

From: [REDACTED]
To: [EPSDD Communications](#)
Subject: Submission on the planning review: access to playgrounds and to primary schools
Date: Friday, 3 March 2023 1:16:21 PM

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Dear EPSDD communications

I recommend that each of the District Strategies, and/or the Residential Technical Specifications, include the two following outcomes-based requirements. These requirements will make Canberra a more livable, lower-emission, less-car-dependent city. They will contribute to the achievement of the emissions targets in the ACT Climate Change Strategy 2019-2025 and the Climate Change And Greenhouse Gas Reduction Act. They place no limits on where additional residences may be built. Any location can comply, provided that a public primary school and/or a playground is available (or is made available) within the required distance.

OUTCOME 1: Access to playgrounds: Each additional residence in a non-rural residential zone must have access to a public children's playground within a walking distance of 500 metres, and without the need to cross a road that has a speed limit greater than 50 km/h or that has more than two traffic lanes.

OUTCOME 2: Access to schools: Each additional residence in a non-rural residential zone must have access to a public primary school within a walking distance of 1.5 kilometres, without the need to cross a road that has a speed limit greater than 50 km/h or that has more than two traffic lanes.

Access to playgrounds

The [ACT Play Space Strategy](#) says, "*Most residences in Canberra are within 400 metres of a local playground and this ease of access to a play space and the surrounding green space is highly valued by the community.*"

Access to schools

There are seven square kilometres within a 1.5 kilometre radius of any primary school.

Canberra has 63 public primary schools in a total area (including non-residential areas) of 393 square kilometres. That is one public primary school for each 6.2 square kilometres.

I bought my house because there was public school at the end of the street. The government closed the school the next year.

A direct result of the school closure was that my kids had to travel 1.8 kilometres, and cross a four-lane 60 km/h road, to get to the nearest public primary school. Driving my children to and from school could have cost \$20,000, and caused six tonnes of greenhouse emissions, over the 18 years that they attended primary school.

An indirect result of the school closure was that, without twice-daily passing trade from parents, all of the local shops closed down. People in my suburb could no longer buy groceries or takeaway food, meet at a cafe, or go to a restaurant, without travelling to other suburbs.

With warm regards

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[REDACTED]

Member of the Conservation Council's Transport Working Group

Member of the committees of the Downer Community Association and the North Canberra Community Council

[REDACTED]

Downer ACT 2602

Submission regarding the ACT Government New Planning Framework

Yarralumla (since 1984)

2-3-2023

I endorse the submission by the Yarralumla Residents Association Submission to the ACT Government as well as the recommendations made by the Inquiry into the Planning Bill 2022 chaired by Ms Jo Clay MLA.

I would like to make some additional comments, provide some information and express some concerns about two other developments in Yarralumla related to the District Strategies, New Draft Territory Plan, District Specifications, Technical Specifications, and the “Explanation of Intended Effects for: ACT Urban Design Guide ACT Housing Design”.

Yarralumla “densification”

1. **Need for a definition of key terms:** In order to assess a planning strategy definitions and some detail are necessary. The aims stated in the current proposed planning document by the vague terms “outcome driven” and “vibrant community”. Definitions and/or examples of what is meant in this document mean be very helpful and pertinent.
2. **Need for good Planning Criteria:** At the recent Yarralumla Residents Association meeting [REDACTED] presented a framework for assessing planning documents: The Model for Development Assessment - Ten leading practices produced by the Development Assessment Forum COAG 1998. According to [REDACTED] this new plan only meets 4 of the 10 criteria whereas the existing one meets nine of them, The missing one refers to the recognition that innovation and change are likely to be necessary. Is a whole new plan needed or just working to address this particular need? Good planning criteria are essential to any new planning proposal
3. **The need for sound consultation processes** are mentioned among the recommendations made by the committee/authors of the Inquiry into the new planning bill 2022. The consultation process with the community for any development should be in summary: timely, open/transparent, accessible, direct, responsive to community input, that there be continuity of cooperation with well trained case managers for each application for development, with well trained case managers free of any conflict of interest.
4. **The environment and climate issues are central** concerns for Yarralumla residents, one of the oldest suburbs in the Garden City of Canberra. It serves not only the local community with many attractions, parks and sporting facilities open to all the residents of the ACT. Among the 49 recommendations made by the Review committee chaired by Jo Clay, at least 10 made mention of environmental, or climate issues (recommendations: 28, 29, 38, 39, 40, 41, 42, 43, 44, 47).
5. **The densification of Yarralumla needs to be reconsidered** as the existing plans are considerable with the development of the Brick Works and Forestry Place, increasing by 50% the number of dwellings in the suburb. Most of/if not all of them are likely to be medium density. Does any other suburb in the ACT face such an increase? Heat islands are highly

undesirable in this age of global warming. Reflected heat off of paving and roads increased local temperatures significantly.

6. **Additional developments of medium density housing already underway**, although much smaller, are not mentioned but will be affected by the new Planning Framework: The development of Minimbah Court which was community housing and the development of seven town houses on the corner of Bentham and Hutchins Street opposite the shops. Both have been derelict sites now for years. They both are eyesores and a concern for the commercial owners (at the shops for Bentham Street) in the area as well as the residents. Both of these sites need timely redevelopment within approved guidelines respectful for local opinion and need. Neither to date has had continuity of consultation with the community, adherence to known guidelines, or respect for history. and Residents' and businesses' views or amenity have been completely disregarded..

Minimbah Court Development - Section 59

7. **Need for Planning consultation** re: Minimbah Court, a historical and diverse part of Canberra, needs to occur. None has been in the last 18 plus months, The town houses have now been vacant (except for one emergency housing house) although there are many homeless people in Canberra. While there are rumours that the number of dwellings will be doubled from about 15 to 30, mainly for public housing, local residents are in the dark despite repeated attempts to obtain specific information from ACT Housing about the site.
8. **Traffic in the area** would be already hugely increased with Forestry Place being developed across Banks Street. Solander Place a is very narrow street with pocket parks on both ends, another historical feature of the area. This aspect should be maintained. Whether the number of dwellings in increased with the same total number of residents (three bedroom townhouses not could be turned into one and two bedroom apartments), public or private, or a mixture of both, what matters is the number of residents' cars on the site as well as the number of visitor parking spaces.
9. **The location of the entrance to car parking** area, likely to be underground, could interfere with Solander Place or Schlich Street traffic. A Banks Street Exit would not interfere with this as much but wold need to be considered in relation to that of Forestry Place. Both exits will affect the flow of visitors to the Weston Park and the dog park. .
10. **Minimbah Court could be used as a good example.** It was one of Canberra's earliest medium density unit developments as mentioned in the 2004 *ACT-Land and Planning Authority Yarralumla Plan - A Sustainable Future for Yarralumla*, p.18: "Minimbah Court is particularly valued by some residents for being a good example of one of Canberra's earliest medium density unit developments. Built in the 1950s and originally name Solander Court in conformity with other streets in the vicinity which carry the names of First Fleet botanists, the development is identified as a model of how multi-unit development can conserve significant trees and enhance street scapes and provide enough open space for both occupants and neighbours."
11. **Preserving the trees and the existing footprints of the buildings** is highly desirable.
12. **Public housing should be maintained** but could be mixed with private homes. Minimbah Court. has been public housing at least since 1984 with a diversity of occupants including Indigenous and migrant families, disabled and women victims of domestic violence.
13. **Minimbah Court has historical significance** which needs to be respected. It was developed in the early days of Canberra to provide accommodation for young ANU faculty and families ([REDACTED] former Solander Court resident, ANU Geographer, personal communication). Solander Gallery is historic as it was the first commercial art gallery in

Canberra established Joy Warren, in 1973. A Gallery could be reopened on the site. The three houses of 2, 4, and 6 Solander place were built in 1927 to accommodate the students at the newly established school of Forestry. Documentation about this exists.

14. **Respect for the Streetscape from Forestry House.** The lay out of buildings including of Minimbah Court on the corner of Schlich and Banks street was specifically designed to provide an unobstructed wide view down Schlich Street all the way to Capital Hill.
15. As residents yes, we are keen to preserve the amenity of our street, but also the green, shaded and open environment as well as the historical and social value of this unique area of Canberra.

Corner of Bentham and Hutchins Streets Development

-Section 64 Block 19

Resident of Yarralumla (since 2019)
39 Bentham Street and 33 Hutchins Street Development
Yarralumla Section 64 Block 19

16. **The site:** This is a development site in a prominent position opposite the Yarralumla shops. It is currently derelict, and has been in this condition for over ten years. The site unsightly, is overgrown with tall grass, is a fire hazard, and contains a large excavation which collects stagnant water.

17. **The History:** The site included two workers houses for the nearby Canberra Brickworks, in a classic red brick design for the time. They were heritage listed in 2005.

A Development Application for the site was lodged and approved in 2007. The DA required the protection and incorporation of elements of the original houses in a new 8 unit development. Work began but ceased in 2012 due to a stop work order and the development approval then lapsed. It was at that point impossible to retain the heritage components as originally required by the DA.

No action concerning the site took place for the next 8 years. In 2020 two events took place:

A) The ACT Government declared the site to be an 'untidy site' under the Planning and Development Act 2007. This declaration had no apparent effect and the site remains untidy – an inadequate word to describe its chaotic condition.

B) A new developer lodged a Development Application for a 7 townhouse project. The remains of the heritage cottages were to be demolished, and an attempt to reflect the heritage significance was to be made by incorporating some red bricks in the facades. Despite some significant objections by the Yarralumla Residents Association, this DA was approved in November 2020.

Since then there has been no visible action. The site attracts adverse comments from visitors to the shops and detracts from what is otherwise a well maintained precinct.

18. The Desired Action:

I believe that the ACT Government should not have allowed the site to remain abandoned for the 8 years from 2012 to 2020. It should now:

- **require the owners of the site to comply immediately with the clean-up requirements of the Untidy Site Declaration**
- **Require the project as defined in the current approved DA to be completed within the 5 year currency period (i.e before November 2025).**

3 March 2023

Comment on the Draft New Territory Plan

Thank you for the opportunity to comment.

I have lived in an RZ3 area for the last 25 years. It is my belief, based on lived experience of the government's program of redevelopment over that time, that the outcomes-based approach as proposed is flawed.

The government has not made their case as to why this approach is preferable to the current approach, nor identified what problems will be solved by it. The District Strategies are largely platitudes. Relegating technical specifications to 'supporting material' entrenches subjectivity in development assessment. This will help no one, except property developers. Community values are completely absent from the new documents.

The following proposed changes are of particular concern

Dwelling Replacement Requirement

The removal of the dwelling replacement requirement will lead to an undersupply of new units suitable for families. On p.70 of the **New Territory Plan Supporting Report – Consultation Version** it states that this rule *impacts the delivery of a range of housing*. This statement is not expanded upon. If it is meant that it *reduces* the range of housing, then that is contradicted by the evidence that most redeveloped properties overwhelmingly consist of one and two bedroom apartments. This size of dwelling maximises returns for developers. However, this size of housing is suitable for only for singles and couples. If people have children they find their options very limited in new developments. This is a poor outcome if a desired planning outcome is to support the delivery of a range of housing.

The Consultation document says that the dwelling replacement rule *came in to address an issue in RZ3 and RZ4 regarding family homes being replaced with new apartments that did not include 'family sized' units. The provisions relating to range of dwelling sizes/number of bedrooms adequately addresses this*. However, these provisions do not appear to have been written yet – certainly I could not find them - and it is not at all clear that they will produce the results so confidently claimed.

Removal of plot ratio requirement

The plot ratio requirement gives clear direction on the appropriate size of developments to ensure a cohesive similarity in outcomes that supports the desired character of an area. It supports the recent variation 369 related to deep planting and green coverage

requirements for new developments, designed to manage the 'heat sink' problem associated with mass urbanisation.

The removal of this requirement undermines the intent of variation 369. Site coverage is not an adequate substitution, particularly under proposed definitions:

site coverage: means the proportion of actual site covered by **buildings**, including roofed terraces, awnings, eaves, pergolas, patios, decks and balconies and the like.

building is a structure and includes:

- a) an addition to a building;
- b) a structure attached to a building; and
- c) a part of a building

but does **not** include:

- i. a transportable building, mobile home, caravan or similar that is not used for long term habitation; and is readily transportable without being disassembled or removed from associated components;
- ii. paving, a driveway or a road that is not inside a building;
- iii. a surface level car park that is not inside a building
- iv. a fence, courtyard wall or retaining wall

Currently, this is not the case; site coverage calculations include car parks and driveways. So while it is proposed that RZ3 and RZ4 zones have a maximum *site coverage* of 65% and 80% respectively, sites with above ground parking could meet the requirement while having however much of the non-built space on the site as the developer sees fit paved with driveways and car parks. This possibility is not at all mitigated by the accompanying note saying :

The remainder of the site coverage (i.e. the uncovered part) should be used to maximise site open space and deep root planting areas to maximise tree canopy coverage and to provide for usable outdoor space for residents.

This is an encouragement, not a requirement. Therefore it is easily ignored by developers and ACTPLA will have little recourse but to approve developments without adequate space for trees and green coverage.

My experience after living for 25 years in an RZ3 area is that most developers will not provide anything that reduces their potential to maximise yield or increases their building expenses unless they are required to do so. This is not in the best interests of the community, current and future, who will be stuck with poor built outcomes. The platitudes espoused in the District Plans will not prevent this; they are fluffy enough that most developers will be able to argue that, absent the rigour of hard technical requirements, their proposals are compliant.

Timing

My final comment is on the consultation process itself. The time provided for consultation has been inadequate for such large changes, presented in so many documents without clear linkages between them, and substantial information missing entirely. Worse, the majority of the consultation period has been over the summer holidays when most people were otherwise distracted. Most people in Canberra have very little idea of what the proposed changes involve nor how they might affect them. The government should do better than this.

Mick Gentleman MLA
ACT Minister for Planning and Land Management
GPO Box 1020
Canberra, ACT, 2601

Draft New Territory Plan and Draft New East Canberra District Strategy Submission

Dear Minister

Thank you for the opportunity to comment on the ACT Government's *Draft New Territory Plan* and *Draft New East Canberra District Strategy*. As a third-generation farmer in the ACT, it is pleasing to see the ACT Government undertake this once in a generation review of the planning framework and creating individual district strategies to help guide future development across urban and rural land in the ACT. As a practicing town planning, it is also pleasing to see the draft new planning framework emphasise delivering positive social, environmental and community outcomes rather than applying prescriptive technical requirements.

However, there are several areas that should be considered to strengthen the *Draft New Territory Plan* and *Draft New East Canberra District Strategy*. This submission raises several issues related to rural land in the ACT and specific issues related to ■■■ heritage listed, agricultural property "Callum Brae" located in Symonston. In summary, the following issues should be addressed in the *Draft New Territory Plan* and *Draft New East Canberra District Strategy*:

- **Private Land Conservation and Agricultural Zone:** A new non-urban zone should be created and added to the *Draft New Territory Plan* called NUZ6 – Private Conservation and Agriculture Zone. The purpose of the zone would be to prevent incompatible land use and development types on rural land that has high environmental significance and threatened species and ecological communities listed under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*. 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

The *Draft New Territory Plan* does not propose any significant changes to non-urban zones in the ACT. As a result, the predominate zoning for rural land will continue to be Broadacre (NUZ1) and Rural (NUZ2). However, the objectives of these zones is too broad and will accelerate inappropriate land use and development on land that has high environmental significance. For example, NUZ1 includes 55 development types and NUZ2 includes 40 development types of which only 3 are directly or indirectly relate to private conservation or agriculture. Without action, this will continue to incentivise and promote incompatible development on rural land across the ACT that will have a profound impact on threatened species and ecological communities listed under the EPBC Act.

In December 2022, the ACT Conservation Council estimated that 67% of critically endangered native temperate grassland and 80% of threatened native woodland is located outside the public reserve system with the majority of these ecosystems located on rural land and agricultural properties¹. The ACT Conservation Council also recommended that high conservation areas be identified and protected and a management framework created to incentivise private conservation². This can be achieved by creating a dedicated zone that would limit development types and provide long-term certainty for rural landowners in the ACT.

The zone would strengthen and incentivise private land conservation outside the public reserve system and address the ongoing fragmentation and loss of threatened species and ecological communities across the ACT.

¹ ACT Conservation Council, *Building a Biodiversity Network Across the ACT*, Dated December 2022, Retrieved March 2023
https://conservationcouncil.org.au/wp-content/uploads/BRIEFING_BIODIVERSITY-NETWORK-_Final_Version_December.pdf

² Ibid

The zone would complement the public reserve system and also protect agricultural land to safeguard the production of food and fibre across the ACT. This strongly aligns to many of the planning principles outlined in Section C2.1, 2.2, 2.3, 2.4, 2.6, 2.7 and 2.8 in the *Draft New Territory Plan*.

As a starting point, the zone could include all rural land that includes high environmental significance and threatened species and ecological communities under the EPBC Act. Rural landowners could voluntarily opt into the new zone on the understanding that the number of development types would be reduced (thereby reducing the land value) and stronger conservation practices required through renewed Land Management Agreements. However, in order to compensate rural landowners and maximise conservation outcomes, rural landowners who voluntarily opt into the zone would receive a 99-year lease on their land with specific conditions compensating them against future acquisition or transfer of their land into the public reserve system and offsets.

Current zoning and the ever increasing threat posed by urban development creates significant uncertainty for rural landowners in the ACT. Some rural leases are for 99-years while others continue to operate on a short-term basis. The lack of certainty and long-term vision prevents many rural landowners implementing long-term conservation improvements to their property or adopting more efficient agricultural practices. For example, rural landowners aim to improve the environmental value of their property (i.e., grassland restoration, tree planting) to increase biodiversity and agricultural productivity.

However, these benefits are not realised for many years or decades and require significant cost and resources. Short-term leases do not encourage long-term improvements being undertaken as the threat of resumption is too high and rural landowners are not compensated for completed projects (i.e., fencing, weed control). Given rural land accounts for around 15% of land in the ACT and is typically managed to a much higher standard than public land (i.e., weeds controlled, feral pests managed) there is a significant opportunity to incentivise rural landowners to continue this work through a new zone titled NUZ6 – Private Conservation and Agriculture.

It should be noted these conservation outcomes could be achieved at little or no cost to government, with rural landowners paying taxes and rates to the government for the privilege to manage their property in line with a renewed Land Management Agreements.

- **Environmental Conservation Precinct:** A definition should be provided for the 'Environmental Conservation Precinct' included in the *Draft New East Canberra District Strategy*. Currently, there is no definition for this precinct or the mechanisms on how environmental conservation will be achieved. The precinct includes most of [REDACTED] "Callum Brae" and the neighbouring property "Stonyhurst". The precinct (including suggested changes) is shown in Figure 2.

However, despite attempts to be provided with a clear definition or intended mechanism for the precinct no response has been provided by officials in EPSDD. As mentioned above, long-term conservation of the precinct could be achieved through a new zone titled NUZ6 – Private Conservation and Agriculture.

It is not clear if the precinct has been drawn to exact specifications or is just a concept. Clearly this is an important issue to [REDACTED] who have actively managed "Callum Brae" since the mid 1950's and championed for its conservation against inappropriate government proposals to develop in the precinct including Geoscience Australia in the 1990's and the Alexander Maconochie Centre in the 2000's. It should be noted that without our advocacy and sustainable management (including what is now Callum Brae Reserve and West Jerrabomberra Reserve) the precinct would not exist today as it would have already been developed by the ACT Government.

It is assumed the precinct has been identified in recognition of its environmental significance and the need to enhance, restore and protect priority native grassland and woodland areas as outlined in the 'Blue Green Network'. While we support the assumed intent of the precinct, we believe it can only be managed through [REDACTED] continued private management.

It is clear the environmental value of the Callum Brae Reserve and West Jerrabomberra Reserve has declined sharply since it was resumed from us in the 2000's³⁴⁵. We therefore believe that areas in the precinct not within the public reserve system should continue to be managed privately by the current landowners through existing or renewed Land Management Agreement and a NUZ6 – Private Conservation and Agriculture Zone.

This would align with the objective on page 42 of the *Draft New East Canberra District Strategy* stating that "the heritage and ecological qualities of the ACT are special and need to be respected and protected". This would also align with the objective on page 96 of the *Draft New East Canberra District Strategy* stating that "there may also be opportunities for rural areas to also contribute to the Blue-Green Network".

However, we are deeply concerned that the proposed boundary of the precinct does not cover the entire property or adjacent areas that have high environmental significance and threatened species and ecological communities under the EPBC Act. The precinct should be extended east to the Monaro Highway and Jerrabomberra Avenue north to Narrabundah Lane. Specifically, the precinct should include all of the following blocks:

- Symonston, Block 12, Section 102
- Symonston, Block 14, Section 102
- Symonston, Block 17, Section 102
- Symonston, Block 18, Section 102
- Jerrabomberra, Block 2224
- Jerrabomberra, Block 2229

It should be noted that Symonston, Block 17, Section 102 was resumed from "Callum Brae" in the mid 2000's as part of a controversial land swap agreement related to the Symonston Long Stay Caravan Park. Despite the block containing critically endangered native temperate grassland, it was transferred to a new lessee with strict lease conditions and timeframes that appear not to have been met that has resulted in the environmental condition of the block being severely impacted⁶. This was confirmed in the *ACT Native Grassland Conservation Strategy and Action Plans* that reduced the condition of the critically endangered native grassland on the site to 'Other Grassland'⁷.

It should also be noted that Symonston, Block 12, Section 102 was also resumed from "Callum Brae" to create the now closed Mugga Horse Riding School. [REDACTED] manage this block through a grazing licence that is located next to the Callum Brae Nature Reserve. This block has been subject to several development proposals including the ACT Government announcing the relocation of the RSPCA from Western Creek to the site in 2013⁸.

³ ACT Government, *Lowland Native Grassland Ecosystem Condition Monitoring Plan*, Dated October 2017, Retrieved March 2023 https://www.environment.act.gov.au/__data/assets/pdf_file/0018/1149030/Technical-report-Lowland-native-grasslands-monitoring-plan-October-2017.pdf

⁴ ACT Government, *ACT Native Grassland Conservation Strategy and Action Plans*, Dated October 2017, Retrieved March 2023 https://www.environment.act.gov.au/__data/assets/pdf_file/0010/1156951/Grassland-Strategy-Final-WebAccess.pdf

⁵ ACT Government, *ACT Native Woodland Conservation Strategy and Action Plans*, Dated November 2019, Retrieved March 2023 https://www.environment.act.gov.au/__data/assets/pdf_file/0003/1444098/Woodland-Conservation-Strategy.pdf

⁶ ACT Government, *Tabling Statement Territory Plan Variation 285*, Dated April 2008, Retrieved March 2023 https://www.parliament.act.gov.au/__data/assets/pdf_file/0007/380698/6th_PE_32_DV285.pdf

⁷ ACT Government, *ACT Native Grassland Conservation Strategy and Action Plans*, Dated October 2017, Retrieved March 2023 https://www.environment.act.gov.au/__data/assets/pdf_file/0010/1156951/Grassland-Strategy-Final-WebAccess.pdf

⁸ The Riot Act, *The RSPCA is moving to Symonston*, Dated August 2018, Retrieved March 2023 <https://the-riotact.com/the-rspca-is-moving-to-narrabundah/111959>

Again, only due to our advocacy was the proposal abandoned when it was demonstrated that the facility would have had severe impact on threatened native woodland and the neighbouring Callum Brae Nature Reserve. These two examples clearly demonstrate the need for long-term planning and appropriate management practices in the precinct to avoid further fragmentation and loss of threatened species and ecological communities.

As the former lessee of these blocks who has a demonstrated history and commitment to sustainable land management and values environmental conservation, we welcome any opportunity to have these blocks transferred back to our ownership and incorporated into our existing 99-year lease to ensure their long-term protection and management. We believe this strongly aligns to the objectives of the 'Environmental Conservation Precinct' included in the *Draft New East Canberra District Strategy*.

- **Potential Key Site and Change Area:** The 'Potential Key Site and Change Area' north of Narrabundah Lane should be removed as it appears to be drawn in error and was confirmed by officials from the EPSDD at the community meeting held on the *Draft New East Canberra District Strategy* held in December 2022. The current area shown on the map spans several rural properties that are either heritage listed (including "Mugga Mugga" managed by the ACT Government) or contain threatened native woodland under the EPBC Act.

It should be noted that a development application to subdivide a rural property north of Narrabundah Lane (DA-201835065) was originally refused by the ACT Government as it was deemed to have an unacceptable impact of the area including threatened native woodland under the EPBC Act. Based on this decision, it is unclear how the area could be subject to a land use change to permit a 'Sustainable Neighbourhood' that would result in a greater visual, environmental and heritage impact.

- **East Canberra District Policy:** The *East Canberra District Policy* should be updated to reflect the current situation in Symonston and Jerrabomberra. As mentioned above, the inclusion of a 'Sustainable Neighbourhood' north of Narrabundah Lane would contradict the requirement that "subdivision of existing leases is generally not permitted" in the area identified in RC2 and MT2/PD2 in Figure 5. The term 'generally' in Section 1.5 is ambiguous and should be removed to provide certainty around future land use in Symonston.

A development application to subdivide a rural property north of Narrabundah Lane (DA-201835065) is currently being considered by the ACT Government. If approved, it would create a dangerous precedent for the subdivision of rural land in Symonston and across the ACT. This has the potential to undermine the objectives of the *Draft New Territory Plan* and *Draft New East Canberra District Strategy* including the 'Blue Green Network'.

Section 1.5 also states the Mugga Quarry "will be developed in such a manner as to avoid breaking the skyline to the east and so exposing the quarry to the national area". The Mugga Quarry appears to already break the skyline and is exposed to the adjacent area including the Callum Brae Reserve. It should also be noted the Mugga Quarry does not appear to have a rehabilitation plan showing the progressive restoration of each section of the quarry and was recently found to be in breach of its environmental approval under the EPBC Act⁹. It is unclear how the Mugga Quarry can continue to operate beyond its current approval noting the ACT Government states it is located in "one of one of the largest, best-connected and most diverse areas of critically endangered Yellow Box–Blakely's Red Gum Grassy Woodland remaining in Australia"¹⁰.

⁹ Boral Pty Ltd, *EPBC 2018/8151 Mugga Quarry Overburden Expansion Project Compliance Report*, June 2021
https://www.boral.com.au/sites/default/files/media/field_document/2021%2009%2002%20EPBC%202018_8151%20Compliance%20report%20Year%202021_2021%20FINAL.pdf

¹⁰ ACT Government, *Callum Brae Nature Reserve*, Retrieved March 2023
<https://www.parks.act.gov.au/find-a-park/canberra-nature-park/callum-brae-nature-reserve>

Thank you for the opportunity to comment on the *Draft New Territory Plan* and *Draft New East Canberra District Strategy*. I would be happy to discuss this submission further with you or your officials at their convenience.

Kind Regards

[Redacted Signature]

[Redacted Name]

Callum Brae Rural Property

[Redacted Address Line]

Symonston, ACT, 2609

Figure 1: Threatened Species and Ecological Communities Listed under the EPBC Act

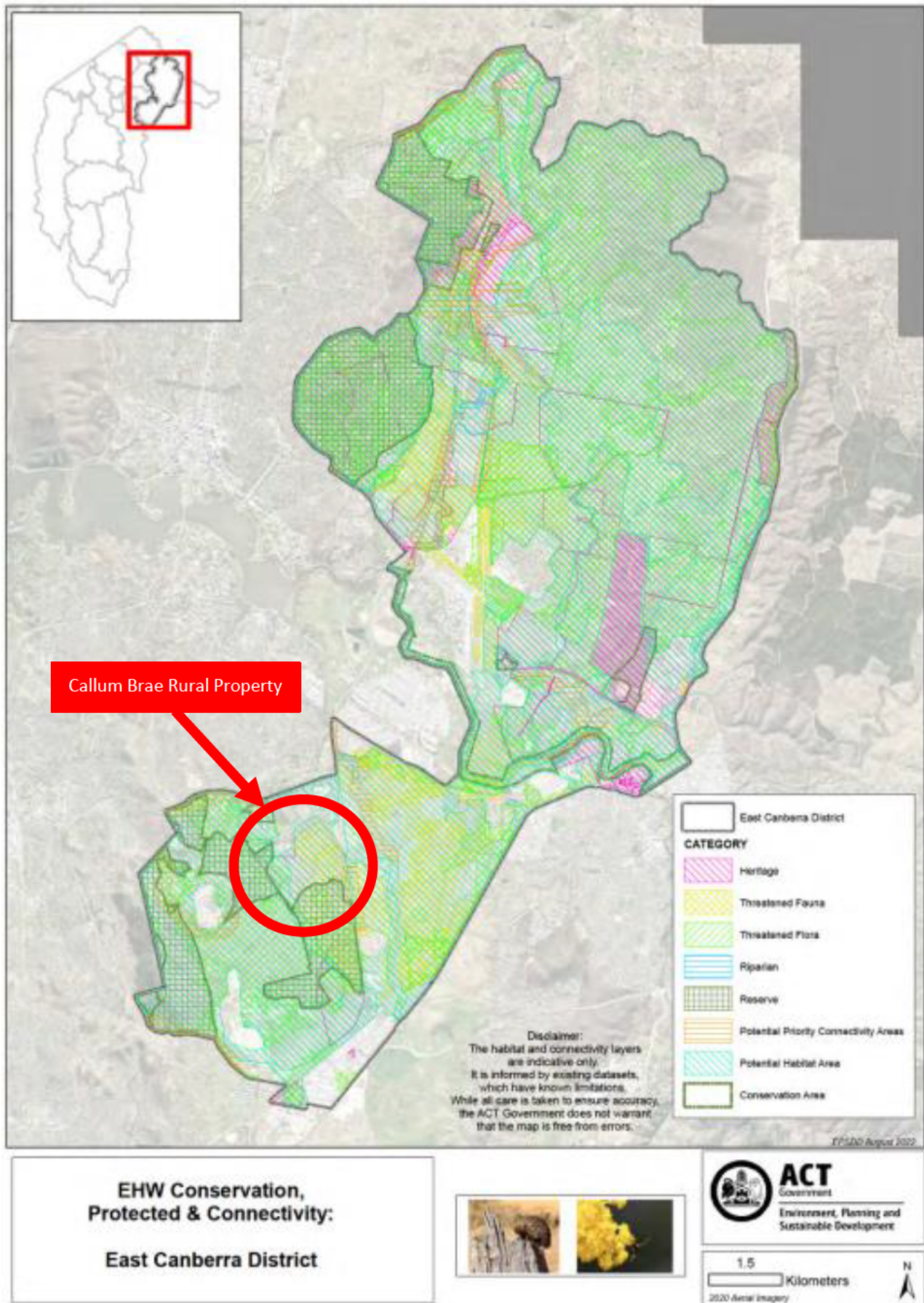
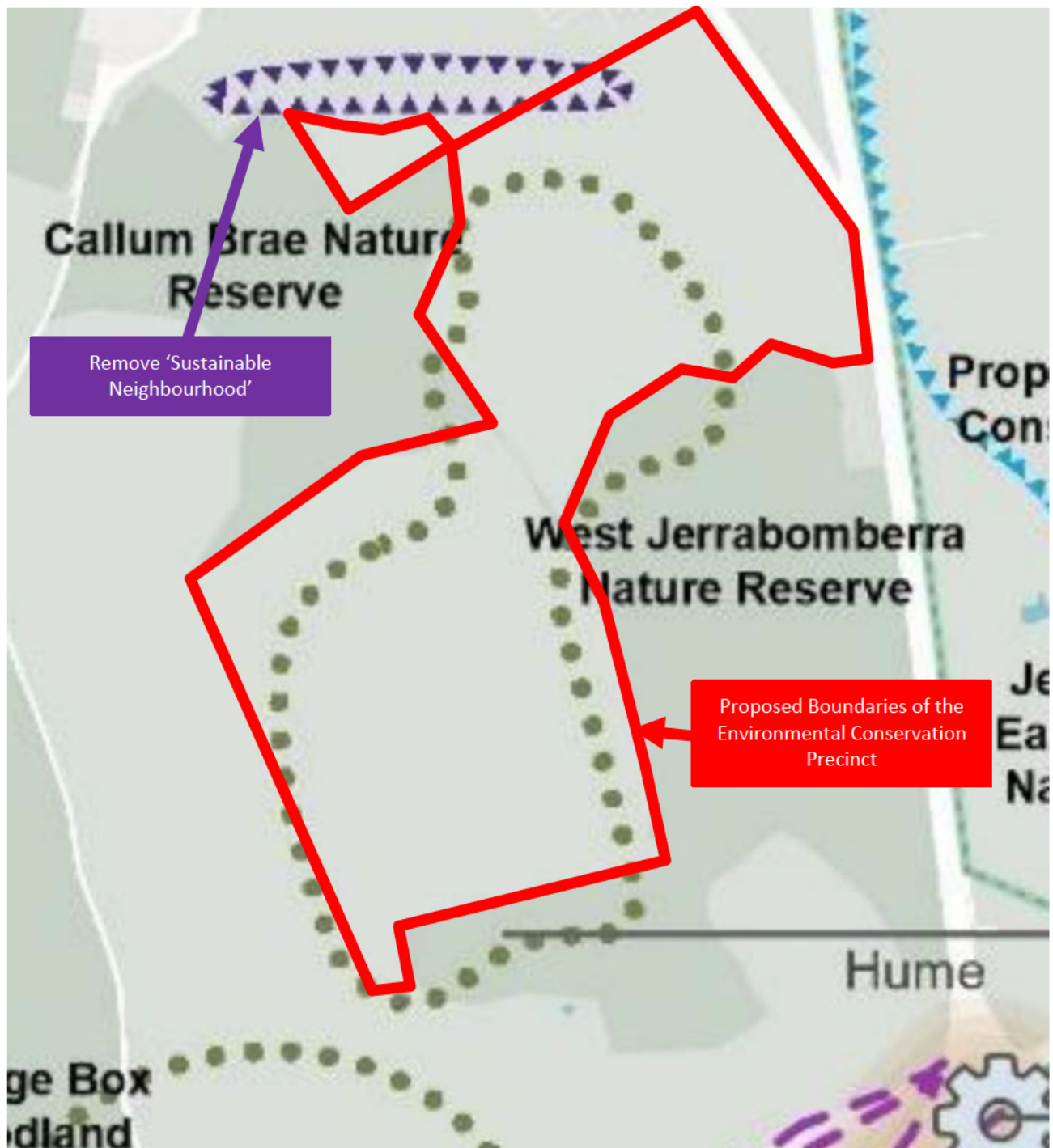


Figure 2: Environmental Conservation Precinct



COMMENTS ON THE PROPOSED CHANGES TO ACT PLANNING

Proposed Territory Plan

I do not support an outcomes-based approach. It is too subjective and be used to justify any development including those that impact negatively on neighbours and communities.

I am opposed to any reduction in required parking spaces in new developments. Despite the Government's wishful thinking, residents will still need cars. These will be parked on the streets with the associated safety risks.

New gas connections should not be banned. It is a decision for residents whether they want to connect to gas or not. It should not be a decision imposed on residents by the Government.

Draft District Strategy Inner South

I do not support the proposed Inner South District Strategy and in particular the increased densification of Yarralumla.

Yarralumla is currently mostly single residential blocks and low-rise townhouse developments. This allows for a garden city aesthetic which reflects Canberra's Walter Burley Griffin heritage and sets Canberra apart from other cities. The proposed District Strategy, with the introduction of multi-storey high-rise development and the rezoning of half of Yarralumla's single residential blocks to allow 6- storey apartments, will mean the loss of such heritage.

Existing and proposed development in Yarralumla will increase Yarralumla's population by 67% from 3000 people to 5000 plus an associated increase in traffic. Enough is enough.

Nor do I support Stage 2B of light rail. It is not an affordable solution to a transport problem that is ill-defined.

Draft Design Guides and Draft Technical Specifications

It is important that Design Guides and Technical Specifications protect existing residents' amenity including sunlight, privacy and the impact from traffic and parking.

If experience has taught us anything, enforcement of compliance with Design Guides and Technical Specifications should be conducted by ACT government employees, not by private sector certifiers paid by developers.

Conclusion

It would seem that the proposed changes to the Territory Plan and District Strategies, particularly the Inner South District Strategy is not about improving the quality of life and amenity of residents. Rather it is an exercise to justify increased density to provide patronage for light rail Stage 2B and increase revenue from development for the ACT government.

Most of the feedback on the proposed Planning changes is overwhelmingly negative. The Government would be wise to recognise this fact and respond accordingly by abandoning these proposals and starting again.



3 March 2023

DRAFT TERRITORY PLAN AND INNER NORTH DRAFT DISTRICT STRATEGY

COMMENTS

I welcome the opportunity to comment on current ACT planning proposals. My comments are both general and specific.

General

1. While the opportunity to provide comment on the proposals is welcome, I am less than confident that my input will be taken into account.
 - a. I have been actively involved in past consultations on developments in Downer, and believe that the ACT Government (from bureaucrats to politicians) are prone to find ways to avoid properly acknowledging input which they find inconvenient.
 - b. Thus in the development of the old Downer Primary School, the report on the pine trees along Bradfield St clearly indicated that almost all trees were in reasonable to good health, but somehow still recommended that all be removed as “senescing”.
 - c. Those trees were recognised in the consultation on the development as important in ameliorating the visual impact of the four story development.
2. It appears to me that planning rules in Canberra always seem to be changing to allow more and denser development – often before the actual regulations allow it.
 - a. Any previous planning restrictions are being wound further back.
 - b. This further erodes any confidence I once had in the integrity of the planning process, and thus Government.
 - c. It appears that the ACT Government wants to have more and more density in more and more places, and to “offset” this with “green corridors”. So there will be more and more concrete and less actual vegetation. The “Garden City” will be concrete jungles interspersed with green threads.
 - d. This will negatively impact on our biodiversity – our native biodiversity – as the corridors themselves will be surrounded by areas essentially impermeable to biodiversity.
 - e. Ironically, while we now have laws effectively restricting cat ownership, because of the impacts cats can have on our biodiversity, our native fauna will be reduced by development.
3. The proposals are, I believe, continuing to promote strong growth to Canberra’s current population.
 - a. There is no mention of the costs of a growing population – indeed some risks and costs are downplayed.
 - i. Canberra’s water supply is limited – we are technically still under Stage 1 restrictions. Yet the cost to water supply of more people is downplayed, despite our being a part of the Murray-Darling Basin, which as a result of over-allocation and climate change is facing severe and increasing water shortages.
 - ii. Even should Canberra use recycled water as potable water, the costs of this (minimum reverse osmosis treatment) do not appear to have been factored in.
 - b. This is despite at least one recent survey showing a sizeable majority of Canberra’s population do not want to see a larger city.
4. The formal comment process through the on-line form seems to require a good knowledge of the several voluminous and complicated documents.

- a. While a thorough consultation process is desirable, and entails complete information, there should be overview documents which are in themselves sufficient to allow competent feedback. The on-line comment form, however, makes references to elements which are not easy to find (such as the underlying parts of the UDG - Urban Design Guide).
 - b. The amount of unnecessary verbiage in the documents is really astounding. As an ex-Public Servant, I am used to wading through bureaucratic language, but this is beyond rational, and certainly unnecessary.
 - c. The maps provided (particularly for the District Strategies) are impossible to examine in detail – it seems impossible to enlarge them in order to see exactly where, for example, Future Investigation Areas will extend.
- 5. As an older Canberran, I feel that too much emphasis is laced on “active” transport, effectively sidelining cars. I depend on my car to minimise impacts on my body – walking long distance is not something I can do easily.
 - a. Public transport particularly in a Covid-rich environment, is not something I choose to use – and, for example, for shopping, is often impractical – lugging large parcels from train and tram stops to my house is again not possible. And the current bus time table is of even less use to me than its predecessor.
 - b. Existing City planning does not work for me. Civic is becoming effectively a place I now avoid. Shops and businesses I used to frequent I no longer visit.
- 6. I call on the ACT Government to initiate an open conversation with Canberra about how big our city should be, with an acknowledgement of the costs of more people, and uncontrolled growth.

Particular: Territory Plan

- 7. The Territory Plan implies that retaining having current suburban densities is bad practice. However,
 - a. People are more likely to walk if the environment around them is pleasant, such as in many areas of Downer, where gardens can be relatively large, and are often spectacular.
 - b. People do not just travel to shop and work. We travel for and to recreation.
 - c. Having more vegetation is healthier, for individuals as well as society as a whole.
 - i. Higher densities place more psychological stresses on individuals (with many mammals, but certainly including *Homo sapiens*).
 - ii. We literally are more at ease without lots of people in our immediate environment.
 - iii. Higher stresses result in more anti-social behaviour.
 - d. The current suburban environment is much healthier for the environment than the proposed denser suburbs
 - i. More habitat, for example, for birds and reptiles.
 - ii. Better water filtration and less water use
 - iii. The proposals for increasing density fly in the face of the stated priority for zero carbon.
 - 1. Removing trees and replacing them with more brick, concrete and tile (impermeable surfaces) is hardly helping achieve zero carbon emissions!
 - e. Reducing gardens will increase urban heat. Having tree canopies along streets is good, but nearly as good as having mature gardens as well.
 - f. Increasing subdivision reduces all these benefits.

8. The Territory Plan is also promoting deliberate reduced provision for cars. But people will still have cars, so there will be more parking on roads and still more congestion. And many people, particularly older people, need cars to maintain a reasonable standard of living.
9. This plan uses the words “without compromising the characteristics of the city we value” This is entirely deceptive: our current planning system of allowing developments, no matter whether they meet planning laws or guidelines has already compromised the concept of the “garden city”, and this Plan will only further damage this.
10. The Plan states its intent to “Locate urban density near commercial centres complemented with greenspaces. Consider concerns about high volumes, tall buildings, and development quality. Prevent negative impacts of densification on infrastructure and services. What about encouraging actual gardens?”

Particular: Draft Inner North and City Strategy (Section 5)

11. The “Future Investigation Area” for Downer is extremely large – (what detail is discernible in the maps) – encompassing nearly 50 % of the suburb, when we already have a very large high density development on the old Downer Primary School site, which is increasing our population significantly.
 - a. So perhaps one third to half of Downer will have high density housing. This is not acceptable to me as a long term Downer resident!
 - i. It will ruin the current character of Downer, with many beautiful gardens including extensive native vegetation with capacity for significant ecological habitat for native species.
12. Parking at the Downer Shops is already almost impossible at times; further density will only make this worse.
13. Active transport also means taking care of existing infrastructure - including footpaths. These do not exist on Edkins St Downer, and the footpaths along the small park between Edkins and Tardent Streets are very dangerous for users.
14. When looking at biodiversity and green spaces., the small park between Edkins and Tardent Streets Downer has great unused potential, with a variety of lower to upper storey plantings.
15. The Plan does not adequately recognise the importance of small green spaces - Diagram 25 fails to include the pocket park between Edkins and Tardent streets, or other pocket parks in Downer. Many of these small spaces also include well used children’s playgrounds.
16. Why is not Downer included in the list of suburbs with Garden City characteristics?
 - a. There is a large number of well kept gardens, and Edkins St for example, has heritage listed Red Oaks, which are much visited in autumn for their colour.
17. Figure 31 is so small as to be useless.

Yours sincerely

██████████
██████████
Downer
ACT 2602
██████████

[REDACTED]
Yarralumla ACT 2600
[REDACTED]

I was born in my home, here in Yarralumla, and have never lived anywhere else. I am an artist, and an independent person who has never needed any form of welfare, as I am frugal (which is an old fashioned word for sustainable in the truest sense). I am shocked by the ACT Planning Strategy, and very concerned.

The ACT Planning Strategy is one that makes me sick to my heart. It does not reflect the ACT and the Territory at all. It does not reflect my beautiful home, that my father built over 70 years ago. This is a multi generational home and one that I hope will continue to remain in my family for years to come. Your strategy (it does not reflect the ACT, to me so I can't call it that), is going to destroy my home. It's going to destroy my life, and that of my friends and neighbours many of whom I have cared for over the decades.

The Strategy does not reflect, nor understand the beauty of a simple garden, each one different, and reflecting the different interests of the owners. The Strategy does not respect, or understand, or comprehend, that many native species thrive in a light suburban setting, filled with bushland corridors. In Yarralumla we can see tiny wrens flitting between hedges, safe and protected, grass parrots, gang-gang cockatoos and even owls, in our gardens. Animals have rushed here for safety during drought, and bushfires, and to escape the destruction of their habitat in other suburbs - covered in high rises, as though you are trying to make some kind of extension of Sydney.

Why spend billions of dollars that taxpayers don't have, on something that they don't need - a tram. Why force people out of their homes, destroy thousands of families, and try and force us to live in tiny flats? I do not understand your plan. You say you are working 'in good faith' with 'best available data'. Well, I say you are not. You never consulted me, my family, nor my friends. Your data is strange, and clearly wrong - for example your documents say that you cannot cross the road on foot between Deakin and Yarralumla, but we do this all the time - there is a road that goes underneath Adelaide avenue. If your experts cannot even be bothered to walk, or go for a bike ride in the area - then they are also lazy, as well as poor liars. I doubt very much that they care about anything other than their pay.

I have never had good mental health, and the thought of what this plan will do, is making me feel several distressed and very disturbed. When I feel like this, I get comfort from the surroundings of my home, that I know and love, and I look to the support of my neighbors and I do not want to be chased out of my suburb by sky-high rates, or by forced eviction/buy-out by the government.

My friend's children and family go to Canberra Girls Grammar School, and I would hate to see part of this destroyed to put in place the tram. Your tram, and the plan, wants them gone.

I am not a big user of the internet, and until a few months ago, only ever used the library computer when I had to. I have asked my neighbor and friend to submit this for me.

ACT Government – New Planning Framework

We believe that the Proposed new planning framework and in particular the District Strategies / Specifications for the Inner South of Canberra:

- 1 Lacks any semblance of Integrity.
- 2 Lacks any transparency.
- 3 Is bereft of good practice consultation (as set out in the Section 11 of the Planning Bill 2022 itself).
- 4 Lacks sustainability (in a time of massive degradation of the planet due to climate change)
- 5 Creates unsustainable heat islands across the suburb of Yarralumla.
- 6 Completely ignores the western vista from the Commonwealth Parliament House.
- 7 Produces serious security implications for - the Parliament House, the Prime Minister's residence, the Governor General's official residence and the more than 40 diplomatic embassies in Yarralumla. This includes for foreign dignitaries transiting the suburb.
- 8 Will create significant transport and infrastructure bottlenecks and gridlock.
- 9 Completely destroys the current low rise and low-density "Burley Griffin" inspired design character of Yarralumla.
- 10 Lacks any evidence that the National Capital Authority has been engaged in the proposed changes. There is absolutely no consideration how these "planning changes" will impact on the National Capital Plan.
- 11 Ignores current and planned redevelopments of Yarralumla by imposing further unnecessary and excessive urban infill.
- 12 Is designed purely to densify Yarralumla to achieve patronage for a proposed (white elephant!) tram.
- 13 Could seriously compromise heritage listed Lake Burley Griffin, Foreign Embassies, and the Parliamentary Precincts.
- 14 Could destroy the current existing biodiversity of Yarralumla.
- 15 Could result in the need for compulsory land acquisitions being required to achieve large scale development and redevelopment consolidation, including construction of new roads.
- 16 Has no statutory basis in its enabling or supporting legislation to ensure sound urban planning is based on appropriate and fully appealable proper and considered legal decision making.
- 17 Enables the Chief Planner (and his fully subordinate bureaucracy) to make any/all necessary planning/development decisions devoid of any independent review, oversight, or even the legal consequences.
- 18 Provides for no Independent Review of decisions made under the proposed "Planning Framework".

19 Completely ignores the fact that the ACT Government is the largest landowner as well as the largest developer in the ACT. There is no independent oversight of this duopoly.

20 Is designed to enable high density / high rise development to be higher than the existing “tree top” canopy levels.

21 Completely ignores solar orientation required for a sustainable planet.

22 Ignores the privacy of existing owners.

23 Ignores the fact that Yarralumla ‘s current infrastructure is over 70 years old. Much of the current infrastructure requires considerable renewal already (as it has not been maintained appropriately by the current ACT Government) i.e., before “densification”. This applies to roads, stormwater runoff to lake Burley Griffin, sewage, footpaths, drains, urban forests, and suburban parks. “Densification” will have a considerable impact on existing infrastructure with the flow on effect to existing, as well as new residents.

In Conclusion

The proposed Planning Framework/District Strategies are nothing short of shambolic. They would not pass muster in any other Australian jurisdiction. This framework does not even meet basic (let alone good) legislative drafting standards. That this Planning Framework is even been considered in the ACT is very worrying.

These ACT Planning Policies and legislation have been developed in splendid isolation from its residents. But it is the residents who will pay a price for this unfolding and unmitigated disaster.

2 March 2023

Evaluation of Planning interpretations of Section 38, Blocks 4 & 5 Campbell with reference to the initial EPBC referral /DCP, Purdon Urban Planning Report through to the current proposed Doma development.

How does the site zoning align with the Territory Plan?

This original Abacus DCP referral site comprised Blocks 4 & 5 Section 38 Campbell and **Part Block 4 Section 63 Campbell, ACT. Purdon and Doma have revised the original Abacus DCP and removed Section 63 Territory land. Section 63 would have required assessment under the Territory Plan.**

“The Territory Plan does not apply to land within Designated Areas. In all other areas, and within the framework of the Plan, the Territory Plan will guide the day to day planning and development of Canberra and the Territory.”

The ex-CSIRO / Doma site is **not** classed as designated national land by the NCA so it should have been guided by and follow the Territory Plan. The site is not suitable for RZ5 development as a designated site (Inner hills) and does not meet the Territory Plan criteria for RZ5 if not designated.

If it was assessed as they first proposed in the DCP referral-(ACTPLA) now known as ACT Environment, Planning and Sustainable Development Directorate (EPSDD) would have become the consent authority for lease administration and development approval. This was clearly expressed in the DCP referral as below:

The 14th of May 2014 DCP referral was submitted by Abacus with the proposed action to **seek approval from the ACT Government** for medium and High density residential and commercial development of Blocks 4 & 5, Section 38 Campbell, and two adjacent parcels of public land on Limestone Ave Campbell ACT. *A Territory variation will be required prior to the implementation of the proposed development* as below:

Referral of proposed action

Project title:

1 Summary of proposed action

1.1 Short description

The existing Crown Lessee (owner) is seeking approval from the ACT Government to permit use of the site for medium to high density residential and commercial development on Blocks 4&5 Section 38 Campbell, and two adjacent parcels of public land on Limestone Ave, Campbell ACT. The proposed action comprises:

- the construction of approximately 600 residential apartments in multiple 2-6 storey buildings,
- Upgrade the existing access road on the eastern side of the subject site including an improved intersection to Hayley Street and Quick Street, and Construction of a new public access road through the site providing access to individual land parcels and Campbell High School (the latter for set-down and pick-up traffic); and
- Entry/egress is provided to Wolseley Drive and Limestone Avenue.

A Territory Plan Variation will be required prior to the implementation of the proposed development, which is a process independent of this referral.

2.4 Context, planning framework and state/local government requirements

Any works on the site require the approval of The National Capital Authority (NCA) **unless** the lease is transferred to Territory Land under which the EPD would become the consent authority for lease administration and development approval.

The 14 May DCP referral stated -*The site is not Territory land at this point. A formal application for a Revocation of Declaration of National Land under the Australian Capital Territory (Planning and Land Management) Act 1988 and the Acts Interpretation Act 1901 will be made by the lessee prior to rezoning.*

The removal of Section 63, Block 4 (which is in the Canberra Nature Park) has supposedly alleviated the requirement for assessment under the Territory Plan. However, it is now incumbent on the ACT EPSDD further to being informed that the proposed development will impact on the adjacent site that they (EPSDD) are now required to thoroughly review the impacts on the adjacent land use under both the National Plan and Territory Plan.

It should be noted that the original Abacus proposal had some better community outcomes than Doma's present proposal:

In the Abacus site proposal, it would contain communal open space including an area of native temperate grassland and rock outcrops, as well as a public road reservation. Adaptive re-use of the existing CSIRO Headquarters building for alternative land use. Construction of a new public access road through the site providing access to individual land parcels and Campbell High School (the latter for set-down and pick-up traffic).

Why did the NCA or ACT Government (whose Campbell High School drop off zone will be impacted) not insist that these planning measures were to remain with the Doma proposal?

From page 10 of Purdon Planning Report 2014

The site is not Territory land at this point. A formal application for a Revocation of Declaration of National Land under the Australian Capital Territory (Planning and Land Management) Act 1988 and the Acts Interpretation Act 1901 will be made by Abacus subsequent to rezoning.

Abacus had initiated action with the National Capital Authority (NCA) and Commonwealth Department of Finance to transfer the Crown lease to the Territory. This will have the effect of making EPD the Consent Authority for the redevelopment.

What has the EPSSDD (ACT Government) done about this initial approach to be the Consent Authority, and to assess the impact?

Purdon Planning have proposed all the zonings and they have gone through uncontested by the NCA and the ACT Government. Even though the development does not comply with the National and Territory Plans. The land use zoning needs to be transparent. Especially the adjacent ACT Government Territory land controlled and shown as TAMS – Vacant other. The correct land tenure is Blocks 2 & 3 Section 60 Ainslie are zoned **Hills, Ridges and Buffers** as are **Block 4 & 5 Section 63 Campbell**.

As the Hills, Ridges and Buffers of Mt Ainslie are a primary planning criterion integral under the Griffin composition being the Inner Hills. It is a requirement under the Plan that they be classed as designated and treated as such. The NCA have not assessed the development under their own criteria as being on a Hills, Ridges and Buffer zone.

From the National Capital Plan, section 3.2.4.1

*“The Inner Hills provide the scenic backdrop and natural setting for Canberra’s urban areas, and within Canberra Central they are integral to the Griffins’ composition. Accordingly their planning, design and development as open space areas are central to the maintenance and enhancement of the character of the National Capital. **Including these areas within Designated Areas is the most appropriate way of securing this.**”*

Why has the NCA not included the Foothills development as designated?

Doma advertise the site as “The Foothills an elevated experience”. The site conforms with section 3.3.3 of the National Capital Plan. **The NCA did not comply with section 3.3.3 when making its Works Approval Decision, such a failure amounts to an error of law which is a ground of review under paragraph 5(1)(f) of the ADJR Act.**

Paragraph 3.3.3(d) requires hills, ridges and other open spaces to be kept largely free of urban development. The whole “The Foothills” site is planned for oversite excavation and is a high density fully urbanised inappropriate use of the site according to the National Capital Plan.

Figure 2-3: Land Tenure

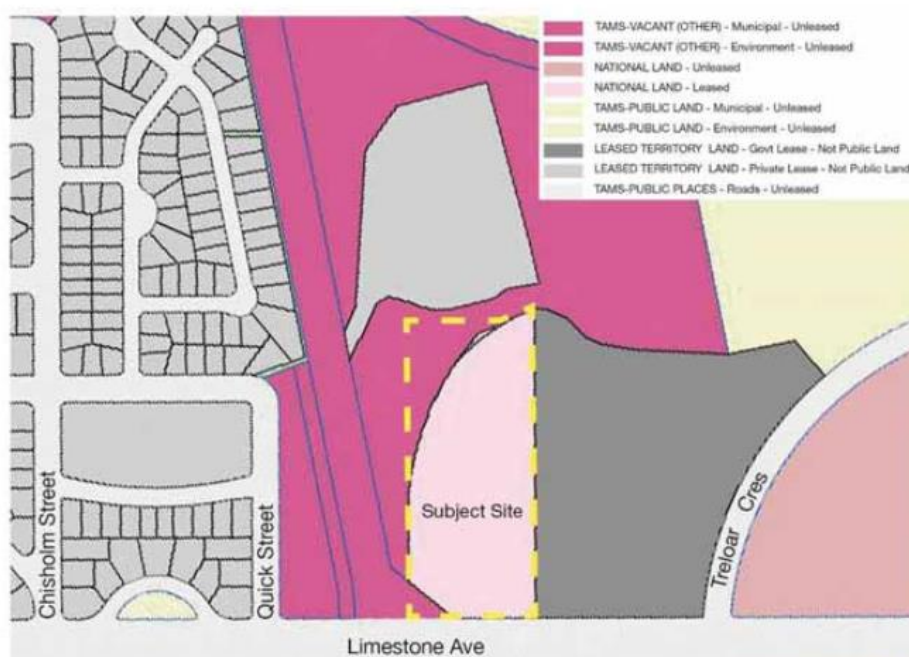


Figure 1-4: Proposed Zoning



ACT Government up till about 10 months ago were saying that Blocks 2 & 3 Section 60, Ainslie and Block 4 & 5, Section 63, Campbell were National land and not their responsibility- and there was nothing they could do about protecting it. This was coming directly from the Chief of Staff of Minister Rattenbury getting that advice from City Services (TCCS).

The use of terminology “TAM’s Vacant other” lessens the impact of a development being built on and adjacent to land that should be referred to as a Buffer zone to Mt Ainslie. This needs to be reassessed now under the correct land use- Hill, Ridges and Buffers by both the NCA and ACT Government Planning under the full legislated planning assessment criteria.

The land immediately adjacent to the CSIRO site includes several categories of Territory custodianship as shown on Figure 2-3 above. It refers to TAMS vacant other- when it should have been correctly referred to as “Hills, Ridges and Buffers”- vitally important under the Griffin Legacy that both the National Plan and Territory Plan must adhere to. The Purdon Planning report refers only to select positive (Blue) references of the ACT Planning Strategy 2012. This unbalanced assessment is misleading as it does not refer to negative (Yellow) planning components of the proposed development which under full transparent assessment is required:

2.11.4 ACT Planning Strategy 2012

The ACT Planning Strategy 2012 is a document that intends to guide direction of development in Canberra for the next 17 years. It highlights 9 strategies and actions to make Canberra a more sustainable city by the year 2030. The first two of these strategies is to create a more

compact and efficient city focussing on urban intensification in the city, town and group centres

and increasing mobility in these areas. (Even the positive references are hard to substantiate.)

The key strategies are listed below:

_ Create a more compact and efficient city (Not appropriate planning for a development on Hills, Ridges and Buffers on the Foothills of Mt Ainslie. Development is over 1 km from the City Centre)

_ Improve mobility (Creates traffic chaos with Limestone Ave and only 1 public transport bus every hour)

_ Provide more cost effective and affordable housing (Exclusive gated community- no affordable housing)

_ Ensure a range of facilities are available for everyone (Exclusive gated) (Removes community access to Campbell High amenities)

_ Provide safe and vibrant urban parks (Removes access to Mt Ainslie and damages access to reserve removing all flora and fauna and volcanic outcrops from the site)

_ Invest in design that will add to Canberra's landscape design and be diverse, sustainable

and add to amenity (Removes all the natural landscape and creates a 90% hard surface footprint)

_ Designing and incorporating clean technology into local infrastructure (Removes existing CSIRO HQ building that could have been repurposed- design does not compromise for any natural outcrops or existing trees and design creates shading to residents across Limestone Ave till 9.30 am- poor design)

_ Value the land and natural resources of the region (Complete opposite-it destroys the landscape and will scar the Mt Ainslie view)

_ Become a more prosperous region by improving travel and communication networks to create opportunities for a range of new enterprises. (Detracts from traffic flow and provide less employment. What could have been an employment option for the site was overlooked to satisfy developers wishing to capitalise on the residential dollars for their profit- not long-term jobs. The site could have had the use of the excellent existing facilities i.e. bio tech or other associated science use as its zoning allowed.)

The attempted justification for the development meeting the ACT Planning strategy of 2012's criteria was really stretching the planning realities and makes some highly contentious statements such as:

2.11.7 Territory Plan

The Territory Plan sets out the land use, urban design framework and statutory planning controls for Canberra, including the subject site. Blocks 4 & 5 of Section 38 are zoned CF (community facilities) use under the Territory Plan whilst the balance of the site is zoned NUZ3 (non-urban hills ridges and buffers). Refer Figure 4-2.

Assuming the land will be transferred by the Lessee, from a Commonwealth to a Territory lease

as part of the rezoning process, EPD will be the consent authority for the proposed redevelopment of this site.

It is proposed to change the status of the subject site to an RZ5 and CZ5 zone.

2.11.8 Statement of Strategic Directions

The Statement of Strategic Directions forms part of the Territory Plan and sets out the principles for giving effect to the main object of the Territory Plan as required by the Planning and Development Act 2007.

The EPD 'Scoping Document' (submitted with this application) requires an assessment against the principles outlined in the Statement of Strategic Directions. The principles include:

- _ Sustainable Development Principles*
- _ General Principles*
- _ Environmental Sustainability*
- _ Economic Sustainability*
- _ Social Sustainability.*
- _ Spatial Planning and Urban Design Principles*
- _ Urban Areas*
- _ Urban Design.*

Other matters controlled by the Territory Plan include:

- _ Zoning objectives & permissible uses*
- _ Additional merit track development*
- _ Building heights*
- _ Building setbacks*
- _ Plot Ratio, etc.*

2.11.9 Campbell Precinct Map and Code

With regard to the subject site, retirement village and supported housing are prohibited.

2.11.10 Greater City Centre Co-ordinated Action Plan

The Greater Canberra City Area - Coordinated Action Plan 2010-2016 (Action Plan) has been

adopted by the ACT Government to direct short-, medium- and long-term projects. The subject site is within the area covered by the Action Plan.

These are the points that Purdon has stated that the proposed DCP are supposedly addressing:

These targets work to build on the objectives which underpin the development of the subject site including:

- _ Help improve Canberra's environmental footprint (Destroys the environment)***
- _ Optimise the utilisation of existing transport and other infrastructure (Creates a terrible traffic pathway onto Limestone Ave and will impact Campbell High School and the AWM)***
- _ Maintain existing high levels of accessibility and functionality (Gated community cuts off access)***
- _ Cohesive and robust urban design and public realm improvements (Poor design and loss of public realm and environment)***
- _ land releases and new development that support the growth and changing needs of Canberra's 'vital heart'. (Vital heart- Bush capital Hills, Ridges and Buffers will impact on the Griffin landmark axis of Mt Ainslie)***

The original DCP conflicted directly with the Griffin Plan and the Canberra Nature Park Plan of Management

2.11.12 Canberra Nature Park Plan of Management

Section 63 is located within the Canberra Nature Park and therefore must comply with the 'Canberra Nature Park Plan of Management'.

The purpose of this Plan of Management is to ensure that the natural open parkland of Canberra's hills and ridges are preserved. It references the unique nature of these open parklands close to urban environments and the importance of protecting endangered flora and fauna.

The adjacent ACT Territory controlled land (Hills, Ridges and Buffers) will definitely be impacted if the development and proposed landscaping went ahead- so the development is contrary to the National and Territory Plans.

Justification for the Proposed Territory Plan Variation was a terribly flawed inaccurate assessment and included:

The site has never been used for community purposes even though it has a CF zoning. This is obviously incorrect. Access and drop off to Campbell High School was and still is a daily occurrence and access to the tennis courts and basketball courts was and is extensively used, especially after school and on weekends. The community regularly access this pathway to the AWM , Campbell High and path to Mt Ainslie.

High density residential use is appropriate for the site given its proximity to the city centre, public open space, and public transport. The site also has attractive views to surrounding areas. It is over 1 km from the city- does not meet Territory criteria- one bus service and the site is Hill, Ridges and Buffer zone and does not meet RZ5 high density residential zoning criteria.

Minimal environmental impact. Complete impact- oversite removal of vegetation and volcanic outcrops

Attempted alignment with the Griffin Legacy

Griffin Legacy

The Griffin Legacy was prepared by the NCA as the 'blueprint' for the future development of the central national area of the capital. One of the key aspects of the Griffin Legacy is an emphasis on the intended role of the main avenues as:

"...primary corridors for public transport and dense mixed-use development with the vibrancy, elegance and pedestrian character of the boulevard. "

The proposed rezoning to allow higher density residences and some supporting commercial/retail activity will contribute to mixed-use development and enhance the pedestrian character of the boulevard.

The Doma's re design has no mixed use- no commercial development, it is a gated exclusive residential development that excludes pedestrian flow to the Mt Ainslie and Campbell High and impacts on the Hills, Ridges and Buffer zone required under Griffin's plan

FROM THE NATIONAL CAPITALS DESIGN REVIEW PANEL'S CRITIQUE Wednesday 10 April 2019

The Key Issues and Recommendations provide detail advice to the proponent, consistent with the above recommendation.

To achieve the best possible design outcome for the proposal, the proponent is encouraged to consider the following issues through the next stages of the design development:

1.0 Site context and the Bush Capital

1.1 The panel considers that the sites location and surrounding context provides the opportunity to acknowledge and reflect the 'Bush Capital' character of the hills and surrounds. To achieve this, the panel strongly recommend that the proponent undertake a visual analysis of the site to inform how the proposal could better respond to the landscape context.

1.1.1 At the macro level, the visual analysis should identify significant views into and out of the site (such as views to the site from Red Hill, Black Mountain, O'Connor Ridge) with the proposed development superimposed to further understand the visual impact of development on this significant site and how it relates to its context. The visual analysis will also assist to better understand the sites topography, landscape character and opportunities to lift building heights in appropriate locations across the site.

1.1.2 At the macro level, a visual analysis is recommended to be undertaken to demonstrate how the proposal relates to nearby significant sites, including the War Memorial, and how the development can provide a transitional landscape from Mount Ainslie and to the suburban area of Reid. In terms of the landscape, the panel appreciates that there have been some references to native plantings, however the site would benefit from drawing through the native landscape from the foothills of Mount Ainslie further into the site to create a 'blending' of the surrounding landscape at the edges of the site. The current strip of perimeter native landscape is considered to be more of a token gesture, rather than providing an appropriate response to the site context.

1.2 The panel consider that the inherent qualities of the site have not yet been realised in the proposed landscape design, specifically retention of the large remnant eucalypts and the existing limestone outcrops. The panel recommend that the proponent further explore opportunities to integrate these existing site features as part of the common open space network through the site. Additionally, opportunities to provide a more integrated transition planting at the edge of the site should be further explored, investigating how existing trees could be retained on the site and integrated as part of the open space network.

3.0 Sustainability and solar access

3.1 The panel supports the proposed arrangement of the two apartment towers to Limestone Avenue, noting the increased solar access to Limestone Avenue road reserve, protection from the south-west winds, good solar orientation and provision of vista opportunities between the buildings. However, the panel note that the solar diagrams illustrate the solar access to the single residential development on Limestone Avenue (Section 18 Reid) from 9:30am. The proponent is requested to demonstrate the overshadowing from 9am and to further engage with the lessees. Given the size of the site and opportunities for a range of development types, the panel does not support overshadowing of the adjacent existing houses on Limestone Avenue, as tested on the winter solstice from 9am.

For National land that is outside of a designated area the National Capital Plan stipulates that Development Control Plans are to meet the following requirements:

1. Adverse environmental impacts from on-site developments, on adjacent land and development, must be identified and redressed to the extent practicable.

The impact on the surrounding NTG and Volcanic Outcrops on the adjacent land under the ACT Government's Territory Plan which is under Heritage consideration will need to be adhered to. There is current encroachment on the adjacent site and incompatible landscaping next to a NTG and the Doma site removed endangered species and outcrops associated with the biodiversity of the adjacent site which is the last remnant grassland in contact with Mt Ainslie.

- The Inner Hills forms part of Designated Areas, however it is also part of the broader Hills, Ridges and Buffer Spaces land use category of the National Capital Open Space System (NCOSS). In treating Hills, Ridges and Buffer Spaces as a whole, provisions for the Inner Hills are located with other policies for this area in Part Three of the Plan.
- Development within the Central National Area as defined in this part is also guided by a series of general principles (derived from 'The Griffin Legacy Propositions') and detailed conditions of planning, design and development applicable to all precincts within the Central National Area.

The following general policies will form a basis for planning and urban design decisions for the Central National Area, its landscape setting and approaches. These include:

1. Protect the Griffins' vision by:
 1. fostering recognition of the 1918 Griffin Plan as a work of national and international cultural significance, and conserve those elements that contribute to this

significance in a sustainable manner whilst allowing for the evolution of the city in contemporary terms

9. maintaining the metropolitan structure principles of Canberra's planning legacy of environmentally balanced urban extensions: design with nature; undeveloped hills and valleys; landscape containment and greenbelts; low traffic congestion; long-term public transport reservations; provision for walking and cycling; and protection of the Central National Area

***No review recommendations were accepted by the developer.
What is the point of the NCA design review?***

Regarding Cultural and Heritage Assessment (From the EPBC referral)

A **desktop cultural heritage assessment** (indigenous and historical) was conducted during November 2010 by Biosis Research and updated in September 2013. (Attachment E). The assessment included searches on the ACT Heritage Register to identify previously located sites in the area and surrounds and background research into archaeological studies undertaken in the surrounding areas. **No consultation has been undertaken with the local Aboriginal Community through the Registered Aboriginal Organisations (RAOs) for this project.**

ACT Heritage Unit's incorrect assessment in 2012

Regarding the utilisation of *ACT Heritage Register to identify previously located sites in the area and surrounds and background research into archaeological studies undertaken in the surrounding areas.*

When enquiries were made to ACT Heritage Unit regarding the original proponents of the 2012 Nomination of the Ainslie Volcanics to the ACT Heritage register, feedback from the ACT Heritage Unit was **that the original application was lost, and they could not identify the proponents. This is a completely unsatisfactory explanation and requires an inquiry as to process and capabilities of the ACT Heritage unit. An ACT Heritage nomination at that point of time would have provided extremely significant protection of the environment and heritage.**

To further complicate and limit heritage nomination of the Ainslie Volcanics, the ACT Heritage Unit had not undertaken a thorough assessment of the correct title of the land that the Ainslie Volcanics were located on. The ACT Heritage unit statement of not reregistering the Ainslie Volcanics nomination **relied on the incorrect assumption** that : *"The land is located on National land, and as such the Heritage Act 2004 does not have direct effect."* As below:

Heritage (Decision about Provisional Registration of CSIRO Limestone Avenue Boulders, Campbell) Notice 2013

Notifiable Instrument NI2013-499

made under the

Heritage Act 2004, s34 Notice of decision about provisional registration



ACT Heritage Council

STATEMENT OF REASONS

DECISION NOT TO PROVISIONALLY REGISTER CSIRO LIMESTONE AVENUE BOULDERS (Block 4 (part) Section 38, Campbell) IN THE ACT HERITAGE REGISTER

The Council has decided, at this stage, not to enter CSIRO Limestone Avenue Boulders, Campbell, in the ACT Heritage Register because:

The place is located on National Land, and as such the *Heritage Act 2004* does not have direct effect.

The Council has not formed a view about the heritage values of this place.

The Council will encourage the Commonwealth to assess the potential heritage values of this place and, if justified, to recognise and protect the place.

The ACT Government have continually held the mistaken belief as to the ownership of the adjacent blocks to Doma's were also National land. It is clearly Territory land. The ACT is responsible for the Hills Ridges and Buffers land which does contain half of the Ainslie Volcanics. The ACT Government have repeatedly said for many years that the site of the Ainslie Volcanics was all on National land and beyond their jurisdiction. This is clearly incorrect

The report on the likely Geoheritage- the Cresser report, was used as a personal assessment/ opinion by Cresser relating to the **likely relevance** to the ACT Heritage Act of 2004. This document was not assessed by the ACT Heritage Council. The Cresser report has subsequently been widely critiqued and has been superseded by subsequent full Geo heritage appraisals that have been sent to the ACT Heritage unit.

Under the ACT Heritage Act 2004, a place has heritage significance if it meets one or more of the criteria in appendix 6. Cresser mentions in his 2011 report for the developer that the Ainslie Volcanic site **meets two of the criteria for selection-** I and J. It has been now articulated by further reports that it meets b,d, f, e, h and k comprehensively. As it includes Aboriginal , aesthetics, education, uniqueness of the Devil's TORs Dactic Tuff from several ANU sources and the Huon studies (the Tuff are boulders located on the ex CSIRO site), the ANU core sampling and geology dating studies go back 60 years of onsite education and history as the first quarry for St John's Church and School in nearby Reid, pre dates the formation of Canberra - Canberra's oldest church and School going back to 1841.

ANU and earlier geologists such as Henderson (not included in Cresser's report) in contrast to Cresser stated the Ainslie Volcanics on and adjacent to the CSIRO site especially the TORS were notable features: From GMA Henderson 1986 Commentary on the Central Canberra 1:10 000 Engineering Geology Sheet, Australian Capital Territory:

Under notable features

Outcrops of Ainslie Volcanics

Mount Ainslie is the type locality of the Ainslie Volcanics. The various volcanic rock types are exposed in many places around the mountain. Among the more interesting features are flow banding in dacite at the intersection of Treloar Crescent and Fairbairn Avenue (GR 212900F, 603700N), tors formed by

differential weathering near the CSIRO Head Office building (GR 212200E, 604450N), and agglomerate about 400 m northeast of the Australian War Memorial (GR 21 2953E, 604250N).



Above: Dacite of the lowermost flow of the Ainslie Volcanics (Middle Silurian) near CSIRO Headquarters Building, Limestone Avenue (co-ords 940.950); the western slope of Mount Ainslie is in the right of the picture (BMR neg. no. M2450/33).

Henderson G A M 1981. Geology of Canberra, Queanbeyan and Environs – Notes to accompany the 1980 1:50,000 geological map. Bureau of Mineral Resources, Geology and Geophysics, Canberra.

The Ainslie Volcanics Geo heritage status has now been shown comprehensively to be **Nationally significant** by no less than three major Geo heritage reports including one by Professor Margaret Brocx the Convenor of the standing committee of Heritage of the Geological Society of Australia, who has stated that the Ainslie Volcanics have national significance.

These Heritage irregularities and determinations require immediate reconsideration by the ACT Government.

Likewise, the NCA have failed to acknowledge and address the Geo heritage reports that supersede Cresser by Seminuik, Huon and Brocx and this must be rectified.

Regarding the current ACT Heritage nomination for the Ainslie Volcanics and adjacent grassland. Why is it that an urgent submission of nomination of land threatened with imminent destruction which was made to the ACT Heritage Unit in July 2020- (was not accepted till November 2020)- Over two and a half years that the Heritage application was submitted. There has been no feedback or discussion on the sites Heritage values.

Shane Mortimer submitted his ACT Heritage nomination document for the Ainslie Volcanics site including the adjacent NTG, Corroboree Park and Mt Ainslie to be recognised for their First Nation significance, Geo heritage, pre and post European history and aesthetic beauty, in July 2020.

The ACT Heritage website states *"Basically, heritage is anything from the (recent or distant) past that we want to keep for current and future generations"*



This is a picture from the St John's Reid School building museum- taken in 1910. The photo was taken from the very site the developer now has been authorised to put two 8 storey building on the site.

After numerous scholars, archaeologists, geologists, environmental scientists, historians including the National Trust, First Nation specialists (including the Navin Officer report) who have found artefacts on the site and along with three Geo- Heritage reports of the highest order that state that the site is of National significance. When will this nominated site be ACT Heritage listed?

The ACT Heritage Act states that Aboriginal land is deemed to be automatically listed and registered. The Heritage Act of 2004 also states that if a site is in imminent danger under *Section 62 of the **Heritage Act***, the Council may give the owner, occupier or a person whose work affects a **heritage** place or object a **heritage** direction when there is a serious and **imminent threat** to the **heritage** significance of a place or object.

With the information before the ACT Heritage council, there was a duty under the Heritage Act to issue a directive to stop the Doma development impacting on the Ainslie Volcanic nominated site.

Regarding the in-place MOU to **preserve the Ainslie Volcanic NTG** that is on and adjacent to the Doma site as described :

From Dr Maxine Coopers report in relation to the CSIRO site:

The National Land is managed by the CSIRO and there is a memorandum of understanding between the ACT Government, the Australian Government Department of the Environment, Water, Heritage and the Arts and the CSIRO, which was signed on 7 September 1998.

What has changed since the Doma occupation of the site to the protection and preservation offered to the NTG under the MOU? Has there been discussion with the signatories on the need to uphold the MOU, to save the remnant NTG, especially of the adjacent reserve?

The adjacent reserve (Hills, Ridges and Buffer zone) has now been put forward to the Minister for Environment and Heritage, Rebecca Vassarotti to be renamed The Nadya Ngambri Reserve:

In recognition of the hard work for the last 12 years that Shane Mortimer has put into preserving this site and as the direct descendant of Nadya Ngambri, who was given to and brought James Ainslie to this site in her Country in 1825, it is appropriate that the un-named reserve at the corner of Hayley & Quick Streets, Ainslie be named- The Nadya Ngambri Reserve. I reference linguists Prof Jaky Troy and Dr Harold Koch in this respect. I have also discussed this with residents and have included Shane Mortimer in this email.

It would be appreciated if the ACT Heritage unit would carry out the due diligence and discuss with linguists Prof Jaky Troy, Sydney University, Dr Harold Koch, ANU, along with AIATSIS on the background heritage and correct spelling and pronunciation and veracity of this remarkable women. The telling of this history is of national importance as it is the historical union of this incredible first nation women and the founding of the European settlement on the Limestone Plain which took place in this vicinity. It is fitting that at last that Nadya (Dya) Ngambri be recognised.

The National Plan Act sets out the objective of the Plan which is **'to ensure that Canberra and the Territory are planned and developed in accordance with their national significance'**. The failure of the NCA to assess the significance of the site needs to be challenged.

It is truly hoped that the nominated ACT Heritage listing be upheld and the proposed development at the very least is amended to reflect the need to preserve this precious environment. Process and procedures of the NCA and ACT Planning need to be scrutinised for misfeasance.

ACT Planning Review

The proposed delegation for approval to the Executive director as the pre-eminent Planner to assess final approval, needs to be examined considering recent approvals and lack of assessment, as major oversights in planning have taken place. The current Doma ex- CSIRO HQ site is a prime example that I request be looked at as an example of flagrant departure of heritage and environmental planning and is in breach of the existing Territory Plan guidelines. The ACT government Land Development Agency not correctly complying with the Territory Plan in the scoping study for the CSIRO HQ development site needs to be reassessed for misfeasance, the failure and sacking of the Heritage Council and the recent approval of the Meriton apartments <https://the-riotact.com/privacy-out-the-window-as-meriton-rises-centimetres-from-park-avenue-apartments/575059> are examples that make me have little confidence in the current planning regime. **A separate Independent Design Review Panel (IDRP) should be utilised not a Ministers call in or delegation to the Chief Planner** as suggested in the review, especially given the recent extremely poor planning examples provided. Some transparency and accountability need to be undertaken by the Minister and Director of Planning. An investigation needs to explore misfeasance and competency. Please refer to document attached- which raises the question of the competency of the existing ACT Planning regime.

I am very concerned about the new Planning measures and the further encroachment on the Hills, Ridges and Buffers as set out with the Griffin Legacy. Future Planning changes to facilitate increased inappropriate development by changes to the Territory Plan need to be scrutinised and I also ask that the **NCA be held accountable to the Territory Plan as they have approved in the case of the CSIRO HQ site a development that does not meet the Territory Plan objectives.** I have previously put forward a request to have ACT Planning consider the following points in its review regarding the development of the ex-CSIRO site and this is pertinent to any intended changes for the current Planning review being undertaken by Ponton and minister Gentleman.

The review needs to urgently take place and examine measures regarding the ex-CSIRO HQ site that conflicted with the current Territory Plan and address the inherent issues involving the ACT Land Development Agency or other parties involved with the initial scoping study approval. **A restructure of the Planning relationship with the NCA needs to urgently take place. One simple measure that can be done is to make the NCA Design Review Committee which is jointly shared between the ACT government and the NCA, a strongly independent bilateral approval panel for Works Approval, assessing compliance, and requiring signoff of approved mandatory changes and recommendations by both parties especially dealing with non-designated development sites, which the ex -CSIRO HQ site was.** When I raised the question of why none of the Design Review Committees recommendations were accepted by the developer for implementation, Andrew Smith the NCA Chief Planner said the developer was under no obligation to accept them. So, what is the purpose of the combined NCA Design Review Committee offering recommendations? The unilateral sign off by a development compliant NCA is a sad joke, wasting time and money. There must be in the future be a bilateral approval to the Territory plan **with appropriate planning assessment.** The overdevelopment and impacts to traffic, Campbell High and the local community are already the ACT governments problem and will only be getting worse when the Doma development is completed.

The District planning for the Inner North and City needs to be more expansive and include the Hills, Ridges and Buffers and discuss the prominence of Mt Ainslie (once listed on the National Estate Register). Heritage status needs to be given to Corroboree Park and the remaining Ainslie Volcanics incorporated into a reserve. The Ainslie Volcanics and NTG reserve have been nominated for Heritage approval over two years ago and I have put forward the naming of the NTG reserve in the document attached, with no feedback and now the Council has been disbanded, which shows the

parlous state of ACT Planning. Heritage and Environment have been very poorly enforced and this is a real concern that the ACT Planning review needs to face up to.

While Sullivans Creek remains a focus in the District plan, so should the remaining NTG in contact with Mt Ainslie. The District plan states, *Sullivans Creek remains a focus and thrives – as the major bluegreen corridor for the district. Linkages between reserves, open space and Garden City precincts have been enhanced for people.* This is a good initiative but would be enhanced by renaming Sullivans Creek to Kambri Creek <https://www.anu.edu.au/news/all-news/indigenous-groups-unite-to-name-new-anu-precinct>

The District Planning needs to conserve the Inner Hills, recognise the heritage and environment of Mt Ainslie, Corroboree Park, the Ainslie Volcanics and last remnant NTG in contact with Mt Ainslie

Regarding Planning and sub-contracting of potential planning development options, the current practice of outsourcing development opportunities of government land and tenancies to private planning practices such as the “options of redevelopment of Ainslie Ave and the Ainslie Flats” contracted out to Purdon Planning, need to be considered for conflict of interest and pro-development concerns. Subcontracting Planning should be stopped, and funding provided so planning is done inhouse at arm’s length from developers. Given the heritage and environment errors that are presented in the attached document regarding the ex-CSIRO HQ development and the inability for any of the community issues on heritage and environment to be resolved, I have no confidence in the NCA or ACT Planning as I am yet to see the legitimate enforcement of any meaningful heritage and environmental controls. These planning concerns were clearly articulated by many experienced industry practitioners and members of the community including the National Trust and were largely ignored by both the ACT and NCA planning but have not been forgotten.

Regarding the ex-CSIRO HQ development, the Purdon Master Planning Report was based on a scoping document provided by Environment and Planning Directorate (EPD and formerly ESDD) in September 2013 as (Attachment A). We have repeatedly asked to see that document and ask again now that it be re-examined and assessed against the then Territory Plan for errors of judgement and regulation made by EPD. I ask the ACT government to acknowledge those errors and request that the Auditor-General examine the documentation further to evaluate errors of misfeasance or malfeasance in a similar fashion as highlighted by Maxine Cooper at that time juncture when she audited the Glebe Park land valuations conducted by the ACT governments Land Development Agency and came to the conclusion that transparency, accountability and rigour, and their integrity and probity could not be demonstrated.

The Purdon Planning and Masterplan report clearly states in the executive summary- **The Report is based on a scoping document provided by Environment and Planning Directorate (EPD and formerly ESDD) in September 2013 (Attachment A). This flawed ACT Scoping study report needs reviewing and reassessment for alignment with the Territory and Capital Plan.** The ACT government at this early stage of the development assessment gave tacit approval to the NCA and no concerns of the local community at all have been addressed. Planning and approvals need to be compliant with the Territory Plan and errors made by the ACT government and NCA need to be exposed and rectified, not hidden by a review or new district plans.

Please see attached documentation.

Yours faithfully



Draft Territory Plan Feedback. 3/3/2023

In general:

- I support the idea of removing quantitative planning controls that have no qualitative alternative.
- I don't support the mandatory Site Coverage rule.
- I am yet to see any evidence that the changes will foster the missing middle. Instead, it appears they will foster bigger, more unaffordable dwellings.
- The changes create more uncertainty about how much of one's winter sun will be protected and will water down the ability of people to object if the development to the north pushes out past the solar envelope.

The mandatory Site Coverage rule in the proposed Residential Zones Policy in conjunction with definition of Site Coverage in will lead to poor outcomes.

- Having eaves as part of Site Coverage will encourage buildings without eaves. This is a poor outcome for energy efficiency and visual appeal.
- As has happened in the past with Plot Ratio, any perceived right to build to the maximum allowed mandatory rules will take precedence over any non-compliance with other non-mandatory planning guidelines such as building envelopes. It is highly unusual for EPSDD to ask for the plot ratio to be reduced to below the allowed maximum because the site is too constrained and the design is failing to adequately address other criteria. Instead, the assumption is that maxing out the mandatory rule is the given and all the non-mandatory guidelines will just have to be as good as they can be within that constraint. A mechanism such as Site Coverage or Plot Ratio should be made non mandatory in order to give building envelopes more weight as a building control.
- If there are quantitative mandatory rules, why not make them for Solar Envelopes, privacy and the amount of Planting Space as these are things that most effect the neighbours and community? If so, Plot Ratio and Site Coverage could be done away with altogether. To allow for sloping blocks there could be a m² allowance measured on a vertical plane for projections outside of the Solar Envelope. To protect Planting Area, Exempt Developments would need to be tightened up. For example, paving and class 10 structures would only be exempt if they didn't reduce the required Planting Area.
- If it is deemed necessary to have either Plot ratio or Site Coverage as a mandatory control, Plot Ratio would be the better of the two. Plot Ratio is easier to assess at slab stage which makes rectifying non-compliant works easier. Site Coverage would have to be assessed via aerial photography or survey at the end of the project when rectification becomes costly and just won't happen. Any issues with interpreting plot ratio in the past could be fixed by amending the definitions in the Dictionary, and by incorporating any practices and legal precedence that has been set over the years, to allow neighbours new to planning know what the 'real' rules are.

- The mandatory Site Coverage rule is going to have poor outcomes for affordable and accessible dwelling types. It will encourage large two storey, eaveless, more expensive to build dwellings, with no benefit of increased Planting Area. It will discourage single storey, accessible, more affordable dwellings that are easier to heat and cool.

To highlight the point, here are two possible outcomes for an 800m² block in RZ1 or RZ2 using 0.45 Site Coverage:

- A. **Two single storey dwellings that have 600mm eaves.** Once the 32m² of eaves are taken into account the dwellings would be limited to 128m² plus 20m² of covered car space each. There would be no ability to have an extra car space, verandah, deck or shed for gardening tools. This is despite having the ability to have almost 55% planted area if there is minimal paving and driveway. On top of this 55%, there is also the opportunity for planting under eaves and having canopies grow over single storey roofs.
- B. **Two double storey dwellings without eaves and basement carpark.** Each dwelling could be 360m² plus basement carparking. They could have swimming pools, driveways and hard paving to reduce Planting Area to 35% or even less if a subjective argument can be made.

- The mandatory Site Coverage rule in conjunction with the other proposed planning controls will foster larger dwellings in RZ1, 2 and 3. For example in RZ3 the current 0.65 Plot Ratio results in dwellings in RZ3 already being quite large. Carparking is often the limiting factor so doubling the amount of floorspace will provide bigger dwellings, not more dwellings. In RZ1, the floorspace that single dwellings would be allowed to have is insane.

Other things:

- It would be good to amend the definition of Planted Area to prevent it including shallow planter boxes or roof gardens above buildings or basement carparks. Although planter boxes and roof gardens can be done well, there is the danger of them being incorporated in the design to allow for more basement carparking or building footprint and then neglected. If they were included as a part of planted area there would need to be some mechanism to make sure they are maintained for the life of the building.
- Rather than increase what can fit into various zones it would be better to rezone some of RZ1 and RZ2 to RZ3 and have better planning controls to ensure the RZ3 dwellings are provided with better Private Open Space than what is currently being delivered.

Yours Sincerely,



Green House Architects.

Personal response to the Draft Planning system reform proposals and Draft Woden District Strategy

In respect to the proposed changes to the Planning system, i.e. the 'Draft New Territory Plan', I have very deep concerns about the loss of accountability, lack of real appeal rights for all impacted residents and small businesses, and apparent carte blanche for shoddy development to take place.

It appears that there will be no-one taking responsibility and no obvious means of enforcement of very much needed rules and guidelines. Even under the current 'rules based' system, there are numerous examples of people not abiding by the rules and receiving only a 'slap on the wrist'.

Our entire community deserves better and any planning regimen must be more inclusive. In the draft, there is little to no regard for the NEEDS (not wants) of older people, for people with a single or multiple disability, and for the very young people (children to about age 10) having safe and easy access to schools and other forms of education, child care, health care, transport, sporting and other recreational and community facilities. There is limited housing choice, and what there is, is driven more by capacity to pay, or to make a profit, rather than by what is practical in terms of life-stage and longer term sustainability and maintenance.

I support the submissions made by the Woden Community Council and the Farrer residents' Association and also by the Canberra Planning Action Group, especially those in response to the 49 recommendations of the Legislative Assembly's Standing Committee on Planning, Transport and City Services.

In respect to the Draft Woden District Strategy I have robust concerns with the following areas in particular. Again I support the submission made by the Woden Community Council and also that made by the Farrer Residents Association. I apologise that I simply went through the Draft strategy and asked a number of questions which I feel have not been addressed wither in part or in full. Black font is taken directly from the draft strategy, and my thoughts are in green. Apologies to those with a vision impairment.

- Protect and enhance habitat for threatened species and their connectivity with green corridors and nature reserves including Mount Mugga, Oakey Hill, Red Hill, Mount Taylor and Farrer Ridge.

This is certainly a disingenuous goal, given the culling of kangaroos at the same time that rabbits and foxes, and other introduced fauna and flora species that are causing significant damage, are not controlled. Noxious weed control appears to be attempted only by volunteers.

- Develop the economic and employment roles of Curtin and Mawson group centres, improved connectivity to the future light rail corridor

At what cost in terms of financial cost and the amenity for the people who will lose, or who have already lost, much more user friendly (quicker, more frequent and more accessible) transport services?

Many years ago, pre Self Government, the Commonwealth government tried to develop economic and employment centres around the then Belconnen, Woden and emerging Tuggeranong town centres. In reality, it is not as feasible as it sounds. People LIKE to live near where they work, socialise, access recreation, education, health care etc, but employers change their location (often due to political whim). Also it very much depends on a person's capacity to pay to live in close proximity to their employment and facilities that they routinely or regularly access. People also develop new skills and interests, change employer, have a change in family or financial circumstance, or simply life gets in the way of this ideal.

- Plan for and deliver light rail from the City Centre to Woden, as the central spine of the public transport network in south Canberra.

Is this just another excuse for high rise shoddy development, along the 'central spine' especially with the apparent loss of all green space at the Curtin horse paddocks? The tram is

costly and will be slower and less accessible to Woden and south Canberra residents than previous bus routes (NOTE I did not say 'current' as services have been noticeably cut). Having a central spine, ignores the needs of the most vulnerable – the unemployed, the low income workers, the frail, the disabled, and the very young who experience far greater difficulty in changing transport or using (your term) active travel to get to bus or tram stops or interchanges. There is no obvious provision for adequate and FREE park and ride facilities at a number of locations.

Sustainable neighbourhoods

- Deliver urban transformation and support new sustainable communities linked to the future light rail corridor between Curtin and Mawson.

Why is the light rail the supposed / preferred means of supporting sustainable communities when it appears it is simply the major source of huge profits for developers, the cause of much greater costs to current home owners, provides a slower service that is further from existing residences and is likely to cause unhappy outcomes for those who can afford no other choice? How can outdated and slower technology transform communities to become sustainable when the tram lowers amenity for those who have mobility or accessibility issues? With no budget honesty, i.e. no publication of the Business Case, costs have increased for transport providers, and users, and for rate payers and renters. How can communities be sustainable when near-by, easily accessible facilities are inadequate or non-existent? There has been a significant loss of free or low cost, open air parking near transport nodes and now you propose that parking be forced onto urban streets.

Change Areas

Each district strategy includes **proposed**, **possible** and **potential** key development sites and change areas, which are included on the map below and in the draft strategy.

P27

Why do the planners, government and their not so 'independent' consultants, ignore much of the previous community feedback when developing any new plan or strategic plan? (Past personal experience of Purdon sticking rigidly to their brief and deflecting or ignoring community feedback comes to mind.)

P 97 The upgrading of the Athllon Drive corridor through to Mawson, Farrer and Tuggeranong could be undertaken as a singular urban project. It could integrate urban regeneration so the corridor becomes a green, multimodal boulevard that is the centre of community life.

Why is it claimed that the proposals for this area are an 'upgrade'? How can a 'multimodal boulevard' be the centre of community life? Do you expect children forced into shoddy high rise to play on the road or on narrow verges on a very busy arterial road and public transport corridor? If additional development occurs along the Athllon Drive Corridor this will result in a REDUCTION of current green space which also acts to partly mitigate flash flooding.

P99 Continue works to address risks of flash flooding (1% AEP flood) around Woden town centre and Mawson group centre.

Why is the **flood risk** assessment so low? Every time there is moderate to light rain, the water gushes down from Farrer ridge and causes deep ruts in the access road under the high voltage electric wires parallel to Athllon Drive. During a heavy storm, or sustained steady rain, water often runs knee deep in the access path to 2nd Beasley St bus stop. Running the tram on the Farrer side of Athllon Drive would be extremely expensive as extensive flood mitigation would need to be undertaken. Also, it is highly unsuitable for any new building development as the foundations would be constantly undermined and basement parking and storage, if provided, would most likely flood. What engineering reports are envisaged and also what serious consideration has been given to **FIRE RISK** and mitigations?

P107 Plan for the future of Athllon Drive as a multimodal transport and urban boulevard featuring integrated light rail, active travel, urban infill and redevelopment opportunities.

What types of urban infill and redevelopment are envisaged? What do you mean by '**multimodal**' transport when it is evident that public transport modes and services have been substantially reduced and seemingly will be further reduced? An 'urban boulevard' is a pipe dream. There is inadequate space, high noise, high fire risk, fast flowing water/flash flooding and a very busy corridor for 'active travel' with few opportunities to cross safely to the neighbouring suburbs. Active travel (walking, cycling, skating etc) is less likely to occur when it becomes increasingly unsafe, as this proposal infers. The traffic lights are not a solution as they are a long way apart (over 1 km from Sulwood Drive to Beasley St). I have observed several cars per hour run the red light, especially from Beasley St Torrens after cars leave the school zone. Children are not able to judge the speed of traffic or drivers' intentions and are unsafe if they leave the kerb as soon as the Walk' signal appears. This will further discourage parents and guardians allowing their children to walk, cycle, scooter to school. This will also increase vehicular traffic in school zones as public transport is not easily accessible for many students and their families.

P100 Planning for the duplication of Athllon Drive must be integrated with light rail and future mixed-use and residential development opportunities to make sure of a holistic approach. Athllon Drive will function as an efficient movement corridor for all forms of transport and be integrated with quality urban design outcomes.

Why do you use meaningless descriptions? How are your proposals going to realise an efficient movement corridor? What will be the cost, frequency, accessibility and reliability of all modes of public transport? Will the government subsidise taxi transport to the 'node' for those who are incapable of long distance 'active travel' i.e. more than 500 metres? Why are there fewer park and ride facilities proposed and more on-street parking? IF badly designed urban infill continues, there is even less on-street parking available. If Athllon drive is to be an 'efficient movement corridor' that will require safe pedestrian over or under passes with ramp and/or lift access.

P106 Local transport improvements will be needed in Woden, including proposed connections in the active travel network indicated on the map and the expansion of the existing **micro-mobility** network to the district.

What is this supposed to mean? Why use meaningless drivel (except perhaps, to cover up what is being taken away)? There has apparently been very little consideration for those with personal mobility issues.

P 107 Plan for the future of Athllon Drive as a multimodal transport and urban boulevard featuring integrated light rail, active travel, urban infill and redevelopment opportunities.

Why is there no consideration of those who are physically or otherwise unable to walk or ride a bike, scooter, skates? What type of urban infill is proposed? It appears to be ad-hoc with multi-story development in current single or dual occupancy areas with no consideration for the amenity (privacy, safety, quiet enjoyment etc) of current residents or the strain on infrastructure. How much MORE do you expect our already exorbitant rates (compared to other Australian capital cities) to rise?

Expand the **micro-mobility** network to the Woden District and other initiatives to facilitate an enhanced multimodal network in line with the ACT Transport Strategy.

Why include such meaningless and unmeasurable drivel in a strategy or plan? **There need to be realistic and measureable (qualitative and quantitative) measures or indicators and a genuine commitment to review and adjust strategies.**

P110 Further planning work will be undertaken on the sites identified **as proposed, possible and potential change areas** and make sure they deliver the *desired* urban character, including those associated with the light rail corridor. Many sites require further assessments to determine their capacity for development while factoring in the other important elements of delivering **sustainable neighbourhoods**

including contribution to sustainability aims and active travel. Assessments are also required to determine any cultural, heritage, biodiversity and conservation values that must be protected in the detailed planning of these future precincts.

What further planning work is proposed? When will it be publicly available? Why was it not available before submissions close or why was the submissions date not extended?

Figure 36 highlights areas between rapid transport network stops and centres within the district, primarily through the light rail corridor and around the Curtin and Mawson group centres where, in addition to the town centre, most new housing in the district will be **concentrated**. Any future renewal in these 'stop-to-centre' connection areas will have a strong relationship and alignment between growth, transport infrastructure and access to amenities. A strong focus on the public domain should support this, illustrated by the four approaches to City Making and 'urban improvement' in Appendix 2. A greater mix of densities and uses in the centres identified may be appropriate, subject to a detailed understanding of the need for different land uses at a metropolitan level.

What is meant by '**concentrated**' in this context? Do you propose more inappropriate and shoddily designed and built high rise development? Why doesn't the plan draw upon the best of high density accommodation options such as low to medium rise terraces in central Paris and other European cities and Singapore which is a highly densely populated city with more green space than nearly any other major city?

P111 Detailed analysis and planning for Woden future investigation areas to accommodate future housing and facilitate desired urban character based on suitability and transect analysis and opportunities in identified 200m/400m stop-to-centre connection areas.

What is the real intention behind this meaningless jargon? When will the detailed analysis be available for public consideration? What inputs will the public be able to make and how long will they be given to make considered submissions?

Development precincts achieve improved tree canopy cover, permeability and urban heat outcomes when compared to similar previous precincts.

What measures are proposed to make such comparisons? It seems that tree canopies are almost non-existent in many new suburbs and along the tram line on Northbourne Ave.

Why are verges and block sizes now too small to accommodate and successfully grow healthy shade trees? Why are set-backs and spaces between adjoining properties so narrow that it is high impossible for fire trucks to respond to urgent calls? What formal consultation has been undertaken with experienced firefighters to understand the way that fire moves more easily between premises the closer that they are together?

Why are so many buildings approved **without adequate eaves or open space for large trees to shade windows?**

What experiments have been conducted in various Canberra conditions and situations to assess the solar impact, heat bank creation through smaller blocks, and increased wind tunnel effect of greater height, high-rise densities?

All development precincts to provide the infrastructure needed to deliver the zero carbon transition, with additional precinct-based initiatives to also be encouraged.

What 'precinct-based initiatives' are proposed? How will they be assessed as suitable? I.e. what criteria and performance measures? How will 'precinct-based' initiatives be encouraged? What holistic consideration will be given to interfaces with nearby districts? Where and how is it proposed that appropriate land with good access and parking is set aside for recreational facilities such as the 50 metre open air Woden pool that has now been closed for more than two years?

P112

Why does Figure 36 not show active creek beds that flow rapidly and knee deep whenever there is moderate to heavy rain – e.g. the old creek bed from Farrer Ridge that follows the emergency vehicle access road under high voltage power lines adjacent to and parallel with Athllon Drive Farrer.

P116 Identify and preserve sufficient land for social and community uses alongside residential growth to accompany areas of change and support economic development in further detailed planning for Woden District.

How and exactly where is it proposed that '*sufficient* land' be identified and preserved for social and community uses? What are the proposed social and community uses? What genuine consultation will take place with residents and users of such facilities?

P117

Why is it that Figure 37 does not show existing playing fields/outdoor space between Farrer Primary school and Pre-school and the Farrer shops, including the Scout Hall and Adventure playground? Does this omission suggest that this area is very much under threat, from possibly unsuitable development? What assurances can be given of continued maintenance, upkeep and upgrades of the Adventure Playground?

P124 Any future development at this site should contribute to facing onto to Athllon Drive, improve the centre and contribute to the provision of light rail infrastructure including *stabling* facilities along the route. Improvements to the blue-green corridor would consider providing habitat for aquatic-riparian and woodland wildlife, as well as urban cooling and water quality benefits, and public amenity. The **potential loss of tree canopy** through development within the current Athllon Drive road reservation would be carefully considered and *possibly* offset within local open space.

Why will the potential loss of tree canopy be only **possibly** offset?

What sort of 'stabling' facilities are proposed and where are they most likely to be sited (assuming that this is for the trams when not running)? How will they be accessed and maintained?

What alternative access will be provided to Farrer Ridge Nature Reserve?

What additional fire and flood mitigation will be undertaken?

P126 Existing infrastructure is built around the central waterways and surrounding hills, ridges and buffer zones. The majority of the pit, pipe, cable and road network in Woden was constructed in the 1960s and 1970s. Existing infrastructure is operating at or near to capacity. As developments increase in the district, additional infrastructure upgrades will be required.

With this admission that infrastructure is inadequate, even for present needs, **how do you propose to plan, schedule and pay for upgraded infrastructure?**

What **vermin controls**, if any, will be put in place during any upgrade of sewer and storm water pipes? Past upgrades have led to greater incursion into homes of rats and mice, followed by snakes.

To support future growth in the district, a range of infrastructure initiatives and upgrades will need to be provided, including in the road and path network, WSUD, stormwater, sewer, water supply and electricity. Several projects are already planned or underway as shown in Table 15. Further infrastructure capacity and augmentation feasibility studies will be required for the district to identify where existing infrastructure required upgrading to support the delivery of this strategy and the district strategy plan. **There are infrastructure capacity studies being undertaken across the ACT to provide comprehensive capacity analysis of urban renewal opportunities consistent with the ACT Planning Strategy 2018.**

The capacity studies and results of analysis **MUST** be made publicly available before the closing date for comments on the draft plans and strategies.

Light rail from the City Centre to the Woden town centre will be the most significant public transport project within Woden District in the coming decades. Bus services will remain the primary public transport service **until completion** of this light rail connection.

Water sensitive urban design (WSUD) [*Why is this acronym not clarified upon its first use?*] and stormwater infrastructure have many broader social, recreation and environmental benefits in addition to their importance as civil infrastructure. There are many areas where WSUD and riparian corridors will supply a **multitude of outcomes**, including as drainage lines and flood flows, catering for wildlife habitat and connectivity, active travel, and public access for passive recreation, as well as contributing to the amenity and aesthetics of the public realm. There is a limited water quality network due to the age of most stormwater infrastructure in the district.

When and to what degree is it proposed that stormwater infrastructure be upgraded, especially given the increased water run-off rate with more frequent and more severe storms?

Why is it proposed that high rise/high density buildings be constructed on flood prone areas and high rise buildings in high wind areas?

What are the specifics about the when, where, how, and form of WSUD.

P127 Urban intensification adjacent to waterways and overland flow paths will **require ongoing assessment of public safety and property risks**. Risk assessment will need to consider opportunities to retain water in the landscape through the use of **permeable surfaces** and WSUD to both manage water flows and allow water penetration to sustain vegetation and allow ground water recharge.

Icon Water is currently assessing options for these upgrades to align with its overall wastewater system strategy, **incorporating various scenarios of population growth** as well as **other future challenges** for the network. These upgrades will **likely** be staged over coming years. **The location of future urban developments will need to provide sufficient access and clearance for additional sewerage assets to allow Icon Water to continue safely providing these services and minimise impacts on the community.**

How can the community be assured that works will be carried out appropriately?

Can we expect even more rate increases and also increased insurance premiums?

Canberra is losing its reputation as the bush capital and as a garden city. Even much improved water recirculation and separation of grey, black and fresh water is no guarantee of sufficient water to sustain an exponentially growing population. Retrofitting old suburbs to best use 'grey' water for gardens and recreation areas could prove both costly and disruptive.

P143 Relocate surface parking to perimeter streets

How do you propose to manage surface parking in perimeter streets? Will this mean that residents might be unable to access their own driveways? Examples of this happening regularly in Chifley have been brought to my attention.

Will the relocation of surface and on-site parking mean that there is no provision for community services such as community nurses to park near current residences?

Will there be a very near future need for time restrictions on parking in perimeter streets?

Will pay parking and residents permits be even more widespread than at present?

Will there be adequate space for cars to pass in the street if parking is forced to suburban streets?

Will garbage trucks be able to collect?

Will all new developments, including townhouses and dual occupancies on re-developed blocks) be required to build off-street or basement parking for every resident AND also replace the number of public parking spots lost through the development of current open air car parks? (Seemingly not, given Mick Gentleman's recent thought bubble).

Will developers of multi-unit complexes be required to offer public parking spots free for visitors to the area?

The loss of parking could have a very detrimental impact on the ability of elderly people, and those with disability, to maintain social networks and inhibit the delivery of in-home care packages.

Areas between the centre and rapid transit stop are particularly suited to redevelopment with additional housing.

How do you justify and validate this comment? What precisely is proposed?

What have structural engineers advised in regards to mitigation of flood and fire risks? Have they even been consulted? Remember the example of the Silverton Building in Civic, which had to be rapidly evacuated and demolished due to inappropriate engineering, design, and construction.

P152- 153 Table

Most indicators are not measureable as stated. E.g

- Light rail network investigated. (Full business cases have not been made public. This is essential.
- Transport needs met. Whose idea of transport 'needs' is to be applied? Why are the planners not aiming to measure provision (frequency, accessibility, suitability), total financial and environmental costs and uptake of transport? What compensation is given for the fact that accessibility and choice is being taken away for a significant proportion of the community, especially the elderly, low income earners, and those living with disability or other vulnerability?
- Housing needs met What qualitative measures are to be applied? Are people's first housing choice to be met, or will people continue to be forced into a lesser option that is more affordable but offers less amenity and occupied in desperation due to an inability to afford their preferred housing style? (E.g. NOT more shoddy high rise development with little to no privacy, no safe recreation space, limited or no sun penetrating into living areas in winter, and heightened wind impacts through poor design.) **Why is a wider range of accommodation options not mandated in planning?** How far has developer registration progressed and what are the proposed requirements? Will developer registration, if it proceeds, go some way to ameliorating shoddy, 'greedy' design and construction and ensure that there is no 'pheonixing'?
- Community and recreational facilities identified. Why are such facilities identified, **not set aside**?

In summary, this Draft District Strategy uses a great deal of meaningless jargon, e.g. 'active travel'. It ignores the ageing population, people with disability, people on low incomes, people in housing distress and also young families where children are too young to undertake 'active travel' unaccompanied for their own safety and wellbeing? 'Active travel' appears to be a euphemism for even further greatly reduced, and less efficient, transport services. And there appear to be even fewer 'park and ride' facilities to encourage use of public transport by those who cannot easily access the 'central corridor'.

Woden is particularly impacted by a loss of green space, sports and recreation facilities, reduced access to public transport, loss of schools (albeit many years ago now), poor maintenance of secondary ovals (e.g. near public schools), leading to governments being able to say that these facilities are no longer utilised (BECAUSE they are no longer as safe as they could and should be).

The 'District strategies pay lip service only to addressing growing environmental issues such as:

- Current and, anticipated worsening, flash flooding, increased wind tunnel effects, increased fire risk, increased heat bank effects (more concrete, fewer natural surfaces, smaller blocks, bigger houses and fewer shade trees)
- protection of native flora and fauna (kill the kangaroos and do nothing about feral pests such as rabbits, hares, foxes), weed control, tree protection and new plantings.

██████████

Long term owner/occupier

██████████ Farrer 2607

ACT Government
GPO Box 158.
CANBERRA ACT 2601

3 March 2023

Re Submission – Objection to Draft district strategy – Woden

In response to reviewing the recent **Draft Woden District Strategy**¹ we are alarmed to see the proposed development around and to the north of the current Yarra Glen/Yamba/Melrose drive Woden roundabout and also significant concerns around the proposed development adjacent to the Holman Street oval. The proposed new street from the existing Theodore Street Curtin connecting to Holman Street and the proposed development along this area, along the edge of Yarralumla creek and adjacent to Holman oval introduces significant additional risks to human safety, buildings and associated new infrastructure.

There is both considerable increased risks of flooding impacts along this corridor, recognising the historical flooding risks and damage, plus there is significant human and environment risks from disturbance of areas adjacent to Holman oval due to the historical dumping of building waste including asbestos products during the early establishment of the area, which was subsequently covered in waste soil from another site. The detailed knowledge of this waste dumping is from original residents of nearby properties to this area in Curtin.

Clearly increased intensity of multi-story dwellings and loss of green space will affect the amenity of the area for existing residents and introduce significant new safety and environment risks to residents and users of the area. In addition, the establishment of building infrastructure will complicate and create significant challenges, plus additional future costs to further development of the road network in the area which will clearly need to be retained for future road infrastructure improvements.

We have a clear objection to this proposal on the grounds of community and environment safety. A key reason for this objection is the additional flood zone and safety risks, plus the risks of community exposure to historical waste in the area and environment risks of development on or around this waste.

Sincerely

[REDACTED]
[REDACTED]

¹ <https://yoursayconversations.act.gov.au/act-planning-review/draft-woden-district-strategy>

Submission regarding the District Strategy for Belconnen March 2023.

I attended the presentation regarding the District Strategy to Belconnen Community Council on 21st February 2023.

I understand that there have been community consultation events but am concerned that too few Belconnen citizens are aware of the significant proposed changes and the consequences of the Strategy for their suburbs and Belconnen Town Centre.

If consultation event attendees submitted suggestions have they been read, scrutinised for appropriateness and included where appropriate?

Belconnen already experiences significant heat island effects, with shading and wind-tunnel effects from high-rise buildings and yet at least two more towers of more than 20 storeys are proposed. These are to be inserted close to Margaret Timpson Park which can't provide more open space for the additional residents.

Lake Ginninderra foreshore spaces are 300m to the north but there are plans for more buildings around the Police Jetty area which will take access to open space and views further away from apartment dwellers and increase the heat island effects. Being close to water is an essential craving for humans.

Didn't the Covid pandemic show that tower-living was detrimental to health during confinement periods?

Are there sufficient employment prospects for potential Town Centre residents?

Do hundreds more people want to live in apartments in Belconnen?

Having the Light Rail network extended to Belconnen was a given but what would be the time frame for the transport system the majority don't want or Canberra cannot afford?

At a previous revelation meeting a massive re-development is planned for Belconnen Mall, complete with a 30-storey tower. This struck me and many others as plainly ridiculous.

Has any research been done about future retail trends?

Aren't people clamouring for village-style living in decentralised community hubs with local amenities?

A sign announcing "Belconnen Village on Walder: A Prime Development Opportunity in the heart of Belconnen" appeared on 23rd November 2022 with a 7th December Auction date. The treed 'park' area between Purdue and Walder Streets was suddenly mown and neatened up after decades of neglect. It would have made a shaded pocket-park but a section is to have apartments on it as will the adjacent carpark.

This area of Belconnen has, like each other area, its own character and diversity of tenants, service-providers and businesses. Such local amenity and character will be lost as Belconnen is turned into a concrete and asphalt heat island like other cities. The "Village on Walder" is likely to be an artificial and characterless construct of designers and city planners.

Some premises around these streets off Josephson Street have languished untenanted for years. What are the retail prospects for these places. No doubt they have now been bought by the ACT government to facilitate their development plans?

How will trees, particularly those planned for the green-spaces through Belconnen Town Centre cope with wind, heat and impermeable pavement surfaces?

Has research into near future and future climate predictions shown that there will be enough snow and rainfall for the 600,000 people ACT Treasury predicts for the ACT?
The infrastructure systems are nearing around 50 years old already. How will they cope with 100,000 more people?

If the rest of the Belconnen Strategy for the suburbs has similar disadvantages and delusionary development it is a reflection on the lack of imagination of planners. Presumably the Town Centre plans are unsolicited development schemes from corporations?

Canberra, the unique bush capital and its diverse suburbs are being homogenised by poor and greed-driven planning.

I hope others will reject the trajectories of the District Strategies as I reject Belconnen's.

[REDACTED] 02.03.23.

[REDACTED]
Fylnn ACT 2615

[REDACTED]

ABANDON ALL FUTURE INVESTIGATION AREAS FOR REZONING FOR HIGHER DENSITY DWELLINGS

A resounding no to any 'future investigation' in inner north garden suburbs (eg. Reid, O'Connor, Turner). The *Draft District Strategy (Inner North and City)* does not acknowledge that these are established suburbs, with established and detached housing that are people's homes and neighbourhoods. People have worked hard to purchase into these suburbs for their neighbourhood and garden appeal. We have a particularly strong objection to the proposed 'future investigation' of Amaroo and Booroondara Street (Reid).

The ACT Government should abandon all future investigation areas in the inner north with established housing (this includes Turner, O'Connor and Reid). Reid should be kept as a garden suburb and no changes should be made to allow for medium to high density rezoning (including specifically Booroondara and Amaroo Streets).

The existing detached housing (and duplexes) are part of these neighbourhoods with real families who call these areas home. They would be displaced with any rezoning, and the impact on the neighbourhood would be significant on a number of measures. This submission is supported by Reid residents (name and address on final page --- DETAILS TO BE DELETED IF THE SUBMISSION IS MADE PUBLICLY AVAILABLE).

Key points and concerns with respect to the future investigation area of Amaroo and Booroondara (and more broadly for established garden suburbs of Reid, O'Connor and Turner):

1. No real consultation has occurred.

- a. Real consultation must happen. The ACT Government should engage in genuine consultation and dialogue through improved processes and timeframes
- b. For the proposed changes (which are significant), an online link to the draft strategy (and low resolution maps with only high level detail) and a few pop ups and one online session cannot justifiably demonstrate genuine engagement and consultation with the community.
- c. The ACT Government must be clear about it's proposed changes (eg. RZ1 to RZ4-5) and put signs up (including letter drop box with clear language) in the proposed future investigation site/s, with multiple pop ups being held within those local areas over a sufficient period
- d. Residents of Reid have commented that the 'consultation' process has made them feel 'steamrolled', 'bullied', 'overwhelmed' (including from the unclear messaging and difficulty in extracting the details in the draft strategy). Residents have expressed that they have no confidence that the government will hear their views and instead has a bias and preferential relationship towards developers and money
- e. Please do not ignore the community. The quick comments on 'have your say' make it clear that residents do not supported future investigation sites.
- f. If ACT Government were to continue to consider these areas for future investigation, it would be demonstrating from the feedback received from the (poor consultation process). It is clear from the community's comments that the proposed changes are not welcome

2. Rezoning Reid from detached housing to allow for medium and density housing will impact the heritage, character and nature of the inner north

- a. The protected English Oaks in Booroondara (best avenue in Canberra), the special significance status of the trees, the hedging requirements of front boundaries would all be potentially impacted with property demolition, new construction, new facilities, increased foot and road traffic and new infrastructure
- b. Increased density of housing will severely encroach on the garden nature of Reid
- c. Any rezoning in Reid will destroy the early heritage ambience of the suburb. This includes Booroondara and Amaroo – while the southside is *not* heritage listed, Booroondara faces *into* the heritage side of Reid. This street overall still reflects the garden nature of Reid and any apartments built here would encroach on the heritage side residents. Neighbours would not see the proposed changes/future investigation areas as 'medium' density. Allowing for 3-6 storeys would be high density for heritage homes on single block properties
- d. Rezoning the very little remaining low density housing in the inner north suburbs to allow for medium to high density would not *enhance* the garden suburbs – it would ruin it

ABANDON ALL FUTURE INVESTIGATION AREAS FOR REZONING FOR HIGHER DENSITY DWELLINGS

- e. Inner North garden / RZ1 suburbs need to be *protected*, not torn apart with densification
 - f. There should not be any future development, or investigation in established detached housing. This includes duplexes on Amaroo and Booroondara. These form part of the history and heritage of Reid.
 - g. Rather, existing community protections should be maintained and strengthened to preserve the character, nature and history of these suburbs
 - h. The ACT Government should make every effort to *preserve* these residential areas. Be innovative and sustainable instead of destroying RZ1 garden suburbs
 - i. Canberra is known for being a garden city – do not turn it into a Sydney or Melbourne
 - j. Proposal to rezone RZ1 Booroondara-Amaroo Street in Reid dismisses the Reid character of the dual occupancies, which is a part of its history, story and charm. The duplexes on these streets are part of the essential character of Canberra. This should be celebrated and preserved, not torn down
 - k. Reid is one of the few remaining handful of suburbs in Canberra that has a genuine, real history. It should not be ‘ringbarked’ by rezoning and densifying on its edges. It will destroy the essence and character of Reid.
3. **Rezoning Reid from detached housing to allow for medium and density housing will impact the citizens**
- a. People, families, residents, taxpayers are currently residing in the proposed future investigation areas. These are people’s homes and communities. The disruption to their way of life, that they have purchased (or rented) into, and invested time and money in building their homes and communities will be significant and detrimental
 - b. There would be significant impact on sun due to the solar envelope being taken up with the medium to high density builds
 - i. This has a real and specific impact on people and flora and fauna
 - ii. Many heritage homes in RZ1 garden suburbs (such as heritage side of Booroondara) are low EER due to the old, heritage nature of the homes. To be losing any further sunlight or warmth would impact the ability to maintain warmth in these houses which is essential in winter, and in old homes that are not well insulated. Residents would have to increase heating measures thereby impacting environmental savings targets
 - iii. Further, residents would lose significant privacy from the high rise nature of the buildings
 - iv. In addition, the protected trees and trees of significance would be similarly impacted with the solar envelope being compromised
 - c. The garden suburb nature of Reid and other areas cannot adjust to the influx of a high density population. Reid currently has 1500 residents (approximately). Allowing for medium to high density would more than outnumber this
 - d. Further, the parking and car traffic would be significant including noise control, congestion, school overfilling
 - e. Inner north schools are already overcrowded – it is unsustainable to double the Reid population (for example) when current schools are over capacity. Densification will further strain public services that are under performing
 - f. Proposal to rezone RZ1 Booroondara-Amaroo Street in Reid dismisses the many families who have worked hard to purchase into Reid (and say, could not afford a single dwelling thus opted for a duplex). By redeveloping this area, the ACT Gment is harming families who have only managed to purchase a dual occupancy rather than a single dwelling in Reid.
4. **The Draft Strategy does not accurately or honestly set out the proposed changes:**
- a. The Draft Strategy indicates that future investigation site/s will allow for ‘medium’ density of between 3-6 storeys (pp.115-116, p.129, p.132-133). Allowing for 3-6 storeys would rezone

ABANDON ALL FUTURE INVESTIGATION AREAS FOR REZONING FOR HIGHER DENSITY DWELLINGS

the RZ1 area/s to RZ4-5 (otherwise known as medium to **high density** residential zone, between 3-6 stories). Rezoning Reid (and similar garden suburbs) from RZ1 to RZ4-5 is a significant change and there would be a significant public outcry if the Draft Strategy was clear and candid about the proposed changes

- b. The draft strategy does not employ the use of high resolution images to give a clear enough indication of the proposed changes and impact. The information set out for citizens is unclear, vague and forces citizens to look for a needle in a haystack
5. **Densification should occur in greenfield sites or areas already zoned for medium to high density**
 - a. Reid as a garden and heritage suburb, has already been compromised with apartments on Constitution Avenue and Wester aspects of Reid
6. **Rezoning established garden suburbs with established homes (such as Booroondara and Amaroo Street) is an unsustainable and unsuitable option for densification**
 - a. Other densification options should be considered – such as densifying the city, greenfield areas, existing RZ3 areas and up, spreading development over unused land across Canberra, including expanding Canberra's borders (a 30 minute commute is still entirely reasonable compared to Sydney or Melbourne)
 - b. Rezoning existing inner north RZ1 suburbs is not an appropriate option given the negative impact on many measures. Do not rely in inner north to meet the growing housing needs
 - c. The proposal to rezone is fundamentally incompatible with the inner north tree canopy and garden suburb principles and values
 - d. It is an unsustainable and misaligned option for the ACT government to propose that a few blocks of houses in RZ1 garden suburbs can be rezoned to meet the housing needs of our growing city. Whatever happened to Canberra being the garden city? What is the point of regulations for the garden suburbs? Having a heritage side of Booroondara facing into densification development will ruin the façade, community, neighbourhood, etc
7. **Real people, real lives. No trust in government**
 - a. The following comments are from Reid resident when signing this submission (petition!), and it captures the sentiment shared by many:
 - b. *"I am strongly opposed to any rezoning of Reid which is very much part of Canberra's early history. The current ACT Government appears bent on destroying green areas and replacing them with hundreds of boxy apartment buildings – some of which look like slums from the moment they are constructed. Reid is a beautiful suburb. We have been residents since 205 and paid a high price to buy into a suburb that retains a sense of history and heritage. To build a three to six storey buildings on Amaroo and Booroondara Street seems to me like the thin edge of the wedge in that over time this Government will seek to crowd out the remaining heritage housing. Why has the Heritage Commission been abandoned – there was at least some independent third party to fight for retention of Canberra's early homes. Many people, including us, have spent a great deal on converting these early homes into residences with more modern amenities. We do not want to be surrounded by buildings filled with little boxes"*
 - c. *"Remaining streets in Reid must be left alone by rezoning and densification, including Amaroo and Booroondara. Otherwise why do we have government endorsed heritage preservation at all? It seems that in their inexorable thirst for quick money, the government appears to want to eat their cake and have it too"*
 - d. *"I like many others in the area proposed in Reid for future medium density development, have spent over \$1M restoring and adding value to my home. I will strongly resist overtures to purchase my house."*

SIGNED, Keep.Reid.Green@gmail.com

ABANDON ALL FUTURE INVESTIGATION AREAS FOR REZONING FOR HIGHER DENSITY DWELLINGS

SUPPORTED BY REID RESIDENTS *(noting there would be more names if we had more time – we only found out about this draft strategy within the last week):*

- [REDACTED]
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NB: IF PUBLISHED – ALL NAMES AND ADDRESSES MUST TO BE OMMITTED FOR PRIVACY.

PLEASE DELETE THIS LAST PAGE IF THE SUBMISSION IS MADE PUBLICLY AVAILABLE.



Dear members

I am a Yarralumla resident and wish to let you know of my concerns and objections to the densification plan. Yarralumla is an established suburb with old and loved homes of an older generation as well as younger families and we recognise that some changes are required in the interest of the development of a growing Canberra that does not spill over into new outer suburbs and countryside.

The problems we see and object to are

1. Increased traffic and congestion along Dudley Rd and the Kent st bridge, not addressed by the current changes
2. The Yarralumla shops would not be able to accomodate the volume of people and cars for the vastly increased population from the Forestry Place development and the development of the brickworks
3. Adelaide avenue is a high speed and busy route to and from south Canberra with very few crossing points for cars and especially pedestrians. Putting high density living on both sides of this road would create noisy living spaces with little room for relaxation or movement. People in these apartments would view an uncrossable highway. Access roads behind these blocks would be clumsy and choked with cars.
4. Development here would imping on numerous embassies, some schools and also damage the outlook from the National Parliament

Finally I am concerned at the lack of involvement of NCDC in the plan. The absence of its oversight makes it seem that simplicity of the process and the cutting of red tape would only benefit developers of the dense projects and simplify the rezoning and the financial benefits to the ACT Governments bottom line. The NCDC protects the look and feel of our unique city and its general conformity the Burley Griffins vision.

In short it preserves the character of the city we love

Your sincerely

