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Standing Committee on Planning, Transport and City Services

ACT Planning System Inquiry into the Territory Plan and other associated documents

Thank you for the opportunity to comment on the statutory obligations of the Territory Plan (TP) and whether they meet the policy goals of the new system, including for living infrastructure targets.

The WVCC supports development and urban infill, however we want it to be done well with a focus on people and the bush capital. Town planning is holistic and balances competing priorities for land, it includes consideration of homes, jobs, public (green) spaces, community facilities and public transport to connect us to our social and commercial hubs.

Recommendations

1. The Territory Plan complies with the statutory obligations in the:
 - *National Capital Plan* to provide and expand the services and facilities in the town centres to create relatively self-contained hubs. These hubs can be accessed by walking, riding and public transport to build local communities and minimise the need to use cars
 - *Planning Act 2023* to plan, design and develop districts to support active and healthy lifestyles and to cater for a diverse range of cultural and social activities
2. Controls are in place to protect neighbours when poor outcomes slip through.
 - *Development application process* - neighbours should be able to appeal to ACAT about amending and reconsideration development application decisions regardless of whether they made a representation on the original DA decision.
 - *Exempt developments* – neighbours need to be able to appeal to ACAT where poor decisions have an adverse impact on their use or enjoyment of their land
3. In a policy environment of densification there needs to be statutory controls on permeable space and tree canopy to ensure more heat islands do not emerge.

Statutory obligations

The statutory obligations of the Territory Plan under the *Planning Act 2023* include:

- s46 - it is not inconsistent with the National Capital Plan (NCP)
- s47(a) - promote the principles of good planning
- s47(b) - give effect to the planning strategy and district strategies

s46 - The TP is inconsistent with the NCP

NCP - 3.3 Urban Areas - one of the key principles of Canberra's urban structure has been that a hierarchy of centres has been developed, with each town having a centre acting as a focal point for higher order retail functions, commercial services, offices and community facilities - creating distinct and relatively self-contained towns with the continued expansion of services and facilities encouraged in each of the town centres.

- The Territory Plan is inconsistent with the National Capital Plan
 - Loss of services and facilities in Woden (including the recreation precinct)
 - Movement of the CIT

NCP - 3.1.4 Inter-town Public Transport System - a corridor between the city centre, the town centres and major employment nodes, suitable for priority or segregated right-of-way for use by public transport services will be reserved against a possible future need to develop a system of **inter town and express routes** suitable for buses or other public transit modes as appropriate.

- to attract people to public transport (being mode agnostic) we need to look at the services and the features that will encourage mode shift, including travel times and the number of interchanges for people that do not live on the corridors that link the town centres.
- the government may implement light rail on the major corridors however it might be prudent to also keep dedicated bus lanes so buses can run from the more distant suburbs to town, facilitating better services by reducing the number of stops and requirements to change mode.

S47 - Principles of Good planning

To achieve good planning outcomes, a person must consider the object of this Act and the following principles in developing planning strategies, plans and policies:

- (a) activation and liveability principles - planning and design should support diverse economic and social activities, including through promoting different but compatible uses for buildings and other areas
- (d) districts should be planned, designed and developed to support active and healthy lifestyles and to cater for a diverse range of cultural and social activities

Woden District Policy

The Woden District Policy has precedence over the other Territory Plan documents. It is incredibly disappointing that the poor planning outcomes have not been improved.

- 3. Outcomes - Cultural and recreation facilities** – need to be included in the outcomes because they are defined in the Territory Plan whereas community facilities are not defined and it is unclear what they are.
 - Outcome 2 – needs to include cultural and recreation facilities (shown in red)
 - Develop Woden town centre as a **social**, educational and commercial hub, building on the Canberra Institute of Technology, **new cultural and recreation facilities** and the transformational potential of the future light rail connectivity and new residences
 - Outcome 7 - Deliver new community, **cultural and recreation** facilities aligned with urban improvement to address existing gaps in provision and support future residential growth

5.17 Mawson group centre – see Attachment D

- The building heights are too high around the square and will overshadow the square. They need to be reduced to one storey. There are higher buildings around for new homes so the public space should be preserved for the enjoyment of the community
- There are limited recreation facilities in the area aside from the soccer playing fields. There is an opportunity to create a community hub with a community centre and some basketball courts, bbq etc ...

5.24 Woden Town Centre – see Attachment E, F and G

- Woden is zoned for high rise residential, there needs to be consideration of active public spaces for the growing population and the buildings heights for the town square need to be reduced to the current heights to allow the sun in
- Woden is zoned for high rise residential, there needs to be consideration of active public spaces for the growing population and the requirement for active fronts and public spaces for markets and events

5.33 Phillip Pool – see Attachment H - options for a new aquatic centre

- There is a huge demand for a centrally located aquatic centre. The loss of the pool and ice rink from Woden is a major blow to the social development of the Town Centre.
- The proposal to include a 25m pool in a Geocon tower is second rate outcome and will not meet the demand of all the sporting groups, including squad training, lap swimmers, water aerobics, water polo, scuba diving, swimming lessons and people wanting to have fun ...
- An aquatic centre north of the athletic track could include a hydrotherapy pool that is near the hospital, a 25m outdoor pool and café opening up onto Eddison Park to activate the park.
- It is concerning that Minister Berry said there were no suitable sites in Woden for the new ice centre, at the same time as large government owned car parks are being sold.

Residential Zone Policy

RZ1 areas can now be 2 storeys – there is no statutory height limit. Excessive heights can lead to poor outcomes around overlooking, privacy and overshadowing which have also changed from statutory provision to guidance. **See Attachment I**

Compliance - Reviewable decisions

In demonstrating compliance with the assessment outcomes, consideration is to be given to the relevant design guides and technical specifications which may serve as a benchmark

- Reasonable levels of privacy to dwellings and private open space within a block and on adjoining residential blocks is achieved
- Minimise overshadowing of public open space and neighbouring residential properties to allow sunlight access and maximum exposure to living areas, communal spaces and private open spaces.

The assessment under the design guides are very subjective so what controls are in place to protect neighbours when poor outcomes slip through.

- Development application process - neighbours should be able to appeal to ACAT about amending and reconsideration development application decisions regardless of whether they made a representation on the original DA decision.
- Exempt developments – neighbours need to be able to appeal to ACAT where poor decisions have an adverse impact on their use or enjoyment of their land

DV369 and Permeable spaces for trees and other plantings

In a policy environment of densification the guidance under the ACT Urban Design Guide is inadequate:

- Maximise the total green cover and vegetation density in urban environments by prioritising planting where there is access to sufficient soil volumes, soil quality and water to support dense growth of trees, shrubs and understory vegetation.
- Contribute to the ACT's Living Infrastructure plan of 30% tree canopy coverage and permeable surface objective of 30% by 2045.

There needs to be statutory requirements to ensure that each property contributes to the tree canopy and more heat islands do not emerge through the suburbs.

Governance

Given the ACT Government's unicameral system of government, its small Assembly, and the lack of local government, too much power resides in the hands of too few. There are not enough opportunities for independent advice and review of land use planning and development controls, and appeal to ACAT is still not permitted in various areas, including the Town Centres.

The planning system is opaque and lacks transparency leaving the community with very little opportunity to influence the vision and the outcomes for the ACT and their districts.

- comprehensive discussions with representatives of the community are required to determine the desired objectives and outcomes and consider the variety of options to realise them
- independent advice is required to provide a different perspective to the options to develop the city in an equitable manner
- checks and balances need to be included, for example using disallowable instruments to allow the Legislative Assembly the opportunity to debate planning policy and bring motions to amend outcomes
- accountability for implementation for the agreed land use outcomes needs to be transparent. To date each block in the Woden town Centre has been developed in isolation and governance around collaboration and cohesive planning to deliver great outcomes is absent.

Neighbours need access to ACAT and statutory provisions for privacy, access to sun and tree canopy so they can challenge poor decisions that impact on their enjoyment of the property and quality of life.

Yours sincerely

Fiona Carrick
President, Woden Valley Community Council
27 October 2023

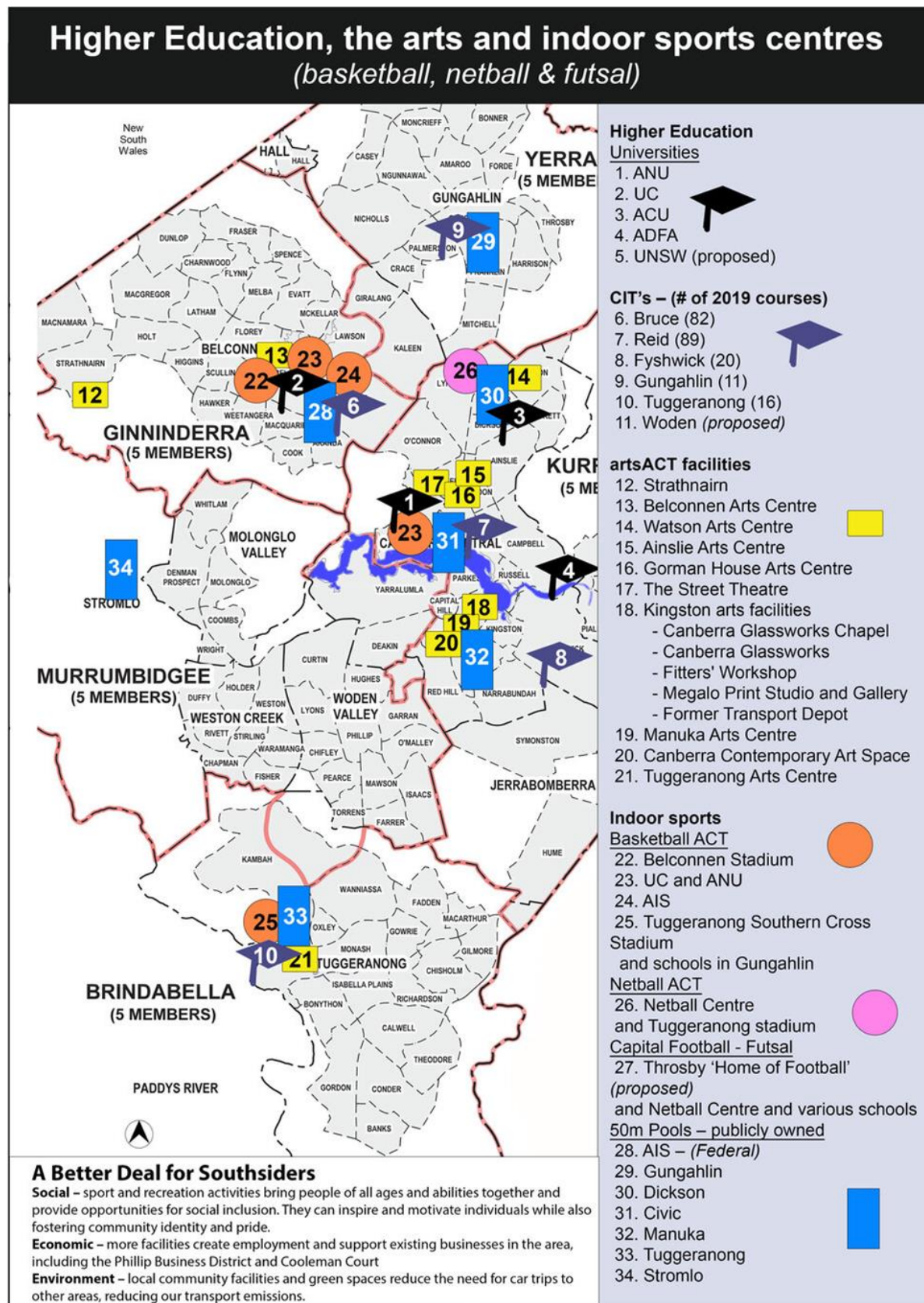
Attachment A

Terms of Reference

That the Standing Committee on Planning, Transport and City Services inquire into the Territory Plan as per its statutory obligations, along with the Territory Plan's supporting documents such as the design guides and planning technical specifications. This includes:

- a. What the policy goals are for the new system and whether the new system is able to meet these goals; and
- b. How Variation 369 and the ACT Government's commitments to Living Infrastructure targets are embedded in the Territory Plan, as per the Committee's earlier commitment to inquire into its implementation within 12-18 months of its commencement.

Map showing the location of facilities in Canberra and the lack in Woden and Weston Creek



National Capital Plan showing inter town public transport alignments

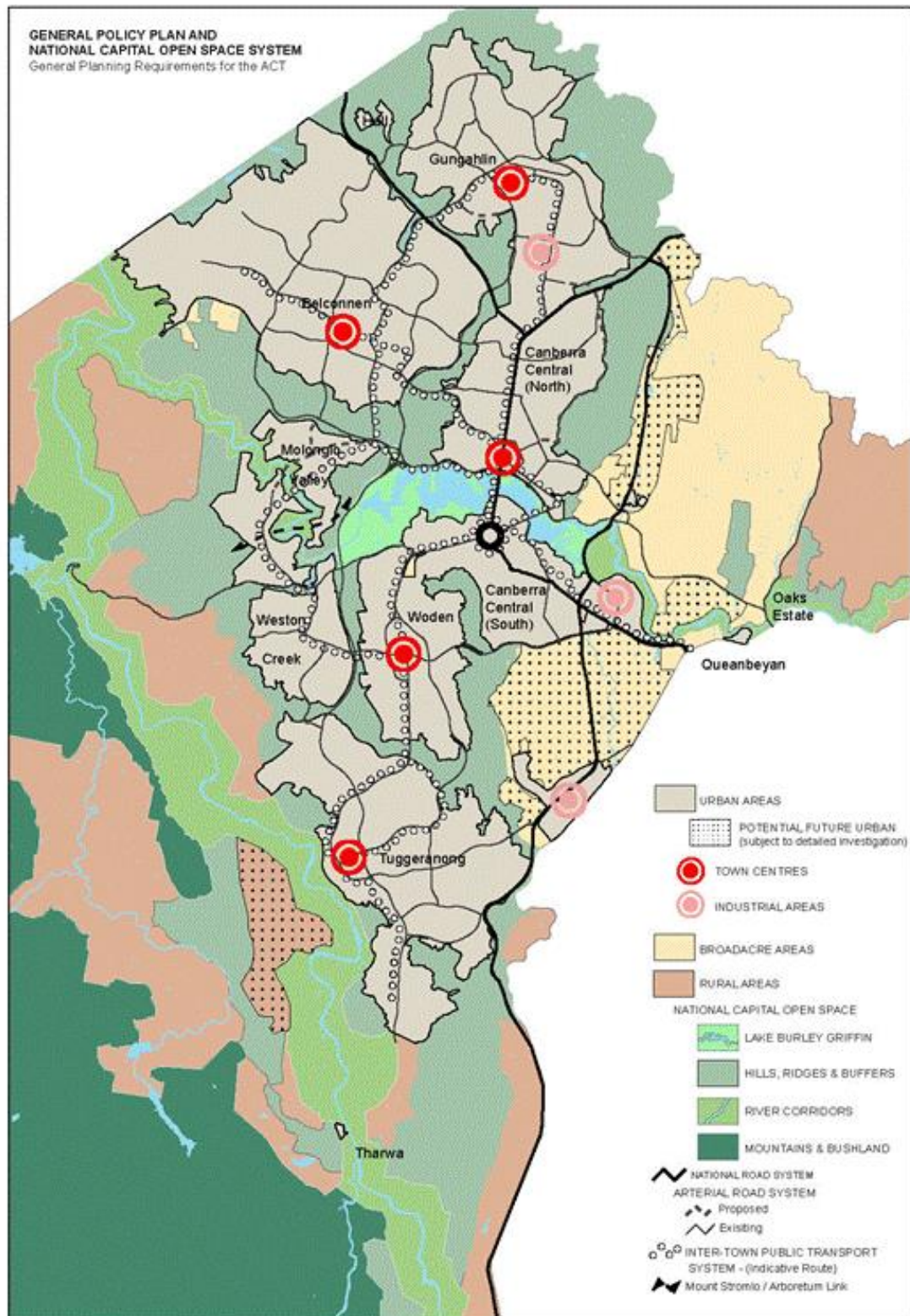


Figure 2: General Policy Plan – Metropolitan Canberra

Attachment D

Southlands Mawson showing the need to reduce the building heights around the small square and the opportunity for community facilities to connect the shopping centre to the playing fields – creating a community hub.

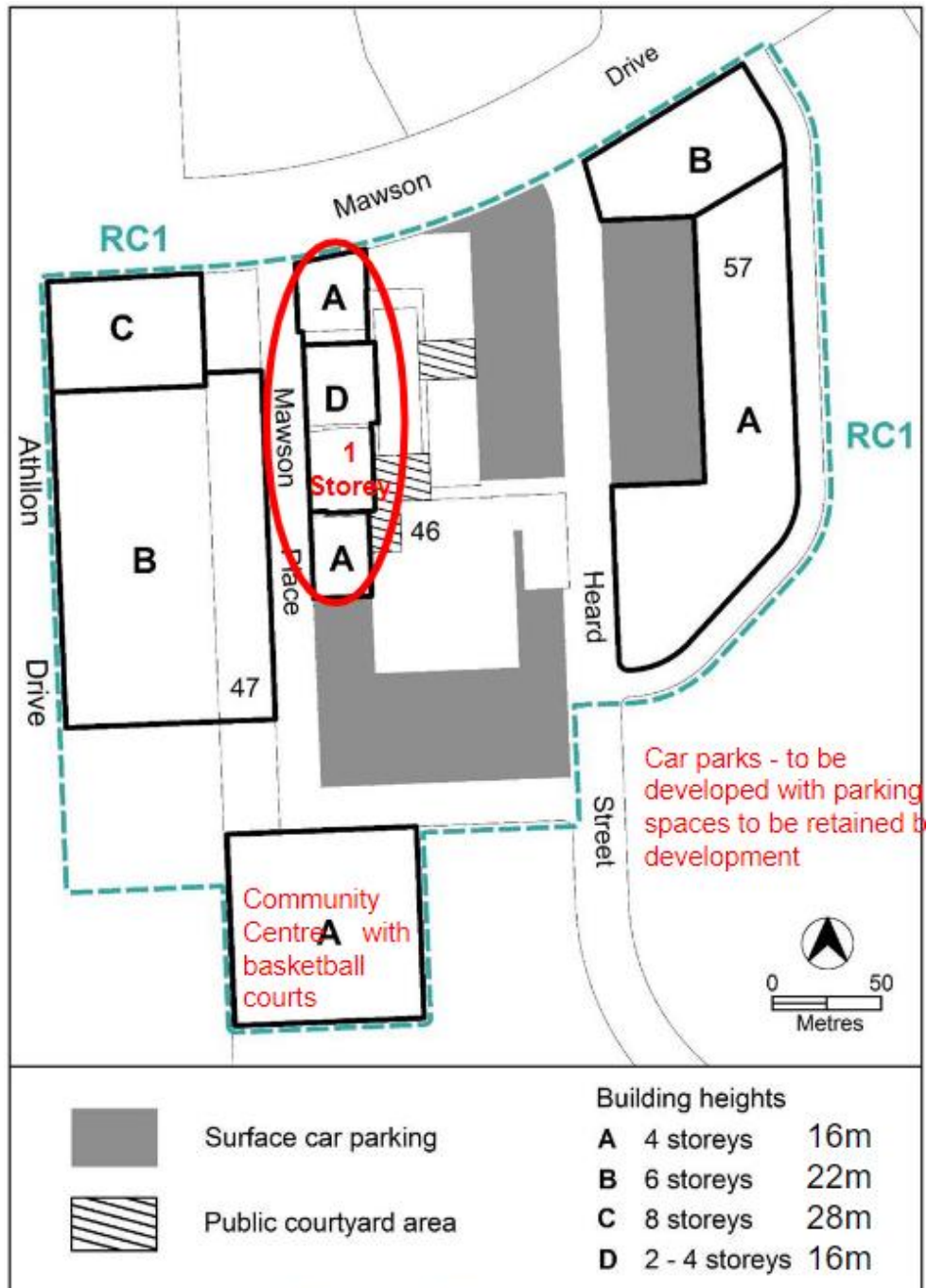
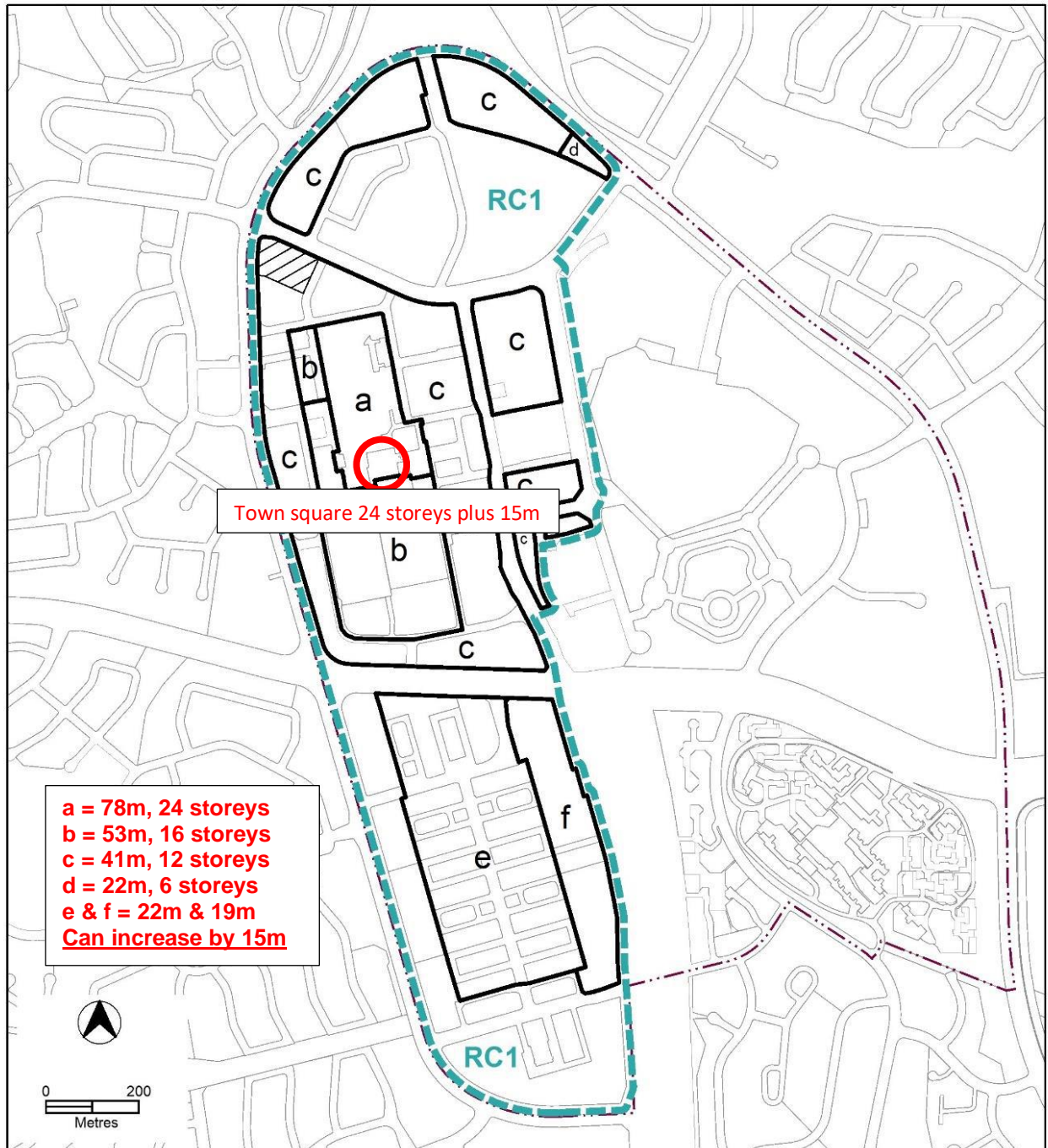


Figure 9

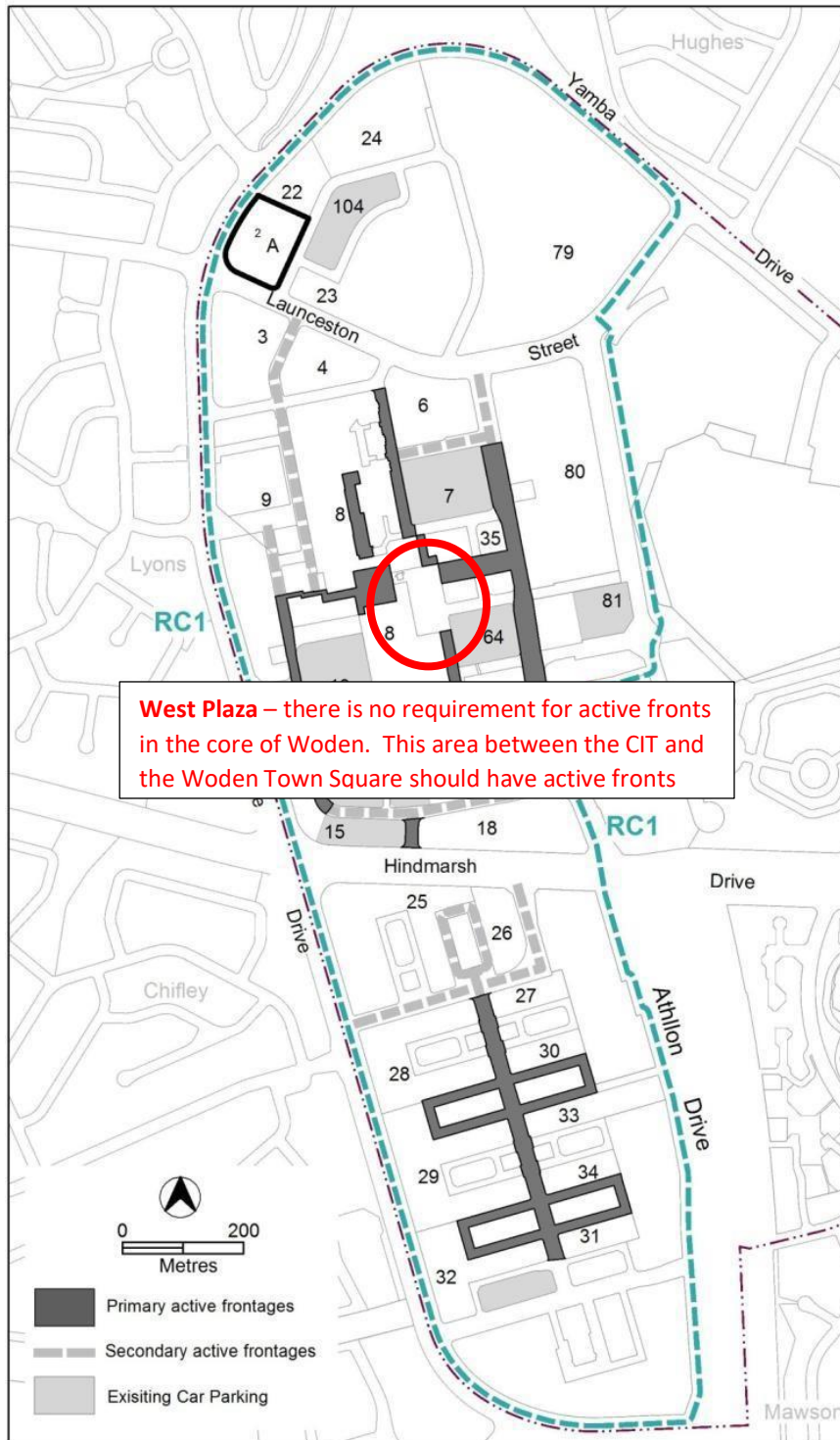
Woden Town Centre - building heights

- Woden is zoned for high rise residential, there needs to be consideration of active public spaces for the growing population and the buildings **heights for the town square need to be reduced** to the current heights to allow the sun in



Woden Town Centre – active fronts

- Woden is zoned for high rise residential, there needs to be consideration of active public spaces for the growing population and the requirement for active fronts and public spaces for markets and events



Attachment G

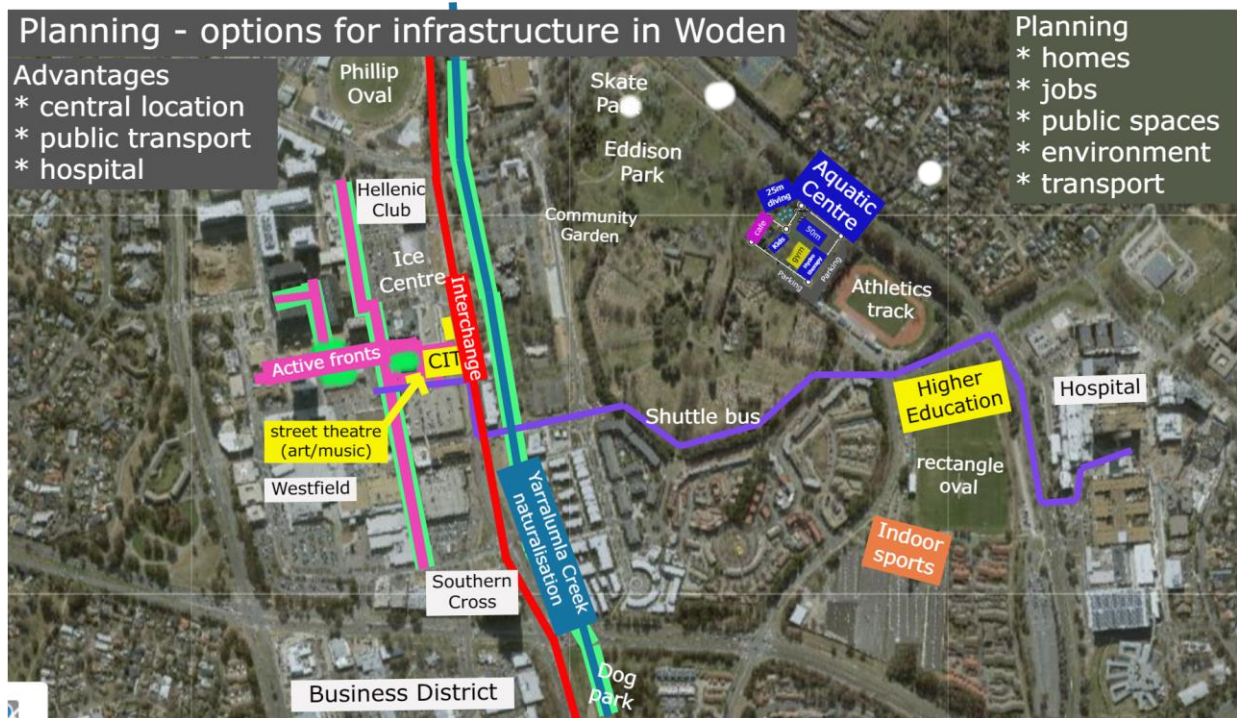
Woden Town Centre – active fronts

- CIT and West Plaza from the town square, the Youth Foyer has blank walls in the core of Woden, facing onto what could be a fantastic public space



Attachment H

Phillip Pool – options for a new aquatic centre - the site north of the athletics track is suitable for an aquatic centre, it would help to activate Eddison park.



Attachment I

Out of character with the area



large footprint



Overlooking invading privacy