2022, the ACT Conservation Council estimated that 67% of critically endangered native temperate grassland and 80% of threatened native woodland is outside the public reserve system. Most of

Initiatives	Timeframe	RLA'S Response
Pialligo and along the Molonglo River, and through enhancing recreational and educational engagement at Callum Brae Nature Reserve.		these ecosystems are situated on rural land and agricultural land properties[2]. There is a significant opportunity to enhance recreational and educational benefits. In addition, agri-tourism done sensitively would help support rural operations through diversified income. There are already several examples of educational engagement, agri-tourism and recreational linkages in the East Canberra District. Some examples are the interactive farm experiences at Majura Valley Free Range Eggs, the educational tours at the Truffle Farm and the recreational mountain bike tracks at the Mount Majura Pines.

2. Economic access and opportunity across the city.

Develop new employment precincts, capitalising on proximity to Canberra Airport, national freight routes, heavy rail, and existing employment precincts (subject to outcomes of the Eastern Broadacre Strategic Assessment).

Targets: 3. Improve economic opportunities in districts with a shortage of jobs. 4. More jobs accessible to home.

Direction: Develop new employment precincts, capitalising on proximity to Canberra Airport, national freight routes, heavy rail and existing employment precincts (subject to outcomes of the Eastern Broadacre strategic assessment).

ACT farmers can support behaviours that recognise the value of food. For example, the ACT Domestic Waste Audit Report 2014 ACT estimate that 35% of general household waste was food waste is no surprise, and that number would have increased. However, the strategy does not focus on food production, only on food waste.

Local food systems must be shored up and focused on supporting sustainable producers closer to or inside the cities. This will help smooth the expected disruptions to the food supply set to become more intense as time passes.

Furthermore, within the Environment, Planning and Sustainable Development Directorate, there is an abundance of references and research, past and present, that should influence decision-making around circular economies. Examples like Foodprint Melbourne and similar studies should inform where produce can be grown around Canberra and how this will inform land-use zones in the ACT.

Fiona Buining of Ainslie Urban Farm recently returned from a Churchill Fellowship to investigate urban farm ventures that provide vocational pathways for aspiring growers. Her research identified the Intervale Center in Burlington, Vermont, as a highly relevant case study to the pursuit of agriculture and development in Canberra. The State of Vermont has a population of around 650,000, making it a pertinent and valuable example for the ACT. Forty years ago, the prime agricultural land in Burlington was threatened by development. This is the case for the Majura Valley and the corridor through Pialligo to Lake Burley Griffin in the ACT. The forward-thinking action in Burlington was to extinguish development rights on this land and stipulate that the land must be used for agriculture, with the farmer deriving at least 50% of their income from the farm. Concurrently, the Intervale Center developed a farm business advisory service and farm incubator.

The farm viability service ensured that farms were financially viable. The incubator trained and mentored aspiring farms to start their own farm business. The incubator was so successful that the incubator ran out of land in 2018. The farm viability service still works with at least 124 farmers annually across the USA. In

[2] ACT Conservation Council, *Building a Biodiversity Network Across the ACT*, (2022) https://conservationcouncil.org.au/wp-content/uploads/BRIEFING_BIODIVERSITY-NETWORK-_Final_Version_December.pdf

forty years, the Intervale valley and beyond has been populated with organic farms providing meaningful employment, livelihoods through new farm business, and fresh food for Burlington. Fiona strongly suggests that the ACT Government look to the Intervale Center as a world-leading example that could be replicated here in the ACT.

Fiona said that we all eat between three to five times per day. If the supply chain is shortened, we can grow food where people live, reducing waste and emissions. Reducing waste is the first step in a circular economy. In fact, her business model is circular. It is only because she supplies local restaurants that Fiona can collect the trays containing the soil and spent plants and compost them at her home. She is also able to wash and reuse the trays. Another interesting finding of Fiona's was that customers who had a relationship with farmers felt a strong connection with farms and farmers and were more conscious of their use of all the fresh food, thus avoiding waste. This is another essential element of circular economies. Therefore, many arguments exist for growing food where people live, predominantly in towns and cities. However, to achieve this, we must preserve and use our existing agricultural land to the best of our ability. Further, an incubator on agricultural land would help address labour shortages in the farming and horticultural sectors by training aspiring growers. You can read more about these exciting ideas in Fiona Buining's Churchill Fellowship report.

Reference: *Draft District Strategy East Canberra 2022* page 98.

Initiatives	**Timeframe**	**RLA'S Response**
2.1 Consider opportunities for parts of the Eastern Broadacre to be developed for industrial and related uses, given proximity to national freight routes, Canberra Airport and existing industrial areas at Fyshwick, Symonston and Hume.	Short term	Building any industrial-related environment would directly counteract the outcomes desired in the Blue-Green network initiative. Any industrial development that depletes the region's natural capital would have to consider the impact of carbon pollution (embedded and ongoing) and reduction in carbon capture through current, regenerative farming practices. Agri-solar is another burgeoning opportunity that might be appropriate in some areas providing economic and environmental benefits. With the proposal for an industrial building in the East Canberra District, jobs would likely be fewer as machinery and freight would take up a large portion of the fertile, agriculture-dense land. Encouraging employment opportunities in agriculture will Improve economic opportunities in districts with a shortage of jobs.
2.2 Partner and collaborate with the NSW Government and Queanbeyan-Palerang Regional Council to investigate a coordinated, strategic approach to cross-border infrastructure and road connectivity to accommodate anticipated employment and housing growth in South Jerrabomberra (NSW) including the South Jerrabomberra Regional Jobs Precinct.	Short term	The need for more housing is clear, but current building standards are inadequate and should be updated so that any such developments are at least carbon-neutral. This then has to consider the environmental services provided by the current landscape and rural enterprises. A potential argument would be to build upwards rather than outwards.
2.3 Plan for economic diversity, growth and innovation, using the planning system to (where possible) support a range of employment uses including innovative clean waste industries, industrial ecology, airport-supportive uses,	Medium term	Please review the Rural Landholders Submission to the Circular Economy Strategy attached.

Initiatives	Timeframe	RLA'S Response
agribusiness and tourism, and other emerging sectors.		
2.4 Identify and provide buffers to key and sensitive land uses which have special needs (such as corrective and emergency services sites, and Commonwealth uses).	Short term	Bushfire buffers are essential, and rural land is a key and sensitive use for special needs. Therefore, it is crucial to focus on the vital relationship between the farmer and their land and create a protective buffer for many situations. Farmlands surround Canberra, and our actions can enhance the liveability and well-being of the city's citizens and protect people and property from harm by managing fire and flood as best we can. Further consultation is needed with the rural landholders and the commonwealth government. The Commonwealth is a significant stakeholder in East Canberra, and rural land provides appreciative buffers for sensitive land use.
2.5 Retain capacity within the district for agriculture and food production in the district.	Short term	This target needs to be at the top of the list. We strongly encourage this target, going as far as building capacity for food production in the district could ensure food security in future unprecedented episodes. Fiona Buining, founder of the Ainslie Urban Farm and Churchill Fellow of 2020, recently wrote a piece on her fellowship. She said "In Canberra, only 5 percent of fresh food consumed here was grown locally. That percentage could and should increase by setting land aside for agriculture on which small-scale farming projects could be fostered, without the constant threat of alternate redevelopment of the land".

3. Strategic movement to support city growth.

Protect and preserve the function and capacity of key transport corridors for freight and public transport, including a potential future faster and/or high-speed rail corridor.

Targets: 5. Reduce car dependence. 6. More active transport.

Direction: Protect and preserve the function and capacity of key transport corridors for freight and public transport, including potential future faster rail and/or high-speed rail corridor.

The East Canberra District is the gateway to the bush capital. A significant amount of agricultural land was covered in 2013 when the Majura parkway was built, with the land being declared as only used for "grazing purposes". Multiple farmers have spent decades of their labour and resources in maintaining the land and planting biodiverse wildlife corridors leading towards the nature reserves of Mount Majura and Mount Ainslie. With this area being used for industrial building, freight or any high-speed transport, the well-being of wildlife would be severely impacted, as well as chemical runoff and pollution affecting native flora.

With a double bike lane built adjacent to the parkway, encouraging electric bicycles and scooters would be an effective mode of transport for the local community without jeopardising flora and fauna of the area. The ACT Government supported www.majuravalley.com.au with a grant to go towards a high-quality marketing campaign promoting the Majura Valley at the heart of our Bush Capital. People will be able to plan their on-farm encounter at the award-winning Mount Majura Vineyard, The Truffle Farm or Majura Valley Free Range Eggs. Plan their weekly shop at Majura Park shopping centre, stopping by Pialligo Market Grocer and Tambella Orchard for local produce on the way through. Explore the great outdoors with a mountain

bike ride at Majura Pines, bushwalk through Mt Ainslie and Mt Majura, or have a hit of golf at Fairburn Golf Course or clay targets at Majura Park Gun Club. Wine and dine at Pialligo Estate, Rodney's Plant Nursery or The Mess, or spend a night with The Naked Cubby or the Vibe Hotel. The region provides an opportunity for movement and passing through a beautiful landscape with opportunities to stop and engage with businesses and the environment on the way.

Reference: *Draft District Strategy East Canberra 2022* page 101.

Initiatives	**Timeframe**	**RLA'S Response**
3.1 Identify and protect major transport corridors – both rail and road – and planning for surrounding land uses and planning controls which benefit these assets and support their function.	Short term	The planning for surrounding land uses, including transport corridors, needs to be done with appropriate community consultation and realistic compensation for those negatively impacted. Currently, the present offsets, withdrawal clauses, short-term and expired leases aren't sustainable for the benefit of the farmers and the land being farmed.
3.2 Continued planning for a future expansion of the light rail network and associated operational facilities (such as sub-stations, depots and layovers).	Medium term	Public transport is welcome, although light rail may need to be updated due to electric vehicles becoming more mainstream. From scooters to buses, Canberran's are embracing the revolution that is EVs which allows the re-assess of the light rail network.
3.3 Investigate improvements to public transport access to the rest of Canberra for residents of Oaks Estate, Pialligo and Symonston, including via a strategic investigation corridor connecting through the Inner South and between Hume and the Tuggeranong district.	Medium term	Electric vehicles may be a more reliable and preferred choice of public transport for people travelling from the outer suburbs of Canberra and Queanbeyan. Subsidising electric vehicle ride-shares or enhancing the knowledge of bike paths to the broader Canberra community[3]
3.4 Partner and collaborate with the NSW Government and Queanbeyan-Palerang Regional Council to investigate a coordinated, strategic approach to cross-border infrastructure and road connectivity to accommodate anticipated employment and housing growth in South Jerrabomberra (NSW) including the South Jerrabomberra Regional Jobs Precinct	Short term	With proper consultation with the NSW and ACT landholders that this initiative entangles, ensuring the alignment of NSW and ACT planning rules and regulations.
3.5 Support the functions of Canberra Airport by considering and implementing (where relevant) the National Airports Safeguarding Framework (NASF).	Ongoing	The NASF requirements need communicating and consultation.
3.6 Investigate the potential for a high-speed rail connection through the district (over the longer term) including the best means of protecting the corridor through leasing arrangements and planning provisions.	Longer term	High-speed rail from Sydney to Melbourne via Canberra will likely cost over **$100 billion**. As low-cost electric aviation develops over the coming decades, the case for high-speed rail via Canberra is becoming less realistic. More modest upgrades could reduce travel time by six hours. A fast connection to this network from Yass to Canberra might be feasible.

[3] Act Government, Cycle network Map (2022) Accessed Accessedhttps://www.transport.act.gov.au/__data/assets/pdf_file/0010/1961722/Cycle-network-map.pdf

4. Sustainable neighbourhoods.

Limit new housing development in line with the Territory Plan.

7. Expand walkable access to shops and services. 8. More inclusive and fair communities.

Targets: Limit new housing development in East Canberra consistent with the zoning requirements of the Territory Plan.

Direction: Limit new housing development in East Canberra consistent with the zoning requirements of the Territory Plan.

Development in the East Canberra District conflict with the zoning requirements of the Canberra Airport's flight path. With multiple planes taking off and landing every hour, residential development would be thoroughly impacted by sound, light and air pollution. By highlighting Canberra's already developing sustainable neighbourhoods, we could build upwards, creating denser communities and enhancing the urban farms in each area.

Reference: *Draft District Strategy East Canberra 2022* pages 105, 106 and 107.

Initiative	Timeframe	RLA'S Response
4.1 The presence of critically endangered flora and fauna in the district, as well as the impacts of aircraft noise and operations from Canberra Airport, mean that new residential uses are not suited to the district. However, existing residential communities at Pialligo and Oaks Estate have master plans that uphold the character of each place while providing for limited growth and change. The key initiatives of the Pialligo Master Plan and the Oaks Estate Master Plan were incorporated into the Territory Plan in 2015 and September 2022 respectively. The Territory Plan determines the types of land uses that may occur in the district, including any future low-scaled residential uses	Not stated	Without airport curfews, housing in close proximity may suffer. Maintaining a rural infrastructure in the surrounding areas would provide a buffer to the noise impacts.
4.2 The East Canberra District is home to several farms producing local and fresh food and beverages for the wider Canberra Community. Multiple farms, nurseries, landscape supplies, orchards, market gardens and cafes actively showcase their sustainable practices to a broad range of people through shop fronts, tours and interactive experiences on a daily basis. Farm tourism and rural produce activities are key opportunities for the valley	Not applicable	Encouraging investment in rural enterprises (food and fibre production, tourism, environmental services, carbon offsets and capture) will only bring beneficial outcomes. Long-term leases would provide security and support to local farmers, encouraging them to invest in their businesses and continue providing food and support for the Canberra community.
4.3 The East Canberra District holds substantial Aboriginal and European heritage, an example being Majura House. Along with mature and biodiverse wildlife corridors and conservation methods that have been in action for decades. The *Pialligo Master Plan* (2013) outlined a vision and planning framework for the area, the key	Not applicable	Acknowledging our Aboriginal heritage should now be a central consideration, and development should be sensitive to such considerations.

Initiative	Timeframe	RLA'S Response
aspects of which were implemented through changes to the *Territory Plan*.		

5. Inclusive centres and communities.

Enhance the accessibility of services and facilities for Oaks Estate, Pialligo, and Symonston residents.

Targets: 9. Greater activation of group and local centres. 10. Improved community well-being.

Direction: Enhance accessibility of services and facilities for Oaks Estate, Pialligo and Symonston residents.

Response to Direction:

Oaks Estate, Piallago and Symonston are all able to be more accessible through the current public transport. Achieving greater group activation and enhancing the resident's well-being by making more community gardens and farms more accessible as well as activating community-based active groups such as cycling.

Reference: *Draft District Strategy East Canberra 2022* page 105.

Initiative	Timeframe	RLA'S Response
5.1 Alongside the services provided in the district (such as at Majura Park), Oaks Estate and Pialligo residents will continue to rely on services in other areas within the ACT such as Inner South District and over the border in NSW. This is particularly the case for business services, health, retail and community and recreation services including schools and Early Childhood Education and Care (ECEC – including child care). This needs to be factored into planning for facilities and transport accessibility to these areas and, more broadly, as part of metropolitan planning.	Not stated	Improving public transport links around the periphery of the ACT may always be ideal for improvement, especially in adjoining NSW towns and villages. Developing services on this periphery would lessen the load on transport corridors into the CBD.

ACT Rural Landholders' Association of Farmers

Dear Planning Team

Planning Reform Project

The ACT Rural Landholders Association of Farmers (ACT Farmers) has existed in different forms for 110 years to serve the interests of farmers, particularly in negotiations with Government. We recognise the importance of land use planning and acknowledge this reform project as making 'once in a generation changes to the planning system.

This project is clearly focused on the residents of Canberra now and into the future. However, the implications for non-urban lands through the 'outcomes' and policies embedded in the documents concern our members, are critical to the survival of the agricultural sector of the Territory, and consequently impact sustainability and resilience and food for us all.

We understand the key changes to the planning system in this project are:

- ➔ a new Planning Act (Planning Bill), still to be approved by the Legislative Assembly.
- ➔ a new Territory Plan with principles, policies, land use zones and controls taking an "outcomes" approach.
- ➔ introducing district strategies, where 'the rubber hits the road' for what can happen where.

We believe further work is required under each of these to meet the stated goals of:

1. *Sustainability:* adopt the key land use planning principle of "best use of land", with identification and protection of agricultural land through a clear urban boundary and specific controls to enable and ensure diverse rural land uses into the future.
2. *Resilience:* set a cohesive rural lands policy with recognition of the need for food production and managing natural disasters and climate change risks. Unfortunately, the lessons from the past and even current circumstances are not being applied.
3. *Certainty, clarity and transparency:* develop District Strategies for all Territory land (except declared Parks) to determine development applications about what should or should not happen in "non-urban areas", including subdivisions.

If we truly wish to become a vibrant, liveable and sustainable city – then agriculture and rural land management must be central to our thinking, with food security and risk reduction necessarily informing policies and guiding decision-making.

Taking an 'outcomes focus' also means considering the big picture, particularly as the growth of Canberra is not happening in isolation. In surrounding NSW, the hinterland of communities is also swallowing up prime agricultural land. There is no mention of this growth's complex issues, consequences and impacts across the invisible border.

The publicly accessible website information does not plainly show which farmland will be lost to accommodate population growth over time, nor does it canvas the real triple-bottom-line impacts and consequences of such change. Retaining farms within and on the outskirts of cities is wise public policy to feed the resident population and other undervalued benefits such as education about 'where food comes from'. But addressing the question in planning the future city is how much farmland 'can go' before there is not enough suitable land left to make the industry sector viable, not just a relic of past times.

The following discussion expands on these three key points, the failings in the underlying basic thinking and consequent flaws in the claims about "good planning". Finally, we set out ACT Farmers' explicit call for action for clarity.

Unvalued services farmers provide

As well as businesses producing food and fibre, farmers are stewards for around 15 per cent of the Territory; we are custodians of the lands that are the landscape setting for the National Capital, the managers of natural resources and conservers of nature.

The surrounding farmlands are also the buffer between the city and the bush, so our actions can help protect people and property from harm by managing and minimising threats from fire, flood and poor air quality. Additionally, our lands enhance the liveability and wellbeing of the citizens of Canberra and the quality of experience for tourists.

None of these benefits are currently included in cost-benefit considerations of land use change from farming to urban development. The internationally recognised System of Economic Environmental Accounting (SEEA) has proven the worth of farmland and has been adopted by multiple national and state-level governments. The Landcare movement in the ACT is increasingly connecting people with farms, plus the recent popularity of, and participation in, Canberra's agricultural show is clear evidence of the desire by people of all ages to connect with farms and food. The evidence clearly shows that farm tourism benefits the whole economy and where it is promoted (like the Canberra Region Wine Industry).

> *We call for an SEEA-type analysis of the value of ACT farmlands generally and specifically before any new proposed resumption takes place as part of well-informed decision-making about biodiversity conservation, catchment management, food production, risk mitigation and cultural heritage landscape setting.*
>
> *Additionally, but related to the planning review project, we seek an overhaul of the lease purpose clauses to foster on-farm diversification that is directly ancillary to food and fibre production.*

Land is a finite resource

Farmland has been the 'land bank' for urban development, but with the Territory's finite boundaries, this has to stop somewhere. As a 'city in the landscape', Canberra is an essential principle of our national capital that is important to keep, with a clear, clean urban edge.

Business needs certainty, and farmers need it too. To actively manage and care for the land while producing food needs time, skills, knowledge and money. All of this is only possible with the certainty of a lease and a realistic lease length. This was the finding of the Glenn Report in 1999; subsequently, long-term leases were offered to some farmers, but not all.

The ACT requires 99-year leases for all rural landholders just like urban leasees; anything else is unfair and undermines any agricultural prospects for our city. Farmers in the ACT understand the risk of living next to a capital city and that their leases can be terminated with little notice, cause or compensation. The issue is not whether farmland will be lost in the ACT to accommodate population growth and urban sprawl, but how much and with what impacts? Agricultural and rural land should be appropriately valued in the ACT and cannot be viewed as a landbank for residential and industrial development.

We seek a defined urban boundary to provide business certainty through the mechanisms of the Territory Plan, particularly land use zone policies and district strategies. These, together with consequent lease tenure and development controls, are the foundation for farmers to operate.

We call for equity of tenure for farmers, like other residents and businesses, with 99-year leases and, where necessary, a minimum lease tenure of 25 years without a three-month withdrawal clause. Acquisitions of farmer's homes need to be communicated with several years' notice to allow rural landholders to mentally and physically and financially prepare for the sale of land.

Nothing about us without us

It is critical to have timely and sufficient engagement with farmers about farmland, followed by transparent decision-making. All of the current 9 Districts currently contain rural land. Still, there was no consultation with farmers in developing the strategies, and certainly none with our Association, where repeated requests for specific discussions were ignored.

Having one session for entities concerned with non-urban issues just before the close of the consultation period does not meet 'good practice'. It is an example of totally inadequate consultation with a significantly affected sector of the community. Further, the Planning Bill restricts opportunities to comment on the prospective change and puts decision-making in the hands of a few. This process is not democratic nor desirable for the broad landscape scale of rural matters.

We call for substantial changes to consultation and decision-making so that farmers do have an effective say in what can happen to them, and clear communication of intent for our industry sectors and ongoing engagement about the lands we steward for future generations.

We seek openness and transparency about the areas outside these Districts, for example, the Western Edge Investigation Area and west of the Murrumbidgee River.

Outcomes focus

We all need to eat – many times a day. Security of food supply for a growing population is essential, particularly as where Canberrans get foods from is increasingly affected by climate change and natural disasters. This is why the Australian Government has an enquiry into food security, and it is why we welcome and are collaborating with the ACT Government to develop its new agriculture policy, the Capital Food and Fibre Strategy.

The reform project emphasises "outcomes focus". However, the outcomes are unclear for the agricultural sector and non-urban lands because none of the 9 District Strategies is substantially discussed in farming, rural issues or food growing. Although much farmland directly abuts the city, there needs to be clarity of guidance in the areas shaded grey, leaving everyone uncertain about how the urban interface will change.

The stated purpose of the land use zones in the Territory Plan is to allocate land uses and development opportunities with an outline of desired policy outcomes unique to each zone. The statements about this in the consultation draft Part E7 of the Non-Urban Zones Policy regarding NUZ1 to NUZ5 remain largely unchanged. Therefore there is a degree of clarity of intent about land uses. However, applying this policy leaves much to be desired, with ongoing flagrant breaches and inadequate government administration. So much for the focus on outcomes.

Plus, for the stated policy outcomes to be realised, the whole system needs to be aligned: land use zoning with suitable diversity of agriculture possible in the lease purpose clause, business viability with lease tenure length, and functional, functional, and enforceable Land Management Agreements.

We accept the need to focus on the growth of urban areas, employment opportunities and transport corridors, but farmland and food should be addressed. On the contrary, a thriving agricultural sector would support and enhance the ACT's liveability, prosperity and wellbeing. Nor does it mean that the outdated and discredited policy of 'locking up the land' to conserve nature is the way to continue into the future. But this is precisely what the current District Strategies for Tuggeranong, Belconnen and Canberra East have, with vague terms like 'consideration of current uses'.

> *We seek District Strategies for all Territory land (except declared Parks) and call for the retention of land for farming wherever possible, for as long as possible, under lease to farmers, and call for a revision of the 9 District Strategies to address the issues for non-urban zones 1 and 2 of food and fibre production, farm tourism, and agricultural innovation.*
>
> *We call for enabling small farms within the urban boundary, with the 9 District Strategies revised to identify land for farming as permanent, seasonal or temporary land use. Having agriculture as an additional 6th theme allows for food to grow in and around the city.*
>
> *We call for expanding any consideration of change from broadacre or rural land to include an SEEA-style triple bottom line evaluation that reflects the full range of benefits and values from farmland, including environmental services and wellbeing, and the importance of food security to intergenerational equity.*

The ACT requires a system-wide approach to rethinking the City's sustainability and food systems, and planning must remain in the conversation. The time is ripe for policy and planning that draws on food sources from multiple geographical regions, creates circular economies and diversifies food supply chains. Agriculture in and around our cities is key to this vision. Farmlands surround Canberra, and our actions can enhance the liveability and well-being of the city's citizens and protect people and property from harm by managing fire and flood as best we can. Farms are the buffer between the city and the bush.

We will continue to advocate for the target of retaining at least 15% of the Territory as rural land for farming and all its co-benefits for the environment, our community and the National Capital.

We value continued consultation and having a seat at the table to influence decision-making and restore our environment. However, rural land cannot be viewed as future development or offset, and it is time to utilise the potential of the rural community to achieve the planning priorities and future of the Australian Capital Territory.

Yours sincerely,

[redacted] President

ACT Rural Landholders Association of Farmers

[redacted]

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Submission to the ACT Planning System Review and Reform Project

Advocacy for Inclusion (AFI) welcomes the opportunity to respond to the strategies and plans put forth under the overall ACT planning system.

About us

AFI provides independent, individual, self and systemic advocacy for people with disabilities. We are a Disabled Peoples Organisation (DPO) which means most of our board, members and staff are people with disabilities. We represent all people with disabilities nationally from the ACT in our policy work.

AFI works within a human rights framework and acknowledges the United Nations Convention on the Rights of Persons with Disabilities and is signed onto the ACT Human Rights Act 2004.

What we want from planning

We are engaged in planning issues because people with disability often experience barriers to accessing public spaces and places due to poor planning and compliance. We need the planning system to be guided by a holistic, person-centred, well-being perspective. We also need the planning system to respond to and address the lack of accessible and affordable housing.

We need planning policy that is guided by in-depth needs assessment work, a focus on social planning and more work to engage missing voices, especially people with disability who are largely invisible in planning debates despite being the most affected by planning outcomes or urban space as well as housing.

Not everyone is consulted in planning processes and not everyone gets planned for. Social planning is the practice of strategic planning applied to addressing identified social objectives. We believe that all ACT planning should include the objectives of reducing inequality and promoting the inclusion and participation of community members who face disadvantage.

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Planning in the ACT should prioritise the availability of social and community infrastructure where needed, the creation of safe and inclusive public spaces and improvements to affordability, accessibility and sustainability of housing and other infrastructure.

Through this submission, we first emphasise specific focus areas for the planning system to consider, we then provide a vision for the future of Canberra and the ACT before offering insights into best planning practices. This submission ends specific recommendations capable of achieving this vision.

Focus areas

AFI appreciates the inclusion of an outcomes-focused priority within the draft Territory Plan and district strategies, and the recognition that planning is linked with wellbeing, health, employment, and environmental outcomes. However, we put forth three key focus areas for the planning system to consider further:

Focus area 1: Accessibility

The ACT has a growing number of people with disabilities, as well as an ageing population. Developers need to be encouraged to include people with disability in planning and developing major projects around the city.

Development and planning in Canberra needs to meet and strive to exceed the minimum standards for disability access. This means we need consistent application of the disability standards at the Australian Standards or above throughout the built environment in new developments. We also need a progressive program of retrofitting older suburbs to address access problem areas identified by a standing group of consumers with lived experience of these barriers.

Promoting accessibility is desirable and necessary to achieve progress in life domains highlighted in the ACT Wellbeing Indicators, especially accessibility and connectivity, identity and belonging, as well as social connection. Accessibility is necessary not only to meet goals for active and healthy lifestyles and maintain wellbeing, but also to meet human rights obligations as well as to prevent discrimination. The ACT should aim to be ambitious and to ensure that (generally) high standards of access in the national capital precinct are mirrored in the urban heart and commercial centres and outlands of the city and its group centres.

Focus area 2: Universal Design

Universal design is an expression of a value put on equality by society. It is a concept that recognises, respects, values, and attempts to accommodate the broadest possible spectrum of human ability in design decisions. A universally designed solution provides an environment that applies to everyone: accessibility for all. Incorporating universal design in planning decisions and social developments not

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only provides better and more equal surroundings for people with disability, it also results in broad social and economic sustainability.

For the overall system of the built environment to work for people of all abilities, the design of each component – buildings, bridges, roads, other transport infrastructure, communities, public spaces – should be considered from personal and public health standpoints. In addition to understanding how people use the infrastructure, planners and designers need to routinely comprehend how the desired sum will be achieved through the interaction of the parts. Beyond mandates to meet universal design standards, the ACT government should incentivise developers to exceed universal design for true accessibility. Universal design should be mandated rather than considered.

Universal design and the provision of accessible spaces can be the difference between community living and independence and highly restricted lives for people with disabilities. Public health and community development research demonstrates that the environments in which people carry out their daily activities are critically related to health and well-being. In addition, creating accessible environments able to be enjoyed by all can facilitate a much broader range of social, economic, and health outcomes by increasing opportunities for employment, education, participation and inclusion.

Focus area 3: Affordable housing

Housing plays a major role in the health and wellbeing of people with disability by providing shelter, safety, and security. In the ACT, the limited supply of accessible housing that is affordable and appropriate does not meet Australia's commitment to the United Nations Convention on the Rights of People with Disability (UN CRPD) and the right for people with disability to live with equality and choice.

People with disabilities face dual disadvantage in the ACT housing market through a lack of accessibility combined with a shortage in housing with appropriate built form such as wider doorways, ground level entries, accessible bathrooms, and other basic features. The reliance on voluntary construction of accessible homes, post-construction home modification, and provision of accessible social housing has failed to deliver accessible housing for most people with mobility restrictions.

The new ACT planning system should prioritise the development and construction of affordable and accessible housing at scale within Greenfields and Brownfields development. A recent Australian wide study shows that if no action is taken on the housing shortfall, the additional cost to Australia in foregone benefits and additional social outlays will reach $25 billion annually by 2051 (in 2021

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dollars). In addition, the cost-benefit ratio of investing in more affordable housing is double the cost outlay.[1] This means that for every $1 invested, the taxpayer would on average receive $2 in benefits.

A changing ACT

Around 1 in 5 Canberrans has a disability while Canberra has an ageing population. The 2018 ABS Social and Community Services Survey found that 19.4% of those in the ACT had disability, up from 16.2% in 2015.[2] The ACT has been Australia's fastest growing jurisdiction over the past decade and Canberra's population is also projected to nearly double by 2060.[3] These changing demographics will [redacted]plications for how people live and work in, move through, and interact with their surroundings.

People with disability need to be prioritised within the future growth and development of the city and territory. This can be achieved through a greater focus on social planning in the ACT which will in turn deliver space, places, and infrastructure to facilitate and support wellbeing.

Social planning means planning for the needs and aspirations of people and communities through strategic policy and action, integrated with urban, regional, and other planning activity.[4] It is founded on the principles of social justice – equity, access, participation, and rights – and aims to enhance community well-being and effectiveness. At present, there is little in the draft Territory Plan or district strategies which acknowledges or promotes an explicit social planning perspective.

Embedding social planning into the planning system will help the Territory enjoy the positive outcomes stemming from robust social planning. There is a growing body of evidence demonstrating how well-planned cities contribute to better health, wellbeing, human rights, and social justice outcomes by supporting physical activity, improved access to healthy food, and creating safe environments that prevent injury and encourage social activity, while improving community belonging and integration.[5]

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[1] SGS Economics and Planning (2022) *Give Me Shelter: The long-term costs of underproviding public, social and affordable housing.* Housing for All Australians and SGS Economics and Planning Pty Limited.
[2] Australian Bureau of Statistics (2019) *Disability, Ageing and Carers, Australia: Summary of Findings,* Australian Government.
[3] Treasury and Economic Development Directorate (2023) *ACT Population Projections 2022-2060.* Canberra: ACT Government.
[4] Planning Institute of Australia (2021) *Social planning*. Planning Institute of Australia.
[5] See e.g., Deloitte (2021) *Urban Future with a Purpose: 12 Trends Shaping the Future of Cities.* Deloitte Touche Tohmatsu Limited.

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In addition, there is a great cost stemming from inaction and/or poor planning. Inadequate investments in public infrastructure, accessible housing, and community development will exacerbate housing costs, social divisions, and environmental impacts. Put simply, having and promoting an inclusive society and planning system avoids the costs incurred when people are excluded – from jobs, from businesses, and from accessing social services.[6]

Taking advantage of good planning: learning from best practices

It is vital to move beyond the role of planning in contributing towards maintaining physical and [redacted] and to question how the planning system can make better places that enable citizens to live lives to the full and to flourish. There is a growing body of evidence and best practices which link well-planned cities to good health, wellbeing, human rights, and social justice outcomes. The following examples are offered to illustrate the value and benefits that stem from effective planning:

Anticipating changing demographics in Singapore

Reshaping the built environment to accommodate the evolving needs of a changing demographic is a key challenge facing cities. Singapore has emerged as an exemplar when it comes to actively planning for and responding to its changing demographics, notably its ageing population.[7] The Singaporean planning system's focus on inclusive and healthy ageing is the result of an on-going effort beginning in the late-1990s.

Singapore's vision for its rapidly changing demographics emerged through a process facilitated by an inter-ministerial committee in 1999. The committee introduced the principle of ageing-in-place to develop strategies such as elder-friendly homes and environments, across the domains of housing, accessibility, healthcare and eldercare, and opportunities for active lifestyles and well-being for seniors.

In the early 2000s, the Ministry of Community Development and Sports pursued ageing-in-place through the development of an Eldercare Masterplan. However, the plan remained internal within the Ministry and the initiative did not gain broader traction. Learning from this, Singapore promoted a new concerted inter-agency, government-wide strategic focus.

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[6] Deloitte Access Economics (2023) The case for philanthropy in disability. Sydney: The Achieve Foundation.
[7] For a full overview, see Khoo, L.M., Chan, D.D., and Firdaus, A. (2021). *Towards Ageing Well: Planning a Future-ready Singapore.* Urban Systems Studies. Centre for Liveable Cities, Ministry of National Development, Singapore.

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The goals of accessibility and successful ageing have since been actively incorporated into successive Masterplans of different public authorities. This is to ensure that the multifaceted concerns stemming from changing demographics are tackled in a cross-sectoral, holistic, and comprehensive manner. The approach has also become increasingly participatory. In 2015, a year-long consultation involving some 4,000 Singaporeans resulted in a new blueprint and action plan for successful ageing.

The incorporation of different voices has transformed the narrative surrounding ageing-in-place: ageing is no longer a 'social' issue, but an 'existential' one. Planning for ageing has taken on a holistic socio-political dimension and has become intrinsically tied to the mission of creating a future-ready Singapore.

Connecting wellbeing budgeting and planning in New Zealand

Since 2019, wellbeing budgeting is used to guide New Zealand's national policy decisions. In contrast with the strong community emphasis to wellbeing pursued in other jurisdictions, the New Zealand approach is run primarily by the Treasury and based on a set of indicators within its 'living standards framework'.[8] This has led to a number of significant shifts in the way New Zealand is governed.

In terms of planning, the resource management system is undergoing major reform with the expressed intention of removing any involvement in land-use from territorial (district-level) local authorities in favour of a regional approach. New Zealand councils are exploring the idea of empowering self-identifying communities to prepare local place plans.[9] This is an approach which uses participatory budgeting and provides a single and coordinated process for expressing community needs and aspirations over a broad range of services.

This approach represents a pivot away from an emphasis on physical infrastructure as the dominant feature of the planning system, towards an emphasis on understanding and enhancing quality of life in communities.

Understanding and promoting accessibility in Breda, the Netherlands

The Dutch city Breda was the 2019 winner of the Access City Award. Central to this achievement was the work of its monitoring agency and community-based foundation called Breda Gelijk ('Breda Equal'). The organisation is divided into two working groups: Accessibility and Information.

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[8] The Treasury (2022) *Living Standards Framework*. New Zealand Government.
[9] Gooding, A., Harding, A., McKinlay, P., and Pieterse, M. (2022) 'Perspectives on metropolitan governance'. *Commonwealth Journal of Local Governance* 26, pp. 160-179.

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In 2016, Breda embarked on a three-year audit process, evaluating over 800 shops and bars in the city for their level of accessibility.[10] This process led to a series of upgrades of the built environment, but also raised awareness in the retail and commercial sector. In focusing on accessibility, the organisation also provides advice on outdoor areas and public buildings. Advice is often sought by institutions, authorities, or companies but Breda Gelijk also takes a proactive autonomous approach to access and independently evaluates how design and construction can be made more accessible.

One key component is its Accessibility Fund. This provides an incentive for owners of operators of businesses and buildings to increase their accessibility for people with disability. It is intended for carrying out modifications to non-municipal buildings with a public function and the immediate [redacted]

The positive impacts of universal design

Universal design minimises social exclusion and discrimination. The impost is often placed on universal design to establish its superior cost-effectiveness and value relative to existing exclusionary design standards. Yet, to date, little attention has been given to the waste of resources and excessive costs related to the exclusionary status quo.[11] For example, inaccessible built spaces hinder opportunities for employment, social connection, and access to essential services.[12]

The application of universal design offers potential economic and social gain by better meeting the needs of the entire population. By promoting inclusion and participation, universal design has the potential to enhance employment outcomes, housing, educational outcomes, as well as a range of social and health outcomes for people with disability.

Norway has long been considered at the forefront of embedding and promoting universal design, particularly through its planning system. One study indicated that Norway would experience a socioeconomic gain of NOK 13 billion (approximately 2.6 billion AUD) over a ten-year period if people with disability are able to increase their participation in working life by 5 per cent.[13]

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[10] See Henderson-Wilson, C., Andrews, F., Wilson, E., and Tucker, R. (2022) 'Global Benchmarking of Accessible and Inclusive Cities.' *Journal of Social Inclusion* 13(1): 42-65.
[11] De Jonge, D., and Schraner, I. (2010). 'Economics of inclusiveness: can we as a society afford not to provide assistive technology or use universal design?'. In: Maisel, J, ed. *The state of science in universal design: emerging research and developments.* New York: Bentham Sciences, pp. 132-143.
[12] Gleeson, B. (2001). 'Disability and the open city.' *Urban Studies* 38(2), pp. 251-265; Bigonnesse, C., et al. (2018). 'The role of neighbourhood physical environment on mobility and social participation among people using mobility assistive technology.' *Disability and Society* 33(6), pp. 866-893.
[13] Norwegian Ministry of Children and Equality (2009) *Norway universally designed by 2025*. Oslo: Norwegian Government.

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More broadly, by uplifting social inclusion for people with disability to a level equal to the rest of the population, a recent analysis indicates that Australia could unlock close to $84.2 bn per annum in collective economic and social benefits.[14]

Using the planning system to achieve this vision

In response to the new planning system and proposed Territory plan and district strategies, we recommend the following:

[redacted]d social planning unit which incorporates lived experience

Funding for a social planning unit within the new ACT planning system focused on improving planning for universal design and ensuring lived experience voice of people with disability and older Canberrans is heard in planning and neighborhood voice forums.

2. Funding to train planners, builders and certifiers to improve accessibility

Unlike other jurisdictions, the ACT lacks some of the layers of municipal government which would typically enable social planning to happen: for example, local level Access Committees, or regular programs to train, develop and encourage accessibility practices. We recommend an explicit focus on facilitating this capacity.

3. Program of audits/stocktakes of older parts of Canberra

To ensure that Canberran's remain safe, the planning system should incorporate and adopt a continuous and systematic approach to the management of public spaces which proactively audits areas and repairs issues. This approach must involve oversight from people with disability and older people, and it must incorporate the principles of universal design along with lived experience and priorities highlighted by local residents.

4. Incorporation and recognition of future demographics: intentional, conscious choices which can positively shape the future of Canberra.

As well as a broad view, this also involves understanding the changing nature and needs of individual suburbs and neighbourhoods. The ACT's growth and rapidly changing demographics will have an uneven effect on different parts of the Territory. As such, it is critical that the planning system pursue an integrated and comprehensive approach capable of incorporating and recognising the changing nature of the system at all levels.

[14] Deloitte Access Economics (2023) *The case for philanthropy in disability*, p. 9.

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Craig Wallace our Head of Policy and I would be keen to meet with you to discuss design and planning priorities for people with disability and the inclusion of disability representation in planning spaces.

Thank you for considering our submission in regard to the ongoing development of the ACT's planning system and reform project.

Best regards

[redacted]
Chief Executive Officer
Advocacy for Inclusion

2.02 Griffin Centre, 20 Genge Street, Canberra City, 2601
3 March 2023

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Building a stronger community

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Planning Bill Reforms and District Strategies - BCC Submission

The Belconnen Community Council (**BCC**) is a not for profit, government-funded community advocacy group who represent the interests of our members and the community to the ACT Government on a range of matters affecting people who live, work, and play in the Belconnen District.

As the voice of Belconnen for over three decades, and with over 100,000 people in our catchment, we are intimately engaged with processes both good and bad and are uniquely positioned to offer observations on what works for all sides of the channels we engage with.

This submission builds on our original submission during the consultation of the Planning Bill, our submissions to the Inquiry into Planning Bill 2022 in November 2022, and our oral submissions at the public hearings for the Inquiry. We do not intend to replicate those documents here but have included references to it where necessary based on the feedback from our members, the community and our committee members who have invested their personal time, energy, and effort into a decade of planning processes in our district.

Summary of Recommendations

These are a summary of the key recommendations made by the BCC. Further detail on these recommendations can be found on page 10.

1. The District Strategy be redrafted to include greater detail on the planning framework, the proposed changes for the district and the implementation of the District Strategy. They should also clearly feature integration of the relevant ACT Government directorates forward plans and infrastructure proposals.
2. The Territory plan and District Strategies must contain a clear framework outlining how effective ongoing collaboration across the ACT Government will be achieved as a priority.
3. The District Strategies should be subject to a life cycle review every two years to evaluate their effectiveness against desired outcomes.
4. Remove Lake Ginninderra (East) and Lake Ginninderra (West) from the possible investigation areas for more development.
5. That a mixed-use design guide is developed to provide clear guidance on best outcomes for mixed use developments.
6. The Canberra Stadium should remain in Bruce at its current location.

Key principles for planning decision making:

The BCC submits that the planning system should be subject to several key principles that guide the necessary decision-making process in a way that can restore trust in the planning system. These principles include:

- Integrity of process, consistency, and confidence with clarity of purpose – the community expects that the Government of the day and its Directorates will provide the District Strategy documents and a revised draft Territory Plan for public scrutiny before formalising these documents and legislating the *Planning Bill 2022*. The BCC supports Canberra Planning Action Group's (**CPAG**) recommendation to "improve the current Territory Plan rather than starting again"; there is limited value in starting from scratch without compelling cause as the requirements for better compliance and outcomes based on stringent principles and guidelines already exist.

- Establishing panels to strengthen trust, transparency and decision making – the Assembly has a role to play in many of the matters being dealt with from a non-technical perspective, and we encourage MLAs to use the expertise in their offices to assist with transparency. We note that there are different approaches to implementing these principles: CPAG suggest "minimising Ministerial 'guidelines' and regulations with limited public input; take decision-making on non-minor DAs away from the planning authority (e.g., NSW Local Planning Panels);" with other suggestions like establishing an overarching Planning Commission. These options are a sensible way to examine, review and promote trust in process. We also support the establishment of a much stronger mechanism to hold the Chief Planner accountable to the Minister and the Legislative Assembly allowing for transparency as to where the 'buck stops' for planning decisions and ensuring that these decisions are left in the hands of a democratically elected Legislative Assembly and Minister. This should include precise reporting requirements to report to the Legislative Assembly and the public on planning outcomes.

- Genuine consultation to ensure community participation and confidence.

    - To ensure confidence in the DA process, the BCC supports a commitment to continuous active consultation throughout the planning process.
    - The BCC also supports the introduction of Community Participation Plans. These plans should act as a framework to outline the processes, activities, and methods that will be used to ensure meaningful and effective community participation. This consultation should be structured to ensure that a broad sample group from the

local area is consulted and that all sectors of Canberra's community can express their views. This could employ a form of sortition to ensure a wide spectrum of respondents.

These key principles remain the focus of our Council. Involving the community at every level where they are directly affected by an application, variation, use of a discretionary power or legislative change is fundamental to the people of our district understanding consequences, co-existing with the built and natural environments around them and dealing with the ongoing effects that planning decisions have on our neighbourhoods.

Belconnen District Strategy:

We live in a district resplendent with natural beauty and a barely sustainable level of infrastructure to support it. Belconnen's population is due to increase by 70,000 by 2060[1], and the District Strategy should plan for this increase with our infrastructure capacity in mind. The District Strategy must sustainably provide for population growth within Belconnen's existing footprint to limit expansion onto existing green space and natural beauty areas that make Belconnen such an attractive place to live.

The BCC agrees that district planning should not just consider where development will occur, but the social, environmental, economic, transport, and amenity factors that are essential to creating liveable places. However, the District Strategy, in its current form, lacks the necessary level of detail to make these planning documents useful, and fails to articulate the future vision and plan for the Belconnen District.

There is an opportunity here for the District Strategy to provide a clear vision and framework for Belconnen to absorb the projected population increase, with detailed plans on how it will be achieved and how greater amenities can be delivered to Belconnen residents. Currently the Belconnen District Strategy does not accomplish this and instead appears to be a plan to make more plans, leaving Belconnen residents without clear direction on the future of their district. To assist this, the BCC submits that the District Strategies should be subject to a life cycle review every two years, which reviews the outcomes and considers community views.

It is critical that the legislation and District Strategies operate with common purpose and are navigable by members of the public.

[1] ACT Government population projections 2022-2060
https://www.treasury.act.gov.au/__data/assets/pdf_file/0007/2181985/ACT-Goverment-population-projections-2022-2060.pdf

This will allow the ACT Government to avoid issues and delays on delivering infrastructure, as occurred with the proposed green waste facility in West Belconnen, by highlighting issues prior to the DA stage and allowing time for solutions to be found.

Delivering on the district strategies – 12 implementation pathways

The following feedback on the implementation pathways highlights fundamental gaps in the 'five big drivers' and their implementation. These should be read considering our recommendations to enable the District Strategy to contain clear and sufficient detail for the community to understand the future of Belconnen.

1. Blue-Green network preservation and expansion

The District Strategy contains objectives around the desired outcomes associated with the Blue-Green network but provides limited information on how these objectives will be achieved over the short, medium, and long term.

Connecting gaps in the nature reserves should consider where these areas interact with active travel and other common infrastructure connections. For example, the Blue-Green Network should also include pathways that connect shops, schools, and health precincts.

However, while there is support for the enhancement and utilisation of "green network as areas to provide greater …connectivity within and between suburbs according to ecologically sensitive urban design provisions, including enhanced canopy coverage for new path networks," new pathway networks must not detract from or diminish green areas or fauna habitat.

The current District Strategy does not seek to preserve the green spaces or the habitat of native species, which should remain a key priority.

There must be more details and clearly articulated targets with time limits to achieve the outcomes of the Blue-Green network.

2. Detailed planning for future housing and employment

Currently, the planning documents are inconsistent with other estimates and reports across the ACT Government. For example, the population predictions in the Belconnen District Strategy are inconsistent with those published by the ACT Treasury. This creates confusion as to the applicability of the District Strategy and prevents the community from relying on it as a clear source of information on the region's future.

Environment, Planning and Sustainable Development Directorate's (**EPSDD**) should be integrating the work of other ACT Government agencies with policy responsibilities in the housing and employment space, such as the Suburban Land Agency (**SLA**), the ACT Treasury, the Education

Directorate and Transport Canberra into the planning documents to ensure better housing and employment spaces. This should include the use of scoping reports and integrated planning work. Additionally, EPSDD should push these agencies to work in accordance with the District Strategy and evidence-based planning approaches, including the provision of public transport and connections between new housing and local amenity. This will provide a stronger position in any negotiations with the NCA and Federal Government, as well as the NSW Government and local councils the ACT Government may interact with.

Where EPSDD does plan for additional housing, it should articulate what that would look like and provide evidence-based reasons for its decision making. Housing should not just be concentrated in the town centre but spread to spaces close to other existing amenities. Planned housing should also look at the potential externalities, both negative such as the urban heat effect, and positive such as the possibility for renewal of local shops and better financial stability for existing schools. It should also provide guidance on how negative externalities will be mitigated and positive externalities can be enhanced.

In the pursuit of gentle urban infill in existing suburbs, infill should be done in a way that is sympathetic to the existing residents and considers their concerns. Belconnen community members have identified that block amalgamation inconsistent with existing zoning requirements is a major source of tension with new developments. To address this, the definition of new residential development should be extended to cover situations where blocks are amalgamated to allow multiple dwellings on a site. Where developers seek to amalgamate adjoining properties, they should be subject to the same best practice standards and community consultation provisions placed on larger development projects.

The District Strategy should clearly consider the infrastructure needs where additional dwellings are added to suburbs. This should look specifically at schools, shops, green spaces, parks, and waterways. New developments should also be required to abide by the ACT Government's 30% canopy goal as a mandatory consideration of their DA.

3. Territory Plan – applying urban character and design principles

The National Capital Authority (**NCA**) has substantial control and influence on much of the Belconnen Town Centre (**BTC**) - the District Strategy should outline how this will be managed and what the process for undertaking consultation with the NCA on a bi-partisan footing to improve accessibility and infrastructure will be.

This includes treating them as an essential stakeholder to avoid future jurisdictional issues that could create issues for BTC residents. Ensuring that this relationship is well maintained and that

common ground is found where possible will allow for the easing of tensions and the mitigation of issues relating to the overlapping powers of both governments.

4. Transport and land use integration

Concerns regarding the mismatch between the existing District Strategies and documents published by other ACT Government directorates extend beyond housing. The District Strategy needs to give assurance to the community, businesses, and operators of community facilities. The ongoing DA issues concerning the proposed green waste facility in West Belconnen are an example of how land use cases that are not fully developed due to a lack of community consultation can impact the infrastructure delivery for the Belconnen region.

The District Strategy must also consider the impact of transport changes and use. The latest Transport Canberra timetable reduces the public transport services available to the community. There are fewer buses now than there were in 1993, and without expanding the bus fleet, the growing demand from the increased population and housing in Belconnen cannot be met. EPSDD should engage earlier with Transport Canberra in the planning process to allow future proofing of both housing and public transport routes. This could include considering if the reintroduction of the 700 series routes would better serve the needs of commuters and reduce the need for daily car commutes.

The District Strategy should involve greater contemplation of these transport links, include additional information on how transport links will be managed, better integrate active travel, and the potential Stage 3 of Light Rail. Currently, EPSDD predictions for Stage 3 Light Rail do not align with those published by Transport Canberra.

The District Strategy should be based on a clear consideration of commute times, the favourability of public transport and where new housing can be directed to best take advantage of the existing transport links. Additionally, how will an integrated education and sports precinct operate under the current arrangements with the NCA and Federal Government in the Bruce precinct? How will this impact the potential Stage 3 Light Rail?

It is worth considering the desirability of documenting new and pre-existing transit corridors in the District Strategies, to ensure the community and developers are well-informed of potential opportunities to improve liveability. For example, Florey contains a potential rapid mass transit route between Coulter Drive and Ginninderra Drive; it is unknown whether this will be used for light rail, yet the failure to preserve limited opportunities such as this would limit Belconnen's transit options in future. During the 2014-16 Master Plan consultation period, the BCC successfully campaigned for remnants of the Belconnen bus lane between the BTC and Coulter Drive to be transformed into a cycle path, noting that the route could potentially be repurposed for other

transit in future. The BCC suggests greater documentation of these routes would enable coherent long-term planning for improved active transit, without being wedded to any transport mode.

5. Employment and economic focus areas

This implementation pathway lacks sufficient detail to enable its consistent application. What criteria will be used to identify these centres, and how will the community be able to provide their input on those criteria? When these areas are identified, what processes will be used to develop them and how will this be factored into the housing, infrastructure and environmentally plans for Belconnen. The BCC submits that these criteria should include how existing employment hubs can be maintained and extended. This should include ensuring that commercial spaces are included in mixed-use developments.

To this point, the BCC endorses the call for a mixed-use design guide to provide clear guidance on the best outcomes for mixed-use developments.

6. Establish new innovation precincts

Following employment and economic focus areas, we are yet to see any examples of how innovation precincts will be established, the timeframe for their establishment or any other details that will assist the community in understanding the ACT Government's vision for these areas. The Bruce precinct and adjacent University of Canberra (**UC**)/Lawson areas have been identified as a potential innovation precinct, but it is not clear how they will integrate into the rest of the district or what further investment the ACT Government will make in these areas.

The ACT Government should provide a clear vision of this innovation precinct. The BCC believes that the Canberra Stadium should remain in Bruce at its current location, with the necessary investment to make this a quality facility for all of Canberra and be integrated with public transport and the future Light Rail Stage 3.

7. Group and local centres initiatives

Greater interaction with the group and local centres has been a cornerstone of planning for over a decade. There has been mixed success with this method, and there must be a comprehensive examination of previous failings across the Belconnen district, such as in: Kippax, Charnwood, Scullin, Weetangera, Mackellar, Giralang and Spence/Evatt. This should include examining the appeals process that held up Giralang shops for decades. While there are a few examples outside the Belconnen district where these principles have driven the desired changes and outcomes, they have yet to be realised here.

Leaving the realisation of these goals to an undefined process to drive consideration of whether further action is required will result in the same failed outcomes that occurred in the precincts

mentioned above. For example, the BCC has serious concerns about the progress of the Kippax Group Centre expansion, given the lack of agreement and discernible timeframes on its completion. What will the proposed new process look like, and how will it address these existing experiences and issues?

The ACT Government should be clear at the start of a project on its timeframes and set clear, enforceable targets for the completion of planning work and construction works. There must be certainty over the direction and priorities of the project's outcomes, with clear boundaries and requirements guided by community feedback.

The BCC supports targeted planning and non-planning initiatives to support declining group and local centres; however, this strategy needs more detail to provide confidence that there will be revitalisation and positive change, not another wasted decade. Furthermore, there must be a strategy to rescue group and local centres in the early stages of decline; proactive engagement at the first sign of economic distress from a business unit set up in the EPSDD/SLA structure to identify and help address the initial indicators of decline.

8. City making and 'urban improvement'

The BTC acts as Canberra's second CBD in many respects and is currently the densest part of our city. It presents a substantial opportunity for city making and 'urban improvement', and the District Strategy could clearly guide the BTC's future development to achieve this.

The District Strategy states that urban improvement is achieved by bringing amenities and density together; however, as outlined throughout this submission, there needs to be more detail on how the necessary infrastructure and services will be implemented. If the District Strategy could articulate how future housing will be integrated with the existing facilities within the BTC, as well as outline and plan for future facilities, the open and public spaces could be improved and act as proper 'third places' between work and home. In this approach, the District Strategy could greatly benefit the region. The BCC would support this and would be happy to lead the discussion with the local community to pilot this approach.

9. Facilitate the zero-carbon transition

The ACT Government is committed to net-zero emissions by 2045. It should be noted that the only initiative referencing this commitment is an ongoing general initiative for development precients to provide the infrastructure needed for this transition. Further work should be done to investigate and plan network infrastructure like battery storage systems and transport infrastructure like electric bus recharging. Additionally, public transport must be efficient and accessible across the district, especially in underserved areas in West Belconnen.

10. Integrated infrastructure planning

The BCC agrees with the following statement from the District Strategy: "Different directorates and agencies have a role in planning [for the infrastructure, services, and facilities] requiring a cohesive approach and collaboration across ACT Government to align plans for these pieces of infrastructure with the objectives and aims of the district strategies." Collaboration across the ACT Government is essential in delivering the objectives of the District Strategy. However, we are concerned that there is no framework or plan to develop a framework to enable and encourage this. The Territory Plan and District Strategies must contain a clear plan outlining how effective ongoing collaboration across the ACT Government will be achieved as a priority.

This framework should be transparent and promote accountability to the community. Achieving meaningful progress on the objectives of the District Strategy will require this collaboration, and the community must know who in government is responsible for delivering specific infrastructure and services. This approach should consider the consultation principles outlined earlier in this submission to ensure quality consultation occurs and that feedback is referred to the right area of government.

While the BCC supports the limited proposed collaboration identified in the District Strategy, a framework is required to allow this approach to be experienced across the district and provide detail and clarity on the required infrastructure and amenities to cater for the expected population growth in Belconnen. For example, the planned P-6 school at Strathnairn is listed as an initiative covered by the implementation strategy, but other necessary infrastructure such as a P-6 school and better travel links into the surrounding suburbs for the BTC, or a public pool, an Access Canberra centre, and a police presence in West Belconnen are not considered. The BCC submits that these are examples of vital community infrastructure projects that should be clearly included in the District Strategy.

11. Governance for comprehensive redevelopment

The key principles for planning decision making discussed earlier in this submission outline some of the BCC's key concerns regarding governance. The BCC firmly believes that good governance is essential to achieve good planning outcomes.

12. Social and affordable housing contributions

The provision of social and affordable housing is an essential consideration of the planning system and yet is barely touched on in the District Strategy. While multiple factors influence housing availability and affordability, the ACT Government is the most important actor in this space. The only reference to addressing this in the District Strategy is an investigation into the planning and design principles of social and affordable housing as a medium-term (10 years) timeframe. This

investigation should occur sooner, with extensive community consultation, and consider models to draw on internationally from other cities. There should also be a goal of ensuring that affordable and social housing is spread fairly across our city to ensure that public housing residents have the same opportunities to live in a well-suited location as other residents.

Where public, social and affordable housing is planned for Belconnen, there should be clear targets and potential barriers to its construction identified and removed. The sufficient provision of social, affordable, and public housing is a desirable outcome, and all districts should take their fair share. But there needs to be clarity, and a detailed strategy, on how this will be implemented.

Recommendations:

The BCC believes that the District Strategy component of the planning reforms has potential and is worth pursuing. However, while it can potentially deliver significant benefits to those who live, work, and visit our district and guide how Belconnen will grow in a sustainable, liveable, and affordable way, the District Strategy in its current form does not achieve this. Much work needs to be done to ensure fairness, equity, genuine consultation, and clear pathways to achieving a better Belconnen. The BCC provides the following recommendations to assist in achieving this outcome.

Recommendation 1: The District Strategy be redrafted to include greater detail on the planning framework, the proposed changes for the district and the implementation of the District Strategy. They should also feature clear integration of the relevant ACT Government directorates forward plans and infrastructure proposals.

In their current form, the District Strategies fail to articulate the future vision and plan for their respective region. This is especially true for the Belconnen District Strategy. While the BCC is supportive of this initiative and the development of the District Strategies, far more work is required to be undertaken, particularly for our district.

We have the largest footprint of any district and more educational facilities, community infrastructure, and public service employment hubs than any district outside the City Centre and Parliamentary Triangle. Belconnen also faces unique challenges as the densest district outside the city centre and with the largest parcels of NCA-controlled land. The ACT Government needs to provide the details necessary for Belconnen's residents to understand how our district's unique features and challenges will be accounted for as Canberra grows. To achieve this, the plans must be detailed, comprehensive, clear, and subject to ongoing consultation and inclusive practice to reflect community expectations accurately. This can only be achieved if the consultation is balanced, diverse and gives the residents the necessary information on District Strategies.

The BCC should remain a key point of contact for the ACT Government for proposed changes to the District Strategy. The BCC stands ready to provide any assistance necessary to bring this process to

a decent and reasonable conclusion and commits to establishing regular consultation with its community to assist in this process.

Recommendation 2: The Territory Plan and District Strategies must contain a clear framework outlining how effective ongoing collaboration across the ACT Government will be achieved as a priority.

The District Strategy highlights the importance of collaboration across the ACT Government in the following implementation pathways: 'Employment and economic focus areas', 'New innovation precincts', 'New innovation precincts' and 'Integrated infrastructure planning'.

This framework should be transparent and promote accountability to the community. Achieving meaningful progress on the objectives of the District Strategy will require this collaboration, and the community must know who in government is responsible for delivering specific infrastructure and services.

Recommendation 3: The District Strategies should be subject to a life cycle review every two years to evaluate their effectiveness against desired outcomes.

The review provisions in the Territory Bill currently before the Legislative Assembly requires improvement. The Executive only needs to consider, every five years, whether the District Strategy should be reviewed. Considering that the existing strategy appears to be a plan to make more plans, there must be a clear direction or aspiration for the Belconnen District.

A regular life cycle review process would provide the opportunity to examine the progress and outcomes of the objectives and initiatives of the District Strategy. There must be transparency in analysing the strengths, weaknesses, and opportunities available in the Belconnen district. This is essential to meet community expectations and foster community confidence in planning and development.

Recommendation 4: Remove Lake Ginninderra (East) and Lake Ginninderra (West) from the possible investigation areas for more development.

During the consultation conducted by the BCC for the ACT Planning System Review and Reform, and consultation conducted over the past thirty years, there has been overwhelming support for no urban development in these green space areas adjoining the lake.

The investigation areas around Lake Ginninderra, particularly along Diddams Close would be unserved by public transport with the nearest bus station requires crossing Ginninderra Drive to reach the rapid route on Gundaroo Drive. As a result, any proposed development would not only result in the loss of valuable green space but also encourage car use with its associated noise, pollution, and health hazards.

The BCC recommends investigating better 'gentle' and middle density options in established areas rather than compromise the public green space around Lake Ginninderra.

Recommendation 5: That a mixed-use design guide is developed to provide clear guidance on best outcomes for mixed use developments.

To restore confidence in the ability of mixed-use zoning to deliver a genuine mix of compatible uses in our suburbs and centres, the BCC recommends that EPSDD develop an ACT Mixed Used Design Guide (the Mixed Used Design Guide) to accompany the proposed ACT Urban Design Guide and ACT Housing Design Guide. This document should contain benchmarks and guidelines to ensure developers deliver building spaces that are attractive and useable by prospective tenants. Consultation should be undertaken with the local business community and community service providers to ensure the guide is tailored to the specific needs and commercial realities of the ACT.

Recommendation 6: The Canberra Stadium should remain in Bruce at its current location.

The Bruce stadium district presents an excellent location and opportunity to continue serving the needs of Canberrans when it comes to sporting facilities. With the necessary investment to ensure the facility is in line with modern expectations, the AIS and stadium district could become a vibrant part of the city and require significantly less funding than a new facility in the city centre. It could easily be accessible to all Canberrans via public transport and the future Light Rail Stage 3.

Concluding Remarks

The BCC overall is supportive of the creation of District Strategies. However, the proposed District Strategies require far more work to be useful planning instruments and must be available in a form that allows residents to understand the vision for their suburb and Belconnen more generally. We strongly encourage the ACT Government to consult with the BCC on future changes to the District Strategy and Territory Plan and establish a regular dialogue through the BCC Committee and our monthly meetings.

The BCC is willing to engage further on this process and provide any assistance necessary to ensure that the best outcomes are achieved for the residents of Belconnen.

Regards

[redacted]
Chair
Belconnen Community Council
3 March 2023
[redacted]

Comments on Inner South District Strategy from the Woodlands and Wetlands Trust 3 March 2023

1. Background

The *Capital Woodlands & Wetlands Conservation Trust (the Trust)*, has responsibility, in partnership with the *ACT Parks & Conservation Service*, for the ongoing development and management of the Jerrabomberra Wetlands Nature Reserve (JWNR) – an area of 200 ha of grasslands, woodlands and wetlands, which is within the area covered by the Inner South District Strategy.

The Trust welcomes the opportunity to comment on the *Inner South District Strategy* and welcomes its attention to the importance of the Jerrabomberra Wetlands Reserve. Because the *Strategy* has been developed at a high level of generality, our response will be directed to broader issues linked to the Strategy's 'five big drivers'.

The relevant 'drivers' and their stated or implicit significance for JWNR as we see them, are;

- Blue Green Network – Nature Reserves, open space, water elements and cultural heritage areas – expand liveable blue-green network connections
    - One of the two objectives **identified** for the Inner South is to "Develop appropriate green space buffers and other measures to limit the impact of future development at East Lake and Dairy Road on the Jerrabomberra Wetlands".
    - Planning for East Lake indicates a local park will be established – apparently on the current partially rehabilitated rubbish dump between East Lake and Dairy Road
- Strategic movement to support growth – role of the evolving public transport networks – reduce car use and promote more active type transport
    - Figure 31 Inner *South District Strategy Plan* (page 94) identifies JWNR as the existing primary route for active travel to Fyshwick. The location of a primary movement corridor through the Wetland is contrary to the nature conservation and nature appreciation role of the Wetland. The *Jerrabomberra Wetlands Concept Plan 2016* proposes the relocation of this pathway around the periphery of the Wetlands.
- Inclusive centres and communities – walkable access to daily necessities, community meeting places, community facilities – improve community well-being.
    - In previous conversation with the Suburban Renewal Authority, the Trust has identified its proposed cultural and visitor centre at the Eyre St interface with the Reserve as a potential site for community facilities.

Discussion

Blue Green Network

Issue 1. The *Strategy* treats the JWNR boundary as a hard boundary between the 'ecological protection'; and 'urban design' elements. This fails to recognise the opportunities for integration of natural elements into the urban development – an enhanced outcome for both the Reserve and residential amenity. This was a strong feature of the Trust's earlier input to the Suburban Renewal Authority when we were asked to comment on future development in this area.

Issue 2. Figure 41 indicates the retention of a hard rectangular grid for the residential East Lake area. Although this is not directly within the scope of Trust responsibility, we note that such a design takes no account of the natural drainage lines across the area – the basis for water sensitive urban design. Nor does it recognise the importance of a shift to building clusters within open space nodes, as the most effective spatial arrangement enhancing climate change resilience, urban amenity, and energy efficiency into the future.

Issue 3. We welcome the recognition of the need for "appropriate green space buffers and other measures to limit the impact of future development at East Lake and Dairy Road on the Jerrabomberra Wetlands". But we note that 78% of population growth in the Inner South District to 2063 is planned to be high density and 22% medium density.

This will create great pressure for out-of-dwelling recreation and access to nature. This increases the importance of the green space buffers and appropriate use of the Reserve. We look forward to an opportunity to discuss how these buffers and other measures will be implemented in the *Strategy*.

Issue 4. One of the greatest threats to the natural values of the Wetlands, and enjoyment of those natural values of the Wetlands by visitors, is the growing use of the area for active exercise (jogging), recreational cycling, dog walking, and commuter cycling. In the Trust's previous consultations with the Suburban Land Authority, the Trust has stressed the urgent need for the provision of a District scale park, incorporating play areas, dog walking facilities and exercise trails, to respond to these existing and growing future demands from Kingston Foreshore, East Lake and Dairy Road Estate residents.

We are pleased to see that Figure 41 indicates the inclusion of a park facility in the partially rehabilitated waste area to the east of the proposed East Lake residential area. This goes some way to meet the Trust's emphasis on the need for a large community recreational and play area servicing East Lake, Kingston Foreshore and Dairy Rd in order to take the pressure for active recreation away from the Wetlands.

In view of the current lack of these facilities across the whole area, the proposed Local Park facility needs to be upgraded to a District Park and should be built as soon as possible.

Strategic movement

Active transport

Issue 5. Figure 31: *Inner South District Strategy Plan* (p.94) shows the existing cycleway through the Wetlands as a current Inner South Primary Connection route.

As noted previously, the *Jerrabomberra Wetlands Concept Plan 2016* highlighted the need to separate the 'around the Lake Cycleway' through the Wetlands and the pedestrian pathway, in the interest of visitor safety and amenity. To this end, the *Concept Plan* proposed the relocation of the 'around the Lake Cycleway' around the southern and eastern Jerrabomberra Wetlands Nature Reserve boundary (*Concept Plan* p.52).

Issue 6. As identified above, one of the greatest threats to the natural values of the Wetland and visitor enjoyment of those values – with all the associated physical and psychological benefits – is the use of the Wetlands for purposes unrelated to those values, such as a transport corridor. Given the time scale of the Strategy, it is disappointing that the opportunity does not seem to have been taken to plan for the major people travel path to be outside the Reserve.

It is not clear if the active transport connections shown on Figure 41 are intended to provide a major active travel route outside the Reserve and realise the significant opportunities associated with the development of the Jerrabomberra Creek corridor to link the Reserve, East Lake, Dairy Rd Estate, the Mildura St area, Fyshwick, Narrabundah and Symonston. If that is the intention, we would welcome the opportunity to discuss how this route would be developed.

Public transport

Issue 7. Figure 41 shows the major public transport route as the existing Rapid Bus route along Wentworth Av and Canberra Av, into Fyshwick, with a secondary connection proposed off Wentworth Av, east along Cunningham St, with extension of Cunningham St across Jerrabomberra Creek, and connection into Dairy Rd Estate development.

This leaves the Wetlands poorly serviced in respect to public transport. It would make more sense, in respect to East Lake, and the proposed Wetlands Visitor and Cultural Centre adjacent to Newcastle House corner, to run this connection along Cunningham St and an extension of Geijera Pl north to Eyre St Visitor Centre location, looping back to the train easement into the Dairy Road development.

Inclusive centres and communities

Issue 8. Figure 41 indicates the location of a major 'First Nations Peoples & Cultural Centre at the agreed location for the Wetlands Visitors Centre (Newcastle House corner) – in line with earlier agreements of the Suburban Renewal Authority with the Trust.

Among the Objects of the Trust is the encouragement of participation by community groups and citizens in the management of environmental assets, including JWNR, and support for education, recreation and tourism activities related to wetland conservation at JWNR. We

would like to encourage consideration in the Strategy of the Trust facility (Wetlands Visitors Centre) as a central element of the organised social life in the local community. Its proposed location would be close to the existing cultural facilities of the Causeway Hall and Cargill's Cottage.

Authors

[redacted]

Members of the Woodlands and Wetlands Trust
[Endorsed 23 February 2023 by the Committee of the Woodlands and Wetlands Trust]

Combined Community Councils of the ACT

Belconnen • Gungahlin • Inner South • North Canberra • Tuggeranong • Weston Creek • Woden Valley • Molonglo

Submission 3 March 2023

Response to ACT Planning System Review and Reform Project – Draft Territory Plan and Draft District Strategies

Introduction

This submission is made on behalf of the Combined Community Councils of the ACT[1] (CCCACT), the peak body for the eight Community Councils in Canberra.

Background

The ACT Planning System Reform and Review Overview (November 2020)[2] noted 3 Key Messages under the heading "Challenges, gaps and opportunities":

Key Message 1	The current system does not adequately accommodate consideration of design quality or development appropriateness, putting at risk the valued character of Canberra and its suburbs.
Key Message 2	The disconnect between strategic and statutory planning means the system is not well placed to address future planning challenges and aspirations of the long-term Planning Strategy.
Key Message 3	These issues, along with the general complexity of the system, is compromising the community's confidence in the system and their ability to fully participate in planning and development.

The CCCACT members do not believe the Draft Territory Plan and Draft District Strategies (along with the Planning Bill 2022 and associated Design Guides, etc.) have adequately responded to these 3 key messages. In particular:

- We have little confidence that the reformed planning system proposed and the "outcomes based approach" will actually "preserve the valued character of Canberra and its suburbs".
- There is considerable further work to be done on the Draft District strategies to address the "disconnect between strategic and statutory planning".
- The community and relevant stakeholders have been poorly engaged in the development of the reform process which has further undermined "the community's confidence in the system and their ability to fully participate in planning and development". The reforms to date appear to have increased the complexity and reduced the certainty of the planning system.

[1] http://cccact.org

[2] Available from https://www.planning.act.gov.au/planning-our-city/act-planning-system-review-and-reform/resources

The following responses are supported by all eight members of the CCCACT.

Draft Territory Plan

Based on analysis undertaken by the CCCACT members, supported by strong engagement over multiple decades with their communities, the following comment and recommendations are made regarding the Draft Territory Plan:

1. The centerpiece of outcome focused planning are the design principles and desired outcomes.
    - These have appeared very late in the reform process (in the Draft Territory Plan) with no consultation (including with the Environment and Planning Forum).
    - It remains unclear how, when and by whom Desired Outcomes will be assessed, judged to be sufficient, and balanced, to ensure Final Outcomes align with Desired Outcomes.
    - It remains unclear whether exempt developments will be required to satisfy Design Principles and who will make this assessment (building certifiers ?).
2. Rezoning is an effective mechanism provided it is evidence-based, there are sufficient contributions to the common good (public sphere), the Living Infrastructure rules are enforced[3] and there are protections against poor quality design and architecture, piecemeal developer-driven developments and developments of excessive scale for their site or locale.
    - Living Infrastructure provisions appear to be significantly watered down in the draft Technical Specifications.
    - 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.
3. The Draft Territory Plan has a strong theme throughout regarding redevelopment of existing sites to meet densification goals. Further work needs to be done to explore development of surface car parks and large underutilized spaces such as Thoroughbred Park.
4. 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 makes them difficult to understand, to administer and to evaluate. Radical surgery is needed to fix the problems.
5. The Government needs to demonstrate its genuine commitment to the outcomes-based 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. For example:

[3] Draft Variation 369 - https://www.legislation.act.gov.au/ni/2019-807/

- Undertake an evaluation of the Mr Fluffy program which allowed for dual occupancies to be built on blocks bigger than 700 sq metres to learn lessons before any expansion of this model across Canberra.

- Evaluating the success of RZ2 zoning in providing medium density housing to learn lessons for the proposed further relaxation of requirements for multi-unit residential development near local and group centres.

6. The draft Territory Plan relies too much on subjective assessment. It should have clear, quantifiable outcomes measures. The government's definition: "Good outcomes that meet community needs" means very different and frequently conflicting things to different members of the community.

7. The failure of mixed-use development within Canberra to deliver a genuine mix of uses needs to be addressed through (perhaps) the introduction of a ACT Mixed Used Design Guide (the Mixed Used Design Guide) to accompany the proposed ACT Urban Design Guide and ACT Housing Design Guide. This document should contain benchmarks and guidelines to ensure developers deliver building spaces that are attractive and useable by prospective tenants. Consultation should be undertaken with the local business community and community service providers to ensure the guide is tailored to the specific needs and commercial realities of the ACT. The Mixed Use Design Guide should also be informed by the recommendations of the consultancy report into mixed use undertaken by the Planning Directorate's as part of the reform[4].

   - There are numerous examples of mixed use and commercial design guides in effect elsewhere in Australia. One such example is the Quality Design Guidelines for Commercial and Mixed Use Areas used by Melbourne's Glen Eira City Council.

8. To enable Assembly and community oversight, and to ensure clarity and certainty regarding Development Applications, the following items need to be included in the Territory Plan:

   - Tighter Definitions of desired outcomes, based on verifiable evidence and objective measures of compliance.

   - Key mandatory DA assessment requirements from the Technical Specifications.

   - Mandatory requirements for measures which protect the amenity of existing and future residents, such as access to sunlight/natural light, privacy, amount of planting area on residential blocks, building height, and protection of the character of heritage precincts.

   - Mandatory key characteristics of a livable environment, rather than in Technical Specifications and Design Guides which create uncertainty as to outcomes.

[4] Commercial and Industrial Zones and Mixed Use Development (SGS)

9. Regarding the Development Application process:

   - It should comply with nationally agreed benchmarks.
   - The criteria for exemption from the requirement for a Development Application are not yet available. A period of at least four weeks for public comment should be allowed when they become available. As these criteria will comprise mandatory criteria, they must be included in the Territory Plan.
   - An explicit requirement that DAs involving protected trees should be referred to the Conservator should be included as a mandatory Assessment Requirement in the Territory Plan (or as an amendment to the proposed Planning Act). Decision makers who decline to follow the Conservator's recommendation(s) should be required to give reasons for their decision.
   - An explicit requirement that DAs involving heritage matters are to be referred to the Heritage Unit and Heritage Council should be included as a mandatory Assessment Requirement in the Territory Plan (or as an amendment to the proposed Planning Act). Decision makers who decline to follow the Heritage Council's recommendation(s) should be required to give reasons for their decision.
   - The current Heritage rules must be maintained, and all development must preserve the built heritage, streetscape and character of heritage precincts. Property-buyers should be asked to sign a declaration that they are aware of heritage rules and will respect them.

10. When Design Guides become available, there needs to be appropriate time for further consultation (minimally 4 weeks).

11. Proposed changes to mandatory requirements in the Territory Plan should be treated as a major amendment, with appropriate notification to the Legislative Assembly and provision for the amendment to be disallowed if the Assembly considers that to be the appropriate action.

Draft District Strategies

Based on analysis undertaken by the CCCACT members, supported by strong engagement over multiple decades with their communities, the following comment and recommendations are made regarding the Draft District Strategies:

1. There needs to be an immediate and substantial improvement in how the District Strategies are further developed. 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 data overlays and other information to support the community in providing better informed feedback. This is especially important in view of

current community feelings of disempowerment and the experience of not being listened to.

2. The Blue-Green Network driver needs to be given stronger emphasis as an overarching guiding principle to ensure the retention of Canberra's unique character, relative to the other big drivers

3. All the District strategies need to informed by

    a. a detailed social needs analysis that is consistent across all districts.

    b. an evidence-based, rigorous methodology for projecting population increases in the ACT and hence the number of additional dwellings required annually, and their location.

Contacts:

[redacted]

Comments on ACT Planning System Review and Reform Project

OPENING COMMENTS

We appreciate having the opportunity to provide comment on the ACT Government's Draft Planning System and, in particular, the Draft District Planning Strategy.

The Government has presented a significant body of work through these Planning Reforms, which in turn requires respondents to deal with the considerable complexity of technical town planning concepts and a suite of public policy issues.

Our comments are as follows.

ISSUES

1. <u>Plan for Sporting and Recreational Facilities.</u>

- The District Strategies, as presented in draft form, could be enhanced by the Government developing a long term strategy or approach to the development, renewal and upgrade of sporting and recreational facilities to match the increase in population – both overall for the city and for each of the proposed districts.

- It is unclear as to whether existing facilities and spaces available for sporting and recreational activities will be impacted in any way, or remain, or be upgraded, as part of the planning development changes.

- Similarly, it is unclear as to whether the proposed arrangements will see public schools used for community sporting activities, and how this may impact upon the amount of open public space available for, and possibly readily-accessible to, sporting facilities in urban residential settings.

- For the sporting sector it is important know how its facilities and open public spaces interact with urban residential, business/shopping centres, and other community and commercial services. This is important to revitalising the established areas and in improving the development of new areas of the city.

- In the ACT Government's Commissioner for Sustainability and the Environment 2019 paper, "Heat, Humanity and the Hockey Stick: Climate Change and Sport in Canberra" it was identified that the Government had an opportunity to "Deploy climate change research and policy initiatives to respond and adapt to climate change impacts in sporting and active recreation settings".
  - It would be beneficial for the sport and recreation facilities across Canberra for these proposed Planning Reforms to take account of the impact of a changing climate for community sporting infrastructure, both outdoor and indoor facilities.

- In the ACT Government's "Healthy Canberra ACT Preventive Health Plan 2020–2025", it identifies as Strategic Actions:
  - "Ensure sporting facilities are accessible to community members of all ages and abilities and promote healthy behaviours"; and
  - "Identify and reduce barriers to utilising open spaces, nature and amenities to enable positive active living experiences for people of all ages and abilities".
  - Similarly, it would be greatly beneficial to support the pursuit of an active way of life through sport and recreation for all Canberrans that these Planning Reforms are aligned to the Preventative Health Plan and to a long term plan for sporting and recreational facilities.

2. <u>Plan for Transportation to enhance use of sporting amenity.</u>

- In the vision of the ACT Transport Strategy, it has a number of principles (i.e. Flexible, Connected, Healthy) that are highly applicable to the needs of the sport and recreation community. It would be valuable to gain a greater knowledge as to what the Government has in place for the current and proposed future transport plan in the sport and recreation context, both at a city-wide and at a district-specific level.

- In particular, this would help the sport and recreation sector to understand how sporting amenities will be available and accessible to citizens across Canberra's urban settings and each proposed district.

- A complementary transport plan that is cognisant of, and responsive to, the needs of community sport and recreation participants would assist in enabling all citizens to have greater access to sport and recreation facilities and to attend events and activities.

3. <u>Growth of the city's population matched by the growth of sporting facilities.</u>

- Each district strategy should have a specific commitment to ensuring that the growth of population is commensurate with the increase in sporting amenity to support the population.

- Noting that the increased density of housing, and the accompanying loss of residential green space (i.e. front and back yards for houses), will reasonably flow onto placing a higher demand for use of open public space.

- Planning for the growth of population should include a commitment to improving and increasing sporting and recreational infrastructure and be accompanied/supported a long-term Government preventative health strategy for having an active and healthy citizenry.

4. <u>Open space interacting with buildings and services</u>

- The Government's Well-being Framework identified sport as being a core component to the importance of the Social Cohesion domain. The Planning documents could offer greater prominence to the Well-being Framework to reassure all citizens that town planning relates to the cohesion and liveability of a city.

- The District Strategies offer broad comments on sporting and recreational facilities without necessarily detailing what is the long term plan and overarching principles for sporting and recreational facilities and amenities.

- The Government could utilise the experience and input of the sport and recreation sector in the development of a long-term (i.e. at least 10 years) facilities plan.

- It would be useful to understand the Government's intention for the thirty-one designated drylands ovals, specifically what is the intended use of this space as part of the reform of planning for the city of Canberra.

- Similarly, it would be beneficial to know what principles and practices that Government intends to apply for future planning of sporting and recreational facilities.
  - Anecdotally, it would seem that the consideration of sporting infrastructure is based on what space is available once land has been allocated for residential and commercial purposes rather than a strategic approach through the integration of all elements.
  - This often means that sporting space is limited to the extremity of urban space rather than helping to create social cohesion and to complement other community and commercial services.

CONCLUDING STATEMENTS

It is our assumption that the Government is seeking to realise a highly liveable city.

- The recognition of the value of sport and recreation with community engagement and the enhancement of healthy living in a city is mutually important to Government, to the sport and recreation sector, and to the community.
- Having contemporary indoor and outdoor sport and recreation facilities that enable this community engagement in the pursuit of a healthy and active citizenry can be a cornerstone for ongoing town planning policy and action.
- Given the Parliamentary Agreement of the Tenth Legislative Assembly has a commitment to developing a Facilities Management Plan for indoor and outdoor community sport and recreation facilities, we urge that through the development and the finalisation of this long-term Plan, it is utilised to revitalise and develop the city of Canberra.
- We would welcome the opportunity to engage with the Government's Land Planning agencies to discuss our views as to how the sport and recreation infrastructure open public spaces and the engagement of citizens in community-based activities.
    - This should include having the opportunity to comment on a further draft of the District Strategies prior to consideration by the ACT Government and its Cabinet.

As a highly engaged sector of the Canberra community we are willing to contribute to the ongoing planning and well-being of the city, its surrounds, and its citizens.

Yours sincerely

[redacted]

Executive Officer

on behalf of Community Sport ACT members

Tennis ACT & Chair of Community Sport ACT - [redacted]	AFL NSW/ACT – [redacted]
Basketball ACT – [redacted]	Brumbies (Community Rugby) – [redacted]
Canberra Region Rugby League – [redacted]	Capital Football – [redacted]
Cricket ACT – [redacted]	Hockey ACT – [redacted]
Netball ACT – [redacted]	

COMMUNITY
SPORT
ACT

AFL
NSW/ACT

BASKETBALL
ACT

BRUMBIES
RUGBY

CAPITAL
FOOTBALL

CRICKET
ACT

CANBERRA REGION
RUGBY LEAGUE

Hockey
ACT

netball
ACT

tennis

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

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 **3**

The Draft Territory Plan **4**
What is the Territory Plan? 5
State of the Environment Report 7
Critical interconnection with the Planning Bill 2022 8

Part A: Administration and Governance **10**
A.1 Name of plan and authority 10

Part C: Planning Principles and Strategic Links **10**
C.1 Object of Plan 10
C.2 Statement of principles of good planning 11
C.3 Strategic framework/ context 11

Part D: District Policies **12**

Part E: Zone policies **13**

Part F1: Subdivision policy & F2 lease variation policy **14**

Climate Change **15**
15

Biodiversity **16**
A Biodiversity Network for the ACT 17
Biodiversity protection is failing across tenures 18
Aims of the Biodiversity Network 18
Mature Native Trees 19
Plantings 19

Draft District Strategies **20**
Comments common to all district strategies 21
District Strategies pages 1 – 80 21
Five big drivers 21
Implementation pathways 22
Planning for population and Jobs (pages 32 – 35 District Strategies) 22
The Blue Green Network (page 40 District Strategies) 23
Sustainable neighbourhoods (page 57 Districts strategies) 28
Targets (District Strategies page 73) 28
District Specific 28
Gungahlin 28
Belconnen 29
Inner North and City 30
Inner South 30
Molonglo Valley 30

Tuggeranong 31
Weston Creek 31
East Canberra 32

Summary **32**

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.[1] It is prepared by the ACT Commissioner for Sustainability and the Environment. The most recent report was produced in 2019.[2] 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

[1] https://www.legislation.act.gov.au/a/1993-37/
[2] 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[3]. 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[4]. 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[5].

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[6], 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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[3] https://www.planning.act.gov.au/planning-our-city/act-planning-system-review-and-reform

[4] https://yoursayconversations.act.gov.au/act-planning-review/planning-bill

[5] https://www.parliament.act.gov.au/__data/assets/pdf_file/0005/2156792/PTCS-Report-12-Inquiry-into-Planning-Bill-2022-Final-Report-SIGNED.pdf

[6] 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 21st 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 7th and 8th 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 <u>all</u> 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*

Its 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[7]. Similarly, many threatened woodland remnants also occur outside of the reserve system, including 80% of Box-Gum Woodland.[8] 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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[7] ACT Government, *ACT Native Grassland Conservation Strategy and Action Plans,* p21.
[8] 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;[9]
- 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.

[9] 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 BIII) - 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 ACTmapi[10] and the maps are detailed at a neighbourhood level.**

[10] https://www.actmapi.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 <u>should</u> 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 <u>should</u> be if proper planning and analysis had been undertaken, they are simply extrapolations of past trends. <u>The purpose of a planning document is to determine what the projections should be,</u> 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,[11] 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,[12] 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.

[11] Nature Conservation Act 2019 (ACT), s169, 170.
[12] 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.[13] Additionally, over 40% of the critically endangered Yellow Box – Blakely's Red Gum Grassy Woodland (Box Gum Grassy Woodland) occurs on rural land.[14]

Table 1: Reserve status of key lowland vegetation communities[15]

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

[13] Calculations based on ACT Government, ACT *Native Grassland Conservation Strategy and Action Plans 2017*.
[14] n 2. Table 1, *ACT Native Woodland Strategy and Action Plan 2019*, p. 19
[15] 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%).[16]

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

[16] ACT Government, A*ction 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,[17] increase soil, air, and water quality,[18] support pollination,[19] control diseases,[20] and increase the liveability of the city.[21] 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.[22] 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.[23]

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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[17] Lindenmayer and Vardon, *Ecosystem accounts in box gum grassy woodlands,* 2021.
[18] Smith et al, *The role of ecosystems and their management in regulating climate, and soil, water and air quality,* 2012.
[19] Vanbergen *Threats to an ecosystem service: pressures on pollinators,* 2013.
[20] Zimmer, *Deforestation is leading to more infectious diseases in humans*, 2019
[21] Jacobs et al. *Livability: Natural environment, 2014*
[22] Cooper, 2009, *Report on ACT Lowland Native Grassland Investigation*, Office of the Commissioner for Sustainability and the Environment.
[23] Cooper, 2011. *Report on Canberra Nature Park (nature reserves)*, recommendations 2, 3.

the CNP[24]. **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[25] 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.[26]

Connectivity recognises that biodiversity is more resilient to disturbances and adapts better when it forms part of a continuous landscape.[27] 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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[24] ACT Government, *Canberra Nature Park Reserve Management Plan,* 2021.
[25] Sharp, V*egwatch Monitoring Program: Practice and Findings 2011 to 2018*: *Report to the Molonglo Catchment Group*, 2020.
[26] ACT Government, *ACT Native Grassland Conservation Strategy and Action Plans 2017;* ACT Government, *Canberra Nature Park Reserve Management Plan,* 2021.
[27] 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, revegate 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 Jerrabomba 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[28] 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.

[28] https://www.actmapi.act.gov.au/

Briefing: Building a Biodiversity Network Across the ACT

December 2022

Overview

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 this system does not adequately protect all the Territory's natural values, leaving many unprotected and at risk of mismanagement.

Notably, the reserve system is biased against low lying ecosystems and small areas of natural vegetation. Indeed, 67% of the ACT's Natural Temperate Grassland remnants occur outside the reserve system despite their status as critically endangered.[1] Similarly, many threatened woodland remnants also occur outside of the reserve system, including 80% of Box-Gum Woodland.[2] 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.

To facilitate adequate protection of natural resources, a strategic system that facilitates best practice 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. This paper outlines how '*A Biodiversity Network*' can act to support the protection and enhancement

[1] ACT Government, *ACT Native Grassland Conservation Strategy and Action Plans,* p21.
[2] Calculations from ACT Government, *Canberra Nature Park Reserve Management Plan,* 2021.

of natural values in the ACT. 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;[3]
- 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.

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.

[3] Environment Protection and Biodiversity Conservation Act 1999 (Cth), Part 3 Div 1.

Table of Contents

Overview ***1***

Part 1. Problem Framing **5**

The ACT Government's commitment to biodiversity protection **5**

Biodiversity protection is failing across tenures **6**

The reserve system does not protect all conservation areas of importance 6

Areas of conservation value outside reserves are being destroyed 7

Natural resources outside reserves are not consistently managed for conservation values 8

Biodiversity is impacted by fragmentation and edge effects 10

Part 2. A model for a Biodiversity Network in the ACT ***11***

Protection through an IUCN lens **11**

Implementation **13**

Identify Conservation Areas 13

Protect remnants through appropriate legislation 15

Develop and implement best practice management for ecological outcomes 15

Appoint a liaison and support team 16

Undertake public awareness 16

Benefits for biodiversity outcomes **17**

Better protection of all native fauna, flora and ecological communities 17

Improved protection and enhanced ecological management of mature native trees 17

Improved connectivity 17

Improved ecological function 18

Improved climate resilience 18

Application of consistent best practice adaptive management across all tenures 18

Other benefits **19**

Incorporation of First Nations partnerships and knowledge 19

Incorporation of rural and urban lessee and community partnerships, knowledge and support 19

Economic savings and opportunities 19

Enhanced human health and wellbeing 20

3. Case Studies ***21***

Case Study 1: Flea Bog Flat, Belconnen ACT 21

Case Study 2: Hall Cemetery 22
Case Study 3: Bluetts Block-Piney Ridge 23
Case Study 4. Kuringa Woodland 24
Conclusions ***25***
About Friends of Grasslands **26**
About Conservation Council ACT Region **26**

Part 1: Problem Framing

The ACT Government's commitment to biodiversity protection

The ACT Government has an obligation under Federal environment laws to protect its "matters of national environmental significance" (MNES),[4] regardless of whether they occur inside or outside of the reserve system. The ACT Government, per its own laws, is also obliged to protect, conserve, enhance, restore and improve biodiversity in the ACT.[5] This is particularly relevant to the ACT's two most threatened ecological communities: Natural Grasslands and Box-Gum Woodlands. In the context of this paper, biodiversity refers to habitats that are native to the ACT and that contribute to the resilience and function of these systems. The protection goals for ACT Native Grasslands state an intention to "conserve all remaining areas of native grassland in the ACT that are in moderate to high ecological condition".[6] There is no distinction between native grasslands on or off reserve. Similarly, the ACT Native Woodland Conservation Strategy includes lowland and subalpine native woodland communities in all conditions across all tenures and land uses, and notes the importance of an ecosystem management approach regardless of land tenure.[7]

There has been a recent renewed focus on supporting biodiversity outcomes across the urban landscape. The ACT Legislative Assembly's 'Nature in Our City Inquiry' highlighted the issues and opportunities to better manage the interface between the urban and non-urban environments. A total of 58 recommendations were made; centrally, it was determined that the ACT Government should re-commit to the concept of the city within a landscape context by developing a comprehensive strategy and implementing a wide array of supporting policies.[8]

The release of the Urban Forest Strategy set a new direction for the urban forest program to "take an ecological approach and support biodiversity".[9] With the recent commitment of $14 million into urban trees, it is crucial that this investment is utilised to facilitate key biodiversity outcomes alongside those outlined in the Urban Forest Strategy. For example, by ensuring that the planting of trees across all tenures will be done with the consideration of conservation, the most effective native species can be used to support connectivity and species habitat.

Against this backdrop, it is clear that stronger action to protect the Territory's unique biodiversity is due. This action must be based on ecological understandings of how the landscapes work, and how human beings can live sustainably. The proposal for a Biodiversity Network has been designed with these commitments in mind to ensure that it fulfills the ACT's regulatory and legal commitments.

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[4] Ibid.
[5] Nature Conservation Act 2019 (ACT); ACT Government, *Parliamentary and Governing Agreement of the 10th Legislative Assembly*, 2020.
[6] ACT Government, ACT *Native Grassland Conservation Strategy and Action Plans 2017*, p 11.
[7] ACT Government, ACT Native *Woodland Strategy and Action Plan,* 2019, p 8; 21.
[8] Inquiry into Nature in Our City, Final Report, 2020.
[9] ACT Government, *Urban Forest Strategy*, 2021.

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 below.

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,[10] 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,[11] 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. 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.[12] Additionally, over 40% of the critically endangered Yellow Box – Blakely's Red Gum Grassy Woodland (Box Gum Grassy Woodland) occurs on rural land.[13]

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[10] Nature Conservation Act 2019 (ACT), s169, 170.
[11] Calculations from ACT Government, *Canberra Nature Park Reserve Management Plan,* 2021.
[12] Calculations based on ACT Government, ACT *Native Grassland Conservation Strategy and Action Plans 2017*.
[13] n 2. Table 1, *ACT Native Woodland Strategy and Action Plan 2019*, p. 19

Table 1: Reserve status of key lowland vegetation communities[14]					
	ACT total (ha)	**Reserved or managed by PCCS (ha)**	**In reserve (ha)**	**% of total hectares reserved or managed by PCCS**	**% of total hectares reserved**
Yellow Box–Blakely's Red Gum Grassy Woodland	21,975	6,490	4,366	30%	**20%**
Drooping She-oak Lowland Woodland to Open Forest	670	478	236	71%	**35%**
Red Box–Tall Grass–Shrub Woodland to Open Forest	1,779	368	270	21%	**15%**
Snow Gum Grassy Woodland	90	21	21	23%	**23%**
Total (woodlands above)	**24,514**	**7,357**	**4,893**	**30%**	**20%**
Natural Temperate Grassland	**1,158**	**871**	**305**	**75%**	**26%**

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

[14] ACT Government, *Canberra Nature Park Reserve Management Plan,* 2021.

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%).[15]

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.

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.

Natural resources outside reserves are not consistently managed for conservation values

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,[16] increase soil, air, and water quality,[17] support

[15] ACT Government, A*ction Plan to Prevent the Loss of Mature Native Trees* 2022.
[16] Lindenmayer and Vardon, *Ecosystem accounts in box gum grassy woodlands,* 2021.
[17] Smith et al, *The role of ecosystems and their management in regulating climate, and soil, water and air quality,* 2012.

pollination,[18] control diseases,[19] and increase the liveability of the city.[20] 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.

The 2019 Territory Plan identifies that conservation is a secondary or lower objective on land uses other than reservation, meaning conservation values do not need to be managed as a priority other than on reserved land. While conservation management may be coincidentally integrated into the care of these tenures, the outcome is that there is no consistency across the ACT or logistical support for best practice management to be applied to all land of conservation value. 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, as demonstrated in Case Study 1: Kuringa Woodland. 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.[21] 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.[22]

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. Case Study 2, Hall Cemetery, describes what is being done to retain a population of an endangered orchid within a working cemetery. Kinlyside Nature Reserve in Hall

[18] Vanbergen *Threats to an ecosystem service: pressures on pollinators,* 2013.
[19] Zimmer, *Deforestation is leading to more infectious diseases in humans*, 2019
[20] Jacobs et al. *Livability: Natural environment, 2014*
[21] Cooper, 2009, *Report on ACT Lowland Native Grassland Investigation*, Office of the Commissioner for Sustainability and the Environment.
[22] Cooper, 2011. *Report on Canberra Nature Park (nature reserves)*, recommendations 2, 3.

is managed under a leasehold agreement to achieve conservation outcomes. Other areas are managed similarly with leases over parts of the CNP[23]. Furthermore, opportunities exist through the Planning Review to identify off-reserve conservation land uses that can ensure consistent conservation management is applied across tenure. 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[24] 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.[25]

Connectivity recognises that biodiversity is more resilient to disturbances and adapts better when it forms part of a continuous landscape.[26] 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.

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[23] ACT Government, *Canberra Nature Park Reserve Management Plan,* 2021.
[24] Sharp, V*egwatch Monitoring Program: Practice and Findings 2011 to 2018*: *Report to the Molonglo Catchment Group*, 2020.
[25] ACT Government, *ACT Native Grassland Conservation Strategy and Action Plans 2017;* ACT Government, *Canberra Nature Park Reserve Management Plan,* 2021.
[26] Smith, Smith, *Urban edge effects in the Blue Mountains, New South Wales: implications for design of buffers to protect significant habitats*, 2010.

Part 2: A model for a Biodiversity Network in the ACT

Protection through an IUCN lens

The purpose of the Biodiversity Network is to formalise management for biodiversity outcomes on multiple types of public and leased land, through a combination of protection, restoration and reconnection compatible with other land management objectives, applying the principles of the International Union for the Conservation of Nature's (IUCN's) Protected Area Network. Any area in the ACT with high quality natural values – whether unleashed or leased – should be designated as part of the Biodiversity Network. The focus should be on a) identifying and protecting biodiversity, and then b) consideration of options for development of areas that do not compromise the biodiversity elements.

Protected areas are the principal mechanism for biodiversity conservation on Earth and serve as the most important units for in-situ conservation internationally. Protected area categories identified by the IUCN are applied to regions or zones of land or sea which are given certain levels of protection for conservation of biodiversity and socio-environmental values. In these areas a hierarchy of human intervention (other than conservation-based management) and exploitation of resources is defined.

Reserves within CNP and other areas are mainly identified as IUCN Category IV: Habitat/ species management area with a primary management objective to maintain, conserve and restore species and habitats.[27] Tidbinbilla and parts of Namadgi National Park are designated as an IUCN Category II reserve. Other parts of Namadgi National Park are designated as IUCN Categories Ib and IV.[28]

In 2019 the IUCN defined a new category, 'other effective area-based conservation measures' (OECMs). The relevance of this category to a Biodiversity Network in the ACT is as follows: "OECMs may be managed for many different objectives but they must deliver effective conservation. They may be managed with conservation as a primary or secondary objective or long-term conservation may simply be the ancillary result of management activities".[29]

Other jurisdictions in Australia and internationally have applied IUCN categories to protect areas outside reserves. This allows and promotes best practice conservation management and protection of all significant natural resources while maintaining compatible land uses.

A Biodiversity Network would provide a layer of protection that falls across a jurisdiction for the purpose of protecting natural values, consistent with the IUCN category OECM that identifies conservation as the primary objective, has proper regard to natural and cultural values and provides for additional uses.

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[27] ACT Government, *Canberra Nature Park Reserve Management Plan*, 2021.
[28] ACT Government, *Nature Conservation (Reserves—IUCN Categories) Assignment,* 2021
[29] IUCN, *Recognising and reporting on other area-based effective conservation measures. Protected Area Technical Report Series No. 3*, 2019.

The key outcomes of putting a Biodiversity Network in place across areas of moderate-high conservation value or areas important for connectivity, whilst retaining compatible land uses, are:

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

The implementation of a Biodiversity Network provides the opportunity to identify Conservation Areas (OECMs) outside the reserve system, and together with existing and future nature reserves, manage them as a landscape mosaic, rather than as isolated remnants of different ecological communities, receiving inconsistent protection and management.

A Biodiversity Network should contain assessment criteria relevant to retention of conservation values that are appropriate for multiple land uses. These criteria would give clarity to regulative legislation by mandating the requirement for upholding protection and maintenance of these areas from destructive and degrading land-use change and exploitation. The criteria would facilitate the implementation of Action Plans for threatened species and ecological communities across all tenures.

The Biodiversity Network delivers on the ACT Government's recognition of the importance of providing "a healthy natural environment" that includes benefits to biodiversity directly, and also the considerable benefits to human living conditions.[31]

[30] Smith, Smith, *Urban edge effects in the Blue Mountains, New South Wales: implications for design of buffers to protect significant habitats*, 2010.
[31] ACT Government, *Canberra Nature Park Reserve Management Plan,* 2021.

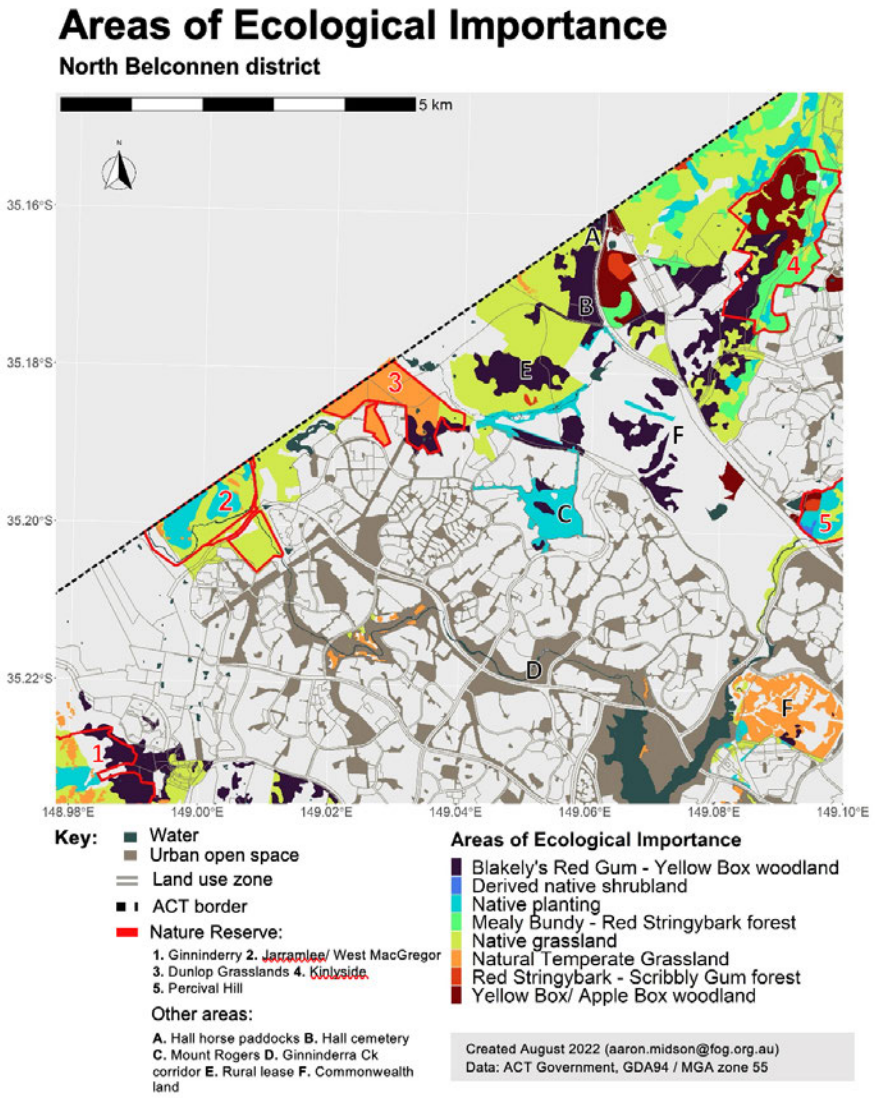
Implementation

It is proposed a stakeholder group be established to help guide and support the implementation of the Biodiversity Network. Stakeholders should include ACT Government agency representatives, Commonwealth agencies, research organisations, First Nations representatives, rural lessees, and community group representatives.

The stakeholder group would assist with defining the principles and criteria for implementing the Biodiversity Network. Some matters for consideration are outlined below.

Identify Conservation Areas

A variety of options for applying Conservation Areas may be considered, depending on the particular land use and condition of areas. A map of the northwestern edge of the Belconnen district demonstrates existing links across the landscape and provides the basis for the creation of Conservation Areas across multiple land uses (See map below).



Conservation Areas can be identified using the considerable survey data and mapping that already exists, using, for example, The ACT Government's "ACT Habitat and Connectivity Map".[32] Additional small remnants exist that may not be mapped; considerable knowledge about many of these lies within the local community.

In many sites existing land uses may remain, and be utilised for purposes such as production, recreation or fire access, as long as they do not compromise biodiversity values. Opportunities should be given to regenerate degraded areas to improve conservation values outside existing remnants, focussing on areas that improve connectivity across the landscape. Conservation Areas should be accessible on public maps for example through the use of interactive interfaces such as QR codes.

A proposed framework is outlined below.

A. Unleased land, including public land

1. Create new nature reserves: possible examples include Mt Rogers, currently urban open space, and Mugga Mugga Grassland, managed by ACT Historical Places.
2. Incorporate remnants into existing adjacent nature reserves: an example includes the Grassland within Glenloch Interchange which could be incorporated into Aranda Bushland Nature Reserve.
3. Create Conservation Areas:
    a. Existing remnants with biodiversity values, such as native woodland or grassland habitat. These typically occur within Urban Open Space (UOS) land use zones. The Conservation Areas may include all of an existing UOS area, or only part. Examples include the native grassland already identified within Bass Gardens in Griffith, remnants of grassy woodland and grassland within Umbagong Park in Florey and several horse paddocks and travelling stock reserves, such as those adjacent to Hall village.
    b. Small and isolated remnants to improve connectivity. Examples include Tennant Street Grassland in Fyshwick and groups of trees with or without native ground flora in open space between houses.
    c. Gaps in connectivity between remnants should be identified and corridors established. Existing corridors linking remnants with a variety of vegetation that enhance movement of fauna and opportunities for plant pollination include roadsides, waterways or walkways within suburbs. Examples include walkways between Mt Rogers and small woodland remnants, or larger remnants within urban open space such as the Ginninderra Creek corridor through Belconnen (see map above), and threatened woodland and other native vegetation along Tidbinbilla Road easement.

In all cases, conservation values and condition could be improved by the reintroduction of native biota and habitat features.

B. Leased urban and rural land

Application of a Biodiversity Network on leased land requires the collaboration of lessees and the ACT Government, recognising that lessees already have legal agreements for use of land. On rural leases, Land Management Agreements were established to promote appropriate

[32] ACT Government, yet to be published.

sustainable agricultural management practices. There is a risk that some lessees may view restrictions to their use of areas as an economic impediment. No such arrangement exists for leased urban land, and little if any assistance is provided to urban lessees to look after the natural values. Such sites range from small remnants of grassland at St Marks in Barton to large areas of land such as at the University of Canberra.

Voluntary agreements acknowledge the role of rural and urban lessees in protecting biodiversity. In other jurisdictions in Australia voluntary covenants provide a means to apply conservation restrictions via a mutual agreement between Government and private landholders. Collaborative conservation agreements between lessees and government in the ACT may be a mechanism to provide protection and appropriate management on both rural and urban leased land, similar to that applied in NSW under the covenant system.

A collaborative agreement should include provisions of financial and logistic support to facilitate implementation of conservation management, while enabling other land uses to continue.

Protect remnants through appropriate legislation

Remnants identified as part of a Biodiversity Network should be designated through legislation as Conservation Areas, utilising the Nature Conservation Act and the Territory Plan. The current reviews of the Planning Bill, the District Strategies and the Territory Plan provide the opportunity for incorporation of an additional zone or 'Conservation Area' alongside the existing categories, Pb (National Park) and Pc (Nature Reserve) or a change in definition to the category, Pd (Special Purpose Reserve), to include Conservation Areas.

Legislative changes need to be effective in providing long-term protection, and to ensure there are no inconsistencies between the requirements of Conservation Areas, and the requirements of other planning controls.

The key element to achieve this is a clearly established set of principles and criteria for assessing areas to potentially be included in the Biodiversity Network.

Develop and implement best practice management for ecological outcomes

Management of the Conservation Areas within the Biodiversity Network should be resourced adequately so that it can achieve long-term conservation outcomes. Opportunities should be taken to enhance biodiversity through existing conservation and regeneration programs. ACT Government directorates or agencies that have ecological knowledge to apply best practice management should engage in knowledge sharing with all areas of Government and provide assistance to lessees.

Actions identified in the Canberra Nature Park Reserve Management Plan provide a template that can be applied to Conservation Areas as appropriate. These include:[33]

- The development of site-based implementation plans and on-ground works plans;
- The implementation of monitoring to measure outcomes;

[33] ACT Government, *Canberra Nature Park Reserve Management Plan*, 2021.

- Resource allocation to achieve these identified actions

Priority should be given to fund on-ground works (government funding and NRM grants) that achieve the conservation outcomes identified in the plans. These plans should be developed as a cooperative process with all stakeholders, including relevant community representatives such as ParkCare groups.

Recently implemented programs including Connecting Nature Connecting People provide opportunities to strategically implement management and improve condition of individual remnants within the ecological landscape.

Appoint a liaison and support team

A liaison team should be appointed to aid in the coordination of the Biodiversity Network and to promote knowledge sharing. The liaison team should consist of staff with skills in conservation management to work with lessees and all relevant government directorates.

A significant proportion of land containing threatened ecological communities and species also occur on Commonwealth managed lands in the ACT. While the Biodiversity Network cannot be imposed on Commonwealth land, opportunities should be taken by the support team to work with Commonwealth land managers to achieve similar outcomes in areas that contain MNES.

Undertake public awareness

Public education will be important to ensure community and lessees are supportive of the scheme, to ensure there is recognition that multiple land uses can be compatible and that limitations on use of the land will be negligible or compensated. Public education could be achieved through, for example:

- Public signage
- Advertising on buses
- Teacher resources and curriculum linked lesson plans
- Schools, community groups, preschools encouraged and supported to visit natural areas in close proximity
- Information about accessibility to selected Conservation Areas improved
- Nature walk and talk programs

Benefits for biodiversity outcomes

Better protection of all native fauna, flora and ecological communities

A *Biodiversity Network* would enable protection of flora and fauna and communities that, while not designated threatened, may not be well represented in the reserve system or may contain important habitat for particular biodiversity elements. Furthermore, protecting these key areas will assist in ensuring that species and communities do not become threatened.

Improved protection and enhanced ecological management of mature native trees

A *Biodiversity Network* would assist in the protection of remnants and corridors in which mature native trees occur. Many mature trees retain cultural values, including scar trees, ring trees or mark key cultural areas. Isolated trees, while they provide some benefits, when managed as links across the landscape provide important benefits to biodiversity. Mature native trees provide for the landscape in many ways, for example, by:

- Providing nesting habitat and materials.
- Creating “islands” or “stepping stones” across the landscape to facilitate connectivity.
- Contributing to soil conservation and stability, water quality, air quality, nutrient cycling and carbon sequestration.
- Promoting pest management by providing habitat for insectivores such as bats and birds.
- Providing foraging and shelter sites for ground-dwelling animals.
- Supporting heritage and cultural values.
- Supporting numerous and diverse invertebrate populations.
- Contributing to socio-economic wellbeing by improving mental health for residents in cities, providing shade, mitigating ‘heat island effect’, and increasing residential property prices.

Improved connectivity

A *Biodiversity Network* would support the protection of corridors of native vegetation that provide connectivity between remnant patches and reserves. The current studies being undertaken within the Environment, Planning and Sustainable Development Directorate (EPSDD) to identify key areas where native vegetation can provide potential movement corridors for flora and fauna between remnants can play an important role in providing for the *Biodiversity Network* to improve the function and diversity of important remnants.

Implementation of a Biodiversity Network to include conservation corridors (recognising that many potential Conservation Areas already link larger remnants) would ensure such areas continue to provide opportunities for the movement of fauna, including invertebrates, and facilitate pollination of plants as well as physical movement of seed across the landscape. Many of these areas already occur, such as planted or endemic native trees along roadsides or along water bodies or along bike paths. A Biodiversity Network would provide these Conservation

Areas with a level of protection and management to retain or improve biodiversity values, whilst retaining primary land uses.

Other areas contain important assets such as the built wetlands, that provide habitat for a range of species including amphibians, reptiles and birds. These wetlands are an example of how existing areas can be integrated into the Biodiversity Network, without any land use changes. The Murrumbidgee and Molonglo Rivers and associated tributaries are key corridors for movement of fauna, including pollinators. Many older suburbs contain mature trees and shrubs that promote movement of fauna.

Improved ecological function

Vegetated areas cool the region, enhance water retention, and support fauna. Improving the condition of remnants, identifying and managing connectivity corridors for ecological outcomes will enhance ecological function. The urban wetlands provide important functional roles in the retention and cleaning of water entering the creeks and rivers.[34]

Improved climate resilience

Preservation of biodiversity across the landscape provides opportunities for improving climate resilience. A public awareness campaign undertaken as part of the implementation of a Biodiversity Network would provide opportunities for government and community to reduce the built environment's influence on climate change, and inform actions such as planting heat- and drought-resilient species into the ACT and region, reducing hard surfaces and consideration of improved building styles, as well as promoting the planting of appropriate species to enhance habitat as well as mitigate against climate change effects.

Application of consistent best practice adaptive management across all tenures

Opportunities to improve and better coordinate management across land tenure and land use are likely to facilitate:

- more effective plant and animal pest control across the landscape,
- more sustainable grazing practices such as short-phased rotational grazing,
- improved coordination of fire mitigation between lessees and government agencies,
- enhanced climate resilience as best practice is applied more widely,
- improved herbage mass management with outcomes of better bushfire protection,
- improved levels of natural plant regeneration,
- improved habitat connectivity and resilience, and
- potential to reduce costs of management.

Ecosystem knowledge should inform protection, enhancement and management. Areas mapped as needing protection for their conservation values should have specific management plans that address improvement of biodiversity, management of cultural values, managing threats including pest control, incompatible land uses and incorporate strategic (as opposed to reactive) wildfire management.

[34] Somayeh Alikhani et al, *Urban Wetlands: A review on Ecological and Cultural Values*, 2021.

Other benefits

Incorporation of First Nations partnerships and knowledge

Many areas of conservation value contain areas of existing and archaeological cultural importance. A Biodiversity Network that better conserves the landscape can enhance opportunities to incorporate indigenous cultural values, and to improve cultural respect for the land. Opportunities should be undertaken to involve First Nations people in planning and management, to ensure no activities result inadvertently to damage to cultural heritage sites or artifacts and to promote culturally applicable management options.

This approach recognises the cultural obligation to Care for Country, which should be recognised by the entire community.

Incorporation of rural and urban lessee and community partnerships, knowledge and support

Farmers are increasingly supporting regenerative farming practices, conserving their native vegetation, soils and water resources. As has been demonstrated,[35] such practices have multiple benefits, improving productivity, reducing costs of pest control and enhancing biodiversity for functional purposes. Much could be done to provide opportunities for the agricultural sector to contribute knowledge to each other and to the broader community.

Similarly, the community is a significant resource in terms of knowledge, experience and understanding of processes on a fine and broader scale, which should be encouraged. However, as recent studies have shown volunteers undertake a considerable proportion of on-ground conservation work, and although volunteering has inherent values with many positive outcomes for both the people involved and community, there are many instances where volunteers feel undervalued, their efforts are undermined by damage to the sites they work in through lack of consultation or planning, or are burnt out.[36]

Economic savings and opportunities

There are many examples of one land management action creating numerous additional management problems, generally as a result of lack of understanding by the executor, poor planning and lack of consultation. In many cases these actions cause unnecessary site disturbance, and increase the spread of invasive pest plants, thus increasing expenditure required for restitution. Such examples include the spread of weed seed by mowers not taking responsibility for mowing according to existing guidelines, actions undertaken for fire mitigation that destroy habitat or poorly thought out implementation of programs such as planting of trees in and adjacent to natural grasslands, that then have to be removed, wasting resources and leaving behind disturbed ground. Application of programs and management guided by defined criteria will save money and result in best practice outcomes (the consistent application of best practice restoration 'recipes', for example).

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[35] Massy, C., 2017. *Call of the Reed Warbler. A new agriculture A new earth*. UQP Press, Queensland.
[36] Commissioner for Sustainability and the Environment, *State of The Environment Report*, 2019.

Enhanced human health and wellbeing

Human well-being is linked to the natural environment in myriad ways. A growing body of empirical evidence is revealing the value of nature experience for mental health. A Biodiversity Network would ensure Canberrans have ready access to nature into the future, supporting physical and mental health outcomes and facilitating people's connections with nature and provide opportunities for meaningful stewardship of their local biodiversity.

Proximity to nature is well understood to have wellbeing and mental health benefits for people (see Case Study 4, Kuringa Woodland Landcare). Many in Canberra live in close proximity to green spaces; nature reserves, urban parks and urban greenery across the landscape. However, growing population and increased urban densification, intersecting with a changing climate, will require the prioritisation of nature across the urban landscape, to support emotional and physical wellbeing.

Formally incorporating local biodiversity into urban planning to support the physical and mental health of Canberrans could result in a reduction in costs associated with mental health for both local residents and the Canberran community as whole.

Nature across the city will also support the community as temperatures rise due to global climate change. Exposure to heat is exacerbated in urban environments through the urban heat island effect with serious effects on mental health.

A Biodiversity Network would allow the ACT Government to better meet community expectations in regard to the values they place on the natural environment. Most Canberrans value their proximity to the region's natural areas; many belong to Landcare Groups to support biodiversity. The hours that are contributed by the community through volunteering to improve environmental outcomes is substantial; every year volunteering contributes $1.5 billion to the ACT economy[37]. These hours are not only spent in areas that are currently protected through reserve status, but also include areas outside reserves. Yet community feedback regarding poor management of natural resources outside reserves is not uncommon and can include in many cases damage caused by government employees and contractors, as well as community.

Legislatively enshrining a Biodiversity Network would acknowledge the contribution of Landcare and Park Care groups, and support their work by protecting in perpetuity the areas that they expend considerable effort on. The engagement of community groups is likely to grow if there is a perception that the areas in which they volunteer and recreate are better protected. With a higher level of engagement from the community also comes additional community assistance in citizen science projects as well as community education.

[37] Australian Bureau of Statistics (2015) *General Social Survey: Summary Results, Australia, 2014*, available online at http://www.abs.gov.au/ausstats/abs@.nsf/mf/4159.0.

Part 3: Case studies

Case Study 1: Flea Bog Flat, Belconnen ACT

Flea Bog Flat (Block 4, Section 21 Bruce) is located in the Belconnen Region of the ACT. It is in close proximity to protected areas of Gossan Hill, Bruce Ridge, Aranda Bushlands, and Black Mountain Nature Reserves. Currently it is maintained as urban open space under the Territory Plan. The woodland provides a corridor between Gossan Hill Nature Reserve and Bruce Ridge and also connectivity within Calvary Hospital.

Flea Bog Flat contains areas of Yellow Box–Blakely's Red Gum Grassy Woodland, an endangered ecological community. It also has areas of ephemeral wetland that provide an important water source for local flora and fauna, an increasingly precious feature in the face of climate change. Despite these assets, as the area is urban open space, it is not managed for the protection of these values. This has led to notable environmental degradation in terms of weed infestations.

Much of the burden for maintaining and protecting this area is undertaken by volunteers, however, their capacity is limited. The ecological importance of Flea Bog Flat and its proximity to several nature reserves requires targeted management strategies to maintain and improve woodland and riparian conditions and reduce invasive weed species. In turn, reduction of invasive species will mitigate against further spread into the adjacent reserves. This can be done while maintaining the area as urban open space, provided that conservation is considered as a key objective of the site's ongoing management.

Case Study 2: Hall Cemetery

Hall Cemetery was dedicated in 1883, and the first recorded burial was in 1907. The Cemetery was the first location in which the endangered Tarengo Leek Orchid, *Prasophyllum petilum* was identified. It also contains a remnant Box-Gum Woodland with a Kangaroo Grass dominated understorey, linked to similar woodland in neighbouring rural blocks. New burials are limited to people who hold burial rights to plots in the cemetery, and none are allowed in the areas containing populations of the orchid. The community group Friends of Grasslands helps to maintain the ecological values of the woodland surrounding the cemetery. EPSDD undertakes regular monitoring of the orchid, and the sub-populations are mapped. An ecological management plan guides the protocols of site management and burials (Hall Cemetery - Canberra Memorial Parks (act.gov.au)).

Mowing is not undertaken in the spring and early summer. Rules have been developed for implementing appropriate management, including plantings on graves are restricted to 'allowable plants list', which are all endemic understorey species; dogs must be kept on leash; tradespersons must register their location prior to work. Items that do not comply with the regulations, or which are considered hazardous may be removed without notice.

Case Study 3: Bluetts Block-Piney Ridge

The area commonly known as "Bluetts Block-Piney Ridge" (extending across Stromlo Block 402/403 and Denman Prospect Block 12, Section 1) is home to over 100 different species of plants and supports over 130 species of birds, including the Black Mountain Leopard Orchid, and vulnerable Superb Parrot, a species facing increasing loss of habitat. The area is likely to support rare marsupial populations of Dunnart and Antechinus.

The area provides important landscape connectivity from the Murrumbidgee River Corridor to Black Mountain. Without connectivity, many animal species cannot find food or shelter, or space to breed, leaving them vulnerable.

Despite this, the site is not protected for its conservation values, and is at risk of the impacts of adjacent development.

Case Study 4. Kuringa Woodland

"You can just about feel your blood pressure drop whenever you go there, people who meet each other there almost always greet each other with a smile and a wave, people who probably wouldn't otherwise interact with each other, especially during the last 2 pandemic years. You feel more like a community member and less like just a local resident thanks to this area. This helps mitigate some of the adverse mental health risks associated with the pandemic. For the locals in the associated Landcare group, it's an opportunity to be involved, to learn about and value the ecology, to make a difference and protect something valuable. It's worth protecting and with good management can be regenerated back towards its original condition, and remain a community and environmental asset indefinitely." *Local Landcare Organiser*

The fire hazard reduction in early 2020 emphasises just how vulnerable the area is to well intentioned but harmful interventions: saplings and seedlings were cleared and consequent wood chip piles were left for months. After removal of the chips the ground layer primarily consisted of herbaceous weeds, including new incursions.

Conclusions

In conclusion, 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.

Opportunities to achieve these aims can be encapsulated within the framework of a National Park City, acknowledging, implementing and celebrating the expansion of the Bush Capital concept into a landscape based protected biodiversity network across all tenures in partnership with government land managers, other land holders, lessees and communities.

About Friends of Grasslands

Friends of Grasslands (FoG) is a community group dedicated to the conservation of natural temperate grassy ecosystems in south-eastern Australia. FoG advocates, educates and advises on matters to do with the conservation of grassy ecosystems, and carries out surveys and other on-ground work. Its members include professional scientists, landowners, land managers and interested members of the public.

About Conservation Council ACT Region

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. Working in the ACT and region to influence governments and build widespread support within the community and business, we put forward evidence-based solutions and innovative ideas for how we can live sustainably.

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.

This paper was prepared in collaboration with members of the Conservation Council's Biodiversity Working Group.

Further information:

[redacted]

Submission by the Curtin Residents Association (CRA) on the proposed new Territory Plan, Draft Woden District Strategy and Dual Occupancy Developments

SUMMARY

In critical areas the model for the new planning system is not yet pinned down: definitions are missing; supporting documents are incomplete and ambiguous; and, there also many inconsistencies. A way forward would be to use submissions to inform revised Drafts, which would be made available for further consultation and comment. Redrafting the proposed new Territory Plan could contribute to restoring confidence and trust. This submission is made in the hope this approach is taken up by Government.

The Curtin Residents Association (CRA) welcomes the opportunity to contribute to a discussion about Canberra's future. Additional dwellings in existing urban areas are needed. In supporting densification, we are also conscious that it can be well, or badly, carried out. Policy settings are important, but implementation assessments and decision making even more so. Tracking the probable negative impact on open green space and tree canopy cover and consequently on the health and well-being of residents has been revealing. Consequently, the CRA urges the ACT Government to begin an open engagement and dialogue with the community about urban densification.

More dwellings in residential zones (densification) must not be at the expense of the community's health and well-being. A critical test for any proposed densification must be "no adverse impact on the health and well-being of individual Canberrans". **The proposed new Territory Plan and Draft Woden District Strategy fail this test as they would exacerbate urban heat which will decrease health and well-being**. New urban heat islands. This will **increase inequity**, which is contrary to the objective of the ACT Urban Forest Strategy 2021-2045 that Canberrans enjoy equitable distribution of canopy coverage.

Recent research has found that **tree canopy cover in residential areas needs to be >40%** in order to provide cooling during the hottest part of the day when people are most vulnerable to the adverse health impact of urban heat islands. This must be incorporated into assessment requirements for developments in residential areas.

An overarching objective for the Territory Plan and the District Strategies must be to adapt the urban environment for climate change and to mitigate its effects such as increased heat. Despite high-level policy statements, implementation mechanisms, such as the technical specifications in the draft Territory Plan, fall woefully short of what's needed.

The proposed new Territory Plan and draft District Strategies must be consistent with the ACT Climate Change Strategy and the ACT Urban Forest Strategy. The CRA agrees strongly with the statement on page 31 of the Urban Forest Strategy that "A healthy urban forest with significant canopy cover can be compatible with urban intensification."

The troubling disjunction between policy statements about climate change and mechanisms for their implementation is an example of the separation of policy and its implementation that has occurred by putting assessment requirements in non-legislated supporting documents. This is problematic as the impact of policy occurs entirely through the mechanisms for implementation.

The CRA is deeply concerned about the processes by which assessments and decision making have been enabled by the Planning Bill (2022), the draft Territory Plan and the District Strategies taken together. Incorporation of views of those most impacted by developments, especially community views, into assessments and decision making must be an essential part of governing the planning system. Under TP B.6 (Assessing and Deciding Development Applications) there is no requirement to consult with identified residents or organisations who are highly impacted by a particular development. It is critical that this omission be rectified.

Good **solar access for the central courtyard of the Curtin Group Centre** was a major issue for the Curtin community during the master planning process for the Centre and consideration of the development to the west of the Square. The result was that protection of solar access for the square was incorporated into the Territory Plan. **It is not acceptable to the community to decrease the level of protection of solar access. Errors and omissions** in the draft assessment requirements for buildings in the Curtin Group Centre **must be corrected** as if they are not there will be a substantial increase in overshadowing the central courtyard.

The Yarralumla Creek corridor is very important to the community for recreation, active travel and for reducing urban heat. **A number of proposals in the Draft Strategy are not acceptable** as they would destroy the amenity this treed open space provides for the community. The proposed new streets on the north, north-east and south-east edges of Curtin are particularly objectionable.

The former Curtin horse paddocks is a greenfield site. It is currently a strong urban heat island. Any development must remove this urban heat island effect and reduce the impact of climate change.

The roundabout in the **Woden north 'key site and change area'** is a significant heat island and is flood-prone. It is not a suitable site for buildings. The best use of the whole area is treed parkland.

A 'Local Centre' on Theodore Street, Curtin is identified in the Draft District Strategy for Woden. This is an isolated 1039m^2 block by itself. It <u>does not meet the functional definition of a Local Centre</u> on page 159 of the Draft Woden District Strategy. Consequently, it cannot be treated as a Local Centre equivalent to those in Lyons or Hughes, for example. <u>The Draft Woden District Strategy should be amended to reflect this.</u>

For **dual occupancy developments**, any subdivision of blocks, especially in RZ1, must preserve the existing character of these areas. Specific implementation requirements will be required to achieve this.

1. An Important Qualification: Revised Drafts and Additional Consultation

The Curtin Residents Association (CRA) has consulted widely among Curtin Residents over the years and made many submissions to Government, mostly based on public meetings and direct expressions of residents' concerns. Focussed consultations have been held on the new model for Canberra's planning system. This document is derived from those consultations.

Of the very many submissions the CRA has made, this one is unique.

The problem is that in critical areas the model for the new planning system is not yet pinned down. Definitions are missing and documents offered in support of the model are incomplete and ambiguous. There also many inconsistencies. In some areas the text is simply incoherent.

Examples of surprising difficulties which prevent considered feedback on critical aspects of the Drafts:

a) Administration and Governance (Part A) has yet to include governance.

b) Constraints or enablement from Planning Act 2022 are referred to when the "Act" is non-existent, and the Bill is subject to remedial recommendations from an Assembly Inquiry.

c) In areas familiar with the current Territory Plan, there are several apparent transcription errors in translating requirements in this Plan to the proposed new Plan (some of them are mentioned below). To the extent that they are not errors there is a bigger issue going to duplicity and trust; in the absence of additional information, at this stage we reject that interpretation in favour of unintentional error.

d) Requirements for key aspects of "character" (such as privacy) have been moved from the legal framework of the current Territory Plan to qualitative Design Guidelines, outside of legislated assessment requirements. This separation of policy and its implementation is problematic as the impact of policy occurs entirely through the mechanisms for implementation. One example is the troubling disjunction between policy statements about climate change and mechanisms for their implementation.

e) District Strategies affecting Curtin are seriously divergent from Government undertakings as recently as two years ago.

Further, the 49 Recommendations from the Assembly Inquiry into Planning Bill 2022, several of which address the need to plug gaping governance holes in the proposed planning system, have not been responded to and, as we understand it, will not be made until late next month. No doubt the Drafts and most supporting documents have been rushed out to meet deadlines for other purposes; however, to consider the system as a whole without knowing the fate of these 49 Recommendations, seems futile indeed.

Accordingly, it is premature to request submissions until a great deal of additional information is available. A way forward would be to use submissions (such as this one) to inform revised Drafts, which would be made available for further consultation and comment. This submission is made in the hope this approach is taken up by Government. Among other

benefits it would respond to the widespread impression that the current exercise has been bungled.

Community trust and confidence in the ACT's planning system

Redrafting the proposed new Territory Plan could contribute to restoring confidence and trust. Public reactions to recent statements made about moving to the new Planning System are indicative of the need to take trust seriously. For example, the following three statements are copied from the ACT Planning System Review and Reform, November 2020. Public reactions we are repeatedly aware of follow in italicised text.

> The current system does not adequately accommodate consideration of design quality or development appropriateness, putting at risk the valued character of Canberra and its suburbs.

Maybe the new system better accommodates design quality, however it also accommodates outcomes far worse than the existing system and, in addition, is devoid of any measures to ensure judgements about development appropriateness are independent and accountable.

> The disconnect between strategic and statutory planning means the system is not well placed to address future planning challenges and aspirations of the long-term Planning Strategy

The disconnect is still there, and arguably it is more strongly disconnected. Rules to ensure strategic goals are replaced by unaccountable decisions made without protection against interest conflicts.

> These issues, along with the general complexity of the system, is compromising the community's confidence in the system and their ability to fully participate in planning and development

This is a strong rationale for revising the planning system. However the revised system has not only failed to address the issue, the community's confidence has been decisively lessened and in some respects destroyed. Removal of community engagement in DA decision making illustrates just how empty this statement was, or has become.

The CRA urges the Government to explore the public opinions expressed here. There is little doubt that the extent of the loss of confidence and trust would be revealed, along with the need for redrafting.

2. Overall Comments: Community Views and Prevention of Negative Outcomes

The CRA welcomes the opportunity to contribute to a discussion about Canberra's future. Additional dwellings in existing urban areas are needed. In supporting densification we are also conscious that it can be well, or badly, carried out. Policy settings are important, but implementation assessments and decision making even more so. Tracking the probable negative impact on open green space and tree canopy cover and consequently on the health and well-being of residents has been revealing. Consequently, the CRA urges the ACT Government to begin an open engagement and dialogue with the community about urban densification.

At a policy level the proposed new Territory Plan and Draft Woden District Strategy seek to enable positive aspects of an imagined future but do not include mechanisms and measures to prevent negative outcomes. Also, outcome-criteria are overwhelmingly subjective in character and coupled to decision making without accountability. In the absence of rules-based planning, it is essential then that strong compliance measures be added as part of an effective governance model. Such a model would also deal with the pervasive conflicts of interests surrounding planning decision making and the need for independent, evidence-based conflict resolution.

We are deeply concerned about the processes by which assessments and decision making have been enabled by the Planning Bill (2022), the draft Territory Plan and the District Strategies taken together. Our concerns have been captured in our submission to the Assembly Inquiry and are acknowledged to some extent in the Recommendations of the Inquiry.

Development Applications are to be considered against a wide range of criteria. Depending on priorities at decision time, very poor outcomes can slip through as one priority is stressed without balance across other priorities. Much will depend upon independent advice at approval time, but the requirement to consider such advice is not encoded in the planning system. Nor is transparency and distancing of conflicts of interest.

Residents have an important role to play in establishing such priorities, given their long-term interests, area specific knowledge, and commitment to realising a vision for Canberra. Local (district) knowledge and "lived experience" are critical to achieving the desired outcomes as highlighted in the Drafts. Incorporation of views of those most impacted by developments, especially community views, into assessments and decision making is an essential part of governing the planning system.

3. Failure: Urban Heat Islands, Climate Change and Urban Densification

More dwellings in residential zones (densification) must not be at the expense of the community's health and well-being. A critical test for any proposed densification must be "no adverse impact on the health and well-being of individual Canberrans". The proposed new Territory Plan and Draft Woden District Strategy fail this test as they would exacerbate urban heat which will decrease health and well-being.

It is very clear from the material in Appendix 1 of the Draft District Strategies (Urban transect analysis and urban character types), together with the assessment requirements for tree canopy cover in the draft supporting material for the Proposed new Territory Plan (Draft TS1 - Technical Specification – Residential), that the proposals for densification will result in substantially less open green space and tree canopy cover: see Appendix 1 (Tree canopy cover, the urban heat island effect and the proposed new Territory Plan) for more information. This will create **new urban heat islands**.

3.1 Health impact of urban heat islands

Increased heat in urban heat islands has a direct effect in human health[1]. Examples:

- asthma
- kidney disease, including kidney stones
- cardiovascular disease
    - A 1°C increase in temperature is associated with a significant increase in cardiovascular disease-related death and illness[2]

Current proposals for densification will increase the residential area with an urban heat island effect and so decrease health and well-being. The current proposals do this in a way that **increases inequity** in Canberra, which is contrary to the objective of the ACT Urban Forest Strategy 2021-2045 that Canberrans enjoy equitable distribution of canopy coverage.

3.2 Cooling by tree canopy cover

Recent research results[3] about cooling by tree canopy cover are:

- overall canopy cover: limited cooling until 25% – 50% cover, becoming more substantial at higher values
- treed patches, such as urban parks, cool at all times of day
- canopy over unpaved surfaces - minimal cooling in the afternoon, the hottest part of the day, until ~40% cover, after which cooling strengthens

Consequently, **tree canopy cover in residential areas needs to be >40%** in order to provide cooling during the hottest part of the day when people are most vulnerable to the adverse health impact of urban heat islands.

3.3 Conclusions for the Territory Plan and the District Strategies

An overarching objective for the Territory Plan and the District Strategies must be to adapt the urban environment for climate change and to mitigate its effects such as increased heat. Despite high-level policy statements, implementation mechanisms, such as the technical specifications in the draft Territory Plan, fall woefully short of what's needed.

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[1] (a) Bartholy and Pongrácz, A brief review of health-related issues occurring in urban areas related to global warming of 1.5°C, *Current Opinion in Environmental Sustainability*, vol.30, pp 123 - 132 (2018)
(b) ACT Urban Forest Strategy 2021-2045

[2] Liu et. al., Heat exposure and cardiovascular health outcomes: a systematic review and meta-analysis, *Lancet Planet Health* vol.6, e484–95 (2022)

[3] Alonzo et. al., Spatial configuration and time of day impact the magnitude of urban tree canopy cooling, *Environ. Res. Lett.* 2021 https://doi.org/10.1088/1748-9326/ac12f2

More dwellings in residential zones must not be at the expense of public and private open space and tree canopy cover. The amount of local public open space must be maintained or increased. 40% of private blocks must be soft planting area to enable 30% - 40% tree canopy cover on each block.

Technical specifications for adapting to, and mitigating, the impact of climate change are critically important:

- 40% of residential blocks must be soft planting area to enable adequate tree canopy cover;
- 30% - 40% tree canopy cover; and,
- buildings in residential zones RZ1, RZ2, RZ3 and RZ4 must be 4 storeys or less to enable cooling of north and west facing walls and windows by trees.

The proposed new Territory Plan and draft District Strategies must be consistent with the ACT Climate Change Strategy, Goal 4I – reduce urban heat and improve liveability, for example and the ACT Urban Forest Strategy 2021-2045. The CRA agrees strongly with the statement on page 31 of the Urban Forest Strategy that "A healthy urban forest with significant canopy cover can be compatible with urban intensification."

4. Proposed New Territory Plan: General Comments and Suggestions

The CRA's primary focus is on the quality of living in the Curtin area. This focus requires the CRA to be active at regional (Woden Valley) and 'whole of Canberra' levels. The following comments relate to Curtin's broader environment.

Under TP B.6 (Assessing and Deciding Development Applications) there is no requirement to consult with identified residents or organisations who are highly impacted by a particular development. It is critical that this omission be rectified; it will likely be mandated by an appropriate governance mode; hopefully to be devised in the near future.

The focus on outcomes has merit; however, it also has dangers unless there are clear measures for assessing whether a proposal satisfies the desired outcome. Outcomes used to judge approvals should be recorded at assessment time and their realisation evaluated at the end of a development build. An appropriate bond should be in place for remedy if they are not. This approach would also aid transparency and accountability.

Design Guides fall outside of outside of legislated assessment requirements. The boundary between being "legally required" and having given "sufficient consideration" is very important. A number of criteria need to cross from the latter to the former. We can propose some, such as privacy, but it would be much better if the current design guide documents remain drafts until specifics have been worked through with impacted communities.

5. Proposed New Territory Plan: Solar access for the central courtyard of the Curtin Group Centre and assessment requirements in the Woden District Policy

Assessment requirements for buildings in the Curtin Group Centre contain translations from the recently completed Curtin Precinct Code as expected. However, there are errors in the maximum height of buildings and the 5m 'solar fence' around the central courtyard of the Group Centre is not part of the assessment requirements in the draft Woden District Policy. **These errors must be corrected** as if they are not there will be a substantial increase in overshadowing the central courtyard.

Good solar access for the central courtyard of the Curtin Group Centre (Curtin Square) was a major issue for the Curtin community during the master planning process for the Centre and consideration of the development to the west of the Square. The result was that protection of solar access for the square was incorporated into the Territory Plan. **It is not acceptable to the community to decrease the level of protection of solar access.**

The errors that must be corrected are:

- The maximum height of buildings to the north, east and west of the central courtyard (Area 'a' in Figure 2 of the draft Woden District Policy). The 5m limit encoded in the Precinct Code as necessary for "reasonable sunlight to public spaces" (an assessment outcome) has become 6m. Restore the requirement that the maximum height is one storey with a total height not more than 5 metres.
- The 5m 'solar fence' was encoded in the Precinct Code as necessary for "reasonable sunlight to public spaces" (an assessment outcome). So restore "Buildings close to the central courtyard do not overshadow the courtyard beyond the shadow cast by a notional 5 metre high fence measured at the boundary adjoining the central courtyard at winter solstice between 9:00am and 2:30pm" to the assessment requirements.
- the 18m maximum height around the central square in area "b" in Figure 2 of the draft Woden District Policy is not included as an assessment requirement. Rather it is included in the list of assessment outcomes but with a higher figure, 19m. It should be moved to the assessment requirement list with the 18m height limit.
- The draft assessment criterion "Maximum height of buildings in the CZ1 zone is 10m." should be replaced with the requirement from the Precinct Code "The maximum *height of building* is two storeys with a total height not more than 9 metres above *datum ground level."* (10m instead of 9m is surely a typo.)

Perhaps it would help if in this case the draft was informed by the extraordinary effort put into arriving at maximum heights against character and sunlight criteria.

6. Draft Woden District Strategy (impacting Curtin)

6.1 The Yarralumla Creek corridor must be preserved and enhanced

Designation of the Yarralumla Creek corridor as a primary connection in the ACT's blue-green network is supported strongly. Enhancing ecological connectivity corridors has special resonance for Curtin given the urgent need to preserve and further develop distribution pathways for flora and fauna linking west Canberra nature and Red Hill reserves. There is

strong support for restoring natural environments along Yarralumla Creek as part of an enhanced blue-green connection.

The Yarralumla Creek corridor is very important to the community for recreation, active travel and for reducing urban heat. All the key sites and change areas for Curtin in the Draft Woden District Strategy involve the Yarralumla Creek corridor and its value to the community must be preserved and enhanced in any changes.

A number of proposals in the Draft Strategy are not acceptable as they would destroy the amenity this treed open space provides for the community.

6.2 Key site and change area: Curtin edge north and south
A 'new edge street' through the Yarralumla Creek corridor, supposedly 'to clarify the urban edge to Yarra Glen', is not acceptable as it would destroy the amenity this treed open space provides for the community. The Yarralumla Creek corridor defines the urban edge to Yarra Glen perfectly well and the proposed street would significantly degrade the blue–green connection of the Yarralumla Creek corridor. Losing trees would increase the urban heat island effect for this part of Curtin, which is not acceptable. Planting trees elsewhere would not compensate as cooling by tree canopy cover is a local effect.

Retaining the open green space, increasing the number of trees, and naturalising the Creek would be a better blue–green enhancement than the proposed 3-storey dwellings on an edge street.

Separate pedestrian and cyclist pathways for active travel are needed here rather than new streets.

A new street crossing Yarralumla Creek is not acceptable as it would significantly degrade the Yarralumla Creek corridor and destroy the amenity this treed open space provides for the community. It would also increase traffic in local residential streets.

A bridge for pedestrians and cyclists over Yarralumla Creek is strongly supported as it would connect the new residential area in the former horse paddocks with the rest of Curtin and its active travel routes. It would also open the north side of the Creek to community recreational use.

6.3 Key site and change area: Former Curtin horse paddocks
This is a greenfield site. It is currently a strong urban heat island. Any development must remove this urban heat island effect and reduce the impact of climate change: there must be a significant amount of treed public open space; 40% of residential blocks must be soft planting with 30%–40% tree canopy cover on each block; buildings must be no more than 4 storeys to enable cooling by trees.

A bridge for pedestrians and cyclists over Yarralumla Creek is essential to connect this new residential area with the rest of Curtin and open the north side of the Creek to recreational use by the community.

6.4 Key site and change area: Woden north
The roundabout area is a significant heat island and is flood-prone. Severe flooding of Yarralumla Creek and associated loss of life is well documented. Improvements to capacity were made in response; however, with intensification of climate change, prediction of flood flows has become extremely uncertain, particularly as severe rain events will be more intense.

This area is not a suitable site for buildings. The best use of the whole area is treed parkland to ameliorate the urban heat island; provide a cool place for residents of the nearby apartments; and to enhance the Yarralumla Creek corridor.

A new street between Holman Street and Theodore Street through the Yarralumla Creek corridor is not acceptable as it would would significantly degrade the Yarralumla Creek corridor and destroy the amenity this treed open space provides for the community.

6.5 'Local Centre' on Theodore Street, Curtin
A 'Local Centre' on Theodore Street, Curtin is identified in the Draft District Strategy for Woden. In reality there is no such local centre. This block 23, Section 29, Curtin (83 Theodore St) is currently zoned CZ4 (Local Centre). However, this is one block by itself. It is no bigger than a single residential block (1039m^2) and does not meet the functional definition of a Local Centre on page 159: *Smaller shopping centres that provide convenience retailing and community and business services that meet the daily needs of the local population*. Consequently, it cannot be treated as a Local Centre equivalent to Lyons or Hughes, for example. The Draft Woden District Strategy should be amended to reflect this.

The elliptical area marked in the map around the supposed local centre at block 23, Section 29, Curtin (Daana Restaurant site) in Fig 31 suggests a 200m metre zone towards Yarra Glen, outlined in mauve as "rapid stop to local centre". There is no light rail stop on Yarra Glen at the nearest point to Daana in current plans. To provide a new stop on the closest point of Yarra Glen would require a creek crossing into Curtin, for a walking distance of approximately 600m + 100m. Such a stop would be approximately midway between Carruthers St overpass stop and Phillip Oval stop (800m to either). For comparison the tram stops on Northbourne Ave are ~1000m apart. This proposal fails to consider the reality of the existing zoning blocks and the feasibility of making access to the future light rail.

The proposed residential redevelopment within 200m of the identified local centre at block 23, Section 29, Curtin appears to be directed at the intention to allow easier double occupancy or splitting of standard blocks. This area is not suitable for dividing blocks. The area is currently RZ1 but many of the existing blocks are already dense duplex housing: the blocks are small at 360 to 430 square metres. On Carruthers St they are larger and deeper, 560 sqm. All of these are too small to be further divided, and the existing duplex housing has already met the density objectives.

6.6 Radburn Heritage Area
The assessment outcome in the Draft Woden Policy section of the proposed new Territory Plan "Maintain and improve the existing 'Radburn' housing pattern" is strongly supported. Assessment requirements should be put in place to ensure that this outcome is realised.

The Radburn area in Curtin is currently zoned RZ2. The D7 Woden District Strategy identifies the Radburn housing pattern to be maintained and improved (assessment outcome 18). Any development that would subdivide blocks in the Radburn is incompatible with preserving this housing pattern and its successful character. There are few blocks that are large enough to subdivide to 400 sqm and fewer possibilities considering the requirement to provide access to both the open green space and the service street in keeping with the Radburn design pattern that is essential to maintaining this as a heritage area.

6.7 Curtin Group Centre as an economic node

The Draft Woden District Policy identifies an outcome '2. Develop Curtin and Mawson group centres as economic nodes connected by future stages of light rail.' The difference in ground truth and planning provision between Mawson and Curtin group centres is striking. The plans for Mawson include blocks of land and carparks that are identified for redevelopment as commercial zones, and the Mawson group centre has additional flat space in undeveloped areas. No similar areas are identified in the Curtin Group Centre, and the carpark areas are noted to be retained with no other development permitted. The distance from Curtin centre to the light rail route is larger than appears likely for Mawson centre, and the Yarralumla Creek corridor cuts through a narrower, steeper valley than the broad, flatter areas around Mawson.

Any planning for economic growth in the Curtin Group Centre must identify specific parts of the Centre or other nearby land – all of which is currently residential – which has access to light rail stops. This cannot include areas that are merely have a distant view of the light rail route from across the creek. Any economic development zone must identify sufficient areas for parking and transport access, and provision for other infrastructure.

6.8 Adapting to, and mitigating, the impact of climate change

There is too little emphasis in the Draft Strategy on adapting to, and mitigating, the impact of climate change. For example, "Development precincts should achieve improved tree canopy cover, permeability and urban heat outcomes when compared to similar previous precincts." (*Table 13: Woden initiatives – Sustainable neighbourhoods,* page 112) is <u>far too weak</u> given existing levels of tree canopy cover, permeability and urban heat.

7. Dual Occupancy Developments

Any subdivision of blocks, especially in RZ1, must preserve the existing character of these areas. To implement this principle:

- the minimum block size after subdivision should not be above 400m^2;
- in RZ1 all dwellings should front a public road or public open space;
- maximum building height of two storeys; and,
- 40% of each block to be soft planting area with 30% - 40% tree canopy cover on each block.

Appendix 1: Tree canopy cover, the urban heat island effect and the proposed new Territory Plan

Tree canopy cover requirements in the proposed new Territory plan are abysmally inadequate in the light of the research findings about tree canopy cover and urban heat.

Tree canopy cover and the urban heat island effect

Research results

- overall canopy cover: limited cooling until 25% – 50% cover, becoming more substantial at higher values
- treed patches, such as urban parks, cool at all times of day
- canopy over unpaved surfaces - minimal cooling in the afternoon, the hottest part of the day, until ~40% cover, after which cooling strengthens; strong cooling for all cover fractions in the evening
- canopy over paved surfaces - small cooling in the afternoon: 0.2°C between 0% and 25% cover cf. 0.0°C cooling for canopy over unpaved surfaces

Source: Alonzo et. al., Spatial configuration and time of day impact the magnitude of urban tree canopy cooling, *Environ. Res. Lett.* 2021 https://doi.org/10.1088/1748-9326/ac12f2

Tree canopy cover and the new Territory Plan

From Draft TS1 - Technical Specification – Residential

tree size	Height	Min. canopy diam	canopy area
S	5 - 8m	4m	12.6m^2
M	8 - 12m	6m	28.3m^2
L	>12m	8m	50.3m^2

Single dwelling blocks

BLOCK SIZE	PLANTING AREA	TREES	TREE CANOPY COVER
compact <250 m^2	15%	1S	6.5%
medium 251 - 500 m^2	20%	2S	6.3%
large >500 m^2	24%	1S + 1M	~7%
large >800m^2	24%	1M + 1L	~5% - 9%

Multi-unit housing in RZ1 and RZ2 zones

- Planting area is a minimum of 35% of the block area.
- All new and existing trees provide at least 15% canopy cover to the block at maturity.

AND

- For large blocks less than or equal to 800m2, at least one small tree and one medium tree
- For large blocks more than 800m2, at least one medium tree and one large tree; and one additional large tree or two additional medium trees for each additional 800m2 block area.

which is the same as for large single dwelling blocks.

Note the inconsistent requirements.

Multi-unit housing in RZ3, RZ4 and RZ5 zones

- Planting area is a minimum of 25% of the block area.
- All new and existing trees provide at least 20% canopy cover to the block at maturity.

AND

- For blocks less than or equal to 800m², at least one small tree and one medium tree
- For blocks more than 800m2, at least one medium tree and one large tree; and one additional large tree or two additional medium trees for each additional 800m2 block area.

which is the same as for large single dwelling blocks.

Note the inconsistent requirements.

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

A number of members of the Forrest Residents Group (FRG) met to discuss the above documentation on 19 February 2023. Concerns were raised with respect to a number of issues that could impact Forrest arising from the Draft Territory Plan and District Strategy.

Such issues and concerns included:

- How the new planning system could impact Forrest, particularly with respect to potential changes to RZ2 and Heritage areas.
- Lack of clarity with respect to the Territory Plan and other related documentation as regards technical specifications and what planners will use, including design guides.
- Lack of clarity with respect to change areas potentially impacting Forrest.
- Changes in zoning, particularly with respect to RZ1.
- Demonstration Housing and the impact on RZ1 if examples being developed prove easier to achieve in future.
- Concerns relating to giving more power to planners with respect to ageing in place redevelopments.
- The current Forrest environment was the reason given by people for living in the suburb. They do not want this environment altered.
- Separation of powers and appeal and oversight should be within the legislation. Currently, no apparent oversight allowed for by the ACT Legislative Assembly.
- Living infrastructure already being watered down. In future, it appears that compliance will be difficult as well as very judgemental.
- No clear checking of independent certifiers if "outcomes" are met as there is little in the new system that is measurable. "Need an authority to go to if things are not right."
- New plan is not "simple" and appears to suggest "discretion without accountability".
- Heritage protections do not appear to be mentioned in the Plan. Built heritage needs to be clarified as it is different from natural heritage.
- The role of the Chief Planner should not also be the Head of the Planning Directorate.

In summary, a number of concerns were raised that did not appear to members to be adequately addressed by the current Draft Territory Plan and District Strategy. In fact, the overall comment was that there was a lot of discretion but little accountability.

[redacted]

Chair, Forrest Residents Group (FRG)

Submission re Possible Developments in Farrer

From Farrer Residents Association Inc

Densification

The Farrer Residents Association acknowledges the rationale for increased densification within present city boundaries. There are opportunities for Farrer to participate in this increase in population not only through take up of the present RZ2 classifications but also by some well designed and planned denser accommodation options.

Areas of concern; 1 Lambrigg St

The Draft Woden Strategic Plan, page 112, Figure 36, shows and orange square, indicative of “Urban Core” located on an area that appears to be bounded by Lambrigg St, Pridham St, Potts Pl and the walkway between Potts Pl and Moodie St. The detail of this area is not certain due to the lack of focus when the figure is expanded to the maximum.

Appendix 2 of the plan indicates that this area could be a “medium density” development of about six stories.

Rationle

Enquiries made through Yoursay, with community consultants and with SLA planning staff have not resulted in advice as to the rationale of why this particular area was chosen for this type of development.

Previous objection

The Farrer Residents Association gained support from the ACT Civil and Administrative Tribunal to reduce the height of a proposed development on Beasley St from six stories to four. It is requested that advice be provided as to the matters that the planners considered in acting in contravention of that ACAT decision.

Objection to this development site

The buildings surrounding this site are in most cases single story with some two story and on the corners of Lambrigg St and Beasley St, two complexes of two story units.

A six story development as proposed is likely to cause shade issues with adjacent houses.

Residents of the development would overlook the yards and possibly some of the internal spaces of neighbours.

There are protected trees in this area.

Any on street parking would create dangerous conditions.

The site is not part of other commercial or medium density developments.

The building may remove the views presently enjoyed by neighbouring dwellings.

The site is not adjacent to transport corridors

Alternative locations

Firstly a site closer to the transport corridor / light rail would be on the corner of Athllon Drive and Beasley St. This would be in keeping with the philosophy for this corridor noted on page 97 as becoming a “green, multimodal boulevard that is the centre of community life”. This area is presently vacant. It is close to sports grounds and “overflow” parking. It is close to a primary school and a short walk to the Mawson commercial hub.

Secondly, a site adjacent to the Farrer shops. This area is already the site of three and two story blocks of units. It is on the local bus route to Woden. It is in close proximity of the commercial services of IGA, cafes, hairdresser, florist and dog grooming. It is also close to the nature play, Church and school.

Areas of concern; 2 Transport corridor on Athlon Dve south of Beasley St

The Draft Woden Strategic Plan Page 112, Figure 36 shows the western boarder of Athlon Drive, south of Beasley St as both yellow , general urban and green triangles, possible change. The Draft Strategic Plan Page 100, Figure 32 shows that same area as Primary Blue Green Connection. The Draft Strategic Plan Page 97 proposes that this area be “green, multimodal boulevard that is the centre of community life”.

This area has been modified by the building of earth bunds that act as barriers to mitigate the traffic noise. It has mature trees that are part of the Farrer achievement of the Government tree cover target; they act as part of the Woden nature corridors. This is part of the headwaters of the Yarralumla creek and frequently floods damaging the dirt road at the back of the houses. High tension power transmission lines follow this line.

The area identified for possible change includes the RZ1 single story houses on the Western side of Pridham St leading to changes to the character of the suburb.

Rationale

The plan offers three different and competing options for this area that do not address the proposed change to the transport corridor if the light rail progresses south to Tuggeranong.

Removal of trees will reduce the Farrer tree coverage below the Government target.

Creation of a “centre of community life” on the major transport corridor may produce unacceptable risks for the community.

Farrer already has a vibrant centre of community life that is essential to the character of the suburb.

The changes to the noise effects on the western parts of Farrer should be considered.

Increasing the density of accommodation along this area should lead to the installation of bus/rai; stops on both sides of the corridor rather just on the south heading section.

Densification should be concentrated near the intersection of Athllon Drive and Beasley St south.

Areas of concern; 3 Urban core at about 86 Pridham St

Draft Woden Strategic Plan page 112, Figure 36 has an orange shape at the southern end of Athllon Drive on the Farrer side at about #86 Pridham St. The exact location of the potential development has not been identified.

Rationale

The rationale for the planners adding this site to the strategic plan have not been revealed.

The site is small for a six story development considering the permitted footprint of the built area.

Overshadowing of residents to the south along with privacy and setbacks may be problematic.

This may block possible flood waters from Farrer Ridge.

A six story building would adversely effect the proposed blue/green corridor.

Conclusion

The Territory Plan and the Draft Woden Strategic Plan contain many aspirations for how our future generations will enjoy our community. The Farrer Residents Association looks forward to further consultation and discussion regarding the future of Farrer, the Mawson area and the Woden District.

[redacted]

President, Farrer Residents Association Inc

[redacted]

SUBMISSION RE ACT TERRITORY PLAN PART D7, WODEN

FROM FARRER RESIDENTS ASSOCIATION INC

Philosophy

This document gives “Desired Outcomes”. This term offers no certainty to any party of the community. “Desired” seems to grant permission for developers to apply the “outcomes” approach. That judgement of appropriate “outcomes” limits any party in objection to some reduction in amenity because conflict will be decided by Government staff; “ judgement” has little standing before the law as considered by ACAT, the previous final decision making authority..

Exempt development

Point 1.2. “exempt development is not defined in Section G of the plan and the Regulation 2023, referred to in the Plan is not as yet in law.

Compliance

Point 1.6, second para permits the TPA to consider endorsements from other entities. This appears to leave TPA open to conflicts of interest and possibly inadequately qualified reporting.

The present system of hoping that staff who assess compliance with current rules has been demonstrated as being ineffective in applying those rules to the detriment of the neighbouring community also possibly to the builder who may be required to retrospectively apply with regulations. While this system has had deficiencies, the concept of rules and standards provides a benchmark for equitable decision-making.

Affordable and sustainable housing

Critical to the development of Canberra is the supply of affordable and sustainable housing. Densification of the district is necessary as is the retention of the policy of “salt and pepper” integration of all levels of housing. So as to achieve this objective with best outcomes it is recommended that district centres such as Mawson be developed holistically to ensure effective integration of the area such as in Figure 7 to meet optimum outcomes .

The development of Southlands District Centre

The opportunity

Figure 7 shows the development possibilities as envisaged by ACTPLA; these seem to continue the piece meal approach that has delivered a static and incoherent shopping centre with minimal attractiveness being merely functional.

There is an opportunity to transform the Southlands area into a thriving centre with accommodation, services, retail, recreation, arts and community engagements with close links to the adjacent sports fields and the transport linkages. The challenges of different heights, pathways, frontages, responses to parking and the course of Yarralumla Creek could be overcome most attractively and functionally by developing the whole area in one cohesive project.

Comments on Figure 7

The parking requirements identified on the map have already been reduced by placing development C on the corner of Athllon Drive and Mawson Drive where the bus “Park and Ride” is presently. Also the development A adjacent to the Southlands tennis court is on the site of the present car park for the sports fields and overflow often used for the shops. The minimum parking spaces to be retained must start from the true present number of parking places.

The frontage onto Athllon Drive does not seem to allow for the addition of a tram stop or terminus within the transport corridor.

The buildings between Athllon Drive and Mawson Place do not seem to acknowledge the presence of the Yarralumla Creek and the potential for this area to flood even with, or possibly exacerbated by the ponding being built adjacent to the development A.

The pedestrian paths between Athllon Drive and Mawson Place seem to be internal to any development on those sites.

There are presently two service stations on Mawson Place. The workplace health and safety requirements for these may have a major impact on development of those sites.

The use of the parcel of land on the west side of the corner of Mawson Drive and Mawson Place seems to be a missed opportunity.

Noting the lack of development option on block 46, does this mean that Woolworths will always remain there and in its present structure with no option to develop to six stories in keeping with other densification action.

The numbers on the map do not seem to relate to the assessment outcomes in the earlier part of the document.

Aspirations

The Southlands shopping centre is an important business hub for the southern suburbs of the Woden Valley. The size of the footprint of Southlands offers a significant opportunity for renewal in a holistic and integrated style that would inspire businesses and the community to progress towards and achieve the objectives of the Territory plan.

[redacted]

President, Farrer Residents Association Inc

[redacted]

Friends of Grasslands

supporting native grassy ecosystems

PO Box 440, Jamison Centre ACT 2614
[redacted]
email: advocacy@fog.org.au
web: http://www.fog.org.au

Environment, Planning and Sustainable Development Directorate
ACT Planning System Review and Reform Project | YourSay ACT

Friends of Grasslands (FOG) is a community group dedicated to the conservation of natural temperate grassy ecosystems in south-eastern Australia. FOG advocates, educates and advises on matters to do with the conservation of native grassy ecosystems, and carries out surveys and other on-ground work. FOG is based in Canberra and its members include professional scientists, landowners, land managers and interested members of the public.

Summary of major concerns

Aspirations vs reality

Protection of heritage and biodiversity values: FOG acknowledges and fully supports the aspirations/objectives/big drivers that recognise the importance of environmental matters, succinctly stated in each of the draft District Strategies (e.g., p. 41, Draft Belconnen District Strategy):

> ***The protection of heritage and biodiversity values is mandated by ACT Government and Australian Government law and should be a primary consideration in all planning and development decisions.***

However, the descriptions, district maps or Territory Plan do not demonstrate how this primary consideration can be implemented. There is no identification of how the areas of heritage and biodiversity value outside the reserve system will be protected. Frequently, the blue-green network is identified as primarily a recreational and active-travel network. The maps fail to identify many conservation areas, some have overlays of development options. How heritage values, particularly Indigenous heritage values, will be protected are not identified. Our submission aims to provide recommendations to ensure this mandate will be met.

Further, if protection is mandated, then protection…. must be a primary consideration in all planning and development decisions.

Draft Territory Plan

Land use zones do not exist to identify or protect off-reserve areas of conservation significance. The proposed (equivalent to existing) land use zones are human-centric, emphasising 'importance as a visual backdrop and a unified landscape setting' in the non-urban zone (NUZ3) or 'contribute to the recreational or social needs of the community' (PRZ1). These land use zones are outdated, given the areas of Critically Endangered Ecological Communities and threatened species that occur outside the reserve system require legislative protection if the mandate above is to be implemented.

Draft district strategies

The draft District Plans are not fit for purpose:

The blue-green network does not distinguish between highly modified mostly recreational open space and areas of conservation value by area, by use or by protection mechanisms.

Conservation Areas are identified as a category on the maps, but in the majority of maps of the blue-green network, are only applied to areas that are designated nature reserves. The term is neither defined in the glossaries nor identified as a land use category or overlay. We suggest that the definition of the Conservation Areas should be:

Detail in the district maps: We believe that as they stand, the district maps are not fit for purpose, as legal documents. Part C, Planning Principles of the Territory Plan, states: *District strategies state the long-term planning policy and goals for districts, consistent with the Planning Strategy (Section 38 of the Planning Act 2023).* The District Strategies do not provide adequate coverage or scale or accuracy to demonstrate that they can achieve this objective. A higher level of detailed mapping and explanation is required to ensure the long term policy and goals for districts are transparently clear, accurate and reflect intentions.

There are inconsistencies between the Territory Plan maps and the District strategy maps, that include (but may not be limited to):

- Coombs: there is a Future Urban Area overlay on the peninsula on the Territory Plan maps in Part A. Administration and Governance; the decision has been made that this will not be developed as a residential area.
- Gungaderra Nature Reserve is identified as a Future Urban Area in the Territory Plan maps in the document, Part A. Administration and Governance.
- Lawson Grassland has been identified as suburban land in the Territory Plan maps in the document, Administration and Governance. This land, the former Belconnen Naval Base, is Commonwealth land, administered by Defence Housing Estate. It is not Territory land, and it has very high conservation values with a large area of critically endangered Natural Temperate Grassland and a number of nationally and ACT listed threatened species.
- Figure 14 of the Economic access and opportunity across the city has incorrectly included part of Mugga Mugga Cottage and Grassland (between Hindmarsh Drive and Mugga Lane).

Key definitions are omitted in the glossary including but not limited to: conservation area; biodiversity conservation network; future urban area.

Further input by community groups

FOG is a major advocate for grassy ecosystems and their threatened species and other biota, and we have been involved for many years in extensive collaboration with Government over conservation matters pertaining to grassy ecosystems. FOG and other community stakeholders have considerable knowledge of the ACT's ecological landscape that can provide more detail in relation to the existing natural values that should be included in the blue-green network.

Summary of major recommendations

Recommendation 1. The draft Territory Plan and draft District Strategies should be finalised only after amendments are made and following further consultation, and include consideration of the recommendations of the Inquiry into the Planning Bill (22 December 2022) relating to environmental matters (recommendations 38 to 46).

Recommendation 2. Demonstrate that primary consideration is provided to the protection of heritage and biodiversity values in all planning and development decisions.

Recommendation 3. Define Conservation Areas as:

Areas of conservation value are areas that are outside the reserve system that contain threatened ecological communities, habitat for threatened species and/or important links between remnants and natural or restored waterways. These areas include public (unleased) and leased land, urban and rural land.

Ensure there are opportunities to incorporate new Conservation Areas if:

a) other matters are identified as threatened under the EPBC Act or NC Act;
b) areas are identified as containing existing matters of environmental significance; or
c) other areas of cultural, scientific or heritage value are included.

Recommendation 4: Include in the Territory Plan an additional land use zone for Conservation Areas to ensure areas outside the reserve system that are of high conservation and/or heritage value and connectivity significance are provided protection, while at the same time, allowing for compatible land uses to be retained.

Recommendation 5. Revise the draft district plan maps to identify all Conservation Areas and remove inaccuracies and discrepancies between the District maps and the Territory Plan maps.

Recommendation 6. Provide the opportunity for FOG and other stakeholders to identify important remnants of grassy ecosystems as off-reserve Conservation Areas on both leased and unleased land.

We elaborate on these issues in the following sections of our response.

We welcome the opportunity to discuss these issues further with you.

Yours sincerely

Professor Jamie Pittock
President

3 March 2023

Section 1. Overall comments

The opportunity exists in this Planning Review to fully implement the stated guiding drivers identified in the District Strategies, to ensure the natural and cultural values of the city and the Territory are effectively protected, valued and conserved, according to the mandate (above).

Our comments on the District Strategies and Territory Plan are centred around achieving this. We believe that the potential is there for the ACT and Canberra to be internationally recognised as a leader in planning for the future, through implementing a balanced plan that truly protects, respects and values natural and cultural assets, while achieving economic and social aspirations.

ACT's planning design and implementation should promote a vision of Canberra as a City in Nature (reflecting a more up to date concept of the Bush Capital) that recognises the natural landscape and the enhancement of that through the use of indigenous plantings, based on sound ecological principles. The Report on the *Inquiry into Nature in our City,* published February 2020, should be referenced in the strategy.

Too often the concept of 'nature' is mistakenly correlated with natural landscapes. While 'nature' may be green or blue spaces, usually with trees present, they lack the complexity, diversity and function of 'natural landscapes'. These areas contain varied diversity of ecological and vegetation communities, many threatened and rare species, far more complex functionality, and frequently contain first nations heritage. Regrettably, when "nature" is used in many planning documents, what is promoted is a dumbed-down view of nature, devoid of reference to the indigenous vegetation and fauna that we live amongst and influence.

The Plan and Strategies must be significantly tightened and better presented to ensure understanding and compliance by users. Every word needs to count, as it will be used to argue for development applications to be allowed or disallowed.

The Biodiversity Network

The paper, *A Biodiversity Network for the ACT* (BRIEFING_BIODIVERSITY NETWORK _Final_Version_December (conservationcouncil.org.au), jointly prepared by the Conservation Council ACT Region and Friends of Grasslands, provides a clear guide to integrate protection of biodiversity in the ACT across all tenures and land uses, to include areas outside the nature reserve system, especially but not exclusively, those containing remnants of threatened communities, threatened species, or other conservation values including remnant mature native trees.

The Biodiversity Network in the paper strives to implement a particular category of the International Union for the Conservation of Nature (IUCN) for a protected area network. This is titled '*Other effective area-based conservation measures*' (OECM). The category identifies that OECMs may be managed for many different objectives, but they must deliver effective conservation. They may be managed with conservation as a primary or secondary objective or long-term conservation may simply be the ancillary result of management activities (IUCN, 2019)[1]. This approach is tenure free. We believe that the opportunity exists to identify Conservation Areas regardless of tenure and on leased as well as unleased land, that meet the OECM criteria, where compatible land uses may continue, but for which legislative protection, as well as conservation management, are assigned. The Biodiversity Network would encompass not only the Nature Reserves and the Namadgi National Park, but other areas, which in the majority of cases would maintain their current land use.

We have noted the use of the term the '*Biodiversity Conservation Network'*, and the category '*Conservation Area'* identified on the blue-green network maps. These should be defined in the glossary,

[1] (IUCN, 2019), Recognising and reporting on other area-based effective conservation measures. Protected Area. Technical Report Series No. 3, 2019.

so that it is clear whether they do or do not refer to the same concept we propose. We also note, with one exception, that on the maps only existing nature reserves are identified as conservation areas. We believe there has been an attempt to meld the concepts identified in the Conservation Council/Friends of Grasslands paper, but that the draft will not achieve the goals identified in the paper.

Section 2. Draft Territory Plan

Suggested wording changes in our submission are indicated in blue.

Proposed New Territory Plan – Supporting Report

Loss of Overlays

As stated on Page 37 of the Supporting report, the overlays "*are not specific assessment requirements for a development application*". However, the management objectives in Schedule 4.2 of the *Planning Bill 2022*, place restrictions on the type and level of development that can occur in various zones. In terms of having a clear, easy-to-use planning system it is important that the existence, location and relevance to planning decisions of the overlay zones is widely known and readily accessible, not just identified in ACTMapi. For example, the management objectives for a wilderness area would exclude or place severe restrictions on the development of infrastructure or ancillary services or ecotourism, while the primacy of conservation land use is the key objective for national parks and nature reserves.

Reference to the management objective for public land including Conservation Areas should be made in the strategic district documents.

C.2 Statement of principles of good planning

Planning is not just about development, it is about a liveable city that encompasses human welfare, heritage, culture and the environment that we live in and are responsible for.

The natural environment conservation principle needs rewording to specifically include native vegetation and for policies and planning design to seek the enhancement and restoration of the condition and functioning of ACT's natural environment. This is important as most native vegetation subject to development in the ACT is either nationally endangered grassland or woodland and there is already substantial effort towards enhancing ACT's natural environment which must be supported by good planning. The identification and protection of Conservation Areas will provide surety that biodiversity and the functions that it provides are a fundamental element of the city and Territory we live in. Modify the principle as follows:

2.7 Natural environmental conservation principles mean the following**:**

a. Planning and design should promote healthy, diverse and resilient ecosystems, by avoiding loss of habitat, native vegetation and other key threatening processes for biodiversity.

b. Policies, planning and design should integrate and promote —

   (i) nature-based solutions to climate change and water security.

   (ii) the valuation and maintenance of the ecosystem services and amenity provided by a healthy natural environment.

   (iii) restoration and enhancement of natural environment condition, diversity and connection.

c) Biodiversity connectivity and habitat values should be integrated across urban areas, including through appropriate planning for, and landscaping of, urban open space and travel corridors.

Part A. Administration and Governance

Mapping discrepancies

We have found that there are designations in the maps in the Territory Plan document which are inconsistent with the maps in the District Strategies, there may also be others we have not observed:

- Gungaderra Nature Reserve has a Future Urban Area (FUA) overlay.
- Lawson Grassland, formerly the Belconnen Naval Station, is shown as Territory Land, designated suburban land, although it is Commonwealth land.
- Coombs peninsular is shown with a Future Urban Area overlay; the decision has been made that this will not be developed as a residential area.

Incorrect overlays and designations in the Territory Plan need to be removed.

Planning and land use zones for low-lying native ecosystems

Few lowland grassy ecosystems and smaller waterways that are at direct and constant threat of loss due to development, associated infrastructure, weed incursion and mismanagement are included in the blue-green network. Many of these areas contain threatened ecological communities, threatened species habitat, other high conservation value remnants and provide corridors between larger areas. Currently there are no land use zones that adequately recognise these Conservation Areas.

There is a need to identify Conservation Areas up front and provide designated protection to limit land uses that result in destruction of, or disturbance to, habitat. It is recommended existing land use zones could be modified to include conservation as the fundamental desired outcomes, or alternatively a new land use zone could be created to protect the environmental integrity of the ecosystems within the lower hills and valleys that are outside the reserve system. This includes not only the urban areas but also surrounding rural landscape.

For example, the existing land use zone NUZ3 could be modified to reflect the existing, rather than historic, values in which ecosystems on the low hills and plains were not valued. These changes would increase the outcomes for conservation of the lowland ecosystems, including on rural leased land:

> *NUZ3 – Hills Ridges and Buffer Zone*
>
> *The fundamental desired outcome for the NUZ3 zone is to conserve the environmental integrity of the hill system and other areas of high conservation value and connectivity significance to conserve the significant cultural and natural heritage resources and a diversity of natural habitats and wildlife corridors,*
>
> *Other important desired outcomes to be achieved in the NUZ3 zone:*
>
> *1. Provide a visual backdrop and a unified landscape setting for Canberra*
>
> *2. Provide opportunities for appropriate recreational uses.*
>
> *3. Provide predominantly open buffer spaces for the visual separation of towns and to provide residents with easy access to hills, ridges and buffer areas and associated recreation facilities.*
>
> *4. Provide opportunities for appropriate environmental education and scientific research activities.*

Alternatively, a specific Urban Open Space land use zone (PRZ3) could be included to protect Conservation Areas within the urban space (including easements, transport and access corridors), in which conservation is the primary objective, but that allow for other compatible uses.

Section 3. Draft District Strategies

FOG welcomes the development of district plans for Canberra, incorporating green-blue spaces, and a focus on the city and first nations' heritage. This is a good step forward towards a more holistic approach to planning the future of Canberra. However, a general theme in this submission is that further revision is required in order to fulfil the objectives of protection of local indigenous biota in our city and surrounds, the retention and restoration of local flora and fauna and protection of first nations heritage.

The blue-green network

FOG applauds that the Blue-green Network, as a concept, is identified prominently as the first of the five drivers mentioned, and the frequent identification of these values throughout the documents.

However, it is misleading when the application of planning for this network effectively only relates to their use for recreation, infrastructure or other similar purposes. It does not recognise that many of these areas are of high importance for their natural conservation values. For example, two thirds of the Natural Temperate Grassland sites are outside the ACT's reserve system (data extracted from ACT Government 2017)[2]. It is not at all clear how the mandate requiring protection of biodiversity values could be achieved if these areas are not differentiated from modified areas identified in the blue-green network and protected.

Such areas are not only important for biota, supporting local wildlife, but provide essential services through climate change mitigation, mitigate climate extremes, enhance water retention, and support wellbeing and mental health.

Conservation Areas

FOG supports the inclusion of the category 'Conservation Area' across tenure applied on the maps. However, there is no definition of what this term refers to in the glossary. Only one area apart from Nature Reserves is identified as a Conservation Area (between Tennant St and Molonglo River, Fyshwick).

The District Strategies should identify all Conservation Areas in each district that contain threatened species and communities, other important habitat and corridors, and demonstrate how these entities will be retained in the planning arena. Examples that are not included in the draft maps are listed below in our comments for each district, although further review is required to comprehensively identify and map all areas of conservation significance.

Networks and connections

The word "connections" is used liberally in the document and in different ways, including "connections created by foot and cycle paths to shops, playgrounds, and open space", "public transport" and to "restore environmental … values". Its various intentions in the document should in each use be clarified, particularly in relation to connectivity in the Blue-Green network.

The loose use of the term 'connections' in relation to the Blue-Green Network are especially misleading in that while the blue-green network purports to refer to environmental connections, the description of the network of connections in the district strategies as defined aims "fill in gaps and connections in the primary, secondary and tertiary networks to enable people to move through and experience elements of the natural environment", in other words, tracks and roads. The primary aim should be to improve ecological connectivity. While this may be appropriate for some areas, such movements should be secondary to the movement of biota. For example, there is a discrepancy when the strategy identifies

[2] ACT Government 2017. ACT Native Grassland Conservation Strategy and Action Plans. Environment, Planning and Sustainable Development, Canberra

the major waterways in their upper reaches as a primary network , but not in their lower reaches further from the residential areas. As opposed to this, ecologically, these waterways are a primary network along their entire length. The two types of connectivity should be mapped separately.

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

Ecological Connectivity

Care needs to be taken that connectivity has a whole of landscape approach and is not fragmented by an over-focus within individual Strategy districts. For example, it is admirable that a key direction for Woden is connectivity between its nature reserves including Mount Mugga, Oakey Hill, Red Hill. Mount Taylor and Farrer Ridge. However, it is vital that these woodland reserves maintain and improve connection to the Molonglo and Murrumbidgee rivers from where connections exist to much of eastern Australia. It is this continental scale linkage and Woden's connection to it that enables the migration and nomadic movements of hundreds of birds, insects, bats and other wildlife. Similar landscape scale connections exist for all the strategic areas and they are a key conservation asset.

Figure 31 in the Gungahlin district strategy shows a number of connections, at least two of which we would query. These are the connections (which would appear to be bicycle paths) that are shown passing through Nadjung Mada and Gungaderra Grassland Reserves. These will cause disturbance and might cause fragmentation of Striped Legless Lizard habitat as well as create other biodiversity hazards. It is important that any connections through green-blue areas be carefully designed, or even avoided, where these may injure natural values.

Work by CSIRO (Doerr et al 2010)[3] found that most wildlife, including insects, birds, bats and spiders can move across the landscape provided trees are no more than 150 metres apart and the gap between large (at least 10ha) habitat patches is less than 1.3 km. This menu for connectivity lies behind the ACTMapi mapping of connectivity for landscape and planning. The treed connection across Canberra's landscape is pretty functional, but what is missing in places are regular 10 ha patches of habitat. The ACTMapi layer has a tool that enables identification of where restoration of such patches is most effective and achievable. Conservation and enhancement of these "stepping stones" will be critical to meeting the Blue-Green network objective.

Increased planting and encouragement of existing indigenous plants in public places including roadsides and nature strips can enhance their roles as conservation corridors. However, such plantings must reflect the existing conservation significance of that site (as a remnant, as a connection between remnants, or as old growth trees that support wildlife, and importantly ensure no trees are planted in natural grassland or other native grassland in which native herbaceous diversity is high.

Interface of urban-commercial and green-blue areas: Nature in the city

The impacts of commercial/urban interfaces must be addressed through the placement of buffers to adjacent blue-green areas. Some negative impacts that commercial/urban areas may have on reserves include (a) misuse of the reserve by local residents and visitors such as dumping rubbish, and walking dogs on or off lead that may negatively impact indigenous vegetation and fauna; (b) garden plantings that may cause weed problems in the reserve; (c) light and noise impacts that may negatively impact native fauna; and (d) possible fears of local residents about reptiles and fire management. An example

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[3] Doerr, V.A.J., Doerr, E.D. & Davies, M.J. (2010) *Systematic Review #44: Does Structural Connectivity Facilitate Dispersal of Native Species in Australia's Fragmented Terrestrial Landscapes?* Collaboration for Environmental Evidence, Bangor.

of an area which is currently acting as a buffer to a reserve is the Gungahlin town centre east area which is adjacent to Mulanggari Nature Reserve. The town centre east area contains a remnant box gum woodland, an ephemeral wetland, habitat for water birds, and at least one tree on the ACT tree register. The current Gungahlin town centre east proposal does not address the interface between the Gungahlin east and Mulanggari grasslands.

A strategy to obtain positive outcomes for local residents and visitors is for government and the local community to work together to formulate plans to allow the public to visit and use the buffer, while ensuring the adjacent conservation areas are retained (and enhanced). The development of the Concept Plan for *Budjan Galindji* Franklin Grassland applies this strategy, based on best practice design and planning for native grasslands (Williams et al., 2015) [4]

Recommendations, Blue-Green Network

Suggested wording changes are indicated in blue.

1. The blue-green network needs to differentiate between modified landscapes where such activities are justified, and the "biodiversity conservation network" (p. 41, Ecology and Heritage section), i.e., those areas that contain important natural biota. Use of such areas should be legislatively protected for their conservation values and identified as Conservation Areas. It should also recognise opportunities in which areas of conservation values within the blue-green network may be enlarged, enhanced or restored to enhance habitat values and connectivity.

   We recommend the definition be changed to:

   > Blue-green landscape/infrastructure/network: 'Blue' refers to waterways including creeks and wetlands within the landscape. 'Green' refers to the trees, urban forests, gardens, parks and open space. The Blue-green network includes a sub-set of sites, the Biodiversity [Conservation] Network, that contain remnants of threatened communities, native fauna habitat including mature native trees and areas that connect these remnants.

2. It is an important distinction that trees are not a natural component of natural grasslands. Grassland connectivity is about maintaining a continuous cover of predominantly native grass and native herb understorey. Therefore, connectivity across grasslands must not include the planting of trees or shrubs in or shading grasslands.
3. The descriptions of the three network levels need to be modified to ensure the primary aim is to protect conservation values where these occur, with planning around them correspondingly respected.

Suggested rewording is:

> The blue-green network is a foundational element of the district strategies. A key aim is to protect and enhance biodiversity and conservation values and, where compatible with this aim, ~~is~~ to fill in gaps and connections in the primary, secondary and tertiary networks to enable people to move through and experience elements of the natural environment ~~**where this is compatible with biodiversity and conservation values**~~.

In addition, the description of the three levels needs revision:

> Primary network: spans Canberra, **along the waterways which bring life to this place** – the Molonglo River, Sullivan's Creek, Ginninderra Creek and Yarralumla Creek and other waterways, the nature reserves and the unbuilt Hills, Ridges and Buffers. Any active travel and recreational functions should be secondary.

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[4] Williams N.S.G., Marshall A. and Morgan J.W. (eds), Land of Sweeping Plains. Managing and restoring the native grasslands of south-eastern Australia. CSIRO, Melbourne

Secondary network: intersects with the primary network through and between districts, building upon those elements of the conservation estate that are outside the reserve and main aquatic system and if compatible, the existing **active travel** networks.

Blue-green connections: extend liveable blue-green network by establishing **priority connections** between remnants to restore, protect and expand the blue and green network, and secondarily for connections for people.

4. Table 3. Objectives for district planning – blue-green network

   An additional objective needs to be included: Restore, protect and expand the biodiversity conservation network as part of the blue-green network. The existing third objective omits the major aim for these areas.

   The fifth objective should include two additional elements:

   a) incorporate and maintain existing mature native trees and
   b) the expansion of the urban tree canopy cover is not appropriate for native grasslands.
5. Given the centrality of the blue-green network concept and the associated maps elsewhere in this document the Glossary of Terms should necessarily include clear and sufficiently explanatory definitions of what the various Blue-green network legend terms mean and how they have been determined. Although some of them are explained to varying degrees of adequacy elsewhere in this document they should be readily found in the Glossary and consistently applied throughout the Strategy.
6. Define the term Conservation Area as areas within the Biodiversity Conservation Network that:
   a) include remnants of threatened ecological communities;
   b) contain habitat for threatened species;
   c) provide important corridors between remnants; and
   d) areas containing important cultural, heritage or scientific values.
7. Where conservation areas occur on rural and urban leases inclusion in the biodiversity network should be achieved through mutual government/lessee agreement, to ensure compliance.

Ngunnawal country & first nations people

We welcome the statement that Canberra occupies Ngunnawal country, and its people and culture should be respected. However, we believe the statements on page 22 and elsewhere should specifically identify:

- The significance of the ACT government commitment to creating an ACT voice, treaty and truth telling for first nations' people. The discussion to progress a treaty has been initiated.
- Learning about and adoption of traditional land management practices should be a foundation, or starting point, to manage our biodiversity.
- The initiative by ACT government to adopt education programs to promote an understanding of first nations', particularly Ngunnawal, language and culture and the creation of employment programs to train and employ first nations' people.

Design, layout and accuracy of the documents

The first 80 pages or so of the separate district strategies is the same in each document, but this is not clear unless the introductory information in each is compared. Separating out each district also compartmentalises each district. While districts can be a useful division for planning, they do not make sense ecologically or socially. Therefore, we urge a greater link between them, perhaps by merging the district strategies into one document so it is clear the principles are uniform, but separate chapters consider each district.

Many of our comments refer to similar sections in different district documents, but given they occur on different pages it has been difficult to refer to the specific pages to which our comments relate.

Maps

The District Strategies are presented at a coarse scale and lack detail. The maps are not fit for purpose and need to be significantly amended. We recommend maps are available that can be reduced or enlarged to see the detail, exact placement of proposals and consider them in context.

By compartmentalising the planning strategy, initially within the ACT border, then further into the nine districts, the idea of ecological connectivity is conceptually lost, creating artificial hard boundaries. For example, in Belconnen this ignores major consequences of future urban development into NSW by Riverview. In East Canberra and Tuggeranong, all the current Jerrabomberra, Tralee, and other potential development areas are likewise ignored, although it impacts considerably both ecologically, socially and physically on the landscape.

A key aim of the district strategies is to provide clear guidance to help deliver desired planning outcomes. The lack of detail within the District Plans creates uncertainty and inconsistency and will result in poor and contested planning, rather than strategic and transparent outcomes.

The over-arching maps of planning district intent have been poorly put together with mapped planning intentions being inconsistent with stated aims within the Strategy and with other figures provided. For example, Figure 32 of the East Canberra Strategy identifies with purple shading the land in the vicinity of the airport that provides economic access and opportunity, while Figure 31 shows protected habitat including natural temperate grasslands that the strategy aims to protect. However, the overarching map shows an economic precinct that excludes some of the built airport and includes some of the neighbouring natural grasslands on public lands. Does this mean that some parts of the existing developed airport area are no longer suitable for economic use and that the plan is endorsing development on critically endangered grassland and threatened fauna habitat?

These maps should also show information on remnant indigenous vegetation within the built-up area, outside the green-blue areas and features such as ephemeral and other wetlands and open spaces with remnant native trees.

Far more accurate mapping is available on publicly available resources, including Conservation Connectivity areas of Protected Flora and Fauna, Potential Priority Connectivity Areas and Potential Habitat Areas. They are based on:

- ACTmapi Significant Species, Vegetation Communities & Registered Trees map layers;
- Canberra Nature Park Reserve Management Plan 2021 maps Connections with Rivers & Landscape Connections and Cooleman Ridge NR Natural values;
- Grassland and Woodland Strategies; and
- City Services map of existing Urban Parks and Places volunteer groups.

In addition, community, including FOG, is aware of other areas that are not currently mapped.

Errors in mapping

Examination of the district maps has identified clear errors. Examples are provided below, but it is very likely that others exist.

Figure 31 of the East Canberra District Strategy shows the West Majura grasslands as protected habitat but the overarching map includes these critically endangered grasslands in a possible change area for employment. Given that the importance of the grassland is widely documented and their mapped distribution is readily available it is unclear why such planning ambiguity and inconsistency has been presented as part of a district plan.

Figure 14 in each of the district strategies – Economic access and opportunity across the city: This figure has incorrectly included part of Mugga Mugga Cottage and Grassland (between Hindmarsh Drive and Mugga Lane). Areas of conservation value need to be removed from the purple shading of this map. The shading was probably meant to capture the detention centre and pound facilities and not Mugga Mugga Grassland.

Recommendations, Maps

1. Mapping should clearly show overall planning intent and possibilities and not vague lines that are open to multiple interpretations.
2. Sub-district maps need to show:
   - All sites identified in the grassland, woodland and riparian strategies, labelled with their site names.
   - All other sites that have been identified since the strategies were published or which are identified through further investigation, plus other sites with remnant vegetation.
   - The legal (land use zone), e.g. reserves, open space and/or conservation status of all sites, e.g. threatened species habitat, threatened ecological community.
   - The presence of remnant and exotic vegetation. Remnant vegetation should be classified by woodland, grassland and other vegetation and whether indigenous vegetation is of high, medium and low quality. In the case of the woodland, the upper, mid and ground storey should be assessed separately.
   - Potential areas that should be targeted for restoration. These could include both remnants and non-remnant areas. Priority should be given to sites where the quality and patch size can be improved and those which allow quality sites to be connected.
3. Discrepancies between land uses identified in the Territory Plan maps and District Strategy maps need to be rectified, at least in regards to Gungaderra Nature Reserve, Commonwealth land at Lawson, Coombs Peninsular and Mugga Mugga.

Comments on the nine draft district strategies

Detailed comments are provided for most of the district strategies, particularly those identified for future development options, and those with greater numbers of biodiverse remnants, however, where comments are made in regard to one specific district, they are frequently relevant to the other districts.

Overall, FOG is concerned that mapping is inaccurate and inadequate for both consultation and planning purposes. The inclusion or exclusion of particular proposals and areas seem to be ad hoc, and are far from inclusive.

Draft Belconnen District Strategy

There are direct conflicts between proposals in the strategy and blue-green network/connectivity objectives. In addition, some will have significant implications for the community in terms of traffic, parking and services, within the district and across districts.

Lawson North

The Lawson North proposal by the Defence Housing Estate is not finalised and is under contention for its significant impact on NTG, GSM and other habitat. The area identified as “Lawson” (the former Belconnen Naval Station) is a significantly large area of CEEC NTG, the original known population of the Ginninderra Peppercress, important habitat for the threatened GSM. This area is Commonwealth land, managed by the Defence Housing Estate. This is identified in the Territory Plan Administration and Governance document as suburban land (RZ2). This is incorrect.

Lake Ginninderra (east)

This site is marked potential development and is Change Area 5 in Figure 31, p94-5. The outline covers an alarmingly large area on the eastern lake side. While much of that is poorly managed and weed infested paddock area required to be grazed for fuel reduction, there are significant environmental (and recreational) values on the lakeshore strip of land between the lake and the potential site .

The site is discussed more in Fig 41 on p119. The location of its new edge street is much less alarming in Figure 41 than that at larger scale in Fig 31. Even though there is more information provided, omitted from these maps are key conservation values, including an area of NTG (see ACTmapi grassland layer), generally known as Diddams Close, currently highlighted by TCCS conservation bollards, a small population of the endangered Small Purple Pea *Swainsona recta* and the diverse native ground and shrub layer under planted eucalypts. If high-rise development could be contemplated for the site (retail and residential) that must not impact the conservation values of the lakeshore strip, including potential emergence of desire-line tracks, or other illegal recreational disturbance.

Proposed Research and Education Precinct, Bruce (including the University of Canberra, Australian Institute of Sport, Canberra Institute for Technology, Radford College, Calvary Hospital and surrounding green space), and Sustainable neighbourhood areas (UC campus and AIS), p.99 and p.111.

These areas mapped include/overlap with important wildlife corridors that are mapped on the Blue-Green network map p.99, especially areas around Calvary Hospital (zoned NUZ3), and the green space between Gossan Hill and John Knight Park (i.e. behind CISAC), currently the site for some UC residences and parking. Gang -gang nesting sites occur around Calvary and Superb Parrots are frequently seen at AIS. In addition, the area contains rare orchid habitat.

The UC campus contains areas of woodland, shrubby forest and a significant number of mature native trees. It therefore provides connectivity north to Lawson.

Proposed light rail extension

The proposed light rail extension along Belconnen Way between Black Mountain and Bruce Ridge and then north along Haydon Dr, together with the proposed changes to expand the research and education precinct, indicate how important it is to assess and mitigate impacts on connectivity on a landscape scale given the strong connections between Lawson, Bruce, Lyneham and O'Connor. This is a clear example of how a single-district analysis misses some important cross-district considerations, as highlighted in our general comments above.

Additional Conservation Areas include, but are not limited to:

- Glenloch Interchange, William Hovell Drive and Tuggeranong Parkway
- Flea Bog Flat, corner of Belconnen Way and Hayden Drive, Bruce
- Umbagong District Park, Latham
- Croke Place, Evatt
- Diddams Close native grasslands and Small Purple Pea habitat, Lake Ginninderra
- Lawson Hill, South Lawson road easement
- Research and Education Precinct including UC
- Mt Rogers, Fraser
- Kuringa Woodland, Fraser
- Higgins Woodland, Brazel St Higgins
- Hall Horse Paddocks
- Ginninderra Creek (corridor)
- Hall Cemetery
- Fassifern, Jarramlee and West Belconnen Ponds, Dunlop

Draft Gungahlin District Strategy

Improving connectivity

Many areas of Gungahlin have been inadequately mapped for their biodiversity values. For example, there are many small remnant grassland patches along the upper Ginninderra Creek and its tributaries. These remnants would be key areas to enhance patch size and habitat corridors through restorative work.

Other areas including the proposed Crace open area revamp provide the opportunity to retain and enhance natural values while still providing for recreational activities.

The Gungahlin town centre east proposal

This draft proposal or intended land use is omitted from the Gungahlin district map. The land use of this area is not identified, and information provided in the draft for that submission seems to simply ignore natural assets that occur in the proposed development area which contains a remnant box gum woodland, an ephemeral wetland, home to many water birds, and at least one tree on the ACT tree register. Obviously, Gungahlin district plans should identify all natural assets so that these are protected and well managed in future Gungahlin region development.

Additional Conservation Areas include, but are not limited to:

- Kenny Grasslands
- Gungahlin Town Centre east

Draft Inner North District and City Strategy

Due to the age, the density of the built environment and the fact that this area primarily once contained naturally treeless grassland, there are few open spaces dominated by native understorey or native trees. The native biota that remains within parks, walkways are of particular importance to maintain east-west ecological connectivity.

Additional Conservation Areas include, but are not limited to:

- Ainslie Volcanics Grassland, Wolseley Drive, Campbell
- St Johns Church Golden Sun Moth habitat
- Lyneham Ridge Eucalpyt Plantation and Lyneham Horse Paddocks grassy woodland, corner of Ellenborough St at Barton Highway intersection
- Dryandra St Woodland, corner of Dryandra St south and Belconnen Way
- Sullivans Creek wetlands

Draft Inner South District Strategy

Wildlife connection along Melbourne Avenue

Wording on page 88, identifies Melbourne Avenue to Red Hill as a regionally significant connectivity corridor. The Link Via Red Hill, Melbourne Avenue, plantings and remnant woodland on Capital Hill and then onto Stirling Ridge is indeed an important wildlife connection. This importance needs to be reflected in the mapping of the Green-Blue network and in implementation actions.

The following changes are proposed to the second paragraph of the Blue Green network p98:

> Priority connectivity areas include along Jerrabomberra Creek, feeding into the wetlands, ~~and in~~ the west around Yarralumla and via Melbourne Avenue and Parliament House connections between Red Hill and Stirling Ridge. Red Hill Nature Reserve and Stirling Ridge support high quality Box-Gum woodland and diverse and rare wildlife. The inner south contains the highest known concentration of Gang-gang breeding hollows and large populations of the endangered

Button Wrinklewort daisy. There are important natural grassland remnants at Yarralumla and Bass Gardens. The general area of Gurubang Dhaura (Stirling Ridge, National Land) also has highly important cultural values for local first nations' people. The relatively recent Westlake Settlement in part of the same footprint has significant European heritage value.

While many of these ecological values and heritage elements are protected by legislation, any new development in the district must consider and enhance these conservation values. Water sensitive urban design (WSUD) initiatives in future developments will be critical to improving water quality of ecosystems and creek corridors.

Wildlife connections

We note the odd specific inclusion of the Bass Gardens remnant grassland, given, with very few exceptions, other grassland and woodland remnants are not identified or included. The following additions are suggested to Table 10, Inner south initiatives:

> Enhance and maintain native grasslands and grassy woodlands along the Molonglo River corridor north and east of Fyshwick, and within the suburbs;
>
> Enhance the condition of the wildlife connection along Melbourne Avenue and between Parliament House and Stirling Ridge, linking significant woodland at Red Hill, Parliament House and Stirling Ridge.

West Deakin

An additional principle should be:

> Minimise adverse indirect impacts on Red Hill Nature Reserve and its wildlife.

Tennant St Grassland (Fyshwick)

On the blue-green network the entire area west of the Molonglo River in Fyshwick is identified as a conservation area. However, on Figure 36, Sustainable Neighbourhoods Figure 36, it is identified as a Possible change area (which requires definition). This is another example of why the conservation area term needs to be defined (and areas retained).

Additional Conservation Areas include, but are not limited to:

- St Marks Native Grassland (leased land), Barton
- Bullan Mura Grassy Woodland, Alexandrina Drive Yarralumla
- Blue Gum Point, Alexandrina Drive Yarralumla
- Black St Grassland, Alexandrina Drive Yarralumla
- Griffith-Hughes Woodland
- Dudley St Grassland Yarralumla
- Hughes-Garran Woodland
- Griffith Woodland
- Tennant St Grassland, Fyshwick (this grassland is under-represented in ACTMapi)

Draft Molonglo District Strategy

Western Edge investigation area

The playing down/omission of the western edge investigation area from the District Strategy Plan map, Blue-green network, and other maps is concerning. No further information and discussion is provided other than brief references to its potential for future development and a new district and mitigation against associated bushfire risks (pp 7 and 16) and a map and showing parts of this area adjacent to the Weston Creek and Molonglo Districts in Figure 25 (Weston Creek District map). Its environmental values and connectivity significance are being discounted and excluded.

FOG does not support development in this high conservation value area. In particular, none of Bluett's Block should not be considered for future urban area and should be protected by an adequate ecological buffer from development.

Additional Conservation Areas include, but are not limited to:

- Bluett's Block, Cotter Road
- Kama West, William Hovell Drive
- Springfield property, Molonglo

Draft Tuggeranong District Strategy

Tuggeranong contains mature and remnant trees recognised as keystone species and found across the suburban fabric on both private and public land. In parks and in private gardens. Their presence is foundational to maintaining local biodiversity, quality of life for residents and movement for local native species. Some are scattered and others form part of natural corridors documented in the connectivity rasters on ACTMAPi.

Tuggeranong's urban fabric contains important plant and animal species which fall outside the reserve system. They are recorded and available on ACTMAPi but do not appear in the Draft Tuggeranong District Strategy.

The Tuggeranong District Strategy indicates the Blue /Green Network and other transport corridors will be driven through the habitat of these species some occupying comparatively small areas. The inevitable outcome of this kind of planning is the loss of these natural values.

Additional Conservation Areas include, but are not limited to:

- Isabella Pond grassland, Monash
- Tuggeranong Grassland
- Swainsona population, Kambah

Draft Weston Creek District Strategy

It is concerning that the only conservation areas shown in the Weston Creek District Strategy Plan map are existing Nature Reserves. Here, the term Nature Reserve seems to be inconsistent with how it is used and shown in the all district map (Fig 13) and Weston Creek specific (Fig 32) Blue-green network maps. In Weston Creek District Strategy Plan map the term Nature Reserve seems to also include Conservation Connectivity areas shown in Fig 32 as potential habitat areas, potential priority connectivity areas, and protected flora and fauna areas. This inconsistency reinforces the earlier comments about the need to improve the clarity of the Blue-green network graphics and provide clear and consistent definitions of the various legend items in the Glossary of Terms.

There are a number of relevant Conservation Connectivity areas that are missing from and/or not clearly identified in Weston Creek – Blue-green network map.

Draft Woden Valley District Strategy

Conflict between Blue Green Driver and Economic Access and Opportunity Driver

The district Strategy presents two conflicting drivers, and it is unclear how both will be achieved. The blue-green driver correctly identifies Yarralumla and Long Gully Creeks and their enhancement as key to connectivity within and between the districts, but intensive residential development based along a future light-rail network is planned in this area of ecological connection. It is crucial that it is understood that a long thin line of trees will have little connectivity value and that for the connection to work it needs to contain large areas of retained and restored habitat. In this context natural grasslands at North

Curtin and transitional woodland in Mawson that adjoin Yarralumla Creek are vital components of the Creeks' connectivity.

As shown in the Strategies mapping, these vegetation remnants are also crucial to east west connections, linking woodlands at O'Malley to Mt Taylor and the Callum Brae, Mugga, Red Hill woodland patch (the second largest Yellow Box-Red Gum woodland patch in the nation) via Yarralumla Creek and connections through Curtin to the Molonglo River.

The existing connections at these locations are important for the movement of Superb Parrots breeding in the Lower Molonglo and Gang-gangs breeding on Red Hill and Mugga to move to and from foraging areas across Woden.

For the Strategy to fulfil it aims substantial areas of vegetation will need to be retained and restored within the vicinity and along Yarralumla Creek.

Additional Blue-green network initiatives

The following are needed if suitability of important aspects of Woden's wildlife are to be achieved:

- retention of a viable Golden Sun Moth populations.
- Enhance and restore waterways, green corridors and viable habitat patches from Yarralumla Creek along Athllon Drive and Yamba Drive, including connectivity with Farrer Ridge at the head of the creek.
- Enhance the movement and foraging of the Superb Parrot, Gang-gang and other threatened species through the green-blue network and use of preferred food plants in local plantings.

Opportunities and constraints

The Gang-gang p. 87

Woden (including neighbouring Red Hill) contains the highest known concentration, anywhere in Australia, of nesting hollows of the nationally endangered Gang-gang (*Callocephalon fimbriatum*). A large (in a national context) population of the nationally threatened Golden Sun Moth exists on Curtin Horse Paddocks. Thus, the following word change is suggested:

> Threatened species such as habitat of the Gang-gang, Golden Sun Moth, Pink-tailed Worm Lizard, Perunga Grasshopper, Button Wrinklewort, Small Purple Pea, Hoary Sunray, Little Eagle and Superb Parrot.

Principles for Curtin Horse Paddocks p119

In order to be consistent with the Strategies drivers and objectives the principle need to include

- retention of a viable Golden Sun Moth population.
- retention and enhancement of the functioning wildlife connection based along Yarralumla Creek as part of a city wide blue-green network (Note -this connection is vital to the functioning and wildlife diversity of nationally important woodland on Red Hill and beyond).
- Consider opportunities to enhance the creekline for local area amenity ~~and ecology – part of a city- wide blue-green network where possible~~.

Curtin edge north and south

The following wording is suggested to reflect key drivers of the Strategy:

> Any future development at this site should contribute to a positive built frontage and address to Yarra Glen, improve access to and oversight of light rail stations, and consider a biodiversity sensitive urban interface, protecting the potential re-naturalised creek corridor and its functioning as a wildlife corridor from impacts of urbanisation.

The principles for the Curtin Edge North to South, North Woden, Phillip and Athllon Drive , Mawson and Farrer North and Mawson and Farrer South

The following should be included:

- retention and enhancement of the functioning wildlife connection based along Yarralumla Creek as part of a city wide blue-green network.
- Consider opportunities to enhance the creekline for local area amenity ~~and ecology – part of a city- wide blue-green network where possible~~.

Retention of woodland at Phillip – Athllon Drive

This area contains a high quality remnant of grassland/Box-Gum woodland transition remnant as well as smaller areas of Box-Gum woodland and mixed plantings, which are restoring native vegetation elements to the corridor. Thus, the following should be an additional planning principle:

- Retention and enhancement of remnant grassland/woodland vegetation

Implementation Table p151

The following should be added to the first row of the table:

- retention of a viable Golden Sun Moth population
- Enhance the movement and foraging of the Superb Parrot, Gang-gang and other threatened species through the green-blue network and use of preferred food plants in local plantings
- Additional key areas to be incorporated and mapped as conservation areas, include (but are not exclusive):

Additional Conservation Areas include, but are not limited to:

- Curtin Horse Paddocks conservation habitat
- Wildlife connection along Yarralumla Creek and elsewhere across Woden Valley
- Remnant woodland at Athllon Drive, Phillip

Draft East Canberra District Strategy

Canberra Grassland Earless Dragon, Canberra Spider Orchid and Canberra Raspy Cricket

Conservation of these threatened species should be a key direction. East Canberra contains over 90% of the global habitat of the Canberra Grassland Earless Dragon (*Tympanocryptis lineata).* The remaining habitat is in the adjoining Poplars area of NSW. Similarly, within East Canberra, is over 90% of the known population of the nationally endangered Canberra Spider Orchid (*Caladenia actensis)* and most of the population of the Canberra Raspy Cricket (*Cooraboorama canberrae)* a local endemic genus, which meets Commonwealth listing criteria. Given the restricted and threatened nature of these species and that the Commonwealth has recently committed to try and prevent any further extinctions, it is likely that these three species will be a key consideration of any planning or development decisions that the Commonwealth makes in the East Canberra area.

Therefore, it makes sense for the East Canberra District Plan to specify that it aims to also prevent the extinction of these essentially east Canberra species and highlight this as part of a key direction. Suggested wording is:

> Protect, conserve and enhance priority grassland, woodland and aquatic habitats and environmental values, including along the Molonglo River and Jerrabomberra and Woolshed creeks, and habitat of three threatened species that are largely restricted to East Canberra, the Canberra Grassland Earless Dragon, the Canberra Spider Orchid and the Canberra Raspy Cricket

It is also suggested that the following be added to the words on Page 94 under the Blue-green network section.

Grassland and woodland habitat in East Canberra is critical for the national survival of the Canberra Grassland Earless Dragon, Canberra Spider Orchid and Canberra Raspy Cricket.

Table 9 – suggested word changes:

> Enhance, restore and connect priority areas of grassland and Grassland Earless Dragon and Canberra Raspy Cricket habitat, particularly north and east of Canberra Airport and in the south around existing grassland reserves and adjacent in NSW

Map stylisation is inaccurate, inconsistent and misleading

As raised in general comments the mapping needs to better reflect that of the following subject specific mapped and written content. At the moment it appears to be a map of glorified thought bubbles rather than a useful planning guide.

- the airport precinct should accurately reflect the location of the airport and Ikea land,
- areas of critically endangered grassland and woodland should be removed from possible development precincts , including the West Majura Grasslands, grasslands to the north and east of the airport, and woodland within and adjoining Mt Majura reserve.
- the environmental precinct to the west of West Jerrabomberra Nature reserve should reflect the mapping of vegetation and habitat values in Figure 31.

Figure 31 – some mapping errors need correcting:

The Nature Reserve and Conservation Area hatchings are missing key Nature Reserve and offset areas including parts of Mugga Mugga Nature Reserve, East Jerrabomberra Grassland Nature Reserve, Woolshed Creek Nature Reserve and West Majura Grasslands Nature Reserve.

Wildlife connections into NSW

The district strategy should also consider and map key wildlife connections to native vegetation in neighbouring NSW (Figure 31). As indicated on the connectivity layers within ACTmapi, woodland vegetation towards the southern end and middle of Hume provides an important link between the woodlands of Wanniassa Hills, Isaacs and beyond in the ACT and woodland in the Googong area of NSW

High speed rail alignment

Figure 33 shows a proposed alignment across the top of Mt Ainslie Nature Reserve, including traversing a large remnant of critically endangered Box –Gum woodland, habitat of the endangered Canberra Spider Orchid and important threatened woodland bird and Rosenberg's Goanna breeding habitat. It is highly unlikely that this route would proceed, and its development certainly would be at odds with the Blue-Green driver that under pins the Strategy. So why show it? Particularly as an explanation behind why the proposed alignment was chosen is missing. Similarly the alignment of the alternate route to the airport bisects West Majura Grasslands. It would need to closely align with the Majura parkway and not cut across Woolshed Creek Nature reserve to be considered as a serious alternative.

Additional key areas to be incorporated and mapped as conservation areas, include (but are not exclusive):

Additional Conservation Areas include, but are not limited to:

- Majura Valley West grassland and woodland (adjacent to Mt Ainslie and Mt Majura Nature Reserves and Campbell Park offices)
- Majura Valley East grassland and woodland (adjacent to the Airport and the Defence Area)
- Majura Road, Majura Valley
- Rural leases, Majura Valley
- Mugga Mugga Homestead, Jerrabomberra

- ‘Callum Brae’ property, Jerrabomberra
- Woods Lane, Jerrabomberra
- ‘Cookanalla’ Grassland Earless Dragon habitat, Jerrabomberra
- Amtech east, Jerrabomberra

Other Conservation Areas within and outside the nine districts that should be considered for inclusion are:

- Horse Paddocks
- TSRs, many existing corridors linking urban open space and nature reserves
- Transport corridors.

Friends of HAWKER Village Inc.

Covering
Page
Scullin
Weetangera
Hawker

[redacted]

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, owned by the Krnc family were taken over by Woolworths. When the TAB closed in 2015, the premises were purchased by the Krnc brothers; they have been vacant ever since. This family also purchased the Hawker Tennis Centre with its twelve excellent courts beside the Hawker playing fields. The courts have been neglected and allowed to fall into ruin as the owners wait, hopefully, for rezoning for residential purposes.

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.

[redacted]

Friends of Hawker Village Incorporated

Ginninderra Catchment Group
[redacted]
21 Bingle St, Flynn ACT, 2615
[redacted]

RE: Draft Territory Plan Submission - Ginninderra Catchment Group

The Ginninderra Catchment Group welcomes this opportunity to provide a submission on the Draft Territory Plan as part of the ACT Planning Review process.

The Ginninderra Catchment Group [GCG] is both a community-based natural resource management organisation and a Landcare network, operating primarily in the northwest ACT Region. This community-driven organisation supports over 20 Landcare Groups (including Parkcare, urban, rural, junior, and Aboriginal Landcare Groups) and coordinates numerous community engagement and landscape-scale restoration programs. GCG also facilitates citizen science and community education programs. GCG's mission is to 'connect, support and lead local communities to maintain and improve the health of the Ginninderra Catchment and surrounding environments'.

This submission is made on behalf of the GCG and its current 31 member groups, as listed below;

Crace Landcare Group (Crace)
Croke Place Lions Landcare Group (Evatt)
Emu Creek Landcare Group (Belconnen)
Friends of Aranda bushland (Aranda)
Friends of Budjan Galindji (Franklin)
Friends of Gossan Hill (Bruce)
Friends of Harrison Wetlands (Harrison)
Friends of Mt Painter (Cook)
Friends of Mulligans Flat (Forde)
Friends of the Pinnacle (Hawker)
Friends of Wangara Parks (Aranda)
Friends of Yerrabi Pond (Gungahlin)
Flea Bog Creek Landcare Group (Bruce)
Giralang Pond Landcare Group (Giralang)
Hawker Community Landcare (Hawker)
Hall Landcare Group (Hall)
Holt Micro-Forest (Holt)
Jarramlee Park Landcare (Dunlop)
Kuringa Woodlands Landcare Group (Fraser)
Landcare of Lawson (Lawson)
Macgregor Landcare Group (Macgregor)
Maribyrnong Community Climate Action Group (Kaleen)
Moncrieff Litter Action Group (Moncrieff)
Mt Rogers Landcare Group (Flynn)
Mulanggang Traditional Aboriginal Landcare Group (Various)
Native Grassland Restoration Landcare Group (Various)
North Belconnen Landcare Convenor (Evatt)
Umbagong Landcare Group (Latham)

As a community-based organisation, we have fielded a significant quantity of communication from a broad range of Canberrans concerned about the consultation process which was not sufficient to satisfactorily inform the community of the plans for their suburbs and protection of local environmental assets. In particularly there have been many comments on the lack of co-design with the community and paucity of clear understandable information provided in these documents.

ACT Planning System Review and Reform Project

The following groups submit a summary of concerns about the lack of protection for the natural biota of the ACT by the Planning Bill, Territory Plan and District Strategies. The concerns expressed below reflect those of the community directed through our organisations.

We do not believe that the mandate identified in the District Strategies as follows can be met by the changes to the legislation or directions:

> ***The protection of heritage and biodiversity values is mandated by ACT Government and Australian Government law and should be a primary consideration in all planning and development decisions.***

1. The Planning Bill omits mention of protection of biodiversity in the ACT. Once enacted the Planning Bill will be the main legislation under which decisions impacting the environment are made on a day to day basis in the ACT. The Planning Bill should not proceed until it is amended to ensure protection and enhancement of biodiversity is seen as an 'outcome ' of the all various planning instruments, including explicit reference in the objects of the Act and a suitable mechanism to facilitate such biodiversity protection and enhancement is included in the Act, with subsequent flow through to a new Territory Plan and (proposed) District Strategies.
   <u>The draft Territory Plan and draft District Strategies should not be finalised until the final revised form of the Planning Bill has been proposed by the ACT Government, and only following amendments and further consultation which may be appropriate based on the revised Bill.</u>

2. There is no land use policy identified for the protection for off reserve conservation areas under the TP; effectively, the land use zones in the draft Territory Plan have not changed since it was first developed. They are outdated and do not recognise that:

   i) Many conservation areas containing CEECs and threatened species are outside the reserve system, including on urban open space, other open space, along easements, on rural and urban leasehold land.

   ii) Unless in reserved land, there are no provisions for protection of these areas or directions for management for ecological outcomes or restrictions of recreational or other land uses.

   iii) It is unclear how the ACT Nature Conservation Act interrelates with the Planning Bill and Territory Plan.

3. The draft District Plans are presented as providing the final arbitration for future use for the next twenty years. However, the maps are not fit for purpose:

   i) There is reduced direction provided to developers on what they can't do, so that there are likely to be more proposals for development on conservation areas, and more cumulative impacts, not less.

   ii) Overlays with the exception of future urban areas have been removed. Identification of off-reserve conservation areas and potential reserved areas are unclear, given they are not identified in the TP as requiring protection.

   iii) The maps are at too coarse a scale to examine particular areas/sites; most conservation areas have been omitted, while some are specifically but ad hoc included ad hoc; there are inconsistencies between maps, there are concerning overlays that might or might not be errors. The mapping must recognise that the need to protect other areas may arise.

Planning and land use zones for low-lying native ecosystems

Few lowland grassy ecosystems and smaller waterways that are at direct and constant threat of loss due to development, associated infrastructure, weed incursion and mismanagement are included in the blue-green network. Many of these areas contain threatened ecological communities, threatened species habitat, other high conservation value remnants and provide corridors between larger areas. Currently there are no land use zones that adequately recognise these Conservation Areas. In many cases existing land uses such as low impact recreation, production or easements may be retained (see Section 1, Biodiversity Network for more information).

There is a need to identify Conservation Areas up front and provide designated protection to limit land uses that result in destruction of, or disturbance to, habitat. It is recommended existing land use zones could be modified to include conservation as the fundamental desired outcomes, or alternatively a new land use zone could be created to protect the environmental integrity of the ecosystems within the lower hills and valleys that are outside the reserve system. This includes not only the urban areas but also surrounding rural landscape.

For example, the existing land use zone NUZ3 could be modified to reflect the existing, rather than historic, values in which ecosystems on the low hills and plains were not valued. These changes would increase the outcomes for conservation of the lowland ecosystems, including on rural leased land:

NUZ3 – Hills Ridges and Buffer Zone

The fundamental desired outcome for the NUZ3 zone is to conserve the environmental integrity of the hill system and other areas of high conservation value and connectivity significance to conserve the significant cultural and natural heritage resources and a diversity of natural habitats and wildlife corridors,

Other important desired outcomes to be achieved in the NUZ3 zone:

1. Provide a visual backdrop and a unified landscape setting for Canberra

2. Provide opportunities for appropriate recreational uses.

3. Provide predominantly open buffer spaces for the visual separation of towns and to provide residents with easy access to hills, ridges and buffer areas and associated recreation facilities.

4. Provide opportunities for appropriate environmental education and scientific research activities.

Alternatively, a specific Urban Open Space land use zone (PRZ3) could be included to protect Conservation Areas within the urban space (including easements, transport and access corridors), in which conservation is the primary objective, but other uses such as recreation could be undertaken where compatible.

Recommendations:

1. Primary consideration be given to protection of heritage and biodiversity values during planning processes.
2. Include a category of land use in the Territory Plan that enables conservation areas to be protected, managed for ecological outcomes and at the same time, retain compatible land uses.
3. Provide more accurate and complete district plans including a full set of overlays and a process for amendment over time. - Better Maps-

Ginninderra Catchment Group
[redacted]
21 Bingle St, Flynn ACT, 2615
[redacted]

RE: Review and Feedback of the Belconnen District Strategy

The Ginninderra Catchment Group welcomes this opportunity to provide a submission for the Belconnen District Strategy through the ACT Planning Review process.

The Ginninderra Catchment Group [GCG] is both a community-based natural resource management organisation and a Landcare network, operating primarily in the northwest ACT Region. This community-driven organisation supports over 20 Landcare Groups (including Parkcare, urban, rural, junior, and Aboriginal Landcare Groups) and coordinates numerous community engagement and landscape-scale restoration programs. GCG also facilitates citizen science and community education programs. GCG's mission is to 'connect, support and lead local communities to maintain and improve the health of the Ginninderra Catchment and surrounding environments'.

This submission is made on behalf of the GCG and its current 21 member groups, as listed below;

Croke Place Lions Landcare Group (Evatt)
Emu Creek Landcare Group (Belconnen)
Friends of Aranda bushland (Aranda)
Friends of Gossan Hill (Bruce)
Friends of Mt Painter (Cook)
Friends of the Pinnacle (Hawker)
Friends of Wangara Parks (Aranda)
Flea Bog Creek Landcare Group (Bruce)
Giralang Pond Landcare Group (Giralang)
Hawker Community Landcare (Hawker)
Higgins Landcare Group (Higgins)
Holt Micro-Forest (Holt)
Jarramlee Park Landcare (Dunlop)
Kuringa Woodlands Landcare Group (Fraser)
Landcare of Lawson (Lawson)
Macgregor Landcare Group (Macgregor)
Maribyrnong Community Climate Action Group (Kaleen)
Mt Rogers Landcare Group (Flynn)
Mulanggang Traditional Aboriginal Landcare Group (Various)
Native Grassland Restoration Landcare Group (Various)
North Belconnen Landcare Convenor (Evatt)
Umbagong Landcare Group (Latham)

There are many welcome changes and inclusions under the new territory plan and underlying district strategies including a focus on the city and first nations' heritage and incorporating green-blue spaces, with consideration for facilitating active travel in the region. However there are several key issues identified, with the Territory Plan as well as the Belconnen District Strategy which are detailed below. The key recommendations are provided on the first pages, with further information provided on the following pages.

Planning Bill

The Planning Bill omits mention of protection of biodiversity in the ACT. Once enacted the Planning Bill will be the main legislation under which decisions impacting the environment are made on a day to day basis in the ACT. The Planning Bill should not proceed until it is amended to follow the recommendations of the ACT Legislative Assembly Standing Committee on Planning, Transport and City Services Report on the Inquiry into the Planning Bill 2022 dated 22 December 2022 relating to environmental matters (recommendations 38 to 46).

KEY RECOMMENDATION

The draft Territory Plan and draft District Strategies should not be finalised until the final revised form of the Planning Bill has been proposed by the ACT Government, and only following amendments and further consultation which may be appropriate based on the revised Bill.

General Recommendations

RECOMMENDATION #1: District strategy maps should be re-released with larger maps, finer scale to allow for useful review by community members of specific sites

RECOMMENDATION #2: Blue-Green network is too vague as it does not adequately consider conservation and biodiversity value of sites and requirements of species aimed to be protected. This needs to be strengthened in the Territory plan and district strategy.

RECOMMENDATION #3: Consider the inclusion of the recent Conservation Council publication on a biodiversity network, including detailed mapping of habitat biodiversity value and connectivity across the whole ACT https://conservationcouncil.org.au/wp-content/uploads/BRIEFING_BIODIVERSITY-NETWORK-_Final_Version_December.pdf

RECOMMENDATION #4: Provisions to restore waterways and riparian corridors including along Ginninderra Creek, Lake Ginninderra, Molonglo River and urban stormwater ponds, to enhance water quality, aquatic and terrestrial riparian habitat and recreational values.

RECOMMENDATION #5: Ensure all mature trees in Belconnen development footprints are preserved (including retaining minimum viable natural habitat area to support tree health).

RECOMMENDATION #6: Consideration for biodiversity values in and around Lawson, taking into account the edge effects from future development negatively impacting remnant patches.

RECOMMENDATION #7: Develop suitable strategies for design and management of reserves to allow the public to visit and use the reserve but “putting conservation first”.

RECOMMENDATION #8: Avoid impact to the known and protected threated plants and ecosystems at Diddams close site, Lake Ginninderra East.

RECOMMENDATION #9: Consideration for retaining the Belconnen Green Waste Facility at its existing location, rather than relocating it to elsewhere in Belconnen

RECOMMENDATION #10: Provide greater inclusion and resourcing for First-Nations people within the district and greater recognition of First Nations's peoples in the District Strategy INC Greater provision for Cultural Burning and other Ngunnawal / Ngunawal land management practices.

RECOMMENDATION #11: Commit to and ensure all new suburbs, including Ginninderry and CSIRO Ginninderra sites are zero emissions suburbs. All significant ecological habitat areas should be retained with development designed to protect these areas.

RECOMMENDATION #12: District strategy should include expected Ginninderry and CSIRO development areas all other surrounding rural lands within the Belconnen district ACT.

RECOMMENDATION #13: Consideration for more duplex and townhouse residential dwellings, with adequate green space and permeable surfaces for each development.

RECOMMENDATION #14: If there will be an extension of light rail through Belconnen, this should be allowed for in the plan to avoid needing to redesign the district in future.

District Mapping

The district strategy maps are at too large a scale and provide little indication of which specific areas are proposed for future changes. ALL members consulted by GCG indicated they had minimal understanding of which areas are to be affected based on the maps provided in the strategies. More suitable and useful maps should show

- Specific Nature Conservation sites as detailed in the ACT grassland, ACT woodland and ACT riparian strategies
- Any new conservation sites since the establishment of these nature conservation strategies
- The legal and or conservation status of all sites, e.g. reserves, open space, etc.
- Areas to consider for future conservation value, either through formal reserves or urban open space, including areas to be targeted for restoration.
- These maps should also show information on remnant indigenous vegetation within the built up area, outside the green-blue areas and features such as ephemeral and other wetlands.

RECOMMENDATION #1: District strategies should be re-released with larger maps, finer scale to allow for useful review by community members of specific sites

Nature, Biodiversity and Connectivity

The reference to "restoring connectivity corridors as links for threatened species", as well as "restoring waterways" are of significant importance to the planning for the ACT Bush Capital.

However, the information provided in the district strategy on how this would be facilitated as well as the poorly designed mapping, indicated there is a strong need to strengthen this biodiversity and connectivity focus of the “Blue-Green” network.

RECOMMENDATION #2: Blue-Green network is too vague as it does not adequately consider conservation and biodiversity value of sites and requirements of species aimed to be protected. This needs to be strengthened in the Territory plan and district strategy.

The provisions for habitat corridors MUST consider the variety of ecosystems found within the ACT, specifically Natural Temperate Grasslands and Box Gum Woodland (both EPBC listed as critically endangered), and important riparian habitat corridors.

RECOMMENDATION #3: Consider the inclusion of the recent Conservation Council publication on a biodiversity network, including detailed mapping of habitat biodiversity value and connectivity across the whole ACT

RECOMMENDATION #4: Provisions to restore waterways and riparian corridors including along Ginninderra Creek, Lake Ginninderra, Molonglo River and urban stormwater ponds, to enhance water quality, aquatic and terrestrial riparian habitat and recreational values.

Interface of urban-commercial and green-blue areas

The proposal for the development around Lawson seems to ignore natural assets that occur in the proposed developed area which contains significant remnant Natural Temperate Grasslands, as well as some Box Gum Woodland and wetland and waterway areas and many mature native trees. The Belconnen district plans should identify all natural assets so that these are protected and well managed in future Belconnen region development.

RECOMMENDATION #5: Ensure all mature trees in the current and future Belconnen development footprints are preserved (including retaining minimum viable natural habitat area to support tree health).

RECOMMENDATION #6: Consideration for biodiversity values in and around Lawson, taking into account the edge effects from any future development which can negatively impact remaining remnant patches.

RECOMMENDATION #7: Develop suitable strategies for design and management of reserves to allow the public to visit and use the reserve but “putting conservation first”.

Lake Ginninderra East

This site is marked potential development and is Change Area 5 in Fig 31, p94-5. The outline covers an alarmingly large area on the eastern lake side, and there is nothing about the environmental and recreational values of the lakeshore strip of land between the lake and the potential site. One value component of value is a mapped area of NTG (see ACTmapi grassland layer), generally known as Diddams Close. Here there is a population of endangered plant at this site which could be impacted by proposed development, either directly or through edge effects from increased disturbance or weed incursions

RECOMMENDATION #8: Avoid impact to the known and protected threated plants and ecosystems at Diddams close site, Lake Ginninderra East.

Belconnen Green Waste

Regarding the Belconnen Green Waste, there has been community suggestion relating to the Belconnen Map is for the existing Canberra Sand and Gravel (green waste facility) to remain where it is, regardless of what developer contracts have prematurely been signed.

RECOMMENDATION #9: Consideration for retaining the Belconnen Green Waste Facility at its existing location, rather than relocating it to elsewhere in Belconnen

Ngunnawal/Ngunawal Country and First Nations Inclusion

We welcome the inclusion of Ngunnawal custodians of Canberra, however these acknowledgments could be much stronger. Likewise what is promoted as the value of First Nation's culture and its deep understanding and practice of land management is grossly understated. More needs to be said on its rich past, and its re-emerging manifestation.

Also suggested for a Ngunnawal/Ngunawal community which could be utilised by local first nations people, possibly combined with the former facility or with other indigenous groups.

RECOMMENDATION #10: Provide greater inclusion and resourcing for First-Nations people within the district and greater recognition of First Nations' peoples in the District Strategy INC Greater provision for Cultural Burning and other Ngunnawal / Ngunawal land management practices.

Additional Feedback on the Belconnen District Strategy

In addition to the broad matters with the overall District Strategies and Planning review, specific concerns in Belconnen include:

Energy Efficiency

RECOMMENDATION #11: Commit to and ensure all new suburbs, including Ginninderry and CSIRO Ginninderra sites are zero emissions suburbs. All significant ecological habitat areas should be retained with development designed to protect these areas.

Future Development

With intensification of urban development, high-density residential can be done well, when consideration is made for availability of nearby green spaces. This can include compulsory green roofs and open green space and permeable surfaces as a % land area requirement for high-density development. There is extensive research to support the benefits for community wellbeing and environment from these design requirements.

RECOMMENDATION #12: District strategy should include expected Ginninderry and CSIRO development areas all other surrounding rural lands within the Belconnen district ACT.

RECOMMENDATION #13: Consideration for more duplex and townhouse residential dwellings, with adequate green space and permeable surfaces for each development.

Future Light Rail

Provide inclusion of the previously promised extension of the light rail through Belconnen district.

RECOMMENDATION #14: If there will be an extension of light rail through Belconnen, this should be allowed for in the plan to avoid needing to redesign the district in future.

Ginninderra Catchment Group
[redacted]
21 Bingle St, Flynn ACT, 2615
[redacted]

RE: Review and Feedback of the Gungahlin District Strategy

The Ginninderra Catchment Group welcomes this opportunity to provide a submission for the Gungahlin District Strategy through the ACT Planning Review process.

The Ginninderra Catchment Group [GCG] is both a community-based natural resource management organisation and a Landcare network, operating primarily in the northwest ACT Region. This community-driven organisation supports over 20 Landcare Groups (including Parkcare, urban, rural, junior, and Aboriginal Landcare Groups) and coordinates numerous community engagement and landscape-scale restoration programs. GCG also facilitates citizen science and community education programs. GCG's mission is to 'connect, support and lead local communities to maintain and improve the health of the Ginninderra Catchment and surrounding environments'.

This submission is made on behalf of the GCG and its current 11 member groups, as listed below;

Budjan Galindji (Franklin)
Crace Landcare Group (Crace)
Friends of Harrison Wetlands (Harrison)
Friends of Mulligans Flat (Forde)
Friends of Yerrabi Pond (Gungahlin)
Hall Landcare Group (Hall)
Moncrieff Litter Action Group (Moncrieff)
Mulanggang Traditional Aboriginal Landcare Group (Various)
Native Grassland Restoration Landcare Group (Various)
Wallaroo Landcare Group (NSW)
Sutton Landcare Group (NSW)

There are many welcome changes and inclusions under the new territory plan and underlying district strategies including a focus on the city and first nations' heritage and incorporating green-blue spaces, with consideration for facilitating active travel in the region. However there are several key issues identified, with the Territory Plan as well as the Gungahlin District Strategy which are detailed below. The key recommendations are provided on the first page, with further information provided on the following pages.

Planning Bill

The Planning Bill omits mention of protection of biodiversity in the ACT. Once enacted the Planning Bill will be the main legislation under which decisions impacting the environment are made on a day to day basis in the ACT. The Planning Bill should not proceed until it is amended to follow the recommendations of the ACT Legislative Assembly Standing Committee on Planning, Transport and City Services Report on the Inquiry into the Planning Bill 2022 dated 22 December 2022 relating to environmental matters (recommendations 38 to 46).

KEY RECOMMENDATION

The draft Territory Plan and draft District Strategies should not be finalised until the final revised form of the Planning Bill has been proposed by the ACT Government, and only following amendments and further consultation which may be appropriate based on the revised Bill.

General Recommendations

RECOMMENDATION #1: District strategy maps should be re-released with larger maps, finer scale to allow for useful review by community members of specific sites

RECOMMENDATION #2: Blue-Green network is too vague as it does not adequately consider conservation and biodiversity value of sites and requirements of species aimed to be protected. This needs to be strengthened in the Territory plan and district strategy.

RECOMMENDATION #3: Consider the inclusion of the recent Conservation Council publication on a biodiversity network, including detailed mapping of habitat biodiversity value and connectivity across the whole ACT https://conservationcouncil.org.au/wp-content/uploads/BRIEFING_BIODIVERSITY-NETWORK-_Final_Version_December.pdf

RECOMMENDATION #4: Provisions 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.

RECOMMENDATION #5: Ensure all mature trees in the current and future Gungahlin development footprints are preserved (including retaining minimum viable natural habitat area to support tree health)

RECOMMENDATION #6: Ensure that all current reserves and large natural urban open spaces are retained and not at risk from active travel routes that may damage the reserve

RECOMMNDATION #7: Develop suitable strategies for design and management of reserves to allow the public to visit and use the reserve but “putting conservation first”.

RECOMMENDATION #8: Provide greater inclusion and resourcing for First-Nations people within the District Strategy Inc. Greater provision for Cultural Burning and other Ngunnawal / Ngunawal land management practices.

RECOMMENDATION #9: Commit to and ensure all new suburbs, including Jacka and Kenny are zero emissions suburbs

RECOMMENDATION #10: District strategy should include Hall and all other surrounding rural lands within the Gungahlin district ACT.

RECOMMENDATION #11: If there will be an extension of light rail to Moncrieff or elsewhere, this should be allowed for in the plan to avoid needing to redesign the district in future.

RECOMMENDATION #12: a. inadequate parking facilities across the whole district. b. Lack of suitable roads that may are too narrow or single lane

RECOMMENDATION #13: Consideration for more regulations to ensure adequate green space and permeable surfaces for all new developments.

District Mapping

The district strategy maps are at too large a scale and provide little indication of which specific areas are proposed for future changes. ALL members consulted by GCG indicated they had minimal understanding of which areas are to be affected based on the maps provided in the strategies. More suitable and useful maps should show

- Specific Nature Conservation sites as detailed in the ACT grassland, ACT woodland and ACT riparian strategies
- Any new conservation sites since the establishment of these nature conservation strategies
- The legal and or conservation status of all sites, e.g. reserves, open space, etc.
- Areas to consider for future conservation value, either through formal reserves or urban open space, including areas to be targeted for restoration.
- These maps should also show information on remnant indigenous vegetation within the built up area, outside the green-blue areas and features such as ephemeral and other wetlands.

RECOMMENDATION #1: District strategies should be re-released with larger maps, finer scale to allow for useful review by community members of specific sites

Nature, Biodiversity and Connectivity

The reference to “restoring connectivity corridors as links for threatened species”, as well as “restoring waterways” are of significant importance to the planning for the ACT Bush Capital. However, the information provided in the district strategy on how this would be facilitated as well as the poorly designed mapping, indicated there is a strong need to strengthen this biodiversity and connectivity focus of the “Blue-Green” network.

RECOMMENDATION #2: Blue-Green network is too vague as it does not adequately consider conservation and biodiversity value of sites and requirements of species aimed to be protected. This needs to be strengthened in the Territory plan and district strategy.

The provisions for habitat corridors MUST consider the variety of ecosystems found within the ACT, specifically Natural Temperate Grasslands and Box Gum Woodland (both EPBC listed as critically endangered), and important riparian habitat corridors.

RECOMMENDATION #3: Consider the inclusion of the recent Conservation Council publication on a biodiversity network, including detailed mapping of habitat biodiversity value and connectivity across the whole ACT

RECOMMENDATION #4: Provisions 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.

The proposal for the development in Gungahlin Town Centre East seems to ignore natural assets that occur in the proposed developed area which contains a remnant box gum woodland, an ephemeral wetland, home to many water birds, and at least one tree on the ACT tree register. Obviously, Gungahlin district plans should identify all natural assets so that these are protected and well managed in future Gungahlin region development.

RECOMMENDATION #5: Ensure all mature trees in the current and future Gungahlin development footprints are preserved (including retaining minimum viable natural habitat area to support tree health)

In figure 31 there are two bicycle paths (which would appear to be bicycle paths) that are shown passing through Nadjung Mada and Gungaderra Grassland Reserves. These might cause fragmentation of striped legless lizard habitat as well as create other biodiversity hazards. It is important that any connections through green-blue areas be carefully designed, or even avoided, where these may injure nature values.

RECOMMENDATION #6: Ensure that all current reserves and large natural urban open spaces are retained and not at risk from active travel routes that may damage the reserve

Interface of urban-commercial and green-blue areas

One issue not addressed is the impacts of development areas on surrounding green-blue areas. Eg. the current Gungahlin town center east proposals do not address the interface between the Gungahlin east and Mulanggari grasslands.

Some negative impacts that development areas have on reserves including, negative impacts to local flora and fauna form misuse (eg. dogs and cats killing native animals, weed spread from residential) and light and noise impacts to fauna.

RESOLUTION #7: Develop suitable strategies for design and management of reserves to allow the public to visit and use the reserve but “putting conservation first”.

Ngunnawal/Ngunawal Country and First Nations Inclusion

We welcome the inclusion of Ngunnawal custodians of Canberra, however these acknowledgments could be much stronger. Likewise what is promoted as the value of First Nation's culture and its deep understanding and practice of land management is grossly understated. More needs to be said on its rich past, and its re-emerging manifestation.

Also suggested for a Ngunnawal/Ngunawal community which could be utilised by local first nations people, possibly combined with the former facility or with other indigenous groups.

RECOMMENDATION #8: Provide greater inclusion and resourcing for First-Nations people within the district and greater recognition of First Nations' peoples in the District Strategy INC Greater provision for Cultural Burning and other Ngunnawal / Ngunawal land management practices.

Additional Feedback on Gungahlin District Strategy

In addition to the broad matters with the overall District Strategies and Planning review, specific concerns in Gungahlin include:

Energy Efficiency

RECOMMENDATION #9: Commit to and ensure all new suburbs, including Jacka and Kenny are zero emissions suburbs

Hall Village

The legend to Figure 2, District boundaries shows that Gungahlin district includes Hall village and the surrounding area.

RECOMMENDATION #10: District strategy should include Hall and all other surrounding rural lands within the Gungahlin district ACT.

Future Light Rail

Provide inclusion of the previously promised extension of the light rail from Gungahlin to Moncrieff along Mirrabei Drive.

RECOMMENDATION #11: If there will be an extension of light rail to Moncrieff or elsewhere, this should be allowed for in the plan to avoid needing to redesign the district in future.

Gungahlin Town Centre

Gungahlin is a diverse and growing district with many new areas of residential, retail and business, located close to NSW regional centers. This could be promoted as a tourism driver for Gungahlin. one key limitation for Gungahlin development is;

RECOMMENDATION #12:

> *Inadequate parking facilities across the whole district*
>
> *Lack of suitable roads, many are too narrow or single lane*

Future Development

With intensification of urban development, high-density residential can be done well, when consideration is made for availability of nearby green spaces. This can include compulsory green roofs and open green space and permeable surfaces as a % land area requirement for high-density development. There is extensive research to support the benefits for community wellbeing and environment from these design requirements.

RECOMMENDATION #13: Consideration for more regulations to ensure adequate green space and permeable surfaces for all new developments.

The Link – Sales and Information Centre
1 McClymont Way, Strathnairn ACT 2615
PO Box 484, Kippax ACT 2615
T. 1800 316 900

Ginninderry

Mr B Ponton
Director – General
Environment, Planning and Sustainable
Development Directorate
GPO Box 158, Canberra
ACT 2601

03 March 2023

Ginninderry Submission - Draft Territory Plan

Dear Mr Ponton,

The Ginninderry Project provides this submission in response to the public exhibition of the Draft Territory Plan. As the Territory Plan is central to the planning outcomes achieved in the ACT, we wish to take this opportunity to provide constructive feedback also acknowledging the important role the Territory Plan plays in terms of the outcomes of the Ginninderry Project.

The Ginninderry Project is a greenfield development located in West Belconnen. Whilst ultimately it will include four new suburbs, so far, the development has started work on two of these suburbs, being Strathnairn and Macnamara. Ginninderry has the desire to deliver a climate-adaptive resilient 21st-century subdivision. On this basis we support many of the changes in the Draft Territory Plan, however, we wish to ensure that the new planning framework allows for adequate transitional arrangements and provides flexibility to enable a holistic consideration to achieve desired outcomes.

We note that Ginninderry previously made a submission on the draft Planning Bill to the Environment, Planning, and Sustainable Development Directorate (EPSDD). A copy of this submission is provided in **Annexure 2** to this submission for reference. Several of the matters raised in this prior submission are again reiterated in this submission.

This planning submission analyses the proposed planning outcomes and structure of the proposed Territory Plan and its impact on greenfield estate planning. Ethos Urban, is currently undertaking a review of the Ginninderry Master plan and has prepared a second submission on behalf of the project that considers strategic policy implications for the Ginninderry Project. This submission is included at **Annexure 3**.

Belconnen District Strategy

District Planning

The Ginninderry Project is supportive of the Belconnen District Strategy policy direction. The comments below are provided in relation to the draft Belconnen District Strategy and how it in turn relates to the Ginninderry project.

- The Ginninderry Conservation Corridor is omitted from the mapping documentation and labelled as 'Woodstock Nature Reserve',
- The Ginninderry Conservation Corridor should be acknowledged in the 'blue/green' network
- There is an opportunity to identify proposed Ginninderry local centres, in the Belconnen District Plan
- The local centre earmarked in Strathnairn throughout the District Plan has been relocated
- There is an opportunity to identify proposed, Ginninderry employment plans in the Belconnen District Plan
- Under the 'Potential suitability of the area for new housing', the Ginninderry Project area beyond what has been built in EDP1 Strathnairn has not been included
- The 'Bushfire District Plan' identifies land within a bushfire-prone area, however we seek clarification on how often will the Belconnen District Plan and bushfire prone area mapping will be updated to reflect the new stages of Ginninderry as they are being developed?

The sustainable neighbourhood direction set out in the District Plan provides for admirable targets (pg, 55, Draft Belconnen District Strategy). Commentary has been provided below on each sustainable neighbourhood goal.

Sustainable neighbourhoods

Creating sustainable places requires an integration of the right mix of land uses, urban density and local amenities such as accessible public spaces, walkable streets and connectivity via active and local transport to retail and services. The more amenities, the more diversity and density that can be supported.

New development is a means for sustainable transformation. It enables 'urban improvement' including improving streets and public domain with more connections and greenery to encourage walking and local liveability, while also contributing to the zero carbon ambition.

New development in future should incorporate new social and affordable housing, including the 15% target on residential land release sites in the ACT Housing Strategy.

Right Mix of Housing

To achieve sustainable neighbourhoods as stated, the proposed new Territory Plan is required to facilitate housing diversity through the planning controls, including encouraging terrace-style housing, townhouses and 4-6 storey housing typologies. Based on the draft Territory Plan and it is not immediately clear how these forms of housing will be promoted and supported. A commentary on the proposed Territory Plan housing typology outcomes is further addressed in this submission.

Zero Carbon Ambition

It is acknowledged that built form is a sizable emitter of carbon. The Belconnen District Strategy Zero Carbon talks about waste management and the shift to zero vehicle emissions. We recommend providing further clarity around the zero-carbon emission ambition and whether it only relates to the construction stage, or if it also relates to measures that may apply post-construction. A clear policy framework on how the zero-carbon ambition is to be achieved is required.

If the Zero Carbon Ambition includes construction waste, Ginninderry can advise the ACT Government on how Ginninderry is reducing estate construction waste and recycling a minimum of 80% of estate construction waste, and prompting residential construction waste recycling.

Social and Affordable Housing

The Ginninderry Project is supportive of the ACT Government incorporating new social and affordable housing initiatives with a target of 15% of residential land releases going to support this form of housing.

Ideally, to provide greater certainty, the policy should clearly define the aims at an estate planning level and at a block level. Housing affordability, at an estate level, may be broadly considered by promoting and supporting the delivery of a diverse range of housing typologies to meet a variety of lifestyles and budgets.

In framing social and affordable policy, it will be important to ensure this policy is achievable and in alignment with the current market. We note that Ginninderry has been delivering its 'Flexi-Living', terrace-style, turn-key product (two and three-bedroom terraces) that serve to provide for a 'market' affordable housing solution for new home buyers, however this type of 'affordable product' does not strictly meet the ACT Government's current Affordable Housing thresholds. These homes have been designed with efficiency in mind and reflect the market cost of land and construction costs.

A policy that promotes and supports a broader definition of affordability that encompasses compact and 'market' affordable turn-key dwellings similar to those being delivered by the Ginninderry JV would be welcomed.

Equally, it is important to ensure the policy is robust, to ensure the policy is being implemented as it was intended, and the industry is held to account in delivering social and affordable housing.

Belconnen District Policy

The Belconnen District Policy is consistent with the existing land use of the suburb of Strathnairn, Ginninderry. The policy outcomes stated in the Belconnen District Policy align with the Ginninderry Project of –

- Delivering a range of housing choices and employment to cater to a growing population
- Building a sense of community in a new suburb, including through the provision of sporting, retail, and community amenities
- As a master-planned community Ginninderry is supportive of an integrated Belconnen Education and Sports Innovation Precinct and welcomes future conversations, to identify how the Ginninderry Project vision fits with the ACT Government's objectives.
- The Ginninderry Project acknowledges the policy support of policy point 9, in developing Ginninderry based on sustainable neighbourhood principles (Belconnen District Policy, p. 7). Whilst we support the objectives our concern is that these objectives have not been embedded into the Territory plan framework to support innovative housing outcomes.

To achieve these policy outcomes of housing choices and including delivering affordable housing, the Ginninderry Project, currently has in place the 'Strathnairn Precinct Map and Code'. The proposed planning system would see the 'Strathnairn Precinct Map and Code' included in the District Specifications Belconnen. Like the suburb of Strathnairn, the suburb of Whitlam includes block-specific planning controls within a Precinct Code. The 'Whitlam Precinct Map and Code' has been included in the Molonglo Valley District Policy.

Strathnairn and Whitlam have been subject to the same planning process, **Ginninderry asks the Planning Authority to give the Strathnairn estate controls, statutory weight by embedding these controls into the Belconnen District Policy.**

Design Guides

It is understood the Planning Authority is currently preparing an Urban Design Guide and a Housing Design Guide. In principle, the Ginninderry Project is supportive of this approach. As the Ginninderry Project is currently working through a Master Plan refresh and is continuing to design estates, we welcome engagement and discussion of draft guidelines prior to the incorporation in the new Territory Plan.

Terrace style – housing (separately titled)

In consideration of the Hatch RobertsDays Report, Estate Development Measures and Frameworks, 2022, pg 18, it is appreciated in the acknowledgment, that Ginninderry's terrace-style product is leading the way in Canberra in terms of delivering housing choices. Ginninderry supports the commentary in this report, acknowledging the challenges in utilising 'Integrated Development', being a more onerous process, and supports the idea of the form-based solution so that other estates in Canberra can deliver compact housing to meet the needs of estate diversity and housing affordability. A more flexible system, that isn't beholden to changing entity requirements and Territory Plan updates, would be of great assistance in delivering terrace-style housing.

Delivery of the Ginninderry 'Flexi-Living', turn-key product aligns with the ACT Government's objective in delivering 'housing choices' including housing affordability. The draft Territory plan, proposes a 1.5m side boundary setback between dwellings, which would reduce housing choices, as separately titled terrace style housing is typically delivered more efficiently as an attached rather than detached or free-standing form of housing. the provision of this style of integrated housing is difficult to achieve under the current planning system and furthermore would not appear to be supported under the draft Territory Plan which introduces this additional side setback requirement. It is understood that it is not the ACT Government's intention to reduce housing choices by the proposed 1.5m side boundary setback, rather it was written in the context of single residential housing rather than terrace housing.

To date, Ginninderry has prescribed additional planning controls to override the existing Territory Plan to deliver over 115+ affordable housing to the market. This Planning System Review is a perfect opportunity to facilitate affordable housing choices across the ACT with a specific 'terrace housing typology'.

The opportunity in this planning system review is to enshrine 'form based code' for integrated housing typologies in the new design guides like as has been done in the NSW Low Rise Housing Diversity Design Guides in achieving diverse housing typologies in NSW at an estate level.

Subdivision Policy

The Ginninderry Project is supportive of the subdivision policy objectives. Commentary is made in response to the Subdivision Technical Specifications, based on experiences with Estate Development submissions, and the opportunity for improvement of the planning process through clarity in controls.

<u>Subdivision Technical Specifications</u>

Living Infrastructure

- Under Technical Specification 15, 20% canopy cover for each street will be challenging to achieve. As with any subdivision layout, when the opportunities and constraints are mapped out and overlayed with housing typologies, including compact blocks, not every street is able to achieve a 20% canopy cover.

  For the total area of all streets, a 30% canopy cover is required. The requirements from specifications 15 b) and 15 d) do not align. If you meet the requirements of 15a) of 20% canopy cover for each street, is it not possible to achieve a 30% canopy cover across the total of all streets within the estate. The suburban planning of Macnamara EDP1 will achieve close to 25% tree canopy cover in delivering compact and affordable housing and meeting the design requirements of the Territory and service providers.

  It is understood that the technical specifications are the lowest order document, or 'minimum standards', however, these living infrastructure technical specifications are greater than what is being achieved in consideration of delivering block typology diversity within estate planning. On this basis, it is suggested the living infrastructure aspirations are better located in the Subdivision policy, rather as an objective and not a rule.

  1. **It is suggested the Planning Authority align technical specifications 15 b) and 15 d);**
  2. **To assist the proponent in achieving the canopy cover targets in consideration of estate planning constraints, ie driveways, compact housing, and servicing (entity requirements), the Planning Authority provides a diagram to demonstrate how a 20%/30% (on clarification from the Planning Authority of the metric) canopy over of streets in an estate can be achieved whilst also maintaining a diverse mix of housing.**

Regarding the second point above, the Ginninderry Project would welcome the opportunity to work with the Planning Authority to develop and test these diagrams.

The same commentary above applies to technical specifications 15 a) and 15 e) the difference in tree canopy from a PRZ1 site being 25% to the total canopy cover of land zoned in the estate as PRZ1 being 35% canopy cover. In meeting 15a) it is not possible to meet 15 e) of 35% canopy cover for the total areas across the estate zoned PRZ1.

Protection and Heat

- For clarity of technical specification 19, it would be of assistance in clarifying the requirement for shade is to be measured against the amount of shade projected to be provided based on the full maturity of the trees rather than being the requirement to apply from day 1. If the requirement is 50% shade, day 1, alternative shade solutions may need to be considered which moves away from green infrastructure to more artificial solutions

Rear lane

- There is an opportunity in the Territory Plan to facilitate new subdivision thinking and clarify the function and purpose of laneways. The Estate Development Code (EDC) currently defines the function of a 'rear lane' as *narrow and short streets which have the primary function of providing rear vehicular access to blocks*. This is a relatively narrow definition of how a lane can function. Not all lanes necessarily need to be associated with only providing for 'back of house' vehicular movement (hence in this sense not all lanes need to be classified as rear lanes).
- Strathnairn has successfully demonstrated examples of dwelling typologies (most notably the Flexi Living Homes) that have frontage to two laneways. In some instances, this 'flexi living series' housing typology with vehicular access off the rear lane is also the only frontage for this typology i.e the dwelling only has one frontage onto the rear lane.
- We would recommend to avoid confusion in relation to the functionality of laneways that the technical specifications should consider a broader definition of laneways to support their continued application in the manner applied at Ginninderry.
  Ultimately where it can be demonstrated that traffic volumes are low and a slow design speed is appropriate, the use of laneways should not necessarily default to needing to have a primary function of providing rear vehicular access
- While at a policy level, Ginninderry's delivery of affordable housing diversity is supported, the planning system is challenged, and Planning Officers are challenged to support this affordable housing initiative.

  We ask ESPDD to consider placing 'laneways in the definitions and broadening the definition beyond that currently contained in the EDC, including clarification that a laneway can be subject to two frontages and may also provide the only frontage to the property where the traffic volumes and slower design speeds are deemed to be appropriate by the relevant consent authority.

Exempt residential development

Most of the single-dwelling housing at Ginninderry is approved under a Certifier via Building Approval process. The Planning (Exempt Development) Regulations 2022 was established to set up exemption pathways. On review of the Draft Territory Plan, it is understood that there is not an exempt single dwelling housing pathway currently provisioned in the draft Territory Plan. It is understood a supplementary document will be drafted by the Planning Authority in relation to exemptions to allow Certifiers to assess single-residential housing.

As Ginninderry has block-specific planning controls in the Strathnairn Precinct Map and Code and the Macnamara Precinct Map and Code, the new supplementary document requires the proponent/Certifier to consider the block-specific planning controls prior to the exempt planning controls. We ask the Planning Authority to ensure the Strathnairn and Macnamara specific planning controls are referred to in the exempt provisions.

Residential typologies and housing diversity – Single dwellings

The Draft Technical Specification proposes several changes to the current single dwelling controls which will impact the delivery of housing diversity and affordability, including impacting housing typologies so far delivered at Ginninderry. We ask the Planning Authority to consider the below points –

Setback controls

The draft Territory Plan technical specifications simplify setback controls across all block sizes. The simplification of setback requirements is supported by Ginninderry, however, there are some specifications that could significantly impact the housing outcome of mid-sized and compact block types.

- Currently, the Single Dwelling Housing Development Code (SDHDC) provision permits a zero-side boundary to both upper and lower floor boundaries of a compact block and is ideally suited for terrace-style housing. Block widths with frontages of 4.5m to 6.0m assist in providing housing diversity to the market, in the form of entry-level housing without unit titling and associated body corporate costs.

- Furthermore, the SDHDC currently allows for a 0m setback to one boundary to allow for a reasonable single residential built-form housing outcome to be achieved on a compact block. Ideally, Ginninderry would like to see this provision continue noting the following:–

    1. Macnamara EDP 1 layout also includes compact block typologies of 10.5m x 13.0m which Ginninderry has demonstrated over the last 4 years through the 'Flexi living series', terrace style housing of integrated 2-storey development and delivered over 90 dwellings as part of the affordable housing strategy.
    2. The new side boundary setbacks on compact and mid-blocks of 1.5m side boundary setbacks result in single residential housing, removing terrace-style housing. As the ACT Government supports housing choices, supporting terrace housing is in alignment with the ACT Government.

- Mid-sized block typologies represent a significant number of new blocks in Ginninderry. Under the draft Technical Specification, dwellings on blocks under 16.0m wide will be significantly impacted by the proposed minimum side setback of 1.5m. The ability to site a home with a section of the dwelling (usually the garage) on the boundary, helps the dwelling to achieve the outcomes of other requirements such as planting zones, block open space, and solar access without reducing the width of the dwelling.

    1. Side setbacks of 1.5m to both side boundaries in the primary building zone will reduce the width of habitable rooms to street frontages, deactivating the streetscape. This may result in dominant garage structures and reduced habitable rooms to streetscapes.
    2. The application of 1.5m setbacks to both side boundaries on blocks ≤15.0m will not support a practical built-form outcome, effectively removing the block type (mid-sized block) as an option in new developments.
    3. The proposed setback changes in the draft specification will result in larger block types, which are less affordable and do not contribute to a housing diversity mix within new subdivisions.

We ask the Planning Authority, to consider reinstating 0m setback to garage walls on one side of a dwelling on a mid-sized block to facilitate housing diversity and promote active streetscapes.

Principle Private Open Space (PPOS)

The draft Technical Specification proposes significant changes to Principle Private Open Space on blocks zoned RZ3. PPOS is required to meet minimum dimensions of up to 6.0m for 10% of the block area, whereas previously RZ3 required 24m2 with a minimum dimension of 4.0m. This change will have the following impacts:

- Where the north is oriented to the front of a block, the PPOS will require a courtyard wall for screening. To achieve a compliant PPOS and Courtyard wall the dwelling will require a front setback of 8.5m on a mid-sized block.

Courtyard Walls

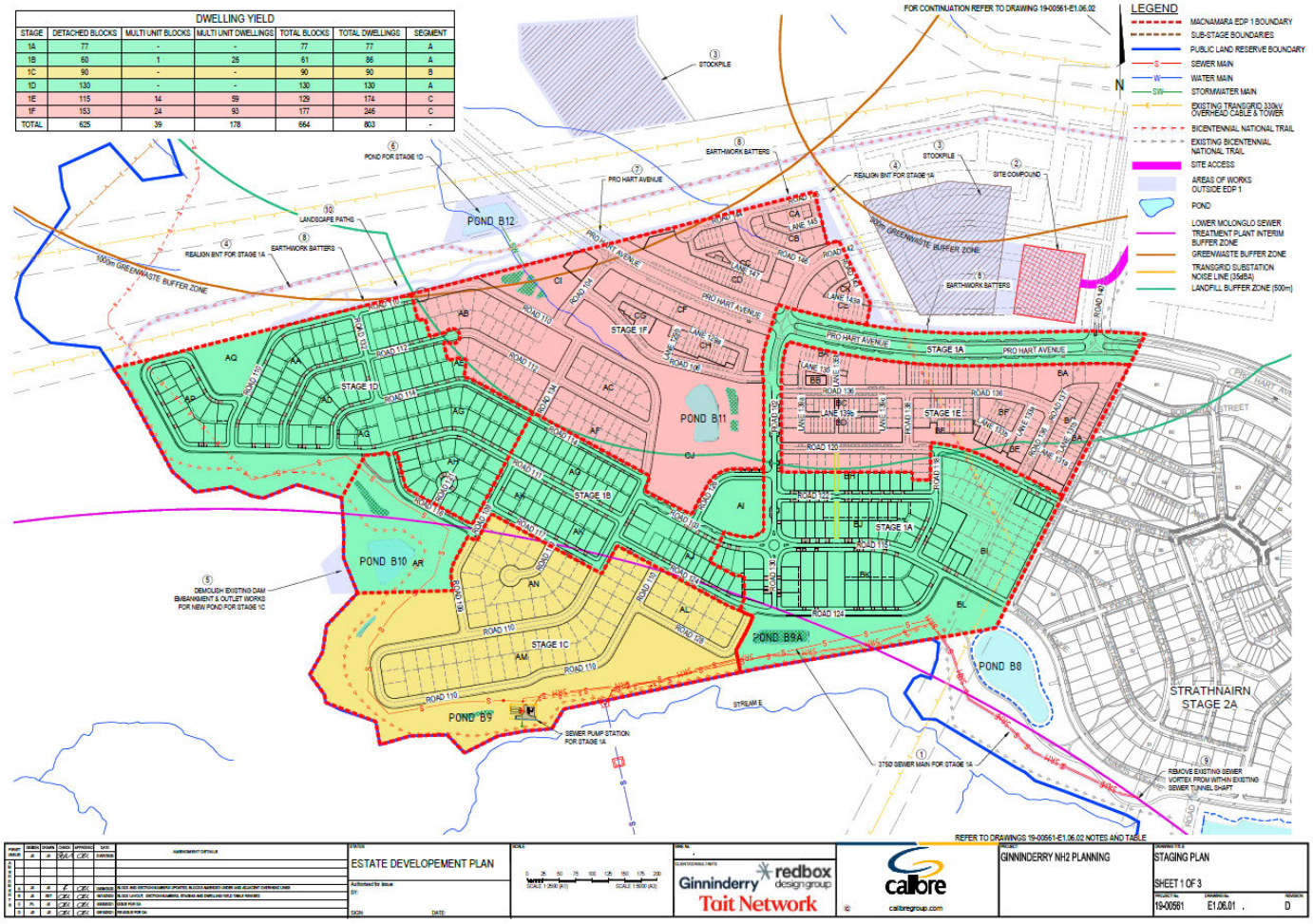
The draft Technical Specification applies the current SDHDC courtyard rule for Large Blocks to all block types. Whilst a streamlined assessment approach is understood, when applied to mid-sized, this specification will have a significant impact for the following reasons:

- As noted above the relationship between PPOS and courtyard wall requirement will require a front setback of 8.5m on a mid-sized block.
- The presence of a Courtyard wall in the Front Zone allows the garage to be sited at a 5.5m setback, dominating the façade of the dwelling.
- The increased setback forces the dwelling further back on the block and significantly reduces the available area for building a reasonably sized dwelling on a block. The building area is already compromised on this block type by proposed setback changes.
- Annexure 1 demonstrates a mid-sized block of 448m2. It is north-orientated, requiring a PPOS to the front of the dwelling behind a courtyard wall. With a complying courtyard wall, PPOS, setbacks, and planting zones the available dwelling space is significantly impacted and achieves 20% less than the maximum site coverage permissible on the site.

We ask the Planning Authority to reconsider setbacks to courtyard walls for north-facing street frontages with a 0.5m setback for the reasons identified above.

Transitional Arrangements Macnamara EDP1

Subdivision works are underway for the partially approved area of the Macnamara EDP1, DA 202138585 as per the below staging plan (area shaded in green) with the project likely to be seeking reconsideration of the partially refused areas in the coming months (areas shaded red and yellow). Macnamara EDP 1 estate planning and block dimensions have been designed under the current Territory Plan controls, delivering nine standalone single residential housing typologies.



Block-specific planning controls have been captured in the draft Macnamara Precinct Map and Code for the partially approved area, based on the current Territory Plan controls and the EDP approval. The first portion of estate works currently under construction is scheduled for September 2023 with the last section likely to be completed by April ’24. Therefore, it is likely that the new Territory Plan and associated planning controls will be applicable to these Macnamara single residential blocks by the time building approvals are being sought, however at present Macnamara purchasers are submitting their designs to Ginninderry for approval, based on the approved EDP and current Territory Plan.

The design of Macnamara EDP 1 cannot be realised, without transitional arrangement as the new Territory Plan will be in effect prior to the first block settlements, scheduled for September this year. Should the approved planning controls not be carried over to the new Territory Plan for Macnamara EDP 1, purchasers will need to redesign their dwellings to comply with the new Territory Plan changes.

We ask the Planning Authority to consider the costs of design and certainty in the planning process for purchasers. We ask the Planning Authority to carry over the approved planning controls of Macnamara EDP1 into the new Territory Plan. The Ginninderry Project can stipulate every block control consistent with the EDP1 approval including the Macnamara Precinct Map and Code controls to sit in the Belconnen District Policy/or implementation by an appropriate planning mechanism.

Variation 369: Living Infrastructure took effect on 1 September 2022, for on-block provisions. The Planning Authority placed a moratorium on Variation 369 taking effect for blocks approved under an estate development plan before 1 January 2020. It is understood that Ginninderry's submission on DV369 was considered, whereby a moratorium was put in place for greenfield projects like Ginninderry, where purchasers have already bought a block of land on the understanding of the Territory Plan controls of the day. More than that, if purchasers, thought they could build a reasonable single-story house for accessibility reasons or financial reasons (ie additional costs in building a second story on a dwelling), it is disingenuous to change planning policy where people bought a property in good faith, and will be required to pay additional costs to redesign dwellings, as purchasers are currently submitting drawings to Ginninderry for design approval, which will not be achievable under the proposed Territory Plan system.

Macnamara Estate Development Plan (EDP) 1 (DA202138585) was approved on 22 December 2021, which means Variation 369 currently does not apply. In the technical specifications, the estate development date of 1 January 2020 was not included. If the Living Infrastructure provision applies to all estates in the new Territory Plan, that will mean that the moratorium applied to Macnamara EDP1 will become null and void, as no blocks of land will have been handed over to purchasers based on the current estate construction delivery and the implementation of the new Territory Plan.

The second consideration is that Variation 369 came into effect after Macnamara EDP1 was approved. As a result, Variation 369 requirements, were not considered in the subdivision design. Variation 369 requires greater open space on blocks, which requires different block dimensions to be considered within the subdivision pattern than what has been designed in Macnamara EDP 1 to achieve a sensitive on-block built form.

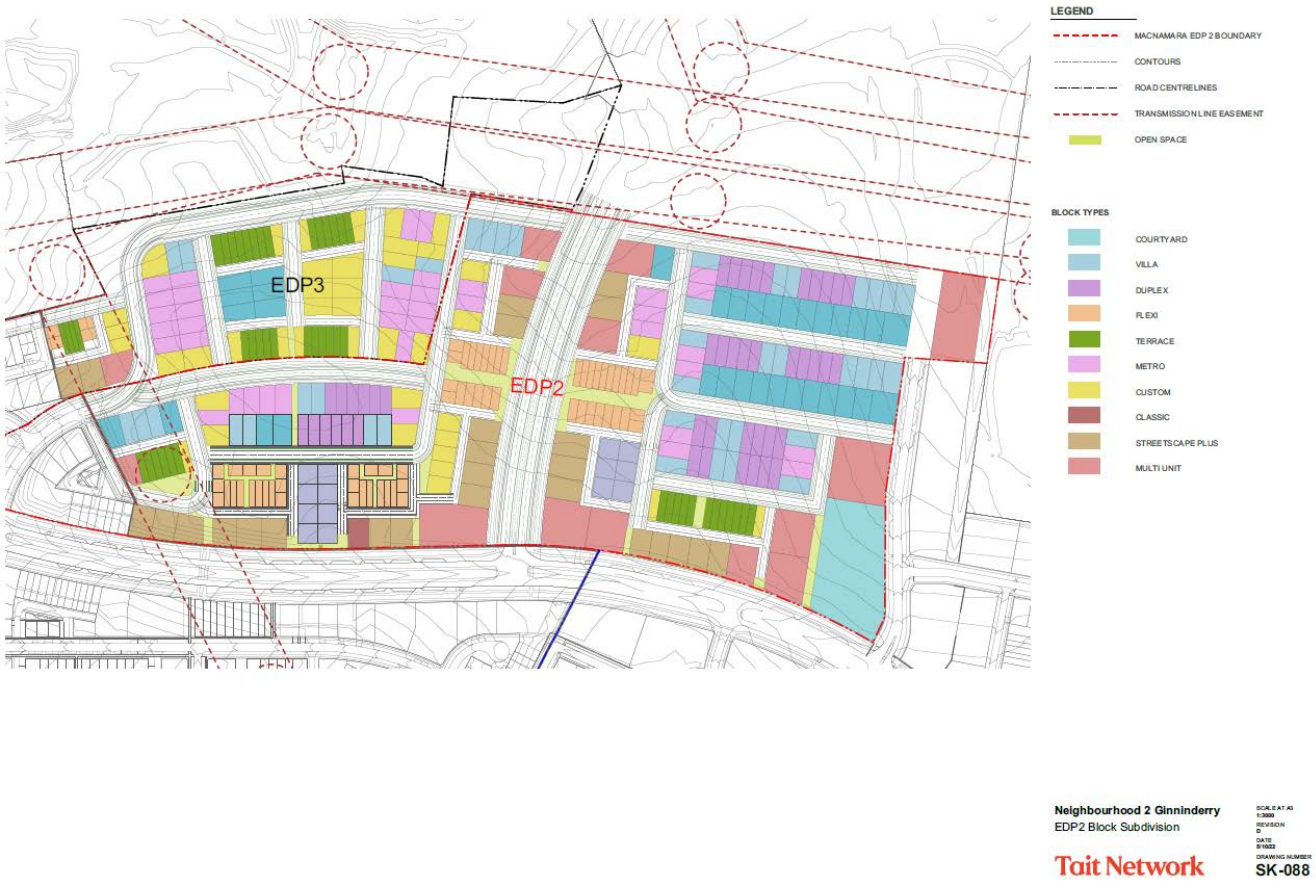
We ask the Planning Authority to consider the following –

1. **the Planning Authority to legislate the Macnamara EDP1 approval in the Belconnen District Policy. Ginninderry is prepared to write each block control based on the current planning approval to ensure the approved planning controls, including the drafted Macnamara Precinct Code to be enshrined into policy for Macnamara EDP 1 (DA202138585), giving purchasers and Certifiers clarity in the approved planning controls.**

2. **Variation 369 is excluded in the Belconnen District Policy from applying to Macnamara EDP 1 (DA202138585) as purchasers have bought under the current planning controls and facilitate the intent of the ACT Government's moratorium Estate Development Plans approved after 1 January 2020.**

Transitional Arrangements Macnamara EDP2

Macnamara EDP2 has been under design for the preceding two years. Macnamara EDP2, is sited west of the established suburb of Strathnairn and sited to the north-east of Macnamara EDP1, which is currently under construction. Macnamara EDP 2 is depicted below.



Macnamara EDP2 has been designed under the current Territory Plan controls. The Ginninderry Project intends to submit Macnamara EDP2 for first-round entity circulation within 12 weeks. As mentioned in this submission the proposed Territory Planning controls will potentially constrain the delivery of terrace-style housing. This stage of work seeks to provide for a high percentage of more compact lots and terrace-style housing in support of the projects housing diversity and affordability aspirations. The estate design has progressed under the current Territory Planning controls. The combined engineering costs and urban design costs accrued for Macnamara are in the order of $350k to date however by far the greater cost has been the time and cost expended by the project management team to test and prosecute the proposed layout which has already been extensively reviewed with key referral agencies throughout the design development phase. If the assessment is required under a new planning code this will risk causing a significant delay to the proposed delivery of Macnamara EDP2 whilst subdivision patterns and lotting configurations are retested and accrue additional design costs.

We seek agreement from the Planning Authority that Macnamara EDP 2 can be assessed and approved under the current Planning controls. Ginninderry asks that the Planning Authority accept block controls for the entire Macnamara EDP2 DA, which is implemented into the Belconnen District Policy.

Conclusion

The Planning Authority has prepared a phenomenal amount of documentation in the draft Territory Plan. We hope the above consideration of the Territory Plan applied within a greenfield context is of assistance to the Planning Authority in refining the new Planning System. The matters in this submission cover off on sticking points within the existing planning framework which has been challenging for both Ginninderry and the Planning Authority to navigate and time intensive. The opportunity in this planning reform in facilitating 21 Century subdivision planning and best practice is welcomed, and we look forward to working through clarification of requirements.

Living Infrastructure is critically important, in building resilient communities, at an estate level. In consideration of constraints and opportunity planning for an estate including the entity requirements, Ginninderry would welcome the support, advice, and diagrammatic representation in understanding how canopy cover can be achieved per the subdivision specification. The Ginninderry Project is delivering affordable, terrace-style dwellings and delivering best practice estate planning, today, Ginninderry is not able to achieve the new Living Infrastructure targets for tree canopy cover as prescribed in the subdivision's specification.

Delivery of the Ginninderry affordable 'flexi living series', turn-key product aligns with the ACT Government's objective in delivering 'housing choices' including housing affordability. The draft Territory Plan, if effected requires a 1.5m side boundary setback between dwellings, which would reduce housing choices, as terrace housing does not meet the new controls of the draft Territory Plan. A form-based code would facilitate create housing choices in greenfield developments.

Provision of transitional arrangements for Macnamara EDP1 and Macnamara EDP 2 to ensure the integrity of the suburban design is achieved including sensible housing designs on the block.

Ginninderry would welcome the opportunity to directly consult with the Planning Authority on the matters raised above.

Yours Sincerely,

[redacted]
Development Manager (Planning)
[redacted]

Annexure 1

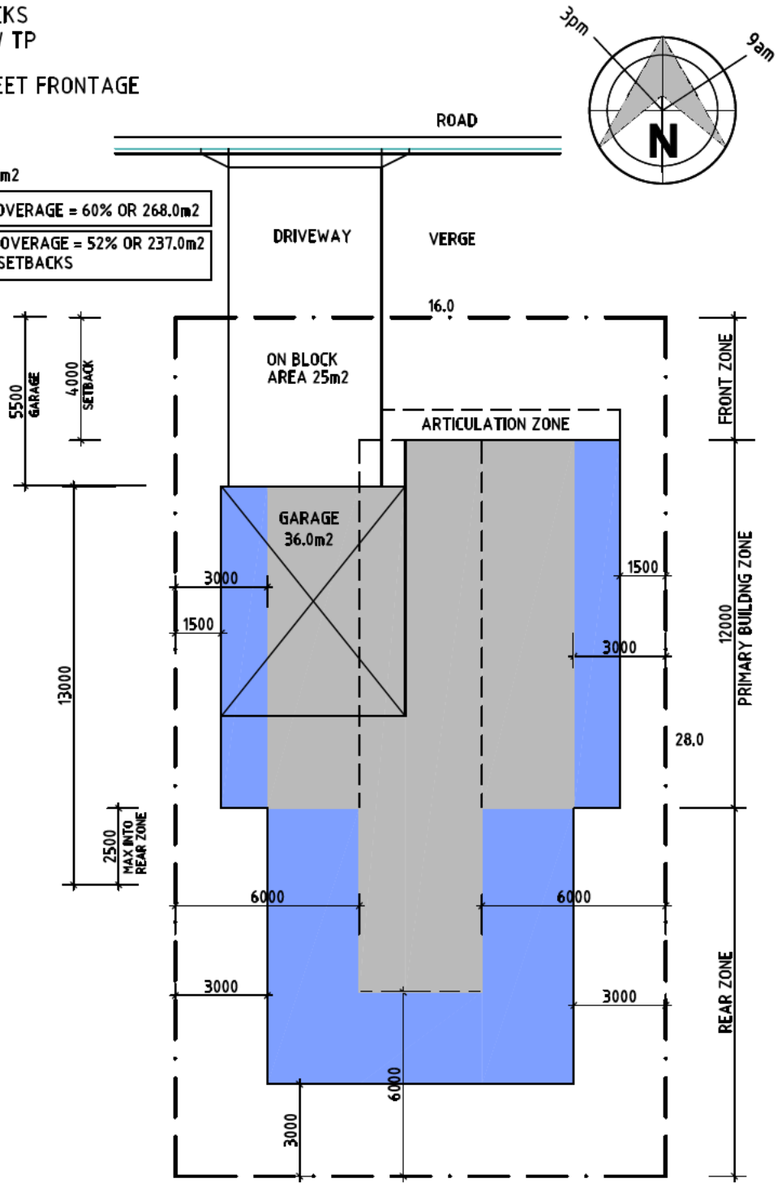
MID SIZED BLOCKS
PROPOSED NEW TP

NORTH TO STREET FRONTAGE

BLOCK AREA = 448.0m2

PERMISSIBLE SITE COVERAGE = 60% OR 268.0m2

THEORETICAL SITE COVERAGE = 52% OR 237.0m2
BASED ON MINIMUM SETBACKS



MID SIZED BLOCKS

1:200 PROPOSED TP

MID SIZED BLOCKS
PROPOSED NEW TP

NORTH TO STREET FRONTAGE

BLOCK AREA = 448.0m2

SITE COVERAGE MAXIMUM = 60%

ACTUAL SITE COVERAGE ACHIEVED= 41%

V369 PLANTING REQUIREMENTS
20%SOFT PLANTING = 90.0m2
MIN DIMENSION 2.5m

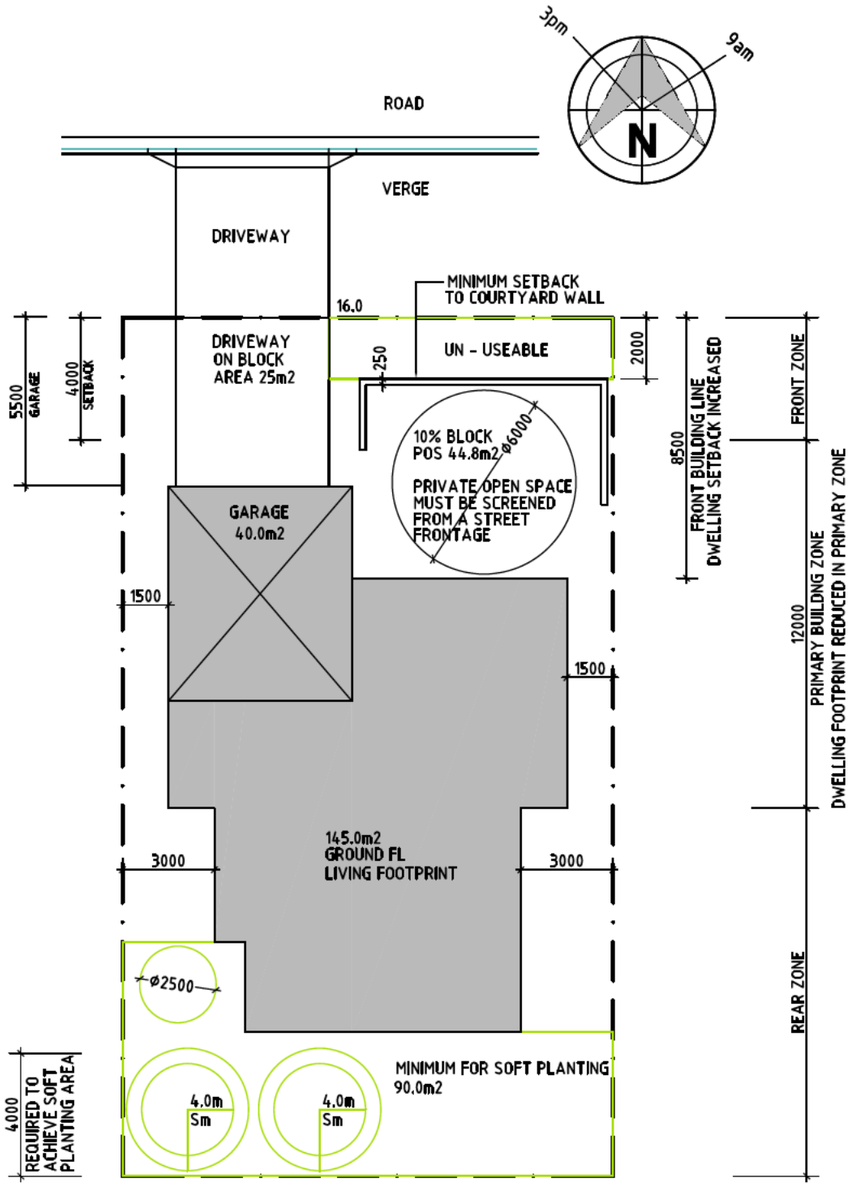
SOFT PLANTING SHOWN 90.0m2
2 x SMALL TREES

MINIMUM POS
40% OF BLOCK AREA = 180.0m2
50% of POS is planting = 90.0m2

SOFT PLANTING AREAS
MIN AREA 2.5m + 2 x Trees
TOTAL = 90.0m2

AREA SCHEDULE
LIVING GROUND FL = 145.0m2
GARAGE = 40.0m2
TOTAL GFA = 185.0m2

ACTUAL SITE COVERAGE ACHIEVED= 41%



MID SIZED BLOCKS

1:200 PROPOSED TP

DRAWN	JD		
VERIFIED	JD		
APPROVED	JD		

REV.	DATE	DESCRIPTION	APP	REV.

Drawing Path:
C:\

Project Title:

Client:

Drawing Name:
NEW TP AND V369 PROVISIONS
MID SIZE BLOCKS

Status

Job Number: 001-23

Scale: 1:200

Plot Date: 28/02/23

Drawing Number: PSP-001

Issue: 1

Annexure 2

The Link – Sales and Information Centre
1 McClymont Way, Strathnairn ACT 2615
PO Box 484, Kippax ACT 2615
T. 1800 316 900

Ginninderry

Environment, Planning and Sustainable
Development Directorate
GPO Box 158, Canberra
ACT 2601

15 June 2022

Ginninderry Submission - Draft Planning Bill

Dear Sir/Madam,

Please accept Ginninderry's submission in response to the publicly exhibited Draft Planning Bill. The Ginninderry Project is supportive of the work the Planning Authority is undertaking in reviewing the current Planning policy to ensure Canberra is supported by sound planning policy now and into the future.

The Ginninderry Project is a greenfield development located at West Belconnen, Strathnairn and Macnamara. This submission is focused on matters that pertain to the Ginninderry Project and greenfield development in line with the Ginninderry Project's desire to create a sustainable community of international significance in the Capital Region.

District planning

The Ginninderry Project supports strategic planning, incorporating the Ginninderry Master Plan and associated objectives into district planning. The district plan should integrate the Ginninderry Master Plan, which provided the basis for the rezoning, as a starting point for developing a district plan over West Belconnen. The Draft Bill, should support district planning by providing a clear line of sight from strategic to statutory planning. Supporting the Ginninderry strategic planning by embedding the forthcoming Ginninderry Master Plan updates (first quarter of 2023) into the Territory Plan, as master plans require review and a refresh periodically.

To support the innovation of Ginninderry's subdivision planning, specific precinct controls have been created to assisted the delivery of a 21st-century subdivision through initiatives such as terrace-style housing, a comprehensive water-sensitive urban design strategy and intragenerational living concepts. On prima facie of the district planning approach, the Ginninderry Project is supportive of this concept with the integration of the Ginninderry Master Plan injected into the Territory Plan.

Canberra's Living Infrastructure Plan

It is understood that the detailed provision of the new Territory Plan will be released in late 2022 with Canberra's Living Infrastructure Plan (Living Infrastructure Policy) embedded across the planning codes in the new Territory Plan. As the Ginninderry Project is a greenfield development, one-third of the development is secured for environmental protection in perpetuity in the form of the Ginninderry Conservation Corridor. In

addition to Ginninderry's environmental commitments, the Project has an internal 80% tree retention policy, which has allowed for mature tree retention and pocket parks throughout the subdivision layouts. Additionally, the Strathnairn and Macnamara estate development plans are accountable to the general open space controls in the Territory Plan.

The Ginninderry Project asks the Planning Authority to consider the Living Infrastructure Policy within the context of greenfield development, And, to consider living infrastructure at a Master plan level and at an estate level, as per the 'Planning and Design for Living Infrastructure as part of Residential Intensification in a Changing Climate'**,** Tait Network, rather than at an individual block level, including considering environmental constraints. As greenfield development considers development at an estate planning level, the Living Infrastructure Policy should be considered at a **macro planning level to facilitate innovative subdivision design.**

Variation 369

Variation 369: Living Infrastructure is anticipated to take effect on or after 1 September 2022. Variation 369 will take effect to on-block provisions only. It is understood that Variation 369 will not take effect on estate development plans approved on or after 1 January 2020. In liaison with the Planning Authority, it is understood that Variation 369 will apply to all blocks in the Territory when the new Territory Plan takes effect.

The Ginninderry Project supports the Living Infrastructure Principles and asks the Planning Authority to consider the implementation of Living Infrastructure Policy specific to the estate level greenfield development, concerning the diversity of housing types, including terrace-style housing and compact housing concepts balanced against the current cost of land and land availability.

Macnamara Estate Development Plan (EDP) 1 (DA202138585) was approved on 22 December 2021, therefore, Variation 369 will not apply under the current Territory Plan provision. However, it is understood that Variation 369 will apply to all blocks in the ACT under the new Territory Plan.

The Macnamara civil works are due to commence shortly for the Macnamara estate; civil works over the estate will be constructed in a staged approach. Once the civil construction stage is complete, the single residential housing blocks will be readied for housing applications. The first estate stage will be ready in 2023, with the last civil construction stage slated for September 2025 for Macnamara EDP1. **Therefore, the Territory Plan provisions are applicable when the EDP was approved and relevant at the time of sale. Any new on-block provisions would need to be delayed until all housing applicatios had been lodged and approved for these blocks in Macnamara.**

Transitional arrangements

Noting the transitional arrangements are currently being drafted, the below items need consideration -

- reconsideration applications;
- extension of time and;
- amendment applications under the Planning and Development Act 2007 and how these DAs will be dealt with under the new Planning Act.

Understanding the transitional arrangement will be necessary for long-lasting projects like Ginninderry, which will have live development approvals under the Planning and Development Act 2007, **with likely amendment applications years beyond the implementation of the new planning scheme.**

S211 EIS exemptions

Under the Planning and Development Act 2007, the Ginninderry Project was granted a S211 exemption for the entire Ginninderry Project area, considering all the environmental matters, including Commonwealth matters through the EPBC approval. If the Ginninderry Project was not able to undertake a S211 exemption, it is

understood the Ginninderry Project would have been subject to an EIS application for each estate development plan, and every development application at Ginninderry, from a signage DA to each EDP DA.

The administrative burden of managing individual environmental impact assessments would have been challenging from both Ginninderry and the Planning Authority's perspective, in matching these approvals with the EPBC approval and ensuring the Project considered the environmental approvals holistically. The Planning Authority has considered the current Planning and Development Act's S211 EIS exemption in the new Planning Bill and considered its removal as a development pathway. For the reasons the Planning Authority considered the S211 obsolete or a planning pathway not worth pursuing, **perhaps the Planning Authority could reconsider the S211 EIS exemption within the Ginninderry Project's context and provision of a scoping document to be added to the S211 EIS exemption process for the robustness of this planning pathway.**

Under Notifiable Instrument NI2018-599 the Ginninderry Project holds a Section 211 exemption until 2067. It is understood that the Ginninderry Project will retain the S211 approval under the *Planning and Development Act 2007.*

Design Review Panel

The Ginninderry Project is supportive of the Design Review Panel (DRP) and has attended the DRP for Macnamara EDP 1, while there was no statutory requirement. The Ginninderry Project is committed to 6-star green start communities, of which it is a requirement to attend a DRP.

Since the DRP's inception in 2017, the DRP has not been incorporated into the Territory Plan. The Ginninderry Project is supportive of a DRP which is considered within the Bill and the Territory Plan**. Ginninderry is supportive of a Planning Bill that provides the DRP with a clear statutory remit, particularly around entity requirements where a project like Ginninderry strives for 21st-century subdivision and innovation.** A precise planning remit for the DRP would allow projects like Ginninderry the confidence in proposing alternate planning considerations from the standards controls in the aspiration for innovation.

Development applications

Ginninderry is supportive of a robust planning development assessment process and recognises the importance of significant development and the additional time required for development assessment for these applications, including estate development plans and projects of environmental significance.

Under Section 163 of the Bill, the Planning Authority may ask for further information more than once for a DA, which is allowable under the current planning system. Understanding the Objectives for this new Planning System, and for transparency and certainty for the proponent, having the Planning Authority ask for multiple further information requests protracts the assessment timeframe of a DA, and provides little certainty to a proponent on the timeframe. Ginninderry is supportive of the request for one further information request to support a DA.

Section 175 (3) of the Bill allows the Planning Authority to extend the public notification period on the provision of notice to the proponent. However, in consideration of the DA process, there are enough checks and balances, so it is not apparent as to a scenario, to which the Planning Authority would need to extend the public notification period. **Ginninderry does not support the extension of the public notification period within the DA process.**

The pre-decision advice process is supported in the Planning Bill. The Ginninderry Project submits an estate development plan over each subdivision application, as the assessment process warrants a robust assessment. An estate development plan is typically in the planning system for circa a year from entity submission to the Notice of Decision. Before pre-decision advice, the Planning Authority has circulated the application to entities and sought any further information required for the DA. The Ginninderry Project supports one pre-decision advice issued to give the planning process greater certainty and confidence.

It is not understood how pre-decision advice could be changed with the Planning Authority having access to all the checks and balances afforded within the DA process. **The Ginninderry Project is supportive of one issue of pre-decision advice.**

Sensibly, and as per the current Planning and Development Act 2007, the statutory clock stops for a DA which is subject to an amendment application. The Bill proposes that any amendment received is treated as a new DA. As an amendment application may result from a further information request issued by the Planning Authority or resulting after pre-decision advice, or by the proponent as detailed design information/material availability, the implementation of treating an amendment application as a new DA will have significant delays on DA assessment timeframes.

A DA amendment must be 'substantially the same' as the original DA for the Planning Authority to accept it, therefore the information presented to Assessing Officer is not new, but rather a minor change within the context of the DA. **The Ginninderry Project does not support an amendment application being treated as a new DA.** The Ginninderry Project is supportive of the current approach under the Planning and Development Act, where the clock stops for an amendment application and recommences on receipt of information.

The sections of the Planning Bill (Division 7.5.3) pertaining to effective approval on entity advice and how they relate to DAs would seem to provide some uncertainty to the DA process. On review of these sections, it would seem entities have an opportunity to act inconsistently to the conditions as approved within a DA. Greater certainty around the conditions of the Notice of Decision – is supported. It is considered that entities should act in accord with the conditions of the Notice of Decision. The Ginninderry Project recommends the Planning Authority give a Notice of Decision greater weight than retrospective NOD entity advice.

ACAT third party appeal rights

The Bill provisions third party appeal rights in Town Centres, the University of Canberra and Kingston Foreshore. An estate development plan (EDP) Development application is extensive in the matters considered for a new subdivision application. An EDP is subject to rigours planning assessment. There are no neighbour concerns for an EDP; therefore, there cannot be any resident issues for a future EDP. Third party appeal rights within the context of an EDP means the developer is required to pay the associated fees and time in representing at ACAT, which holds up development and the creation of residential blocks. As there is no existing community associated with an EDP and considering the current housing crisis in Australia, decreased housing supply places significant pressure on the ACT Government housing release program. If the Ginninderry Project is unable to deliver the EDP blocks to the market, delayed by third party appeal rights, the follow-on effect will impact the ACT Housing release strategy. Considering the above, **the Ginninderry Project supports no third-party appeal rights for an EDP.**

The Ginninderry Project is supportive of the planning system review. The comments above have been made in the absence of the Territory Plan policy. The Ginninderry team is available to meet with the Planning Authority to discuss any of the above submission.

Yours sincerely,

Imogen Featherstone

Imogen Featherstone RPIA
Development Manager (Planning)

Annexure 3

Ethos Urban

3 March 2023
2210931

Mr B Ponton
The Director-General
Environment, Planning and Sustainable Development Directorate
ACT Government
GPO Box 158, Canberra
ACT 2601

By email: EPSDDComms@act.gov.au

Dear Mr Ponton,

ACT Planning System Review and Reform Project – Submission on behalf of Riverview Projects

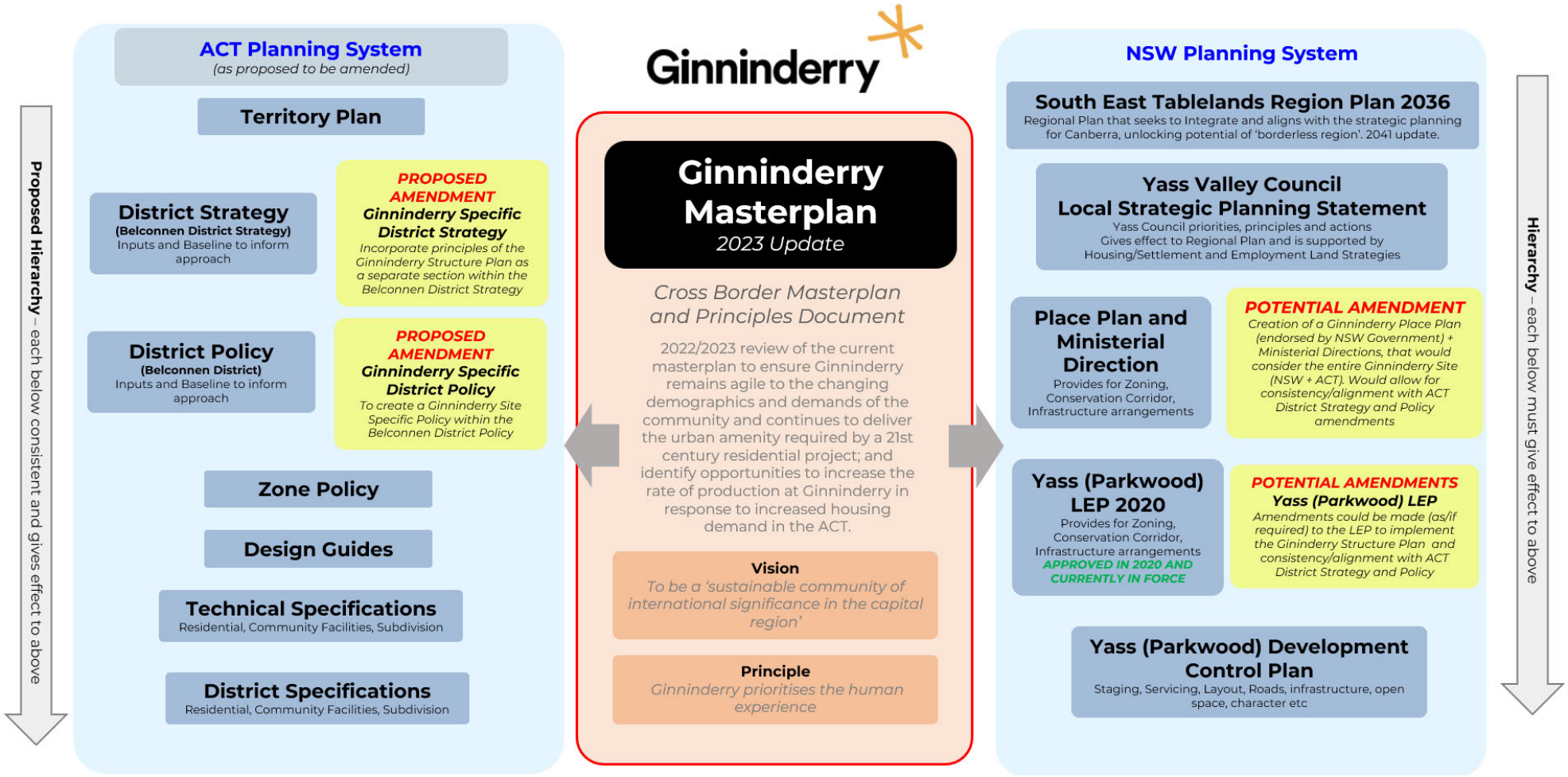
I refer to the current public consultation period, and various documents released for public comment by the ACT Government that are proposed to form a new planning system for the ACT. The package of draft documents includes new District Strategies that are intended to provide clearer strategic direction to support the ACT Planning Strategy, and a new structure, content and amended provisions of the Territory Plan. This submission has been prepared by Ethos Urban Pty Ltd on behalf of Riverview Projects (Riverview), the project managers representing the two joint venture parties of Ginninderry, the Territory represented by the Suburban Land Agency and Riverview Development, a significant new growth area in west Belconnen and extending into NSW. The new suburbs of Strathnairn and MacNamara include currently developing neighbourhoods along Pro Hart Drive and represent the first stages in delivery of a new community that is and will continue to be at the forefront of sustainability, innovation, inclusion and amenity.

The intent of the ACT Government to create a New ACT Planning System is supported by the Ginninderry Project. The proposed structural changes to the ACT Planning System to give greater weight and effect to strategic plans, focus on planning at the District level through the District Strategies and District Planning Policies, and to shift towards more outcome focused planning and assessment mechanisms, are applauded and we strongly encourage and support the ACT Government progressing these reforms. The proposed New ACT Planning System will, over time, lead to a more productive, adaptable and resilient, and people focused Canberra.

Riverview looks forward to constructive engagement with the ACT Government to progress key new elements of the planning system that will apply to Ginninderry. We are particularly focused on coordinated and consistent approaches to strategic and statutory planning across the NSW and ACT border, so that Ginninderry is designed and delivered holistically as a new community that meets many of the growth pressures facing the Belconnen District. We have considered how elements of the proposed New ACT Planning System could align with elements of the strategic and statutory planning system in NSW, and can see the potential for the Ginninderry Masterplan to be given effect through:

- The Belconnen District Strategy, and Yass Valley Local Strategic Planning Statement, at the strategic planning level
- Zoning plans under the Territory Plan and the Yass Valley (Parkwood) Local Environmental Plan (the LEP), as the key statutory planning documents
- A specific Ginninderry District Planning Policy (under the Belconnen District Policies in the Territory Plan) and Parkwood Development Control Plan (under the Yass Valley DCP, and as required under clause 6.4 of the LEP) to provide specific guidance and direction on design and development standards for Ginninderry

The flow chart below outlines how the ACT and NSW planning systems could be aligned for Ginninderry under the New ACT Planning System is provided below.


ACT Planning System
(as proposed to be amended)
Territory Plan
District Strategy
(Belconnen District Strategy)
Inputs and Baseline to inform approach
PROPOSED AMENDMENT
Ginninderry Specific District Strategy
Incorporate principles of the Ginninderry Structure Plan as a separate section within the Belconnen District Strategy
District Policy
(Belconnen District)
Inputs and Baseline to inform approach
PROPOSED AMENDMENT
Ginninderry Specific District Policy
To create a Ginninderry Site Specific Policy within the Belconnen District Policy
Zone Policy
Design Guides
Technical Specifications
Residential, Community Facilities, Subdivision
District Specifications
Residential, Community Facilities, Subdivision
Proposed Hierarchy – each below consistent and gives effect to above
Ginninderry
Ginninderry Masterplan
2023 Update
Cross Border Masterplan and Principles Document
2022/2023 review of the current masterplan to ensure Ginninderry remains agile to the changing demographics and demands of the community and continues to deliver the urban amenity required by a 21st century residential project; and identify opportunities to increase the rate of production at Ginninderry in response to increased housing demand in the ACT.
Vision
To be a 'sustainable community of international significance in the capital region'
Principle
Ginninderry prioritises the human experience
NSW Planning System
South East Tablelands Region Plan 2036
Regional Plan that seeks to Integrate and aligns with the strategic planning for Canberra, unlocking potential of 'borderless region'. 2041 update.
Yass Valley Council
Local Strategic Planning Statement
Yass Council priorities, principles and actions
Gives effect to Regional Plan and is supported by Housing/Settlement and Employment Land Strategies
Place Plan and Ministerial Direction
Provides for Zoning, Conservation Corridor, Infrastructure arrangements
POTENTIAL AMENDMENT
Creation of a Ginninderry Place Plan (endorsed by NSW Government) + Ministerial Directions, that would consider the entire Ginninderry Site (NSW + ACT). Would allow for consistency/alignment with ACT District Strategy and Policy amendments
Yass (Parkwood) LEP 2020
Provides for Zoning, Conservation Corridor, Infrastructure arrangements
APPROVED IN 2020 AND CURRENTLY IN FORCE
POTENTIAL AMENDMENTS
Yass (Parkwood) LEP
Amendments could be made (as/if required) to the LEP to implement the Gininderry Structure Plan and consistency/alignment with ACT District Strategy and Policy
Yass (Parkwood) Development Control Plan
Staging, Servicing, Layout, Roads, infrastructure, open space, character etc
Hierarchy – each below must give effect to above

The timing of the ACT Planning System Review and Reform project is well aligned with the review of the Ginninderry Masterplan. The Masterplan review is focused on addressing key strategic outcomes in the ACT Planning Strategy, that will be reflected in the Belconnen District Strategy, and, as proposed in this submission, a District Planning Policy for Ginninderry. The Ginninderry team is also required to prepare a DCP for adoption by Yass Valley Council to enable development to proceed within NSW. Ensuring the revised Masterplan is appropriately embedded in both the NSW and ACT planning systems is critical to the continued success of Ginninderry as an internationally recognised exemplar of sustainable, community focused urban development. We look forward to progressing these reforms at Ginninderry.

Key Points

Riverview intends to make separate submissions that address detail in the proposed Territory Plan amendments and related to Estate Development transitional arrangements, form-based codes and affordability. This submission is focused on the more strategic elements of the proposed new ACT Planning System that will provide direction and a longer-term vision for the Belconnen District, the District Strategies and District Planning Policies. In summary, the following key actions are expanded on below to initiate constructive engagement with the ACT Government to implement key aspects of the New ACT Planning System:

1. Shifting the focus of the Territory Plan, as it applies to Ginninderry, towards performance and outcome-based planning and development controls that are place-specific and with a clear line of sight between strategic planning and development assessment
2. Refining the draft Belconnen District Strategy to ensure it embodies key structural elements, development, community and environmental outcomes of the revised Ginninderry Masterplan
3. Implementing the Ginninderry Masterplan through a specific Belconnen District Planning Policy that applies to Ginninderry, and has similar functions and provisions to a Ginninderry DCP to be prepared for those parts in NSW

Support for the Strategic Direction of the New ACT Planning System

The proposed structural changes to the ACT Planning System as set out in the exhibition draft material, and the intent behind the changes, are generally consistent with the Ginninderry project. In particular, strengthening the mechanisms for strategic planning through the introduction of District Strategies is a significant opportunity to align strategic outcomes with measures to address challenges and make the most of opportunities that are unique to each District. The Belconnen District Strategy is an opportunity to clearly translate targets in the ACT Planning Strategy into meaningful outcomes for each District. For example, the District Strategy can clearly articulate how the ACT Planning Strategy outcomes of a more compact, efficient, and sustainable city will be achieved in Belconnen, while recognising the characteristics that distinguish Belconnen from other Districts, and the challenges to be addressed and opportunities to leverage that are particular to Belconnen.

The exhibition material states that one of the key reasons for proposing a new ACT Planning System is to shift the focus from prescriptive control to more outcomes-based approaches. Improving the clarity of connections through the hierarchy of the planning system, from ACT-wide strategy to locality or place-specific (and then site specific) controls is an ambition of the New ACT Planning Strategy that is supported by the Ginninderry team. The proposed structural changes to the planning system will facilitate the task of aligning strategic outcomes with detailed implementation mechanisms, and we look forward to further progressing this aspect of the reforms for Ginninderry with the ACT Government.

Outcomes-based approaches provides a framework for design solutions to innovate and respond to other considerations while retaining a clear focus on consistency with strategic intent. Some of the current Territory Plan controls are mis-aligned with policy and strategy intent and outcomes, and some standards and provisions in the Territory Plan significantly constrain feasibly delivering new housing that meets the needs of a growing and changing community. More affordable housing, housing that is of a size and type that is suitable to diverse household needs, and housing that is well located relative to jobs, shops, schools and other services, are outcomes that are articulated in the ACT Planning Strategy, but which are difficult to implement because of specific Territory Plan provisions that limit the ability to deliver lots and housing typologies that are affordable.

Delivering affordable housing that meets the diverse needs of people who want to live in Ginninderry requires planning controls that facilitate a diversity of housing at affordable prices. While we recognise that some provisions in the existing and proposed Codes are intended to address issues with the quality and environmental sustainability of new housing in some areas of the ACT, the masterplanned approach to designing new neighbourhoods at Ginninderry means that innovative and affordable housing typologies can be designed in, and that impacts on amenity can be designed out. As an example provisions that allow zero side setbacks and smaller lots can

significantly reduce costs and enable delivery of single dwellings that are affordable and meet the needs of smaller households. There are lessons from development in Ginninderry, and in greenfield suburbs in NSW, that demonstrate how housing diversity can be considered at the lot subdivision stage with approval pathways established that provide certainty that new homes will be attractive, have high amenity, good environmental performance and are affordable. Applying these approaches through a Ginninderry District Planning Policy that provides all relevant subdivision and housing design controls for Ginninderry in one part of the Territory Plan will enable Ginninderry to meet affordable housing targets through a range of dwelling types that meet a broad spectrum of community needs.

The role of District Strategies and District Planning Policies

These elements of the proposed planning system present significant opportunities to effect positive change as they sit within the ACT Planning System at the intersection between strategy and delivery. The draft Belconnen District Strategy states that District policies will be a new part of the statutory planning system to implement the District Strategies, replacing structure plans, concept plans and precinct codes. We strongly support the intended functions of the District Strategies and District Planning Policies. However, we also note that, in the draft package released for public comment, the ACT Government needs to effectively transition from the existing planning system to the New ACT Planning System. That translation will take time, and to start the process:

- the draft District Strategies have been prepared based on existing information and that further refinement is required based on new investigations and analysis
- the draft District Policies in the Territory Plan are a compilation of elements from the existing Territory Plan, and are not consistent in their application to land (scale or significance of sites that are covered), or the issues they address, which range from site specific exceptions to other Territory Plan provisions, to more strategic precinct scale structure plans.

We appreciate the challenge faced by the ACT Government in transitioning to a new system that is structurally and functionally different to the current ACT Planning System. This submission expresses Riverview's strong support for these changes, in particular the initiatives to move towards District Strategies and District Planning Policies that are functionally integrated and tie strategic planning outcomes to provisions in the Territory Plan.

The District Strategies and District Planning Policies haves the potential to establish lines of site from broader strategic planning outcomes to statutory planning controls that will be the basis of the design, assessment and approval of stages of development at Ginninderry and other key locations of growth and change in Belconnen. Clear links between strategic objectives and planning controls will be crucial to successfully deliver on the drivers of District Planning articulated in the draft District Strategies and to address some of the key challenges already recognised in the ACT Planning Strategy.

Similarly, the district policies have the potential to be an effective implementation tool for the District Strategies, at a district or precinct scale. A District Planning Policy for Ginninderry is a necessary part of the New ACT Planning System to give effect to the ACT Planning Strategy and Belconnen District Strategy. The Ginninderry District Policy should sit within the Belconnen District Policies section of the Territory Plan and would perform the following functions within the broader planning system:

- Specify provisions that are to be applied in the design, assessment and approval of development proposals to give effect to the outcomes in the District Strategies and ACT Planning Strategy.
- Providing thematically based approaches to address specific issues that require a common approach across a District, that may differ from the required approach in other Districts.
- Establishing a precinct-scale and precinct-specific statutory planning framework for areas of significant growth and change and which have a role and function that is significant to the District or Canberra.
- Specifying form based codes for development that facilitate diverse, affordable and sustainable housing

The Planning Strategy acknowledges the need for structural shifts in the delivery of new housing, employment, educational opportunities and connecting infrastructure to make Canberra a place that meets the needs of a growing and changing community. Ginninderry is the most significant opportunity in the Belconnen District (and perhaps the ACT) to demonstrate how a precinct-scale district policy can facilitate delivery of strategic outcomes in a newly planned, high growth and large scale precinct.

Actions to implement the New ACT Planning System at Ginninderry

Riverview is excited at the opportunity to work with the ACT Government to plan for the future growth of Belconnen District. In reiterating our support for the reforms, we would welcome constructive engagement with EPSDD to:

a. ensure the Belconnen District Strategy appropriately reflects strategic outcomes for Ginninderry,
b. prepare a Belconnen District Planning Policy that gives effect to and integrates the Ginninderry Masterplan into the Territory Plan and is a consistent basis for planning and delivery of development across both the NSW and ACT portions of Ginninderry.

Finalising the Belconnen District Strategy

The draft Belconnen District Strategy is broadly consistent with the current Ginninderry Masterplan in relation to key elements including the location of a new group centre, major transport connections and dwelling/population yields. We support the inclusion of key structural elements on the structure plan. Given that the Ginninderry Masterplan requires periodic reviews, it is important that the District Strategy is not so detailed and prescriptive that it would require amendments to reflect changes to detail in the masterplan that may arise from these reviews. The District Strategy could specify targets for Ginninderry that give effect to ACT Planning Strategy outcomes. For example:

- to achieve a more compact city, the District Strategy could specify that residential areas in Ginninderry achieve minimum dwelling densities, while retaining flexibility in the dwelling typologies and built form to be responsive to market needs and the unique environment of Ginninderry.
- to ensure the supply of new housing will meet community needs now and into the future, the District Plan could set targets for the proportion of dwellings that are different sizes (number of bedrooms) to accommodate a range of household types and sizes that facilitates ageing in place, extended family households, non-family households.

Riverview looks forward to sharing the outcomes of the current masterplan review with the ACT Government, and ensuring that key elements of the revised structure plan are appropriately incorporated into the Belconnen District Strategy. While we understand the District Strategy will not apply in NSW, it is important that the District Strategy shows at least indicatively how development will be aligned and integrated across the border.

Prepare a District Policy for Ginninderry

The Ginninderry District Policy is an opportunity to embed the Ginninderry Masterplan in the Territory Plan. While the ACT Government (through the Suburban Land Agency) and Riverview are committed to delivering the Masterplan, it currently does not have any clear status within the Planning System. A District Policy that includes a revised version of the masterplan, presented as a structure plan that illustrates key elements of the masterplan would be effective in defining development outcomes against which specific development applications could be assessed. The Ginninderry District Policy could, through collaboration and agreement with EPSDD, address:

- the transport network and hierarchy
- open space, conservation areas and other areas of environmental value and amenity
- the role, function and hierarchy of centres, employment and innovation zones and criteria for their location, function and design so they are viable in the long term, contribute to social wellbeing and economic sustainability, and impact positively on the environment
- target population densities per hectare of urban land that align the proportion of population growth with the rate of conversion of land from non-urban to urban use, to demonstrate that new urban land is being sustainably used
- spatial distribution of population or dwelling density and dwelling size/mix outcomes across Ginninderry
- general built form and building typology outcomes and how these are distributed across Ginninderry
- A target for affordable housing across Ginninderry, and precinct-specific mechanisms (through form-based codes) including diverse permissible dwelling types, development standards (for example lot sizes/dimensions, setbacks and site coverage controls) that enable diverse typologies and sizes of affordable dwellings to be feasibly delivered
- integration of development within the ACT and NSW to ensure strategic outcomes are aligned and operational considerations (such as servicing, utilities and social infrastructure provision) are addressed.
- Staging of development and infrastructure delivery across Ginninderry to ensure housing supply is maintained and development is cost effective and sustainable.

- Areas where more flexible planning controls are appropriate to enable investment to deliver jobs, services and economic growth to maximise self sufficiency and a sustainable efficient urban ecosystem
- Areas where specific character outcomes are important, such as preservation and activation of heritage precincts, and ensuring connections to Country are embedded in the plan

The equivalent component of the NSW planning framework to this proposed District Planning Policy would be a precinct specific Development Control Plan (DCP). The provisions of the LEP require a DCP to be prepared before development can proceed, and specify matters to be addressed in that DCP that are generally consistent with the matters outlined above. There are numerous precedents from growth areas in NSW that have a similar structure, content and functions to the Ginninderry District Policy outlined above. The opportunity to integrate the masterplanning and development assessment framework across the NSW/ACT border through an aligned District Planning Policy and DCP would facilitate better outcomes for the Ginninderry project as a whole. There are also opportunities to align form-based codes in the ACT with equivalent planning instruments in NSW including the Greenfield Complying Development Code and Low Rise Medium Density Housing Code, both of which specify design standards and approval pathways to facilitate diverse and affordable housing that will be need to meet the needs of a growing and changing community

Priority Actions

The Ginninderry team is in the process of reviewing the Ginninderry Masterplan in line with commitments under agreements with the ACT Government. The temporal alignment of the masterplan review with the ACT Planning System Review and Reform project is a significant opportunity to collaboratively integrate planning for Ginninderry with the key strategic elements of the proposed new planning system. The conclusion of this submission is an offer to work with the ACT Government to progress application of the new planning system at Ginninderry, through the following key actions:

- Revising and finalising the Belconnen District Strategy to indicatively show the major structural elements of the revised Ginninderry Masterplan and incorporate targets and outcomes to guide implementation of the Masterplan over the long term, and across the NSW/ACT border
- Preparing a Ginninderry District Planning Policy to sit within the Belconnen District Policies section of the new Territory Plan, that is aligned with a Ginninderry DCP to apply in NSW, and which provides a single source of planning and development controls for Ginninderry

Ethos Urban and the Ginninderry team would welcome ongoing dialogue with EPSDD to ensure the success of these important reforms.

Yours Sincerely,

Paul Robilliard
Director, Strategic Planning
probilliard@ethosurban.com
0421 612 927

Submission on the Inner South District Strategy

Greater Canberra Inc, 3 March 2023

Contents

About Greater Canberra 3
Involvement in the Missing Middle Canberra coalition 3
Better District Strategies 3
Summary of recommendations 4
Medium density in the Inner South: the importance of missing middle universal zoning reforms 5
Light Rail Stage 2B Corridor: an ambitious approach 5
Fyshwick: embracing a mixed-use future 7
Revamped streetscape and pedestrian activation 8
Improved public transport and active transport 9
Long-term transition to non-industrial zoning 9
Accelerating brownfield redevelopment 10

About Greater Canberra

Greater Canberra is a community organisation that advocates for a more liveable, sustainable and affordable Canberra. We believe that forward-thinking urban planning and the encouragement of connected medium density communities is vital to ensure that future Canberrans can enjoy social and economic equality and a high quality of life.

Our members come from all over Canberra, and from a variety of backgrounds - both renters and homeowners, from different stages of life, different levels of wealth, and different occupational and professional backgrounds.

This submission was drafted by Inner South residents Howard Maclean and Andrew Donnellan, with the assistance of Inner North resident Aymon Wuolanne. Questions on the submission can be sent to [redacted]

Involvement in the Missing Middle Canberra coalition

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. The letter calls for a number of universal zoning policy changes to be implemented as part of the new Territory Plan, which we recommend the ACT Government consider in full. The proposed 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.

Better District Strategies

In general, the District Strategies lack sufficient detail or explanation of their goals to provide guidance on the future of the areas they are intended to design.

The maps detail multiple areas of potential housing growth but provide no clear timeframes on when the proposed future investigation areas will be developed or how the additional dwelling will be included. Nor do they provide any guidance on what process will be involved in investigating these areas and what the criteria to determine their suitability will be. Without

this required detail the District Strategies add little value to the Territory Plan and are merely commitments to plan for further plans in future.

We are further strongly concerned around the disparity between the relatively low number of dwellings projected as being necessary in the district strategies, and the strong population growth the ACT has seen over the previous several years. Notably, the annual rate of dwellings being planned for across the ACT by 2063, if achieved, would represent a halving of the current rate of annual dwelling growth in the ACT. We note that there are strong reasons to plan for more rather than less population growth given the high costs in terms of rising rents, displacement, and environmental degradation if our planning rules don't properly accommodate the number of homes necessary within our existing urban area.

Summary of recommendations

1. **Medium-density housing:** Embrace the potential of widespread medium-density housing within the Inner South, as envisaged by the Missing Middle Canberra campaign.
2. **Light Rail Stage 2B:** Pursue an ambitious approach to the Light Rail Stage 2B corridor:
    a. The Stage 2B Future Investigation Area should be expanded to encompass Yarralumla and Deakin shops and the immediate surrounding blocks.
    b. Brownfield housing redevelopments along this route such as the Yarralumla Brickworks should be reprioritised, and an appropriately high level of housing delivery pursued.
    c. A similar scale of density as exists along the Northbourne Avenue corridor should be pursued, with a graduated decrease of density further away from the corridor.
    d. Long term planning to rehabilitate Adelaide Avenue into an urban boulevard rather than a limited access urban freeway should begin, to be facilitated as part of Stage 2B and beyond. With the maturity of Canberra's urban orbital freeway network, Adelaide Avenue is no longer needed for high speed inter-district travel.
    e. Strong investment into community facilities, parks, and local centre revitalisation should accompany housing creation along the corridor.
3. **Fyshwick:** Encourage a long-term transition towards a mixed-use Fyshwick, along the lines of the recommendations of the Eastwick Greenline proposal.
    a. Invest in making Fyshwick a more walkable and accessible suburb.
    b. Prepare for future Light Rail service to Fyshwick, as well as improved bus services.
    c. Prepare for a long-term transition away from industrial zoning to encourage other commercial uses.
4. **Brownfields redevelopment:** Prioritise any changes required to expedite the development of Inner South brownfields precincts.

Medium density in the Inner South: the importance of missing middle universal zoning reforms

Greater Canberra is strongly supportive of Missing Middle Canberra's platform of reforms to RZ1, RZ2 and CZ4 throughout Canberra, but notes that these reforms are particularly important for the Inner South.

With the largest average block size of any District in Canberra (932.4 square metres), a greater percentage of blocks can support medium density infill in the Inner South than everywhere else. This is not a threat to the character of our district, but an opportunity to provide homes for tens of thousands of Canberrans, particularly young families currently displaced out of the Inner South due to the exorbitant housing prices imposed by exclusionary RZ1 zoning.

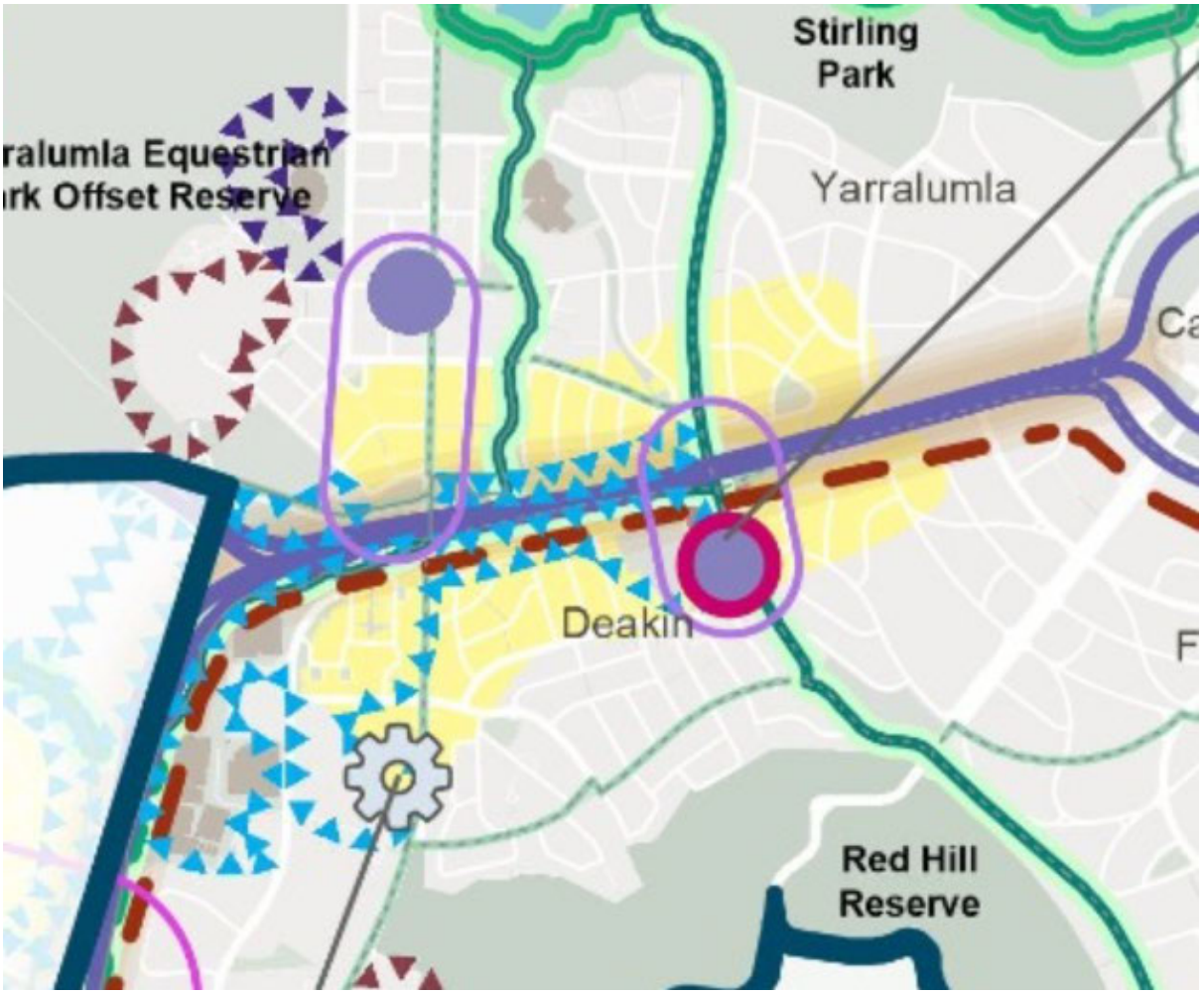
This can be done while maintaining the two storey streetscape of our current RZ1 areas, and maintaining the Inner South's excellent tree canopy. We have the opportunity to revitalise our local centres (which the draft District Strategy identifies as a priority) by altering CZ4 to more easily include above ground residential, to cross subsidise the generation of new commercial spaces at ground level.

Much of the Inner South's infrastructure was designed for larger households with more young children than the RZ1 zoning of our suburbs can currently support, given smaller household sizes, and the fact that the Inner South detached house market is prohibitive to nearly all Canberrans with young children. Over the past few decades, this resulted in schools shutting, and playgrounds and parks having less children than before.

By zoning for family friendly medium density housing in the Inner South, we give young families the opportunity to live in the Inner South, and create a District that is less of a demographic and socio-economic outlier compared to Canberra as a whole.

Light Rail Stage 2B Corridor: an ambitious approach

The current draft strategy anticipates a "future investigation area" along the future Stage 2B corridor in Deakin and Yarralumla. This area is some of the best connected potential housing in the city - close to the nexus of the future full light rail network, within walking distance of major employers in the Parliamentary Triangle, with some of Canberra's best parks and community amenities in these suburbs along with established schools.



The Government will likely receive many submissions from established, current residents of these suburbs protesting the potential for infill housing along this route.

It will likely not receive as many submissions from the future residents and Canberrans who will benefit from the creation of housing along the Stage 2B corridor. The reasons vary - most of them are not alive yet, most of those that are alive do not know they will live in the housing along this corridor, and in any case younger Canberrans are largely unaware of and struggle to engage in planning processes.

This may be contrasted against the established residents of these suburbs, which have some of Canberra's oldest (by median age) and wealthiest residents. The asymmetry of access, power, and knowledge to engage in this process will produce an imbalance of views to this consultation, despite the fact that very few people currently live along this corridor - about 6,200 at the 2021 census.

Greater Canberra was founded in part to advocate for future and younger Canberrans that for too long have been disenfranchised by our planning system. To best protect the interests of those Canberrans - to reduce emissions, to forestall greenfield sprawl, to improve average walkability, public transport access and reduce housing costs, the ACT Government must pursue an ambitious housing infill agenda along the Stage 2B route.

Specifically:

1. The Stage 2B Future Investigation Area should be expanded to encompass Yarralumla and Deakin shops and the immediate surrounding blocks.
2. Brownfield housing redevelopments along this route such as the Yarralumla Brickworks should be reprioritised, and an appropriately high level of housing delivery pursued.
3. A similar scale of density as exists along the Northbourne Avenue corridor should be pursued, with a graduated decrease of density further away from the corridor.
4. Long term planning to rehabilitate Adelaide Avenue into an urban boulevard rather than a limited access urban freeway should begin, to be facilitated as part of Stage 2B and beyond. With the maturity of Canberra's urban orbital freeway network, Adelaide Avenue is no longer needed for high speed inter-district travel.
5. Strong investment into community facilities, parks, and local centre revitalisation should accompany housing creation along the corridor.

The Stage 2B corridor is an excellent opportunity to create homes for thousands of Canberrans in well located, walkable, high amenity neighbourhoods with excellent access to amenities, services and green space.

The ACT Government should not sacrifice the interests of every succeeding generation of Canberrans to appease the aesthetic and class sensibilities of a small number of incumbents.

Fyshwick: embracing a mixed-use future

The entire modern history of Fyshwick is Canberra's planners attempting to force the existence of an Industrial area via restrictive zoning codes, and higher value commercial, retail, and hospitality uses finding gaps in those codes to establish themselves. This was noted as far back as the 1984 NCDC Metropolitan Plan:

> The emergence of Fyshwick as a retail centre was not intended. It grew in response to weak lease purpose clauses, and the non¬ enforcement of purpose clauses. In 1980, it attracted about 11 per cent of Canberra's retail expenditure, gaining expenditure from all districts in response to the retail opportunities available there.
>
> At September 1982, 65 per cent of Fyshwick's floorspace was in the clothing and furniture, and household appliance categories, as compared to the total Canberra proportion of 38.5 per cent. Fyshwick had almost 35 per cent of Canberra's clothing and furniture sales floorspace and 30 per cent of the household appliance sales floorspace.
>
> These activities generally require single-level and low-rent floorspace. From a metropolitan planning viewpoint, the location of such floorspace at Fyshwick is not desirable. It is not central to the current and future population distribution and has led to a higher level of retail floorspace in Canberra than was intended. There is a demand for low-rent space for the types of retail activities carried out in Fyshwick and the demand should be met at locations more central to the established population.[1]

[1] Page 63.

Fyshwick, in its modern form, is not really an industrial area. It is dominated by retail, particularly big box retail, and supporting commercial and hospitality venues. What industrial uses remain will be increasingly displaced over the coming decades by higher value retail, commercial and hospitality uses, as has been the pattern for decades and as will accelerate as Canberra continues to grow.

This is economic gravity. Fyshwick is a stone's throw away from the Parliamentary Triangle. It will not, and should not, remain an industrial area, and ever more onerous and artificial zoning controls will be required to keep it so.

Rather, Canberra should embrace the opportunity to pursue a future for Fyshwick that embraces its potential as a mixed use employment and services hub, building upon its existing strengths as one of Canberra's largest economic centres to cement its position as the economic centre of gravity in the Inner South-Queanbeyan region. This is particularly important as East Lake, Dairy Road and other residential areas begin to adjoin Fyshwick.

The Fyshwick Business Association has already laid out a vision of how this might be achieved in its Eastwick Greenline Light Rail and Active Travel Corridor Concept. The ACT Government needs to embrace the opportunity and the challenge of transforming the public environment of Fyshwick to reflect the uses that the area *actually* provides and will continue to provide.

With this in mind, the District Strategy's current approach to Fyshwick is alarming and misguided. The District Strategy at multiple points makes references to "protect[ing Fyshwick] from encroaching commercial, residential and retail uses that could be accommodated in centres", and further that:

> Fyshwick remains an important industrial area for both the Inner South and the whole ACT and region. Despite pressure for conventional retail and commercial development, the industrial and urban services functions in Fyshwick will be retained and prioritised in land use decision making for the precinct and surrounds. This will make sure that as Canberra grows it still has access to a central precinct with industrial and urban services land uses. This may require reconsideration of the planning controls and land uses that apply under the current zoning

In attempting to preserve an imaginary industrial Fyshwick which hasn't existed for decades, the District Strategies abandon any responsibility in accommodating the Fyshwick that actually exists. Rather than attempting to find changes to zoning rules to force out thriving Fyshwick cafes, bookshops and other uses, this District Strategy should begin the long and gradual process of transitioning Fyshwick from industrial zoning.

Revamped streetscape and pedestrian activation

Fyshwick is by far the most actively hostile of Canberra's suburbs to be a pedestrian in.

- Pedestrian infrastructure is non-existent

- Roads are wide with high speed traffic and few crossings
- Fyshwick has the lowest canopy coverage of any suburb in Canberra Central at 9.2%.
- Fyshwick has by far the most acute heat island effect of any area of the Inner South outside broadacre areas.
- The street layout is actively hostile to pedestrian navigation.
- Public spaces and greenspace is largely non-existent or has extremely little investment and activation

None of this would be as much of an issue if Fyshwick was still predominantly an industrial area, with low overall employment and few customers. However, as it currently stands, Fyshwick is a retail and hospitality area. 20% of Canberrans visit Fyshwick weekly. Doing so is unpleasant even with a car, and doing so without a car is awful.

Investment should be made to make Fyshwick a more pleasant, walkable and accessible suburb to better reflect its modern retail and services role.

Improved public transport and active transport

Although Fyshwick is served by the R2 along its edge through to Canberra Outlet, the suburb itself is served by one non-rapid route, the 56. The 56 has been described as the "hellish bus of the damned" by the Public Transport Association of Canberra, noted for its low frequency, limited hours of operation, and extremely convoluted route.

In the long run, Fyshwick would be best served by a light rail line through to Queanbeyan. The District Strategy should reflect the potential for this line to be built in the future. This central spine must be supplemented by higher frequency and more usable supplementary bus services, particularly if the future light rail alignment follows the current Canberra Avenue route of the R2 rather than the Eastwick Greenline proposed alignment along the current rail corridor.

Long-term transition to non-industrial zoning

With these investments that will better serve Fyshwick's current role as a retail, hospitality and customer services hub, transition planning must be made for the gradual transition from the current mixed-use precinct that still has industrial uses, to a employment centre where ongoing industrial uses are incompatible with other land uses.

As outlined in its current District Strategy, the ACT Government should examine the creation of new industrial areas, and facilitate the movement of industrial businesses to these new areas from Fyshwick.

These new industrial areas do not need to necessarily be within the ACT. The ACT Government should consider working more closely with the NSW Government and adjoining LGAs in the capital region about potential industrial sites that can provide urban services and industrial uses for the region.

Accelerating brownfield redevelopment

The Inner South has many brownfield redevelopment sites that have been stuck in continuous planning for multiple decades, including:

- Kingston Arts Precinct
- East Lake
- Yarralumla Brickworks

While previous brownfields redevelopment efforts in the Inner South (e.g. the completed parts of Kingston Foreshore) have eventually delivered some excellent results, it is clear that these brownfields projects have historically taken far, far too long to develop.

If current and future brownfields precincts continue to follow this trend, they cannot be relied upon to deliver the housing that Canberrans need or to fulfil the Government's commitments on housing in a timely fashion. Brownfields projects ought to be delivered much faster than greenfields, and the present situation where a single precinct can take several decades to complete is utterly unacceptable.

The District Strategy must emphasise the need for Inner South brownfields projects to be pursued vigorously and prioritised when it comes to any required rezonings or other planning changes.

ACT Planning System Review and Reform Project

Submission on Draft Territory Plan 2022

3 March 2023

Greater Canberra

Contents

Contents 1
About Greater Canberra 2
Involvement in the Missing Middle Canberra Coalition 3
Executive summary 4
List of recommendations 4
Canberra's Housing Crisis 5
Case study: The impact of the 2016 Auckland Unitary Plan 5
Territory Plan Changes 7
Universal Upzoning 7
Lessons from the New Zealand Case Study 7
Barriers to Medium Density in Canberra 8
Upzoning RZ1 to RZ2 9
Adding RZ2 Properties to Exempt Development 9
Upzoning High Demand Areas 9
Medium Density Housing Standards 10
Technical Changes 10
Removal of Side Setback requirements 10
Change from Plot Ratios to Site Coverage 11
Subdivision without New Dwellings 12
Removal of Parking Minimums 12
Equitable and Efficient Distribution of Housing 14
Better Made District Plans 14

About Greater Canberra

Greater Canberra is a community organisation, established in 2021, that is working towards a more liveable, sustainable and affordable Canberra for everyone. We believe that forward-thinking urban planning is vital to ensuring that future Canberrans can enjoy social and economic equality and a high quality of life.

Our members come from all over Canberra, and from a variety of backgrounds - both renters and homeowners, from different stages of life, different levels of wealth, and different occupational and professional backgrounds.

We believe better planning policy can create a more liveable, sustainable and affordable city.

We believe every aspect of the city, from its parks, to its shops, to its public amenities, should make a positive impact on the lives of Canberrans. We value walkability, active and public transport, vibrant and engaging public spaces, and diverse housing that meets the evolving needs of Canberran families.

We believe we can house the next generation of Canberrans through better use of the space we have, not endless sprawl that damages our natural environment. Embracing density will allow more Canberrans to live within the existing urban footprint, in close proximity to workplaces and amenities, allowing a lower-carbon and less car-dependent lifestyle.

We believe that by building more housing, we can make Canberra affordable for all. For most Canberrans, the ability to afford a home is the difference between economic security and financial stress. Today, many Canberrans struggle to afford a home, unless they already own a property, or are helped by someone who does. This hurts our economy and damages the social fabric of our city. We believe that with the right policies, all Canberrans can afford to live with dignity.

Please direct any follow-up questions related to this submission to [redacted]

Involvement in the Missing Middle Canberra Coalition

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 and zoning 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 in the new Territory Plan.

List of recommendations

Recommendation 1: The ACT should adopt the Missing Middle Canberra platform by upzoning RZ1 areas to the RZ2 standard, creating a streamlined pathway for medium density exempt development, and allowing for more homes in high-demand areas.

Recommendation 2: The ACT Government should adopt standards that enable the provision of good-quality medium density housing, similar to the Medium Density Residential Standards adopted by the New Zealand Government.

Recommendation 3: Remove mandatory side setback requirements in the Territory Plan for general residential zones.

Recommendation 4: The move from plot ratios as a mandatory condition to site coverage provisions should be kept in the Territory Plan.

Recommendation 5: Extend the ability to subdivide blocks without being required to construct new dwellings to blocks zoned RZ1 and reduce minimum plot requirements to 200-300m2 minimum depending on proposed new dwelling size.

Recommendation 6: Remove parking minimums as a mandatory requirement for the approval of new dwellings.

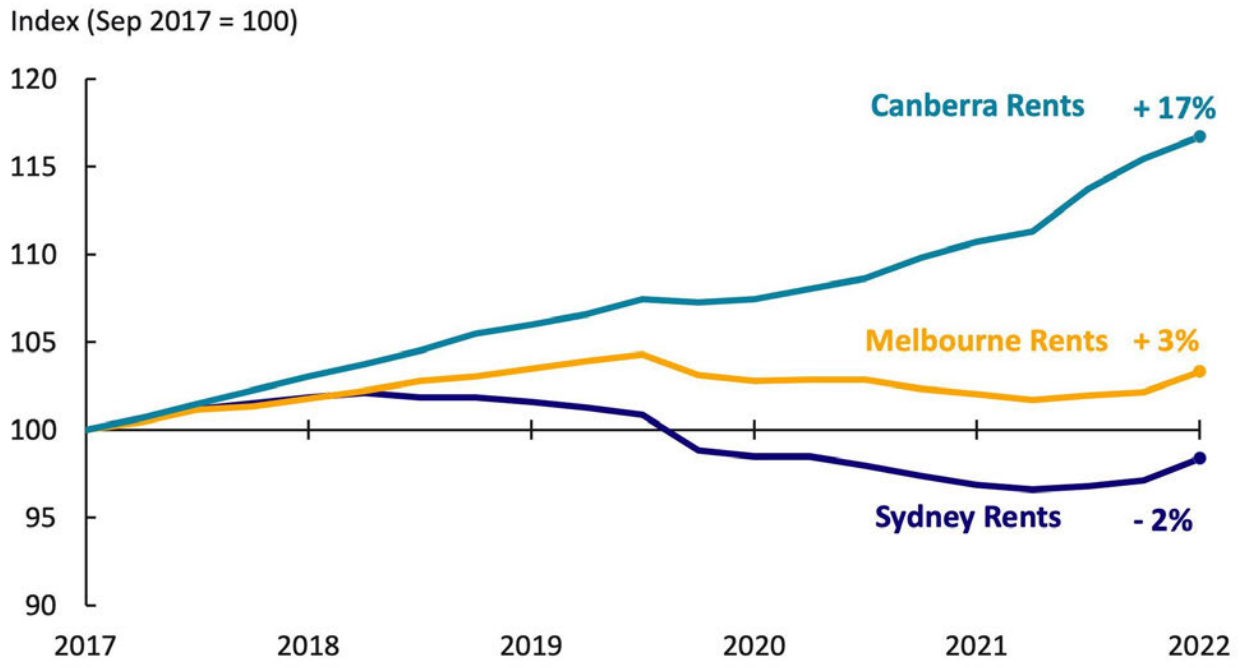
Recommendation 7: The Territory Plan and District Strategies should be redrafted to include requirements for housing growth to be focused in central areas, specifically the Inner North and Inner South of Canberra.

Recommendation 8: The District Strategies should be redrafted to include greater detail including on the planning framework, the proposed changes for the relevant districts and how the desired outcomes will be achieved. They should also feature clear integration of the relevant ACT Government directorates forward plans and infrastructure proposals, and be based upon ‘conservative’ upside population growth projections.

Canberra's Housing Crisis

Canberra is among the most expensive cities in Australia in which to rent or buy housing. Figure 1 shows how over the past five years, Canberra rents have risen at a markedly faster rate than rents in Sydney or Melbourne. This is further supported by the recently released 2021 Census data, which indicates that Canberra's median weekly asking rent is $450 per week, slightly lower than Sydney ($470), but significantly higher than Melbourne ($390) and Brisbane ($380).

Figure 1: Canberra rents compared to Melbourne and Sydney

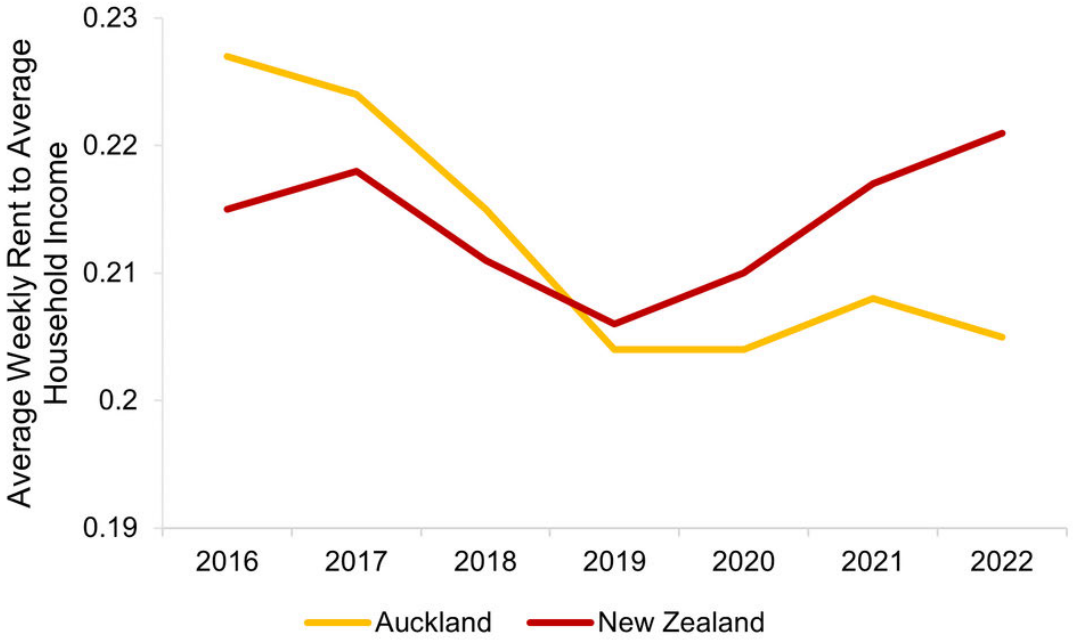


Data: ABS, Consumer Price Index, September 2022.

Case study: The impact of the 2016 Auckland Unitary Plan

Planning reforms can make housing more affordable, as seen in the improvements of housing affordability in Auckland after significant planning reforms in 2016.

Figure 2: Average weekly rent to average household income in Auckland vs New Zealand, 2016-2022



Graph: Matthew Maltman, One Final Effort, https://onefinaleffort.com/auckland, retrieved 14 Nov 2022, reproduced with permission.

In their paper, Greenaway-McGrevy and Phillips (2021) analyse reforms to the Auckland planning system that allowed more medium-density developments in inner urban areas, and find that they doubled the rate of new housing construction in the city in the four years after implementation. This impact is clear in Figure 2, which shows that the rent-to-income ratio in Auckland fell while the ratio in the rest of New Zealand rose following zoning reform. Auckland began their rezoning in 2016 and its success led to New Zealand to adopt these reforms in 2021.

Given the substantial impact that planning rules can have on housing affordability, it is clear that affordability must be a core consideration of the Territory Plan and the District Strategies.

Territory Plan Changes

Universal Upzoning

Lessons from the New Zealand Case Study

As identified earlier in this submission, In response to the ongoing housing crisis that plagued New Zealand, the Aotearoa Government enacted the *Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.* The Government correctly identified a key driver of this shortage was the restrictive planning rules which limited the heights and density of housing in residential areas. This was particularly the case for low-density suburban zoned areas, similar to RZ1-zoned parts of the ACT.

This followed the example set by Auckland, whose council upzoned approximately three-quarters of its residential land area by abolishing single-family zoning under the Auckland Unitary Plan (AUP). Since this universal upzoning occurred, Auckland saw a dramatic increase in dwelling completions and a significant increase in housing supply.

According to Dr Ryan Greenaway-McGrevy, University of Auckland associate professor of economics:

> "The punchline is the policy did encourage, certainly, higher rates of construction and dwelling stock, … and it will increase over time."[1]

Since the enactment of this upzoning, Auckland has seen real rents decline, as well as a decline in rents as a proportion of median income from 22.7 per cent in 2016 to 20.6 per cent in 2022.[2] There is also strong evidence to suggest that house prices have remained more affordable in Auckland than in other urban areas in New Zealand as a result of this policy.[3] More recent data suggests that Auckland may have seen a decline of real rents of up to 7% in the last year.[4]

Barriers to Medium Density in Canberra

Some of the core issues with our current planning system can be illustrated with the planning pathways required for two different developments in the ACT:

- A property owner who wants to knock down their existing home and build a new two-story five bedroom house in an RZ1-zoned neighbourhood faces the following pathway:
    - They will often **not** be required to submit a development application.
    - They will only have to provide two off-street car spaces.
- A housing developer next door who wants to build a four-unit townhouse development of exactly the same size and footprint as their neighbour's two-story house, in an RZ1 zone faces the following challenges:

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[1] https://www.smh.com.au/property/news/how-to-make-housing-cheaper-according-to-new-research-20220725-p5b4e0.html
[2] https://onefinaleffort.com/auckland
[3] ibid
[4] https://www.interest.co.nz/property/120018/big-regional-differences-median-rent-movements-last-year-rents-new-plymouth-and

- This type of housing is generally banned in the RZ1 zone in ACT.[5]
- Even if this development was to be built in an RZ3 zone where it would be permitted, it would be required to go through a development application.
- While both development processes could be impacted by a number of referral entities, such as the Conservator of Fauna and Flora or the Heritage Council, who can unilaterally act to slow down or prevent a development application. These processes appear to be more difficult for multi-unit developments than single family dwellings.
- Once the development application is approved, it can be subject to ACAT appeals from other residents.
- The development would in most cases have to provide at least 6 off-street car parking spaces, even if the block was right next to a rapid bus route or other public transport.

This disconnect between two different developments of the same silhouette and floor plan, despite the second providing four times the number of homes, shows the challenges the ACT faces in providing sufficient supply of housing both in the private market and in the context of social housing. If the ACT is serious in confronting the affordability crisis, then reforming the planning and zoning systems must be a central aim.

Upzoning RZ1 to RZ2

Greater Canberra strongly supports moving from RZ1 to RZ2 as the lowest density zone in the ACT, as a way to unlock a significant amount of new housing across Canberra, and especially in those suburbs with highest rents and house prices. For instance, there are around 60,000 properties in the ACT larger than 700m2 which would be eligible for development into duplex or multi-family housing under this proposal, in a manner that promotes gentle urbanism while preserving and improving the character of established suburbs.

We note that the ACT Government has previously committed to allowing unit-titled duplexes in the RZ1 zone as part of the 2018 Housing Collaboration Hub report, and this commitment was endorsed at election via the reelection of the current ACT Government. Moving existing RZ1 areas to RZ2 would deliver on this commitment, while also allowing flexibility for stronger development and design on larger RZ1 zoned blocks.

We strongly welcome the move in the draft Territory Plan to add two storey apartment buildings that are compliant with the RZ2 requirements to the list of approved development in RZ2 zones, and note that a policy that only allows for unit-titled duplexes in RZ1 would limit the availability of such single-floor medium density homes.

[5] While social housing developers may be permitted to build such a building due to exceptions specific to supportive housing, they are still limited by a number of RZ1 requirements with regard to built form, such as building setbacks, basement works, and height.

Adding RZ2 Properties to Exempt Development

Under the current *Planning and Development Regulation 2008*, development of a single dwelling on a single block is generally exempt from the DA process (Schedule 1 section 1.100 through to 1.100B).

The draft *Planning (Exempt Development) Regulation 2022* proposes to retain this exemption to the DA process (section 1.102).

This practically means that any single, detached dwelling, no matter how large or how high impact, is exempt from the DA process so long as it complies with the rules in the relevant codes, and therefore cannot be the subject of third party appeal in ACAT.

By comparison, moderate medium-low density multi-unit developments, such as duplexes and triplexes, are not currently exempt development, and can be appealed by third parties. This is even if the overall footprint and the scale of the multi-unit development is the same or smaller than that of a single dwelling built on the same block.

The cost of defending an ACAT appeal only scales modestly with increased development size, and so the risk of defending an expensive ACAT matter for a two or three dwelling development may seriously impact the financial viability of such developments and have a chilling effect on housing creation.

The number of surrendered block dual occupancies that have been the subject of ACAT matters is indicative that this is a major barrier to the creation of medium density housing throughout the city. This creates a substantial distortion in our planning system in favour of large, high footprint detached development over medium density homes, stalling housing creation in inner Canberra.

The Missing Middle Canberra open letter (discussed above) calls upon the government to “allow this low-impact housing to be subject to similar streamlined development approval requirements as existing detached homes.”

Greater Canberra recommends for this to be reflected in the *Planning (Exempt Development) Regulation*. We encourage the Planning Directorate to assess whether this would be best achieved by exempting all multi-unit developments up to a certain density, or providing a pathway through the Design Guides to allow for certain typologies and compliant designs to be certified as exempt development. We note that Victoria is currently trialling the latter approach through its *Future Homes* exemplar design program.

The objective of either approach, however, should be to provide a clear, reliable, and low cost pathway for the construction of medium density housing in our suburb without the proponent taking on the substantial risk of a third party appeal. If such a pathway also minimises design issues and privacy concerns from a development by use of exemplar designs in the Design Guides, so much the better.

Greater Canberra recommends that this apply to RZ2 level density as a necessary complementary policy of universal RZ1 to RZ2 upzoning. This will ensure that the housing potential of this rezoning is not blunted by the risk of bad faith ACAT appeals.

Upzoning High Demand Areas

High-demand areas near local commercial centres, the city centre, major employment hubs, and public transport should be upzoned to permit more mixed-use apartment buildings and townhouses. We note that the Missing Middle Canberra open letter supported the rezoning of all existing RZ2 areas to the RZ3 standard, and the reform of the CZ4 zone to allow more shop-top apartments. We encourage the ACT Government to consider this and further changes to establish more homes in these high-demand locations.

The potential for such reforms to create a more affordable and sustainable ACT - and to rejuvenate local economic activity - is vast. Indicative analysis conducted by Markus Mannheim for the ABC suggests that enacting reforms similar to those recently adopted in New Zealand just in Canberra's inner north and south would allow for up to 50,000 homes.[6]

There is further potential to increase height limits on many of the mixed-use zones that apply in many of Canberra's suburban town centres, to allow for more mid-sized apartment buildings above local businesses.

Recommendation 1:

- 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 via the exempt development track 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. Consider further upzoning near employment and economic centres.

Medium Density Housing Standards

As identified by the ACT Government and the Chief Minister, the development of medium-density housing as a form of 'gentle urbanism' is an important part of solving the ACT's housing crisis. Medium-density housing has the potential to provide a range of benefits for residents, including more affordable housing options, increased walkability, and more vibrant communities. In order to sufficiently facilitate the development of medium-density housing

[6] ABC, Could a simple change to zoning laws solve Canberra's housing affordability crisis?, April 2022.

options the ACT Government should take inspiration from the Medium Density Residential Standards developed by the Government of New Zealand.[7]

The Medium Density Residential Standards, and the accompanying National Medium Density Design Guide, provide a comprehensive framework for designing and developing medium-density housing in a way that is both functional and sustainable. Under the standards, property owners are able to construct three homes up to three storeys on sites that have the lowest residential zoning, without the need for resource consent (the New Zealand equivalent of a DA). The standards are designed to balance the need for increased density with the need for good design, functionality, and livability. They provide clear guidelines on a range of issues, including site layout, building design, materials, and landscaping. By adopting similar standards, the ACT can ensure that medium-density developments are well-designed, sustainable, and attractive places to live.

In addition, adopting similar standards can help to reduce the impact of medium-density developments on the environment. The New Zealand standards promote the use of sustainable building materials, the incorporation of green spaces, and the use of water-efficient design features. By adopting similar standards, the ACT can reduce the environmental impact of medium-density developments, contributing to a more sustainable future.

Recommendation 2:

- The ACT Government should adopt standards that enable the provision of good medium density, similar to the Medium Density Residential Standards adopted by the New Zealand Government.

Technical Changes

Removal of Side Setback Requirements

Greater Canberra supports the removal of side setbacks from properties to allow for connected separately titled terraced homes, and better design and land use outcomes. Side setbacks create an inefficient amount of space between properties that is usually not enough to enable productive use of that land or assure any privacy. They also prevent properties from achieving efficiency gains in both land use and energy use, as detached properties generally have lower efficiency and require more resources to build.[8]

As the value of land and cost of development increases, lot sizes have reduced in area, generally at the expense of usable outdoor space. However, if house footprints can be reduced by the use of multi-storey construction, open space amenity can still be retained. Further land

[7] https://environment.govt.nz/assets/publications/Files/Medium-Density-Residential-Standards-A-guide-for-territorial-authorities-July-2022.pdf
[8] https://www.aucklanddesignmanual.co.nz/sites-and-buildings/terraces/guidance/placing-the-building/types-terraced-housing/terraced-housing

area can be saved by joining houses in rows, thereby eliminating inefficient long narrow slivers of space that have traditionally separated detached houses. Service access to the rear of properties can usually be achieved through garage areas. Alternatively, rear access can be provided using laneways where applicable. Upper storey development also has the advantage of enhancing both street presence and activation by the provision of windows and balconies.

Unlike single storey housing, where garaging can dominate facades, upper storey construction can aesthetically enhance appearances and overshadow the monotony of blank garage doorways. Affordability criteria can also be met by grouping development into rows to increase the efficiency of scale, and also to implement design and construction efficiencies that are cost saving.

Shared walls are integral within a multiple development comprising the construction of a number of separate dwellings in a row form. The walls allow for shared structural support and jointly provide fire and acoustic separations. They are also usually easier to construct and more economical to build, and enhance energy efficiency outcomes.

The removal of side setbacks would also reduce privacy concerns from new residential development, as windows, balconies and living spaces would be oriented towards the street and to the rears of plots, rather than to the sides.

Recommendation 3:

- Remove mandatory side setback requirements in the Territory Plan from general residential zones.

Change from Plot Ratios to Site Coverage

Greater Canberra supports the move from plot ratios as a mandatory condition to site coverage provisions. Plot ratios acted as an incentive to reduce green space on properties and discouraged the full use of height allowance for the relevant property.

The territory plan should be incentivising the maintenance of green space in line with the ACT Government's tree canopy targets. The movement to site coverage, as well as the removal of attics and basements from plot ratio consideration, will encourage better land use and more efficient use of space while also enabling the preservation of tree canopy. This, combined with the removal of side setbacks will assist in enabling more housing in smaller areas while mitigating the urban heat island effect.

Recommendation 4:

- The move from plot ratios as a mandatory condition to site coverage provisions should be kept in the Territory Plan.

Subdivision without New Dwellings

Greater Canberra supports the change allowing a block in RZ2 to RZ5 zones to be subdivided without being required to construct new dwellings first. However, Greater Canberra believes this should be extended to RZ1 properties and the minimum plot ratios should be reduced to allow for 200-300m2 minimum land areas for properties.

While different dwelling sizes will require different minimums we note that based on good design principles the following amount of space will sustain the following housing[9]:

- 200m² will sustain a 2-bedroom single storey house OR 3-bedroom two storey house (both single garage).
- 200m² to 263m² will support a range of two storey 3 bedroom houses with single and double carports.
- 278m² to 293m² will sustain a 4-bedroom two storey house (double garage).
- 300m² will sustain a 4-bedroom two storey house (double garage) or 3-bedroom single storey with single garage.
- 320m² will sustain a 3-bedroom single storey house (double garage).

Recommendation 5:

- Extend the ability to subdivide blocks without being required to construct new dwellings to blocks zoned RZ1 and reduce minimum plot requirements to 200-300m2 minimum depending on proposed new dwelling size.

Removal of Parking Minimums

The mandating of a minimum number of parking spots is a flawed policy that harms Canberra's urban areas by driving up the cost of development, and reducing the supply of affordable housing. Instead of mandating developers to provide a certain number of off-street parking spaces, planning laws should allow developers and homeowners to make their own decisions on parking provision based on market demand and individual circumstances. In such situations, individuals will be able to make there own choices about the parking spaces they require rather than be forced into paying for spaces they may not need or want

Research has shown that parking minimums have negative effects on urban areas. A study by the Victoria Transport Policy Institute[10] found that parking minimums increase the cost of development and reduce the supply of affordable housing in cities.

Parking minimums can also detract from the amenity of an area and undermine the character of the city planners are trying to build. Their existence can lead to the construction of large,

[9] https://www.housing.sa.gov.au/__data/assets/pdf_file/0010/116299/3.2-Row-and-Terrace-House_Rev-2020.pdf
[10] https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.vtpi.org/park_man_comp.pdf&ved=2ahUKEwiBpqjFkLT9AhUy3jgGHf2cAQQQFnoECBAQAQ&usg=AOvVaw14irsb-yowMzkn7EiTl1-4

unsightly parking lots, or building facades that are entirely oriented around traffic flow, rather than amenity. These detract from the aesthetic appeal of a neighbourhood.[11]

By removing or reducing parking minimums, cities can encourage the use of alternative transportation modes such as walking, cycling, and public transit by providing cheaper homes for individuals who don't need a car. This can lead to reduced traffic congestion, air pollution, and greenhouse gas emissions, and can create more livable and vibrant neighbourhoods.

Furthermore, allowing developers to make their own decisions on parking provision based on market demand can lead to more efficient use of land and resources. Developers can build fewer parking spaces or none at all if there is not a high demand for parking in a particular area, reducing the cost of development and allowing for more housing or commercial space to be built. This enables more Canberrans to live closer to the services they use and the areas where they work.

Parking minimums also act as a disincentive to build the medium density needed in Canberra's suburbs. Currently, even where the existing planning laws allow for the construction of medium-density housing typologies such as duplexes or townhouses, these options are infeasible because of the amount of parking that a landowner is required to provide. To build a duplex a landowner must demonstrate there is the ability to park four vehicles off street. This can lead to absurd outcomes where the owner is required to provide so much off-street parking that a third dwelling could have been built in the space allotted to cars. This acts as a very real barrier to the construction of this much needed housing supply.

Parking minimums are a flawed policy that harms urban areas by promoting car use, driving up the cost of development, and reducing the supply of affordable housing. Greater Canberra strongly supports moving towards a system where parking minimums are not a mandatory assessment criteria. We endorse the approach in Auckland Unitary Plan (AUP), which removes parking requirements from the development application process. While Greater Canberra notes that the outcomes-focussed system allows discretionary reduction in parking requirements, a stronger signal should be sent to developers by removing the requirements altogether.

Recommendation 6:

- Remove parking minimums as a mandatory requirement for the approval of new dwellings.[12]

Equitable and Efficient Distribution of Housing

[11] https://www.google.com/url?sa=t&source=web&rct=j&url=https://railvolution.org/wp-content/uploads/2021/01/ULI-Parking-and-Real-Estate-Development-Oct-2019.pdf&ved=2ahUKEwi9v_u9ILT9AhXJ2TgGHcJDBzwQFnoECAwQAQ&usg=AOvVaw0u1lrl4yIsc7I9J_BjcGpJ

[12] This recommendation does not include any parking requirements that exist for equity/public safety reasons.

Greater Canberra was disappointed to see that under the draft Territory Plan, areas of Canberra close to amenities, public services and employment hubs are predicted to see lower housing and population growth than areas further away from the city centre. We firmly believe that housing should be distributed in a way that prevents any area from avoiding taking its fair share and allowing future, younger and lower income residents to have the ability to live in these areas.

To enable this, greater housing requirements should be provided for in central areas of Canberra, specifically in the inner south and the inner north, including along the existing and future light rail lines, near major employment hubs and within areas that are 15 minute walking distance from the city centre.

It is disappointing to see that on current plans areas such as the inner south will remain the exclusive domain of the city's wealthy, and that poorer and younger Canberrans are pushed further from the city centre to suburbs further away from jobs and key amenities. In the current Territory Plan and accompanying District Strategies only an additional 12,000 homes are being planned for in the Inner South in the same period that Canberra's population will increase to nearly double that recorded on the 2021 Census.

Recommendation 7:

- The Territory Plan and District Strategies should be redrafted to include requirements for housing growth to be focused in central and well-located areas, specifically the Inner North and Inner South of Canberra.

Better Made District Strategies

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.

The maps detail multiple areas of potential housing growth but provide no clear timeframes on when the proposed future investigation areas will be developed or how the additional dwelling will be included. Nor do they provide any guidance on what process will be involved in investigating these areas and what the criteria to determine their suitability will be. Without this required detail the District Strategies add little value to the Territory Plan and are merely commitments to plan for further plans in future. Reformed District Strategies should provide clearer outlines of how Canberra's planning system will meet its housing and climate action goals, and should better utilise the urban-to-rural transect model to better facilitate the transition between city and suburban environments.

We are further strongly concerned around the disparity between the relatively low number of dwellings projected as being necessary in the district strategies, and the strong population growth the ACT has seen over the previous several years. Notably, the annual rate of dwellings being planned for across the ACT by 2063, if achieved, would represent a halving of the current

rate of annual dwelling growth in the ACT. We note that there are strong reasons to plan for more, rather than less population growth, given the high costs in terms of rising rents, displacement, and environmental degradation if our planning rules don't properly accommodate the number of homes necessary within our existing urban area.

Recommendation 8:

- The District Strategies should be redrafted to include greater detail including on the planning framework, the proposed changes for the relevant districts and how the desired outcomes will be achieved. They should also feature clearer integration of the relevant ACT Government directorates forward plans and infrastructure proposals, and be based upon 'conservative' upside population growth projections.

Submission on the Inner North and City District Strategy

Greater Canberra

Contents

About Greater Canberra **3**
Involvement in the Missing Middle Canberra Coalition **3**
Summary of Recommendations for the District Strategy **4**
Better District Strategies 4
Blue-Green Network 5
Initiatives and Recommendations 5
Economic Access and Opportunity Across the City 5
Initiatives and Recommendations 5
Strategic Movement to Support City Growth 6
Initiatives and Recommendations 6
Sustainable Neighbourhoods 6
Initiatives and Recommendations 7
Inclusive Centres and Communities 7
Initiatives and Recommendations 7

About Greater Canberra

Greater Canberra is a community organisation that advocates for a more liveable, sustainable and affordable Canberra. We believe that forward-thinking urban planning and the encouragement of connected medium density communities is vital to ensure that future Canberrans can enjoy social and economic equality and a high quality of life.

Our members come from all over Canberra, and from a variety of backgrounds - both renters and homeowners, from different stages of life, different levels of wealth, and different occupational and professional backgrounds.

This submission was drafted by inner north residents Aymon Wuolanne, Edward Smyth, Matthew Bowes and Lucy Gramenz. Questions on the submission can be sent to [redacted]

Involvement in the Missing Middle Canberra Coalition

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. The letter calls for a number of universal zoning policy changes to be implemented as part of the new Territory Plan, which we recommend the ACT Government consider in full. The proposed 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

Summary of Recommendations for the District Strategy

1. Invest in a stronger blue-green network by greening, re-wilding, and pedestrianisation of existing waterways and nature corridors in the Inner North, especially where these are used for active transit.
2. Better integrate Braddon with the City by incorporating Braddon into the City Plan.
3. Incorporate, rather than limit, residential units alongside commercial and retail uses within the City Centre.
4. Investigate the potential of using existing EPIC land for future urban infill projects.
5. Support public and active transport by combining increased active and public transport investment with urban intensification around key transit corridors.
6. Plan for future growth in the Inner North by using the upper bound of population projections as the basis for the final District Strategy.
7. Zone for increased mixed-use development across the Inner North, especially along the light-rail corridor.
8. Rejuvenate local centres by investing in local amenities and allowing for more residential development in the vicinity.
9. Investigate innovative and space-saving new models for community and recreational facilities in the Inner North, including vertical schools.

Better District Strategies

In general, the District Strategies lack sufficient detail or explanation of their goals to provide guidance on the future of the areas they are intended to design.

The maps detail multiple areas of potential housing growth but provide no clear timeframes on when the proposed future investigation areas will be developed or how the additional dwelling will be included. Nor do they provide any guidance on what process will be involved in investigating these areas and what the criteria to determine their suitability will be. Without this required detail the District Strategies add little value to the Territory Plan and are merely commitments to plan for further plans in future.

We are further strongly concerned around the disparity between the relatively low number of dwellings projected as being necessary in the district strategies, and the strong population growth the ACT has seen over the previous several years. Notably, the annual rate of dwellings being planned for across the ACT by 2063, if achieved, would represent a halving of the current rate of annual dwelling growth in the ACT. We note that there are strong reasons to plan for more rather than less population growth given the high costs in terms of rising rents, displacement, and environmental degradation if our planning rules don’t properly accommodate the number of homes necessary within our existing urban area.

Blue-Green Network

Canberra's inner north is fortunate to have excellent access to green areas, and can act as a great example to the rest of the city in how green corridors can co-exist in close proximity to medium density development. Moving forward, as the inner north population grows, it will be important to invest in maintaining and protecting these green areas, while also allowing for more housing density to meet housing demand.

Initiatives and Recommendations

We particularly note the initiative concerning the enhancement of the green network to provide greater amenity and connectivity, and suggest two key focus areas in this regard:

- **Initiative 1, 5:** The strategy should aim to marry renewed investment in re-wilding and native vegetation with better pedestrian access pathways in green areas, to help expand tree coverage and native environmental traffic, while creating pleasant new pathways for residents to enjoy and use to get around.
- **Initiative 1:** The strategy should focus on greening existing waterways in the inner north, to create more attractive and environmentally beneficial public meeting places and active transit corridors, rather than the current concreted waterways and underutilised spaces.

Economic Access and Opportunity Across the City

The Inner North district is projected to make up a major part of the ACT's population growth over the next few decades. Living in the inner north has many benefits for future residents: our district is a major employment hub for the ACT, has daily key services and amenities in close proximity to homes, and provides excellent public and active transit options.

Unfortunately, the inner north's high rents, low vacancy rates, and house prices are currently locking many Canberrans out of these opportunities. These factors are also reducing the economic vibrancy of our local shops and businesses by limiting their access to nearby patrons and workers. Put simply, unless our district can sustainably provide abundant housing to meet demand, it is not doing its part to advance economic access and opportunity in the ACT.

Initiatives and Recommendations

We note that there are a range of opportunities to reform the inner north's current highly restrictive planning regime, that holds back the local economy and limits economic opportunity in the district:

- **General:** Braddon should be better integrated with the Civic centre by incorporating this part of the inner north into the City Plan, rather than being considered only in the context of the broader Inner North District Strategy.

- **Initiative 2:** We strongly recommend against arbitrarily restricting residential development in the City Centre.
    - With regard to retail development, we recommend that the Strategy incorporate learnings from the experience of Dickson and Braddon, where residential development combined with ground-floor retail has created a more affordable suburb along with a thriving retail environment.
    - With regard to commercial office-space, we believe there is strong potential to allow co-location of office and residential buildings within the denser parts of the inner north, and that this co-location allows for a more sustainable and connected city for those who want to live close by to their work.
- **Initiative 5:** We recommend further investigation of the use of part of the EPIC land to allow for residential development, noting the significant size of the current area and the lack of significant economic or environmental value for much of this land.

Strategic Movement to Support City Growth

Given the proximity of the inner north to many key job-centres and amenities within the ACT, and the plethora of existing transit options - including the light rail corridor - this district strategy represents a golden opportunity to craft a vision for a more walkable and sustainable Canberra.

Initiatives and Recommendations

- **Initiative 1:** We recommend continued densification along light rail corridors, with additional support for missing middle density in the streets within walking distance to rail.
- **Initiative 4:** Any strategy increasing public transport capacity should consider future population growth as large scale projects often take time to implement.
- **Initiative 5:** We support implementing active travel routes upgrades that minimise active commuters interaction with car traffic. The residents on the east side of Northbourne have no direct active travel route to the city and further south, without cycling next to Nouthbourne traffic, which reduces many people's confidence in the safety of active transport. This would benefit many residents in the denser areas of Braddon and Dickson, as well as Ainslie, Downer, Hackett and Watson.

Sustainable Neighbourhoods

Canberra will continue to grow as more people choose to move here, we can either accommodate the growth or this pressure will increase rents and prices across the city. The inner north is called home by many newcomers to the city, it is sought after because of its proximity to the city, to the ANU, and for good public transport connections. We are deeply concerned that the change areas under consideration may not be sufficient, and that the timeline to enact change in these areas is very unclear.

Initiatives and Recommendations

- **Initiative 1:** We note that the population projections for the inner north are likely to be revised upwards significantly between this draft and the final version, and that the consequences of 'over-planning' for new homes are significantly less than those associated with the current under-planning.
- **Initiative 1:** We appreciate that further analysis to identify housing needs is a short term priority, and we expect that the proposed change areas will not be sufficient to meet the housing growth forecasts outlined in the draft strategy. Any population forecast will have a very wide margin of error, and only planning to accommodate the forecast figure is planning to fail. We strongly recommend that the Directorate considers the upper end of plausible population growth estimates when determining future housing needs.
- **Initiative 1:** The proposals for mixed use hubs in the Northbourne corridor are welcomed. Historically, in almost all towns and cities there was no separation between residential and commercial uses, this is only a relatively recent feature of our cities. We could see great benefits from allowing more areas of our city to have mixed uses; if an area is dense enough to support a coffee shop or a bakery then why should it be forbidden?

Inclusive Centres and Communities

Greater Canberra believes that community infrastructure, local centres and amenities are not only the lifeblood of the communities they serve, but are critical to realising the Government's vision of a green, sustainable and inclusive Canberra. As the inner north grows it will be critical to have the appropriate community infrastructure and amenities to support its population. However, a lack of future infrastructure should not be taken as an excuse to stymie development. Instead, we believe the government should accept the need to be, occasionally, reactive and should embrace innovative solutions to get more amenities on a smaller footprint of land.

Initiatives and Recommendations

- **Initiative 1:** Local centres not only provide access to amenities and shops within walking distance, but are also hubs for public transport and focal points for community events. This allows those living near a local centre to live sustainably and connected to the community. We strongly recommend a more aggressive approach to zoning and developing potential local centres. Furthermore, we believe living near a local centre should not be a privilege held by only a few. For a truly inclusive community centre, upzoning in the vicinity must be allowed. The Government should consider a minimum zoning around local centres of RZ3 and greater when suitable.

- **Initiative 3:** We encourage the pursuit of innovative models for community and recreational facilities. Schools are a vital part of any community, yet the forms of schools that are currently built in the ACT take up a very large amount of land. We recommend that the Government considers urban forms for schools that are common in many cities across the world, where vertical space is used more effectively. A great example is the new vertical Brisbane South State Secondary College which won a 2022 Australian Institute of Architecture Queensland award.

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.