



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING AND URBAN RENEWAL

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Submission Cover Sheet

Engagement with Development Application Processes in the ACT

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I wish to place a submission with respect to DA processes.

My overwhelming comment is that processes themselves are not the big issue - or would not be such an issue, if the fundamentals for ACT planning and development were sound. The current planning standards in the ACT are not robust enough, resulting in an overwhelming number of developments of poor standard and a lack of coordinated planning within the city. This has consequences for all subsequent processes and creates unnecessary tax payer and community burden.

Currently DA processes (and ACAT) simply tie up tax payer funds and community time in fighting over Development Applications that could have been avoided if basic eligibility criteria and planning regulations were designed to reflect best practice in the 21st century.

For every urban development in Canberra that might be exemplary, there are literally dozens that are of poor standard yet meet criteria within the current planning framework. This will create a burden on future generations and this is deeply short sighted - it amounts to selfish governance of our city.

ACT planning laws are enabling developments that are not sustainable (i.e buildings which will have short lifespans), and are poorly parametrised for the environment - they compromise green space, building quality, the character of the city, its serenity and its infrastructure.

The World Health Organisation suggests that the biggest public health issue in the world will be mental health by 2030. The design of our built environment, and its relationship to our natural environment is absolutely at the heart of delivering a mentally healthy community. If the ACT Government is not designing a city which generates and supports mental health, but is eroding it through poor built infrastructure and design, then it will create burden on hospitals and the economy due to losses in productivity. It is short sighted not to be more alive to these issues.

Strategic planning is not in evidence in Canberra. A classic example is that of Dickson Section 72, the old Downer School site development and the old Watson High School site. No self-respecting planning organisation should have allowed any discussion or approval of DAs for any of those three proposed development areas to occur independently of each other - given their close proximity.

A sensible way of approaching these developments as an integrated intensification process in the Inner North would have seen the following:

- 1: Section 72 dedicated to urban living units and aged care due to proximity to Dickson shops, and transport hub,
- 2: Downer School site dedicated primarily to community facilities such as halls, meetings spaces, community gyms or other services - along with a small number of units - due to constricted access to this site.
- 3: Watson - Units and townhouse - due to easy access to major roads

This would have been sensible to ensure developments vis a vis traffic in the Inner North is not turned into a nightmare, and that these developments sensibly reflect the

characteristics and opportunities of each site - rather than stuffing units in the centre of Downer for the sake of it and working from a challenging basis with the Section 72 current infrastructures.

Community is now fighting to keep community space in Dickson. But if they'd been offered a sensible alternative in the form of an updated community centre and hub in a sensible location (Downer) that wouldn't create huge compromise for traffic movements at peak hours - they may have been content with the change of use of the Dickson Section 72 site to housing (if it would have been sustainable and sensibly designed). Instead the ACT Government will spend tax payer funds in convoluted and frustrating community consultation about Section 72 - with no viable alternative to offer community because the ACT Government has already green lighted a poorly conceived and designed development in Downer.

Now we are left with a series of compromises across all three of those sites that will lead to an unnecessary level of traffic intensification , with associated inconvenience and aggravation.

Coordinated planning is not rocket science. As community, we shouldn't need to be fighting the ACT Government to do the right thing. ACT Government should be representing our interests - not disproportionately developer interests. It may mean making hard decisions that don't always meet all (or developer) views - but are nonetheless characterised by a clear vision of what the results will mean for future generations of the city.

Smart planning would result in much less angst, and mean community and developers and government are not constantly tied up in pointless fights and consultations.

At the moment this city is undergoing death by a thousand cuts whilst a smug provincial mayor in the form of Andrew Barr is congratulating himself about his supposedly cosmopolitan views about high rises. Well planned high rise is great. Dumb, worse than mediocre development overtaking the whole of Canberra is not. As a taxpayer, I should be able to expect more than just ignorance and arrogance from ACT leadership and planning authorities.

Heritage

Planning approvals around Heritage should remain separate from DA placed by developers. Heritage needs separate consideration and should never be bound up in what a developer may wish to do with a site - until determinations about Heritage assets can be independently made.

For example, there are ridiculous outcomes associated with the approval of removal of Heritage Trees at the Downer School development site (which has become bound up in the CHC DA). These trees should remain until they reach the end of their lives.

Note, the ACT Conservator for flora and fauna put forward a contrary view about the trees longevity in the development application approval - relative to the CHC paid consultants who recommended their removal (they said <10 years life, the Conservator said >30 years). There is no justification for removal of these trees, and there is certainly no sensible Heritage value in replacing these trees with a similar conifer species.

This decision requires review and the trees should not be able to be removed. The *whole planting* associated with this Heritage listing should be considered first separately to the DA which only deals with approximately 50% of the total planting. Note this does not

materially impact on the Developer's buildings or ability to proceed with their development.

Keeping existing trees is particularly critical given likely climate change impacts in Canberra which we are already experiencing, but are likely to see accelerate and intensify. Trees should be kept in all cases where it is possible to do so. It is much more resource efficient to maintain current trees, rather than nursing new plantings.

In addition, Living Heritage requires sensible approaches including thinking about the 'wisdom' of the forebears who may have created the Heritage. In this case CSIRO scientists, who wanted a windbreak for their experimental crops. They would not, in climate changing 21st century environment, be replacing these trees with a similar species at a site now used for housing development. They would be thinking, if the trees had to be removed at all (if they senesce) that they should be replaced by deciduous trees which allow winter sun in, whilst blocking summer sun and generating cool shade and amenity for residents.

At this stage, there is no way any replacement trees would ever acquire the same height, amenity for fauna (sparrow hawk nesting), and character within the suburb. The nutrients and soil profile available to the current stand of trees, which existed when the trees were first planted is no longer there. Replacements will never achieve anything like a "Heritage value".

The ACT Government allowed high beam oval lights to be placed on the Downer oval (Bonython Street) on the basis that the Heritage trees (which are part of the same plantings in the adjacent location) will block light from shining into people's homes. These trees are part of the same avenue of Heritage Trees and are not planned for removal, which is bizarre given that the replacement program is supposedly being designed to keep "Heritage" character. They are physically and visually connected to the trees slated for removal.

The ACT Government justified placing flood lighting onto the oval and creating burden on residents with light shine into their houses, by claiming that the Heritage trees would prevent these inconveniences from eventuating - (on the assumption that the trees will be there for the long term). Yet on the opposite side of the oval, around the school site, ACT Government has made a set of contradictory arguments that will see the trees removed.

Either remove all these trees, and the flood lighting on the oval - or keep all the trees that it is possible to keep, and allow the flood lights to remain. it is appalling that decisions of 'convenience' are being made about these trees, without any strategic oversight about the Heritage trees as a whole.

I would like a review of this decision and proper community discussion about the trees. In every single consultation about the Downer school development, the trees were noted as highly important to the community and the overwhelming view of community is that they should be kept. Only a few of the trees are senescing and in need of removal. The idea that a traditional wind break planting is required to adequately replace the trees and "Heritage" amenity is total nonsense (this is being used to justify wholesale, rather than staged removal). Particularly when the other 50% of the trees which border the oval will be kept and the character of the streets will be lost as a consequence.

The fact that the tree removals are now bound up in a approved DA is simply wrong. Heritage decisions should remain separate to development decisions and should be made through public community consultation processes. The real value of these trees is to

community - not to Heritage or the Developer - and neither of those bodies should be able to hold sway on what community actually wants for the trees.

With respect to process, the DA process should be flexible enough to ensure there is an opportunity to remove such components from the approved DA and that it is put out to a separate community consultation with a larger number of independent experts brought in to discuss the longevity of the existing trees, and a suitable replacement program for all the trees on Bonython, Melba and Bradfield which will suit current and future generations.

Thank you.

Fiona Dickson