

COMMENTS ON NEW ACT PLANNING FRAMEWORK AND INNER SOUTH DISTRICT STRATEGY

I am a resident of Yarralumla, was born in Canberra in 1960 and have lived in Canberra most of my life. For the past 30 years, I have lived in Yarralumla

I object to the Draft Inner South District Strategy for Yarralumla and surrounding suburbs. It does not reflect the community views, it completely changes the existing character of existing suburb. It creates a new “community centre” on Adelaide Ave based on the claim that Adelaide Ave is currently not pedestrian friendly and gives no reasons why Adelaide Ave should become pedestrian friendly.

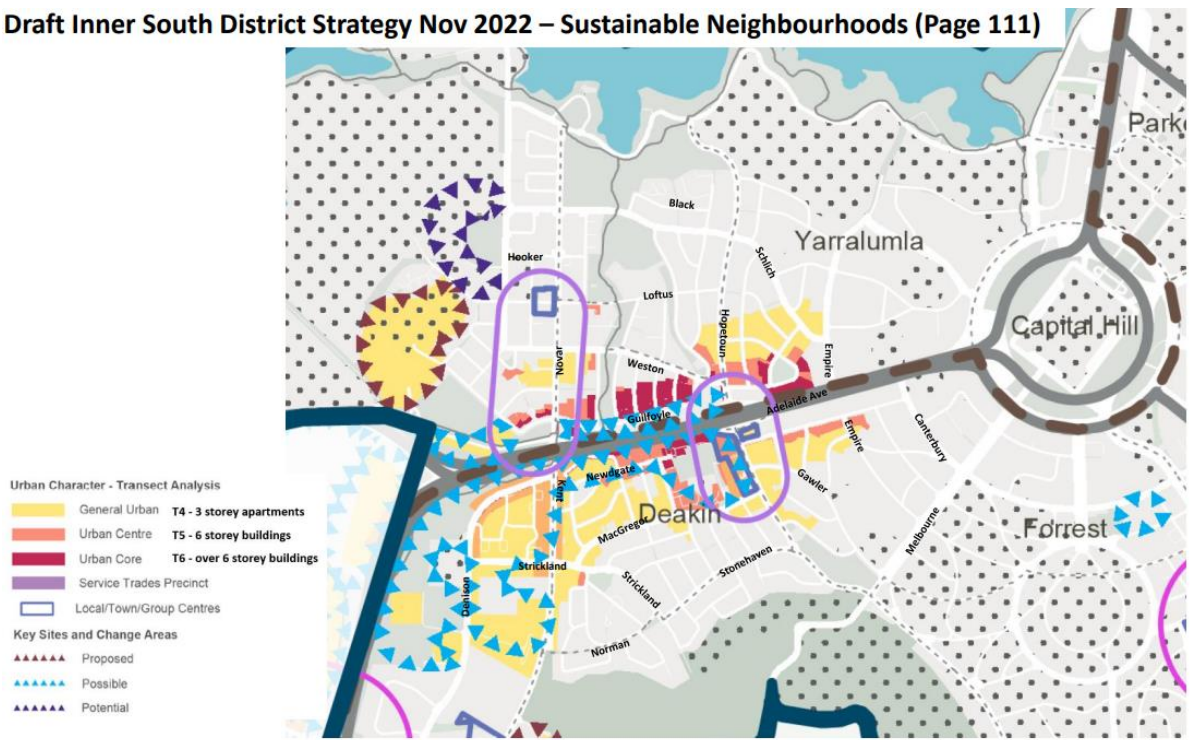
The Planning Bill 2022 requires that the Territory Plan give effect to strategic planning outcomes “s47 The territory plan— (b) must give effect to the planning strategy and district strategies”.

The draft Inner South District Strategy is superficial, generic, loaded with unnecessary motherhood statements. It fails in the stated outcome of “Draft district strategies capture the special character of and aspirations for each Canberra district as told to us during previous consultation.”

The plans seem to be devised by people who have never been to Yarralumla or Deakin.

The draft Inner South District Strategy, on page 111, shows large areas of Yarralumla & Deakin being zoned for 4 to 8 storey buildings. This zoning includes the Prime Ministers Lodge and numerous Embassies. It shows the West Deakin area as 4 to 6 storey apartments.

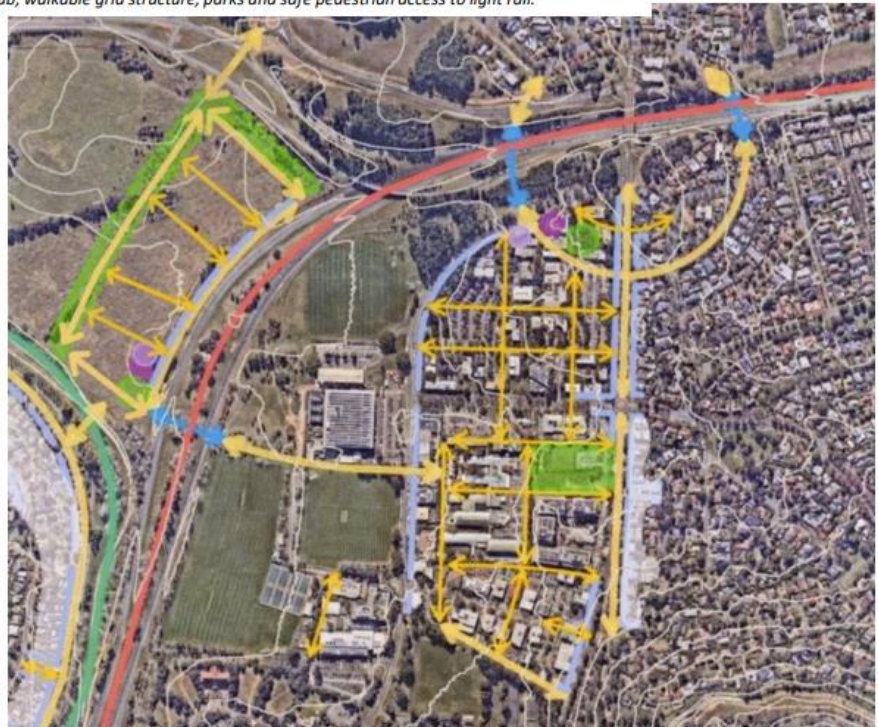
Draft Inner South District Strategy Nov 2022 – Sustainable Neighbourhoods (Page 111)



Several pages later, the plan for West Deakin is on page 120. Is “West Deakin will be a high employment hub, walkable grid structure, parks and safe pedestrian access to light rail.” The plan replaces all existing roads, demolishes the Equinox complex which is turned into a “Local park which respond to topography, add canopy trees and WSUD”. Strickland Crescent is to be removed and a new “Grid” road network is to be built including a road the through middle of John James Hospital.

Draft Inner South District Strategy Nov 2022 – West Deakin (Page 120)

"West Deakin will be a high employment hub, walkable grid structure, parks and safe pedestrian access to light rail."



These plans are only a few pages apart in the draft Inner South District Strategy but show completely different “outcomes” for Yarralumla and Deakin.

One can only assume the ACT Gov has plans for compulsory purchase of many of the existing building. This is especially true in West Deakin as the plan requires completely new road network and replace the Equinox complex with a “Local park”.

That once the Planning Bill is passes into law, ACT Gov has must give effect to these district strategies. Based on the Draft Inner South District Strategy, the ACT Gov will need to do large scale compulsory purchases to “give effect to the district strategies”.

The plans shown in the Draft the Inner South District Strategy are inconsistent. The transect analysis appears arbitrary, and diagrams in the draft Inner South District Strategy appear to have been hastily thrown together, are inconsistent and conflated.

There has been insufficient information provided on the complex suite of measures that comprise the new planning framework. The new measures are complex, there are a large number of interrelated components, and propose large scale changes to the nature of suburbs through densification and high density, high rise redevelopment.

The online materials and advice provided by the ACT Government for the public consultation process is often in conflict with the various elements themselves and can be misleading and misinterpreted. The consultation on the New Planning Framework was scheduled to over the School Holiday and Christmas New Year holiday period 2022-23, thereby severely limiting the opportunity for community input.

██████████ - 3rd March 2023
Yarralumla, ACT 2600

3 March 2023

We are the owners of [REDACTED] Yarralumla. We wish to make a submission to proposed changes to the ACT's planning framework, particularly the proposed impacts of the Inner South District Strategy on Yarralumla and Deakin.

Scope of changes and consultation

The proposed changes to the ACT's new planning framework are significant, with the introduction of district strategies which will guide future development in 9 districts and an outcomes-based development assessment approach (rather than the current rules based approach).

A large volume of detailed information has been released for review and comment over a relatively short amount of time that includes the Christmas/New Year break, as well as the summer vacation period. The proposed approach is complex, with many interrelated parts, including new Territory Plan provisions, district strategies, district policies, zone policies, guidelines and technical documents some of which are incomplete or unavailable for consideration. Maps are at a relatively large scale. As a result, the boundaries of future investigation areas, proposed zonings and areas of likely medium and high density development are not well defined. It is very difficult to fully understand how the new planning framework will work, particularly at the neighbourhood level where changed densities and uses are proposed which will directly impact existing communities.

There are inconsistencies in the various documents, which may lead to misunderstanding. For example, the ACT Government, in its summaries, states that RZ1 and RZ2 zones will remain the same. Yet accompanying documents indicate that these zones will have additional residential uses added to them, including dual occupancies. More ever, it is possible that where the existing RZ1 or RZ2 zones are also within investigation areas, zoning and densities will substantially change.

Finally, the documents contain significant proposals that are raised in a truncated way, but left for further consideration. One proposal (*Inner South District Strategy, p 9*) is to perhaps create an "urbanising agency" to become responsible for significant redevelopment proposals. This may be relevant to some infill proposals identified in the Inner South, such as Eastlake, Deakin Local Centre and West Deakin, yet few details are provided. Another example is the suggestion that it may be possible to create a new neighbourhood adjacent to Yarralumla located between Yarralumla, Curtin and Deakin with new transport links, more residential development and recreation space (*Inner South District Strategy, p 97*). Aside from a mention of a new Equestrian Park offset reserve on the district strategy map, there are no other details, and it is not clear whether this is the current Canberra Brickworks project or an additional proposal. Yet, this proposal, along with others more clearly identified for Deakin and Yarralumla, will significantly change the character of both communities.

We request that there be further consultation on the district strategies and other proposed changes, particularly with communities most impacted by those changes. We also request that this consultation occur prior to finalising the planning framework, rather than merely responding to submissions by publishing a "listening report". Further consultation prior to finalising the planning framework is consistent with the consultation principles contained in the new planning legislation.

Inner South District Strategy-Yarralumla and Deakin

We understand that Canberra's population is projected to almost double in the next two to four decades, and that new dwellings are likely to be required in the Inner South especially in light of the Government's target of 70% of any new residential development being infill rather than greenfields development.

However the scale of redevelopment proposed for Yarralumla and Deakin is significant given the current low-rise, low-density character of these two communities, their heritage and biodiversity values and general amenity created through ribbon parks connected to Lake Burley Griffin, local parks and sporting grounds, landscaped streets and private open space.

While the Inner South District Strategy recognises these attributes, it also contains proposals which will significantly undermine the character of these communities. In particular, it is difficult to see how the Government's biodiversity objectives and its objectives to minimise heat effects will be met while still allowing the scale of medium and high density development proposed in the Inner South District Strategy. As stated earlier, it is difficult to understand how the various plans, strategies, policies and guidelines will translate into high-quality urban development that is acceptable to the two communities.

A possible 30%-50% of the two suburbs' areas are proposed to become 3 to 6+ storey buildings, with a mix of residential and commercial uses. There are proposals to completely demolish the existing Deakin shops and surrounding homes to develop a new Deakin Local Centre, line both sides of Adelaide Avenue along the proposed light rail route with high-density development and increase development within West Deakin. Some proposals appear to require the movement of embassies, schools and churches, the demolition of existing dwellings and commercial premises and the destruction of existing grasslands. If all of these proposals are realised, the two communities will be fundamentally different from what they are now.

The Canberra Brickworks development and proposed CSIRO Forestry redevelopment in Yarralumla will add 730 new dwellings, a 50% increase on the number of existing dwellings in Yarralumla. The dwelling yield from other major Inner South proposals, such as Eastlake, are still being assessed and it is unclear whether proposals for West Deakin will contain residential as well as commercial development. It is also not clear when the light rail extension to Woden will be approved by the Commonwealth or what changes may have to be made in finalising that proposal. Any decision on light rail will impact on proposed development along Adelaide Avenue, as well as the proposed Deakin Local Centre.

It would be preferable to undertake further analysis of yields from existing proposals, in particular Eastlake, before finalising the Inner South District Strategy. The revised analysis could be reported back to the affected communities. Any adjustments to redevelopment proposals and investigation areas, and timing and sequencing of when these proposals may be implemented, could also be provided to the communities. This would enable residents to have a better understanding of the full impact of what the ACT government is proposing.

Yours sincerely



[REDACTED] Yarralumla, ACT 2600
Submission on the ACT Government's proposed changes to ACT Planning

Outcomes-based approach to planning

I do not support the proposed outcomes-based approach. It is highly subjective, appears to provide/support little or no choice of lifestyle for residents and provides no clear avenues for residents to protect their existing amenity from any intrusions on that amenity by new developments.

I want to see a planning process that is understandable, is legislative based and therefore enforceable and which delivers best practice in development assessment to our whole community – not just the development community.

Further densification and infill of Yarralumla

I do not support further densification and infill of Yarralumla. There is already significant densification in train with the development of the Canberra Brickworks and the old CSIRO site. Our suburb lacks the infrastructure to support these developments let alone additional development.

I support the retention of the current garden-city nature of our suburb and its current low-density, low-rise character.

Communication and consultation

This has left a great deal to be desired. It has not met good practice as set out in the *Planning Bill 2022*. The government should now start again with genuine community consultation and ensure that the community views are reflected in any new planning framework.

Support for submissions

I have read and support each of the following submissions, which represent my views:

- **Yarralumla Residents' Association** - This is a well-reasoned, comprehensive submission. It is evidence-based which is something that is sadly missing from much of the 2,500 pages of government documents. I fully support its contents.
- [REDACTED] **ACT 2600** – This submission is also a balanced and well-reasoned and I'm in full agreement with its contents.
- **Reid Residents Association** - in particular as it addresses the territory plan, and its list of community reactions reflect my own reaction.

Conclusion

The proposed New Planning Framework should not be put in place until:

- There has been a proper transparent consultation process with the community consistent with good practice set out in the *Planning Bill 2022*.
- The framework is revisited to address outcomes of that community consultation.
- The framework provides for no further densification of Yarralumla beyond that of the Canberra Brickworks Site and the CSIRO Forestry Site; and retention of the existing character of Yarralumla has been addressed.
- All components of the planning framework to be used for assessment are statutory-based.
- The framework provides for independent reviews of decisions made under the framework.

[REDACTED]
3 March 2023

Draft Woden District Strategy

Friday, 3 March 2023

2:55 pm

New Streets in Curtin - the proposed new edge street near Yarra Glen and new street between Holman and Theodore Streets would significantly and detrimentally affect the life of the suburb - those using the existing bike path and grass areas on the Yarralumla Corridor to walk home from work, leisure stroll with their families and dogs, etc. It also provides the opportunity to meet your neighbours, enjoy open space and exercise while providing the opportunity for residents to undertake active, green travel. This would all be lost for no gain - only profit for developers at a cost of a loss of urban green space, loss of habitat for local wildlife and people's mental health. I cannot understand what possible benefit would be had from building these streets. There is none. There is plenty of high density housing in Woden centre - this is not needed or wanted in Curtin.

Separate pedestrian and cycle pathways are needed for active travel rather than streets with polluting cars and built up areas which are at a cost to future generations through the negative affects of this decision on climate change.

Yarra Glen Roundabout development - rather than build a concrete jungle, I would propose that it is infinitely better to keep this as a green space, and instead invest in improving this as a well maintained parkland (i.e. plant more viable tree species other than willow and grass) to enhance the space for use by commuters and residents of the nearby apartment blocks. Why would it not be possible to create an area similar to that created by Curtin's own residents on Dawson Street? A public, community space planted with native species for all to enjoy. Green enhancements should be made to the Yarra Glen roundabout to make it a beautiful place to be, while helping out with carbon capture. Why wouldn't creating something like the High Line be a better investment, and a much better legacy for our future?

Essentially, why would we need more shops and apartments and streets for traffic, and what value would this add aside from profit for a very few? Curtin's existing green spaces should be celebrated and unchanged other than to enhance them for all.

Thank you for the opportunity to provide a submission.



Curtin Resident

Submission on the Inner South District Strategy

I wish to voice my strong opposition to the proposal for extensive high density, high rise, densification of Yarralumla and Deakin under the Inner South District Strategy. The aim of the Strategy appears to be to infill green spaces and public spaces in order to support a fixed infrastructure public transport system, reflecting, as one commentator called it, 'yesterday's thinking'.

The scale of the proposed change is enormous and excessive. Thirty to sixty percent of Yarralumla and Deakin would become three to six storey apartment blocks. It is as if someone has approached the planning with the mindset 'how can we destroy Yarralumla and Deakin'. The Strategy necessitates the acquisition and demolition of many residential and other buildings. The proposed densification and redevelopment of Yarralumla and Deakin requires large-scale procurement and demolition of the existing built environment and significant loss of public open space. It will destroy the heritage, liveability, and character of two of Canberra's oldest suburbs. People choose to live in Canberra because of its liveability, but this very liveability is being continuously eroded and will be destroyed if this strategy passes into law.

The Inner South District Strategy is environmentally unsound. It disregards the biodiversity of the inner south and will result in a loss of species and habitat. The planned densification and urbanisation will destroy most of the green spaces and tree cover in Yarralumla and Deakin and lead to higher temperatures. In an era of climate change we should be increasing tree planting and maintaining shade trees, not filling up green spaces with multi-storey concrete bunkers. Further, the Inner South District Strategy contradicts the Urban Forest Strategy 2021 and Urban Forest Bill 2022, which set the target for 30% tree canopy coverage in the Territory's urban areas. Yarralumla's tree coverage is currently 30%, which would be driven much lower if the Strategy is enacted. Yarralumla already has major projects underway to create many more dwellings at the site of the Brickworks and the former CSIRO/Forestry campus.

The Strategy also fails to recognise that many people now work from home. On any given weekday up to 70% of government employees are working from home, which means a liveable home environment is more important than ever. Extreme densification such as that proposed for Yarralumla and Deakin is out of step with the liveability that people are seeking. The increase in traffic would be exponential, and the fixed infrastructure light rail system would not meet many families' needs, as school-aged children will still need to be driven to school, particularly as many school bus routes have been cancelled in recent years.

I am particularly concerned by the lack of transparency in the Inner South District Strategy and the lack of consultation with the community. The views of residents have not been genuinely considered. Such a dramatic and complex change as envisaged by the Strategy requires proper community consultation and engagement. Many residents are unaware of these proposed changes, and community consultation has not met good practice.

If the *Planning Bill 2022* is passed, it will formally lock into the Territory Plan both the District Strategies densification, and the target of 70% of new housing to be in existing urban areas. Such inflexibility should not be enshrined in the statutory planning framework. It is unsound legislative practice, precludes changes in policy and prevents the opportunity to respond and adapt to changing circumstances.

[REDACTED]

[REDACTED]

Yarralumla 2600

[REDACTED]

SUBMISSION ON ACT PLANNING SYSTEM REVIEW & REFORM
PROJECT, INCLUSIVE OF A DRAFT TERRITORY PLAN & IS DISTRICT
STRATEGY.

Dear Sir/Madam,

Conscious that comments on the suite are due by today's date I wish to
record my total support for the submissions made by the
Griffith/Narrabundah Community Association Inc and the ISCCC
respectively.

Sincerely,

[REDACTED]

[REDACTED]

GRIFFITH ACT 2603

[REDACTED]

[REDACTED]

Submission on the proposed new Territory Plan, Draft Woden District Strategy and Dual Occupancy Developments

From: [REDACTED]

Curtin

[REDACTED]

SUMMARY

I have lived in Curtin, and before that Hughes, for many years. I am active in community organisations and know the area well. This submission is informed by that local knowledge.

I welcome the opportunity to contribute to a discussion about Canberra's future. Additional dwellings in existing urban areas are needed; however this must be done well. Policy settings are important, but implementation assessments and decision making are much more important. (Policy has no impact; implementation does.) Understanding the adverse impact on open green space and tree canopy cover and consequently on the health and well-being of residents of the current proposals has been revealing.

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

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

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

A challenge to the ACT Government and the ACT's political parties is to work with the community to densify Canberra

- while increasing urban tree canopy cover to >40%; and,
- without creating localized urban heat islands in residential areas

This means starting again on a new Territory Plan and the District Strategies.

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

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

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

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

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

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

A 'Local Centre' on Theodore Street, Curtin is identified in the Draft District Strategy for Woden. This is an isolated 1039m² block by itself. It does not meet the functional definition of a Local Centre on page 159 of the Draft Woden District Strategy. Consequently, it cannot be treated as a Local Centre equivalent to those in Lyons or Hughes, for example. The Draft Woden District Strategy should be amended to reflect this.

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

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

1. Revised Drafts and Additional Consultation

The 49 Recommendations from the Assembly Inquiry into Planning Bill 2022, several of which address the need to plug gaping governance holes in the proposed planning system, have not been responded to and, as I understand it, will not be made until late next month. To consider the system as a whole without knowing the fate of these 49 Recommendations, seems futile indeed.

Accordingly, it is premature to request submissions until a great deal of additional information is available. A way forward would be to use submissions (such as this one) to inform revised Drafts, which would be made available for further consultation and comment. This submission is made in the hope this approach is taken up by Government. Among other benefits it would respond to the widespread impression that the current exercise has been bungled and would contribute to restoring community confidence and trust in the ACT's planning system.

2. Community Views and Prevention of Negative Outcomes

I welcome the opportunity to contribute to a discussion about Canberra's future. Additional dwellings in existing urban areas are needed; however this must be done well. Policy settings are important, but implementation assessments and decision making are much more important. (Policy has no impact; implementation does.) Understanding the adverse impact on open green space and tree canopy cover and consequently on the health and well-being of residents of the current proposals has been revealing.

The role that effective engagement and consultation with the community can play was brought home to me during a talk that Gordon Harris, a prominent Canadian town planner, gave in Canberra in 2018 about the creation of a new town in British Columbia. He described engagement with the community to discuss how multi-storey developments enabled **more** open, green space resulted in their acceptance of higher buildings. Such an open engagement and dialogue with the community was, and still is, totally absent in Canberra.

I urge the ACT Government to begin an open engagement and dialogue with the community about urban densification.

I am deeply concerned about the processes by which assessments and decision making have been enabled by the Planning Bill (2022), the draft Territory Plan and the District Strategies taken together.

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

Residents have an important role to play in establishing such priorities, given their long-term interests, area specific knowledge, and commitment to realising a vision for Canberra. Local (district) knowledge and "lived experience" are critical to achieving the desired outcomes as

highlighted in the Drafts. Incorporation of views of those most impacted by developments, especially community views, into assessments and decision making is an essential part of governing the planning system.

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

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

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

3.1 Health impact of urban heat islands

Increased heat in urban heat islands has a direct effect in human health¹. Examples:

- asthma
- kidney disease, including kidney stones
- cardiovascular disease
 - A 1°C increase in temperature is associated with a significant increase in cardiovascular disease-related death and illness²

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

3.2 Cooling by tree canopy cover

Recent research results³ about cooling by tree canopy cover are:

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

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

(b) ACT Urban Forest Strategy 2021-2045

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

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

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

3.3 Conclusions for the Territory Plan and the District Strategies

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

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

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

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

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

4. Proposed New Territory Plan: General Comments and Suggestions

Under TP B.6 (Assessing and Deciding Development Applications) there is no requirement to consult with identified residents or organisations who are highly impacted by a particular development. It is critical that this omission be rectified.

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

Design Guides fall outside of outside of legislated assessment requirements. The boundary between being "legally required" and having given "sufficient consideration" is very important. A number of criteria need to cross from the latter to the former.

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

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

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

The errors that must be corrected are:

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

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

6. Draft Woden District Strategy (impacting Curtin)

6.1 The Yarralumla Creek corridor must be preserved and enhanced

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

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

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

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

6.2 Key site and change area: Curtin edge north and south

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

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

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

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

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

6.3 Key site and change area: Former Curtin horse paddocks

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

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

6.4 Key site and change area: Woden north

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

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

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

6.5 'Local Centre' on Theodore Street, Curtin

A 'Local Centre' on Theodore Street, Curtin is identified in the Draft District Strategy for Woden. In reality there is no such local centre. This block 23, Section 29, Curtin (83 Theodore St) is currently zoned CZ4 (Local Centre). However, this is one block by itself. It is no bigger than a single residential block (1039m²) and does not meet the functional definition of a Local Centre on page 159: *Smaller shopping centres that provide convenience retailing and community and business services that meet the daily needs of the local population*. Consequently, it cannot be treated as a Local Centre equivalent to Lyons or Hughes, for example. The Draft Woden District Strategy should be amended to reflect this.

6.6 Radburn Heritage Area

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

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

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

7. Dual Occupancy Developments

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

- the minimum block size after subdivision should not be above 400m²;
- in RZ1 all dwellings should front a public road or public open space;
- maximum building height of two storeys; and,
- 40% of each block to be soft planting area with 30% - 40% tree canopy cover on each block.

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

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

Tree canopy cover and the urban heat island effect

Research results

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

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

Tree canopy cover and the new Territory Plan

From Draft TS1 - Technical Specification – Residential

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

Single dwelling blocks

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

Multi-unit housing in RZ1 and RZ2 zones

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

AND

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

which is the same as for large single dwelling blocks.

Note the inconsistent requirements.

Multi-unit housing in RZ3, RZ4 and RZ5 zones

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

AND

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

which is the same as for large single dwelling blocks.

Note the inconsistent requirements.

Comment on the Draft Inner North and City District Strategy and the Draft Territory Plan DS3: Inner North and City

The Strategy recognises the value and contribution of heritage and states it is a key consideration in any future redevelopment. The Garden City precincts are mentioned under the “blue-green network”, however the attendant buildings and their backyard settings are not. Without significantly stronger planning controls within these heritage precincts, the coveted Garden City feel will be completely diminished. As a homeowner and resident of the Wakefield Gardens Heritage Precinct, I have witnessed a dramatic diminishment of heritage values due to house extensions and existing building changes in the last 10 years. In the majority of cases, heritage precinct guidelines are not being observed, with unsympathetic construction being clearly visible from the street, or built to the side of the existing buildings. Moreover, extensions tend to be dwarf existing buildings in floor area and height, and have made an enduring negative impact on the Garden City values. I have raised my concerns with the Heritage Unit and the Minister for Heritage and was advised that no ground monitoring or compliance checking was undertaken on heritage values across the precincts, and there was no resourcing to undertake this anyway. This seems an untenable situation, significantly negatively affecting the future of the heritage suburbs. If the Strategy is to be genuine in its stated objectives to conserve heritage, strengthening planning controls within heritage precincts together with adequate resourcing of the Heritage Unit to permit monitoring and compliance needs to be made a priority.

This intensity of building construction has also significantly reduced green space within the Garden City precincts. Green space is noted as a consideration in the strategy, but its conflict with building development within the precincts is not.

These concerns also relate to any rezoning being considered under the Draft Territory Plan. I note that the Inner North and City District is flagged for potential greater housing density. If heritage values are to be genuinely conserved, then the heritage precincts must be excluded from this zoning change.

If responding to submissions is part of your community engagement, I would welcome a response.

[REDACTED]
Wakefield Gardens Heritage Precinct
Ainslie ACT 2602
[REDACTED]

Submission on the ACT Government's New Planning Framework

I was very surprised to see this advanced proposal over the last Christmas period, given there has been no consultation with residents during its development.

I do not support ACT Government's New Planning Framework.

- **Lack of consultation with Residents**

I bought in to Yarralumla in 2007 to enjoy the suburb's unique green spaces and the lake as "my forever home" in retirement, after working approximately 40 years in the Public Service in Canberra. I have recently funded a knock down, energy efficient, rebuild home to enjoy and to reduce my energy footprint now and into the future.

I am not happy to find my home is now " a potential investment opportunity" for money greedy investors and developers (incl. Government), while not considering the role homes can play in the lives of retired people and in generating sustainable energy.

My sunshine, the source of my current and future sustainable energy, is now at risk given [REDACTED] is potentially zoned for 6 storey buildings. If implemented, this would possibly cast shadows over my home rendering my solar panels useless.

And what about my privacy?

And my veggie patch, raspberries, and mandarins?

Is my home going to end up being an island between an array of high-rise buildings?

Am I going to be forced to sell my home?

- **The ACT Governments New Planning Framework appears to lack integrity with previous planning documents.**

The New Planning Framework appears to be a hurried, ill-thought-out approach to create densification along Adelaide Avenue, just for the sake of it. For what purpose? Embassies are out of scope but appear to be in the re-zoned areas?

Really? Have the Commonwealth Government and Foreign Governments been consulted? How are Embassy Security issues going to be addressed?

Also, high density buildings will appear above the current tree line and will have a significant, negative impact on beautiful aerial views of Burley Griffin's Canberra, the western vista from the Federal Parliament House being one example.

- **The Planning Framework appears to go against Climate Change aspirations.**

High density concrete constructions will generate heat islands in the various beautiful suburbs in Canberra. I experienced the heat generated by high density apartments during

my time in New York City. The high-rise apartments were very hot in summer, the walkways were extremely hot, and relief was only found in the grass areas of Central Park. Again, “densification” for what purpose? ACT has a large amount land and could purchase more from surrounding NSW for future expansion.

Dr Saul Griffith’s research has demonstrated the significant role homes play in creating sustainable energy (Electrify 2515 being one example).
How is sustainable energy going to be assured and managed through complex apartment building management arrangements?
Or is it going to be just too hard and a lost opportunity!

- **Excessive load on current infrastructure in Yarralumla**

Yarralumla’s electrical grid, sewerage systems and water supply are mostly based on 1940s infrastructure. What consideration has been given to upgrades and costings?

Yarralumla already has its share of densification projects which are progressing at a snail’s pace, the Brickworks and CSIRO Forestry Research sites being two examples. Why plan more before examining the impacts of these developments on our aging infrastructure?

Yarralumla Shops has limited parking. Parking is so scarce I sometimes go to the Deakin Shops, as there is a better chance of parking. With Deakin’s proposed densification, where will I park to shop locally? I can’t always walk and carry groceries.

Our existing road infrastructure is 70 years old and some aspects will need a significant upgrade. The upgrade of the Kent/Novar bridge has created significant traffic delays on exiting and entering Yarralumla. For example, my Uber now takes an extra 15 mins each way at peak time.

Imagine the proposed rows of high-density apartments within the Yarralumla footprint, several streets deep.

How is the traffic going to flow in and out of Yarralumla?

Will I be able to catch an Uber?

And how long will I wait?

Adelaide avenue will no longer be a fast and efficient transport corridor connecting key regional areas within Canberra.

I am very disappointed in the ACT Government’s New Planning Framework development process. It lacks both good consultation and explanation of why these high-rise developments are needed in Yarralumla.

No thought appears to have been given to the impact on residents.

I fully support both the Yarralumla Residents Association and Deakin Residents Association submissions regarding the ACT Government’s New Planning Framework.

Draft Woden valley District Planning Strategy – Comments

██████ – Farrer

Vision for Mawson difficult to determine. If it is a community hub then we are talking about the retail shops, sports fields, tennis courts and the Mawson/Austrian Club.

General Comments: There is a lot of detail in the documents – diagrams are hard to read or interpret. More detailed explanations should be presented to the Woden Valley and Mawson Community Groups before finalising the documents.

Do not allow over development. Mawson is at capacity now in terms of traffic and parking. Maintain low rise building heights to avoid over shadowing. Landlords are currently holding back new business with high rents and not maintaining existing buildings – presumably waiting for development opportunities coming from this strategy. Carparks are important. Do not develop these.

In terms of the Drivers:

Strategic Movement to Support City Growth. If the light rail is to be effective then we need local buses to connect eg Beasley St or retain carparks at Park & Ride.

Inclusive Centres & Communities. Need to retain sports facilities. Woden still needs an aquatic centre, indoor (basketball etc) centre, pitch and putt. These are essential for physical and mental health in the Woden Valley community. An Arts Centre/Precinct is also required as part of the Group Centre in Woden. Do not develop the Federal Golf Course.

Sustainable Neighbourhoods. Light rail is a property development project NOT a transport solution that will transform or invigorate communities. Yet this seems to be a central assumption and theme throughout the strategy document. Where is the business case? Building heights must be in keeping with the landform and community centres. Avoid overdevelopment and destruction of public space as in Woden. Do not develop near or in overland flow areas.

Submission on the draft Territory Plan and Draft Woden District Strategy

From: [REDACTED]

I have had the good fortune to live in Curtin. I also have had the good fortune to live in a well insulated house with good aspect and deciduous plantings to the north. I have no need of air conditioning and have low heating bills. The information to allow all of us to live comfortably without ravaging the environment is available but sadly it is not applied often enough. I see no evidence that this information has been applied in the draft Territory Plan and Draft Woden District Strategy.

I am gravely concerned for the future generations who will be living with the consequences of climate change. I am submitting this in the hope I will be one of numerous voices asking you for better mitigation for the inevitable future my children, grandchildren and their contemporaries will live through.

The cooler temperatures in well treed suburbs on hot days are well documented. In particular the extreme temperatures recorded in high rise apartments in western Sydney and western Melbourne are dangerously high. Unfortunately, this most often effects renters who cannot afford adequate cooling; subsequently contributing to social inequity. Tree canopy is a cost effective way of cooling with many positive spinoffs. The importance of tree canopy in mitigating against extremes of heat is stated in the ACT's urban forest strategy. It also states as an objective that "Canberrans enjoy equitable distribution of canopy coverage".

Recent research results about cooling by tree canopy cover are:

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

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

I strongly support the designation of the Yarralumla Creek corridor as a primary connection in the ACT's blue-green network. There are good reasons for restoring natural environments along Yarralumla Creek as part of an enhanced blue-green connection.

The Yarralumla Creek corridor is very important to the community for recreation, active travel and for reducing urban heat: its value to the community must be preserved and enhanced in any changes. A number of proposals in the Draft Strategy are not acceptable as they would destroy the amenity this treed open space provides for the community.

The Creek borders Curtin attractively. A road would significantly degrade the blue–green connection of the Yarralumla Creek corridor. Losing trees would increase the urban heat island effect for this part of Curtin, which is not acceptable. Planting trees elsewhere would not compensate as cooling by tree canopy cover is a local effect.

In the future we will be experiencing once in 100 year floods much more often. The benefits of a sponge city are well documented. It is an unacceptable hazard for the future to ignore the flood hazard from the creek. It is a duty to the victims of the previous flood to do the right thing here.

There are not enough safeguards in the document for the community or the environment. It is necessary to densify whilst maintaining and improving tree canopy. Developers are motivated by profit but governments must safeguard the health and well being of their community. There is no consistency between the stated objectives and the regulations to bring them into effect. There needs to be something more solid than interpretation guiding decisions. There are numerous inconsistencies in the documents, greater clarity is needed.

Residents have an important role to play in the planning system given their long-term interests, area specific knowledge, and commitment to their community. Local knowledge and “lived experience” are critical for good outcomes. Incorporation of views of those most impacted by developments, especially community views, into assessments and decision making is an essential part of governing the planning system.

I strongly oppose the Inner South District Strategy proposal for extensive high density, high rise densification of Yarralumla and Deakin.

The Strategy would result in infill of green spaces in order to provide an outdated fixed infrastructure public transport system.

It is environmentally unsound and would create urban ugliness. It ignores the unique quality of Canberra that sets it apart from state capital cities, which are commercially driven.

I am appalled by the size of the proposed buildings. Up to 60% of Yarralumla and Deakin could become three to six storey apartment blocks, destroying the current quality and heritage value of these two suburbs. The effect of such building would be to “close in” the neighbourhood, similar to that of Northbourne Ave.

I am also concerned at the loss of tree canopy, which is an inevitable outcome of infill, urbanisation and light rail.

There has been an alarming lack of transparency in the Strategy, lack of adequate publicity about the process resulting in insufficient community consultation. Why has this process been hurried through during the peak holiday season??

[REDACTED]

[REDACTED]

HUGHES ACT 2605

[REDACTED]

Comments on the New ACT Planning Framework with reference to District Strategies and the NEW Draft Territory Plan

As a resident and ratepayer in Yarralumla I make the following submission regarding the New Draft Territory Plan and the District Strategies.

Having lived in Yarralumla for approximately 25 years, it is my opinion that the suburb itself has its own unique character. It exhibits heritage characteristics – having been part of Canberra since very early days, and biodiversity characteristics – in that its open spaces are settled environments for a large volume of wildlife. These characteristics are highly regarded by residents and visitors alike and should not be disregarded before there is extensive local resident and public engagement in the development of effective and transparent mitigation strategies. This engagement should be coordinated through the local resident's association, in this case the Yarralumla Resident's Association (YRA)

Regarding the suburb of Yarralumla itself, existing road, shopping, and parking infrastructure is already at its limits. Increased densification will increase congestion in and around Yarralumla, particularly in the shopping precinct. It is on this basis that these changes to the ACT Planning Framework and the District Strategies are not supported. The proposals will harm both the environment and the character of Yarralumla. It is important that this character and environment be protected for future generations.

Over the last few years, the Canberra brickworks redevelopment proposal has been approved. There is also the proposed development of the CSIRO forestry precinct. Together they will add almost 50% more people to this suburb. Surely this is sufficient pressure on a suburb like Yarralumla. It is already apparent that existing and planned infrastructure will not cope with this influx. Further development is simply not warranted.

Consultation on the Planning Bill 2022 has not been adequate. It is acknowledged that community feedback on these matters did occur during consultations in 2021. But from this proposal it is clear that the issues raised regarding the Draft Inner South District Strategy (particularly P 91) have either been inadequately considered or have been ignored. The issues raised during these consultations remain relevant.

It is requested that there be genuine consultation with resident groups before the Planning Framework is approved. This is to ensure that the best possible planning outcomes be achieved for both government and residents.

In conclusion, I do not support the NEW ACT Planning Framework and the District Strategies as they relate to Yarralumla.

██████████
██████████
Yarralumla ACT 2600

3 MARCH 2023

Dear Sir

I would like to submit the following comments on the proposed new Territory Plan:-

Phillip Swimming and Ice Skating Centre

I object to the proposal to change the current provisions of the Territory Plan. Woden needs a 50 Metre pool. The Stromlo Pool has closed its aquatic facilities to the public weekdays between 8.30am and 3:00pm from 9 February to 22 March due to the school carnival season. This will continue every year if the Southside school carnival load is not shared with a 50 metre Woden pool.

Geocon bought the land on the basis of the current provisions of the Territory Plan, not the proposed new provisions. Any change to a 25-metre requirement will be a windfall profit to Geocon.

Woden is a town centre proposed to be served by the extension of the tram and a new bus interchange. It is in a far more accessible location than Stromlo. Future children need the opportunity to attend a 50 metre pool with good public transport access.

Draft Weston Creek District Strategy

The opportunity should be taken to rezone all of Block 2 Section 75 Weston back to Urban Open Space. Part was rezoned to community facility to enable the Community Centre to relocate out of the centre to enable Mirvac to expand the retail facilities. The EPA objected and Community Centre was specifically excluded from the permitted uses on this block. It would be sensible to now recognize the need for more open space near Cooleman Court and restore the original zoning of Open Space.

The Weston Creek retail centre at Cooleman Court has enjoyed a massive increase in patronage due to the development of Molonglo. This will cease as soon as the Molonglo Group Center is developed. Future plans should take this into account (e.g.: less demand for car parking etc.).

Dual Occupancies in RZ1

I object to any proposal to allow unit titled dual occupancies in RZ1 zones. The "Mr Fluffy" exceptions were for a Government purpose (to make money to recover the costs of demolition / buyback) rather than a planning reason.

RZ2 Zone changes

I find the proposals very difficult to understand. One of the main barriers to implementation of the existing policies is that most blocks have a lease purpose clause for "single dwelling". Any unit tilted dual or triple occupancy requires a lease variation, which entails a cost. This issue should be addressed before any further changes to the existing policies are made.

General Comment on documents/ consultation

I found the Your Say website very difficult to use. The Choose File / Upload a Submission was confusing as it seemed to imply submissions should be on a required form. The Choose File link when pressed opened my Downloads box on my computer and there was no obvious form to download.

The ACTPLA website is still showing comments closing mid February (it has not been updated to 3 March).

The email for ESDDComms@act.gov.au was returned as undeliverable.

The ACT Government representatives at the consultation stands at Cooleman Court and Canberra Centre were unable to answer any questions and were only handing out cards etc.

I tried to phone the Territory Plan section in ESDD today at 11am. Access Canberra could not put me through to anyone and gave me a number 62052888 which turned out to be the DA Gateway Duty Planner and not the Territory Plan section.

Yours sincerely



3 March 2023

Submission to the ACT Planning Review - The Draft New Territory Plan

3 March 2023

Thank you for this opportunity to comment on the Draft Territory Plan (DTP). This submission concerns the DTP as published on the *Your Say* website¹ and, where relevant, the Planning Act 2023 (currently the Bill) under which the DTP will be administered. The submission does not address in detail the draft District Strategy for Belconnen where I reside. I have been involved with the formulation of the Belconnen Community Council's submission on the District Strategy and I support the views expressed therein.

My comments here are chiefly concerned with the proposed changes in governance and administration, the shift from a rules-based to an 'outcomes focussed' planning process and with the implications of these for residential planning and development.

I would like to note at the outset, that the maps provided as part of the DTP are of very poor quality and cannot be used to assess overall existing and future land use and zoning policies. At the time of writing, high definition maps were not available on the website or, as far as I can ascertain, in hard copy from the EPSDD.

Administration of the Plan (Part A)

Part A of the DTP refers to the Planning Act 2023 as the basis for its administration. The companion fact sheet cites the planning controls in Sections 45-50 of the current Bill but is silent on the implications of Chapter 3, Sections 16-35 of the Bill. That Chapter sets out the arrangements for a sole individual to constitute the Territory Planning Authority (TPA) and to have the final responsibility for all decisions taken in regard to interpreting and implementing the DTP. In the SLA's consultation on the Bill during 2022, comments on the governance of the Territory Plan and the powers of the TPA were ruled 'out of scope' and not considered further. This apparently was supported by the Minister who argued that there was no need to change the current system.

However, it is evident from both the Bill and the DTP that very major changes are proposed for decision-making in, and governance of, ACT planning. These changes give the Chief Planner almost unfettered power and risk seriously diminishing the transparency and accountability of planning decisions. In particular, and most unusually for an ACT Statutory Authority, there is no role for a governing or even advisory Board, nor is there provision for the Legislative Assembly to receive and review an annual report or to consider and disallow amendments to the Plan. The whole of the Plan is defined as a notifiable instrument, changes to which 'do not have to be presented to [i.e. considered by] the Legislative Assembly'.

¹ <https://yoursayconversations.act.gov.au/act-planning-review/draft-new-territory-plan>

The Bill and the DTP also significantly curtail the scope for judicial review and citizens' rights of access to ACAT. I have previously commented on the restrictions imposed by the Bill.² Given the minimal role for the Legislative Assembly and the Minister, it is all the more important to preserve the 'Westminster' tradition of judicial review of administrative decisions by the Territory Planning Authority. Efficiency of this review process might be enhanced by creating an expert land and planning division of ACAT.

Residential Zones Policy (Part E1 and TS1)

In the DTP's sections on residential zones and land use, the former rules-based regime has been fragmented, leaving only minimal 'assessment requirements' as mandatory (even these can be varied under Part 7.3 of the proposed Act). The majority of the former planning rules seem to have been relegated to 'technical specifications' which are recommended but not mandatory. For example, the 'assessment requirements' stipulate percentage site coverage for small, medium and large blocks in RZ1 but many other former rules relating, for example to plot ratio and setbacks, are now classified as technical specifications that are guideline in application. The element of subjective interpretation injected by this reclassification further limits the scope for objections and for independent review, judicial or otherwise, of the Authority's decisions.

I have assumed that an RZ1 zoned block of over 800sq.m. can be subdivided and the dwellings sold separately but this could be more clearly stated. In the case of community and supported housing in the RZ1 zone, the minimum provision of 250 sq.m. per additional unit is too small and can lead to a *de facto* rezoning of the property by allowing the equivalent of an RZ2 density.

This is a greater risk in the multiple housing proposed on RZ2 zoned blocks. The minimum block size per additional dwelling of 250 sq.m. is too small and should be increased to 350 sq.m. Consideration should also be given to all dwellings having no more than one common wall. This will reflect the intention to retain the *relatively* low density of RZ2 zones and discourage the current fashion for cramped 'terraces'.

Other concerns include:

- the higher density allowed when RZ1 or RZ2 blocks are amalgamated especially when this yields over two thousand sq.m. These should be treated as 'new developments' with a mandatory requirement to observe the technical specifications for the relevant zone (e.g. plot ratios, set backs and traffic/parking standards) as part of the development 'assessment requirements' and 'assessment outcomes'.
- the loophole which allows knock-down rebuilds on RZ1 blocks to by-pass the normal development approvals process, allowing some oversized, unsightly and highly intrusive houses to be built. It is disappointing that neither the DTP nor the

² https://www.parliament.act.gov.au/data/assets/pdf_file/0016/2112712/Submission-56-Dr-Martha-Kinsman.pdf

proposed Planning Act 2023 have sought to address this problem with a mandatory planning application requirement.

The Outcomes-Focused Approach (Part C and the Draft Design Guides)

The outcomes-focused approach to planning as outlined by the 'good design principles' and the design guides, are missing two crucial factors:

- there is no acknowledgement of community engagement as being a key requirement for successful planning. Community engagement and confidence in the planning system should be clearly stated as a criterion of quality planning. This is all the more crucial given the failure to provide a formal role for community representatives on planning panels or through a more formal Planning Board or Commission.
- there is virtually no recognition of the need for a life-cycle approach to project planning. The requirements for quality planning are almost entirely front-end and there are frequent references to the 'desired outcomes' of planning rather than to assessing the actual outcomes and impact. It is essential that provision for monitoring, review and evaluation are built-in requirements for the approval of major projects and new developments. Otherwise, the same mistakes will continue to be repeated. One example I have raised before is the heat island and urban uglification at Lawson. This would not have occurred if, as a new estate, roads had been sufficiently wide to enable off-street parking for 'active travellers', *usable* open green space had been allocated, and an overall limit of 50% had been place on the percentage of high density housing. Unfortunately, it appears that much of the over-densification is about to be repeated with Lawson Stage 2.

I would be happy to elaborate on these issues during any future consultation process.

[REDACTED]

[REDACTED]

Kaleen ACT 2617

[REDACTED]

[REDACTED]

Submission to ACT Government:
ACT Planning System Review and Reform Project

3 March 2023

Author: [REDACTED]

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Introduction

What sort of city should Canberra be? It certainly isn't the same city that it was twenty years ago and, quite aside from the spectrum of personal planning preferences, many bemoan the poor planning decisions that lack sufficient consideration of people and place.

Canberra's "Y Plan" should never have been abandoned by the ACT Government. The abandoned concept of interlinked town centres, comprised of bespoke planning zones, threatens the "Bush Capital" concept. The spin from some sectors, that the Y Plan was car-centric and therefore outdated, ignores the reality that multiple transit routes had been preserved throughout Canberra which, if realised, could enable rapid mass transit of unspecified modality once Canberra's population sufficiently grew to support it. The ACT Government's abandonment of the Y Plan coincides with the desire to build light rail, not along dedicated transit routes, but along pre-existing bottlenecks. It is little wonder that the proposed light rail is unsupported by a public business case.

This submission is broadly supportive of reforming the ACT planning system, in an attempt to protect the Bush Capital, yet there is little cause for optimism given the present ACT Government's history of planning decisions. The ACT Government continuously references other world-class cities in justifying various projects, yet truly exceptional world cities such as Singapore have more planning attributes in common with Canberra's planning from the 1960s to 1980s than the planning in Canberra today.

One only needs to recall the commencement of works to raise London Circuit prior to the official finalisation of community consultation to realise that planning commitments on paper are not necessarily delivered in practice. By its sheer contempt for community views, the ACT Government has not earned the right to say, "trust us".

Nonetheless, the ACT Government has undertaken much consultation on this particular reform, and it should be commended on that basis. It would be shameful if the good faith garnered by this degree of consultation were to be squandered by future decisions that undermine the community's views.

Author

■■■■■ has lived in Belconnen since 2003, and is a long-term member of the Belconnen Community Council; he campaigned for what would ultimately become the 2016 Belconnen Town Centre Master Plan (which, to the ACT Government's credit, was well consulted), and arranged community-led sessions to generate input for it.

Prior to moving to Canberra, ■■■■■ was a community representative on Lane Cove Council's advisory board for the Lane Cove Village, which resulted in significant shops redevelopment in line with community expectations. ■■■■■ has also lived in Singapore, admiring its long-term town planning and its ability to implement that vision.

■■■■■ is interested in heritage, which is sustained via membership of the National Trust of Australia (ACT), Friends of the (Australian War) Memorial, and the (Bicentennial) National Trail, yet he acknowledges there are benefits to appropriate urban infill. The views expressed in this paper are his own.

Scope

The ACT Government sought public feedback on its proposed planning system, the primary changes of which include:

- a new Planning Act (Planning Bill);
- a new Territory Plan; and
- the introduction of district strategies.

This submission focuses on the District Strategy Plans.

District Strategy Plans

It is unclear to what extent these documents attempt to transform the ACT, beyond reflecting the present directive to increase urban infill. Despite the proximity of the Ginninderry development and Queanbeyan, there is little to no connectivity with New South Wales (NSW), no attempt to plan for any transformation of freight or commuter transport for the broader capital region, and a supposed complacent reliance on the Commonwealth Government's employment base rather than planning for any economic diversification; for example, as NSW invests in tourism and productivity-boosting infrastructure, the ACT is arguably the only Australian jurisdiction (excluding Jervis Bay and external territories) that lacks an intermodal for freight.

For all District Strategy Plans (except Gungahlin), the light rail routes need revision.

- The present "all stops" network design, including Stage One, is not rapid, and arguably reduces the ACT's productivity. Reference to rapid transit should be removed, unless it is actually envisaged to be rapid.
- The ACT Government's recent City Hill public consultation uncovered the fundamental lack of understanding of how the interconnecting routes should align (or not) in Civic.
- The notion that light rail must follow vehicular paths in all circumstances is not innovative, particularly where options with no pre-existing urban infill exist, and creates bottlenecks where they do not need to be.
- Not all envisaged light rail routes are displayed in the District Strategy Plans (e.g. the route to Kippax), which means the community lacks a common reference point for the ACT Government's light rail plans.
- There is no space set aside for terminals along the proposed light rail routes. The failure to include such locations on the District Strategy Plans risks conflict between new developments and the proposed light rail projects.
- One alternative would be to list potential rapid mass transit routes without specifying the transport mode. This would enable evidence-based consideration of transportation solutions, rather than a process-driven commitment to light rail.

Additionally, land that is under the jurisdiction of the National Capital Authority should be highlighted on all District Strategy Plan maps. Failing to list where that jurisdiction applies fundamentally misrepresents the planning reality.

Overall, the District Strategy Plans do not appear very strategic.

Belconnen

- Belconnen has the largest share of land under NCA jurisdiction in the ACT. It would be preferable for the NCA to give up its jurisdiction over all land in Belconnen, because there is no valid justification for it in 2023. Highlighting this land to the public would better enable the community to advocate for change via their Federal parliamentary representatives.
- The vast majority of freight from west of the ACT (e.g. Yass) must travel through or past Belconnen via road to reach east, south, or north, along routes close to residences. Why is there not a freight link envisaged to by-pass Belconnen?
 - There is no viable east-west by-pass of Belconnen, and this will become problematic as the district's population continues to increase.
- The Canberra to Yass railway connection (whether for passengers, freight, or both) is still technically on the books as a possibility one day, yet there is no reserved route for it should the political will to build it ever arise. In this situation, freight and commuters to and from west of the ACT will continue to rely on road vehicles. This situation appears inconsistent with the ACT Government's claimed environmental credentials.
 - It is additionally unclear why planning for such a connection has been ignored when various proposals of a Sydney to Melbourne high speed rail connection have been via Yass.
- It is unclear why there is no planning for a commuter service between Belconnen and Yass linking with the proposed light rail network (or any rapid mass transit).
- The proposed light rail route will not work. Please contact me for more information.

East Canberra

- The alternative high speed rail route to Canberra Airport is far more preferable than tunnelling under Mount Ainslie.
 - Nonetheless, it is unclear why there would not be any planning for Canberra Airport to be connected via mass transit to regions east, west, or south of the ACT.
- The rest of the transport infrastructure around Canberra Airport is a bit of a mess.
 - For example, specifying that the east-west light rail route would stop at the airport and become a rapid bus to Fyshwick via Queanbeyan does not appear to be based on any planning assessment. The ACT Government should not feel pressured into specifying transportation modes before it has analysed potential routes.
 - Why is no heavy rail infrastructure link to Canberra Airport envisaged?
- *"East Canberra has a relatively small existing residential population at just under 2,000 as of 2021. Residential areas include Oaks Estate at the eastern edge, rural blocks in Pialligo and long-term accommodation in Symonston."*

...

"New housing and the district's residential population is not proposed to significantly grow due to the impact of noise from Canberra Airport and its flight paths and the presence of sensitive and protected environmental areas."

 - What is the ACT Government planning to do with Oaks Estate? It seems that, other than considering better connectivity to other areas, the plan is to let Oaks Estate languish as is.

Gungahlin

- Hall is notionally within the scope of this District Strategy Plan, yet it is not shown on the map. There is a strong argument that Hall's unique heritage should not see it treated as merely another suburb of Gungahlin, and the acknowledgement of its special treatment is to be commended, yet the documentation should at least show the village on the map.

Inner North & City

- Canberrans call it "Civic". Why insist on calling it "City", particularly when the urban ACT in its entirety is a city?
- Who agreed to tunnel a "proposed" high speed rail alignment under Mount Ainslie and why, after all that cost, is the station proposed to be nowhere near parking, buses, or the proposed light rail network? Is the ACT Government seriously suggesting that visitors or residents be asked to drag their luggage across Garema Place in the sun and/or rain to reach connecting transport?

Inner South

- *"The district is home to the Canberra Railway Station in Fyshwick, the only heavy rail connection in the ACT. The station is likely to change as part of planning for the East Lake urban renewal precinct. Over the long term, consideration will need to be given to opportunities for faster and high-speed rail."*
 - What does this mean, and on what evidence is it based? Why would possible changes to such a fundamental piece of transport infrastructure not be considered in a District Strategy Plan?
 - Fyshwick Business Association made an excellent proposal for the area involving light rail, which displays the level of planning vision one would hope could be provided by the ACT Government, yet it is seemingly ignored.
 - As for Fyshwick being the only heavy rail connection in the ACT, why is there only consideration of faster and high-speed rail? For a jurisdiction in need of a diversified economy, and an apparent desire to bolster Canberra Airport, the ACT suffers a dearth of connectivity to regional NSW other than via road.
- The document references multimodal transport, and the reference to Queanbeyan is to be applauded, yet that appears to be focused on passengers rather than freight.
- Part of the proposed light rail route is on a flood plain.

Molonglo Valley

- No comment.

Tuggeranong

- It is pleasing to see Tharwa on the map.
- There should be consideration of new land releases to the west of the Tuggeranong Town Centre, as initially envisaged decades ago. This would not only place downward pressure on land prices, but it would also help bring population balance to Canberra.

Weston Creek

- No comment.

Woden

- Surely Canberra Hospital deserves better public transport connectivity.
- Part of the proposed light rail route is on a flood plain.

Conclusion

The ACT Government needs to stop hiding behind its bureaucracy, because that is unfair on the public servants diligently delivering what they are instructed. The number of Freedom of Information requests that have been rejected due to the content being “Cabinet in Confidence” places the onus of planning decisions firmly on the MLAs who comprise Cabinet. The fact many ACT public servants are being forced to implement Light Rail Stage Two through a flood plain, against all professional judgement, is just one example of politics overriding expertise.

ACT public servants want to be proud of their planning deliverables, and many have done exceptional jobs despite political interference. The ACT Government has an opportunity to institute the proper frameworks to promulgate vision, accountability, and excellence in all ACT planning.

The actual consultation exercise for the planning reform should be commended. The decisions made by the ACT Government, no matter the rules on paper, are another matter.

Canberrans want to be proud of their planning system. Please do not miss this opportunity to re-enliven the Bush Capital.

**Submission on the draft Territory Plan and the draft Woden District Strategy
March 2023**

We appreciate the challenge confronting Government of accommodating rising populations and consequent increased demand for accommodation while maintaining the needs of all Canberrans. It is more important than ever to recognise and incorporate community views on this and related issues. We are very grateful for the opportunity to provide views on the proposed new Territory Plan and draft Woden District Strategy.

We are concerned to ensure that the proposed Strategy does not unduly affect the lifestyle amenity of current residents of Curtin, particularly if it would densify and diminish their quality of life. We would urge Government to carefully consider the maximum population density that the suburb can support.

We are concerned over suggestions that the proposed strategy includes developments of six and nine stories in height. We do not consider such buildings would be consistent with the existing building profile of the suburb. In particular, we are very much opposed to suggestions that the corridor between the edge of Curtin and Adelaide Avenue be developed beyond its current use as a bicycle and walking path. We would suggest consideration of establishing a separate path for use by cyclists so the maximum amenity can be derived from this space in a manner which is safer for all users.

The Strategy proposes to significantly increase the number of dwellings in Curtin. In our view, this will increase the concrete profile of the suburb and reduce green space which will result in a hotter local climate. Consequently, we would also be concerned if permission for subdivisions of existing residential blocks resulted in significant tree and other vegetation loss. Suggestions of minimum tree coverage on residential blocks in our view have much merit.

Again, we understand the demands on Government to develop more residential accommodation in the Territory and hope that this process of consultation will result in a solution which assists in meeting this demand while maintaining the existing amenity of the suburb.

We are grateful for the opportunity to provide a brief submission on this issue and hope that our views will be accounted for in your deliberations.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

COMBINED SUBMISSION ON DRAFT WODEN DISTRICT POLICY AND DRAFT NEW TERRITORY PLAN

The consultation period and process for the draft policy and draft plan were not sufficient for changes of the nature and scale proposed, particularly in view of the fact that December and January are ‘dead’ months for community consultation. The changes proposed are complex and far-reaching and the consultation program did not reflect this.

The draft Woden District Policy and draft Territory Plan are based on population growth **assumptions**. Planning needs to be based on considered and comprehensive population **policy**. In the absence of a population **policy**, the argument that densification is required to avoid environmental damage to areas outside the existing city limits becomes a tactic. Without a population policy (as opposed to a prediction) we are dooming ourselves to planning which amounts to successive knee-jerk reactions.

The policy and plan need greater honesty. For example, proposing that a road should be built (in place of the existing green belt) around the eastern side of Curtin to “clarify” the suburban edge is disingenuous. The suburb is currently well defined by the green belt.

Critically, the draft policy and plan do not afford a safe environment for residents of Canberra, most particularly vulnerable residents. The community needs to see detailed technical specifications that are clearly sufficient for the impact of climate change. The existing drafts provide for high density developments with an insufficient tree canopy; a significantly hotter and more fire-prone Canberra will result from the strategy and plan as drafted.

The draft policy and plan appear to be a simple bid to build high density developments in all open spaces close to the light rail corridor, without a coherent overarching plan. A good example is the proposal to allow for retail and community facilities within and surrounding the Yarra Glen – Melrose roundabout. This site is flood prone, already congested with traffic and close to the significant heat sink that is the Woden Town Centre.

A further example is the proposal to allow development around the Curtin Square which would remove (in particular) winter sunlight from this important community space.

Densification can greatly advantage the community, provided it is done well. The draft policy and plan will not produce a safe environment, nor a liveable city.

[REDACTED]

[REDACTED]

Curtin ACT 2605