



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ENVIRONMENT AND TRANSPORT AND CITY SERVICES

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Submission Cover Sheet

Nature in Our City

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Submission to: Standing Committee on Environment and Transport and City Services, on its Inquiry into the value of the natural environment to an urbanising Canberra.

Thank you for the opportunity to make a submission to this inquiry.

As a community group that has been working with Government to develop an open access edible food forest on public land for five years now, we have a lot of experience to share about how the ACT Government could better support endeavours such as ours. This would have a very positive impact on access to and engagement with nature in an increasingly urbanised Canberra.

Please note that while the details covered in this submission are, on the whole, quite critical of the ability of the ACT Government to engage with low risk projects like us in a supportive way, our relationship with the individuals within Government have always been respectful and helpful within the limitations. The issues raised are structural and cultural in nature rather than individual.

We are also happy for this submission to be made public, without the contact details, and also to attend a hearing to elaborate if this would be helpful.

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Submission to the ACT Legislative Assembly inquiry into the value of the natural environment to an urbanising Canberra.

Submission

The focus of this Inquiry is very important to our group: The Lyneham Commons. We have a particular interest in the development of open-space, nature-enhancing amenities and food growing spaces, not just in separate bushland settings abutting suburbs but also within suburbs.

The ACT has an abundance of local parks and random unused spaces within suburbs. However planning and policies related to their use, maintenance, construction standards and development are incompatible with their potential as community initiated and co-managed nature enhancing spaces.

We would like the ACT Government review their policies with the goal of developing a comprehensive strategy to work in partnership with community groups who are interested in projects that increase natural habitat, low risk nature play spaces outside conventional playgrounds and open access food growing spaces within urban areas.

This would:

- enhance community engagement with nature;
- build social capital in communities; and
- build resilience in the context of climate change.

To do this the ACT Government will need to address the myriad ways in which current departmental mindsets, policy guidelines and processes create very frustrating and sometimes overwhelming barriers for community organisations wishing to develop their site.

Another helpful initiative would be creating a small funding stream for community initiated asset enhancements that communities could match through in-kind contributions.

Who we are and why does this Inquiry matters to us?

We are a small group of people who five years ago had a dream of turning a random bit of left-over land into an urban edible forest garden¹ as a gift to the community.

We were inspired by:

- the idea of regenerating this degraded piece of land;
- the dream of building a beautiful nature based amenity in the heart of Lyneham;

¹An edible forest garden is a perennial polyculture of multipurpose plants – mainly perennials. It is designed so that each plant contributes to the success of the whole by fulfilling many functions. It is an edible ecosystem that by its design mimics forest ecosystems.

Submission to the ACT Legislative Assembly inquiry into the value of the natural environment to an urbanising Canberra.

- a desire to share our understandings about food growing in a way that also regenerates soil;
- a sense of urgency about the need to build resilience in the light of climate change; and
- the opportunity to contribute to the building of social capital, health and community wellbeing.

We wanted the land to stay public land and we wanted to do it with the support of ACT Government. This turned out to be an extreme challenge. In fact we understand that in the end, we only achieved an agreement to go ahead with this project because of the direct intervention of the then minister Shane Rattenbury. Even then, the hoops we had to jump through and the limitations placed would have deterred a less determined group.

We are celebrating our third birthday on the 15 July (note: Five years after our project commenced.), and while we are very proud of what we have achieved to date, we have to say that the barriers and challenges thrown at us, and still dogging us, have made the process unnecessarily problematic. It has also impeded progress and left us feeling exhausted and overwhelmed.

If the ACT Government is serious about this vision and can see the benefits of unleashing the power of communities to work with them to bring about this vision, these barriers must be addressed.

Key points:

1. Nature in the suburbs is important too not just nature in the areas abutting the suburbs

We would like to suggest to this inquiry that the concept of 'nature' in the city needs to be extended beyond open bushland spaces to include urban parks and open spaces like ours that utilise natural processes to build a self-sustaining food forest.

2. Working with the community using best practice strength based community development models will deliver the best outcomes

Our strong position is that if this Inquiry only looks at this question from the point of view of 'What can Government do FOR the ACT Community to increase their opportunities and quality of their exposure to nature they will be missing a very important consideration. Providing opportunities to enable and support the community to initiate pro-nature engagement activities will unleash much more creativity, energy and opportunity than could ever be achieved by top down approaches.

3. All the pro-nature, pro-community policies in the world will not change things if decision makers working within single agencies are not required to apply these policies.

Submission to the ACT Legislative Assembly inquiry into the value of the natural environment to an urbanising Canberra.

Our experience of five years have convinced us that when engaging with middle level administrators within an agency, their response to proposals and ideas that are new and sometimes challenging is only informed by their agency specific policies, guidelines, processes, standards and mindsets. For example, our request to administrators to consider the ACT social policy in considering our proposal was never taken seriously.

4. The ACT Government could consider setting up a process to review policies and guidelines and their fit-for-purpose to the encouragement of communities to implement low risk locally based pro nature projects in partnership with Government.

When the city of Seattle decided to implement Asset Based Community Development models of working to engage the community they did two things. They developed a small dollar matching grants program and they did a systemic review of legislation, policies, guidelines and processes to ensure that these did not stand in the way of worthwhile projects without good reason.

It is worth noting that the ACT Planning Strategy Towards 2030² makes a similar point:

Being innovative and incorporating new uses into the physical infrastructure will improve our city's sustainability. This will mean we may have to alter our standards and expectations.

5. Modern risk averse risk frameworks currently mandated by the ACT Government is fundamentally incompatible with the management of Nature

Nature spaces have inherent risks. Kids can fall out of trees, uneven ground can cause people to stumble, bees can sting, and weeds colonise opportunistically. Engaging with nature has inherent risks – lawn mowers and ladders, rakes and clippers can cause damage to people. But people use these all the time domestically.

When we were asked to complete the ACT Governments extremely rigid risk management process we had to say:

- we would prevent kids falling out of trees by keeping their heights below a certain level – even though 3 metres away there are dozens of 6-10 metre high trees;
- we would not create any compost on site – not even a non food based low risk one;

2

http://www.planning.act.gov.au/_data/assets/pdf_file/0007/894967/2012_Planning_Strategy_-_Towards_2030.pdf

Submission to the ACT Legislative Assembly inquiry into the value of the natural environment to an urbanising Canberra.

- we would never bring a ladder or a mower on site;
- we would create no infrastructure – boxes for hoses, trellises for raspberries, shed for tools etc; and
- we would have no signs onsite – unless they complied with the sign standards for ACT Government.

Each of these requirements cause significant difficulties for us. We have to create compost off site and then transport it to the site, we have to hand weed couch grass (a soulless, never ending task) when regular mowing would be effective, we store hoses in a communal area on a neighbour's property and have to drag them back and forth; and our one sign was prohibitively expensive costing four times more than all our plants and trees combined!

We also now are required for all our volunteers to wear hi-vis vests while we garden with hand tools more than 100 metres from the nearest road!

We ask that inquiry give serious consideration to the issues raised in this submission, and to assist your deliberations we have provided a) a case study (Attachment A) of one area where these barriers nearly threatened our entire project and still continue to challenge us – Water Management, and b) a summary (Attachment B) of the current barriers that are causing us great difficulty in managing the Lyneham Commons space.

We would be very keen to discuss these matters and are willing to appear before you at your convenience.

Lyneham Commons: Water Barriers Case study

Barriers to access to water

Access to water is a critical issue for developing our food forest garden especially in the early years of establishment.

On set up we faced the challenge of having no tap on site, a degraded compacted soil, a wind exposed site and trying to keep small plants alive until they were stable.

We expected water retention to dramatically improve once we improved the soil, had diverse perennial and annual plantings that improve nitrogen and other elements, and had more deep rooted plants thriving on the site.

But to get to this point we have to struggle against a soil that doesn't retain water well, a harsh exposed windblown landscape, no deep roots and barriers to the basic access to water.

Many options were explored – but our preference was to use non-potable water, as this would be consistent with our sustainability goals.

We somewhat reluctantly moved to what we hoped was a temporary solution – to access potable water from a neighbouring property. We were fortunate that the Acacia Gardens Body Corporate was generous enough to agree to place a tap on our side of the fence with a separate meter on their property attached to their system. This has of course imposed a significant economic burden on our small group.

To take up this offer, we had to negotiate with them to place a locked box inside their fence to contain our long hoses, as we are not permitted to leave anything at all on site barring the garden and the mulch pile.

Acacia Gardens are now concerned that every time we water we have to enter their property and they are no longer happy with our arrangement. This places us in a bind so we are again seeking permission from the Government to build a locked box/seat on site.

Our other option, to keep the hoses offsite and transport them onto the site each time we water is not only difficult, it is physically challenging given the weight of the hoses. Moving to this strategy would exclude some of our older volunteers for whom watering has been/is a preferred activity.

However, there is a far better solution that we have been trying to get approved for the past three years. It is simple, clever and sustainable – retrofitting the roof guttering in our neighbouring ACT Government seniors' residence to harvest it for our garden. It currently is all connected and removed to the stormwater system.

Submission to the ACT Legislative Assembly inquiry into the value of the natural environment to an urbanising Canberra.

The obstacles are as follows:

- TCCS have insisted that negotiations go through them and that we not to approach ACT Housing directly. Meanwhile they did not progress negotiations because they are stretched too thin;
- To place a tank on our side of the fence we will need to fundraise and undertake a community consultation –we don't actually have a problem with this but it is another hoop to jump through;
- TCCS have insisted that we must place the tank on a cement base to the standard that they have set for themselves – a commercial standard base constructed by a fully licensed company – we would have preferred to approach another NFP community group – such as the men's Shed to undertake this work if we have to have this base (Note: people who work in industry advise us that country properties routinely use road base and they have not heard of any issues with this solution);
- However all the work we have put into exploring this option, costing it, trying to engage ACT Housing via TCCS, has come to nothing because of an even more significant barrier. We have been informed that there is a 'border crossing' policy that disallows the use of roof water from one property to be transported to another property. This is in spite of the fact that the ACT Strategy Plan 2030 document says we must "Recycle our water to reduce the demand on potable water" and notes that "Solutions for capturing and distributing water at a district scale can be more innovative and cost effective than individual site solutions".

The fact that in the newer suburbs and for new builds in the ACT all homes must have tanks to capture roof run off and that this must be connected to garden taps highlights the illogicality of this ruling - you must use your roof water to water your garden on new sites but you are strictly forbidden to use your neighbour's roof.

Submission to the ACT Legislative Assembly inquiry into the value of the natural environment to an urbanising Canberra.

Attachment B

Barriers at LC	Perceived Rationale	Solution	Other ideas and strategies discussed
<p>Requirements for interpretative signage in public spaces The stringent construction and installation requirements impose a significant financial cost to the group. After much frustration we funded our sign through a Nature Play Grant. The cost exceeded many times over all the money we have paid for all trees, plants, mulch, compost etc</p> <p>We would like to provide more information to the community via more interpretive signs but these strictures make this impossible. The work to get the main signage wore us out!</p> <p>Lack of educational signage reduces our educative and engagement impact with the community, as well as the opportunity to build social capital, community connection and ownership of the LC has so far been lost</p>	<p>Signs should be consistent with other signs in ACT public paces</p> <p>Signs in public spaces need to meet community aesthetic standards and look professional</p> <p>Signs needed to be sturdy to withstand vandalism and prevent injuries resulting from it being broken. People may step on, scratch or cut themselves... etc. ... or be struck with broken objects</p> <p>The use of approved contractors with public liability insurance protects against problems arising from building or installation, shifting the burden from tax payer</p>	<p>The community could design, and construct safe signs using recycled materials. The whole local community could be engaged in this the process.</p> <p>Alternatively: Like the City of Sydney the ACT government could provide a choice of two simple structures for permanently installed interpretative signage from which their community gardens could choose. One could include a blackboard surface to allow for seasonal messages. The other allow for the attachment of community designed education material. These could be designed and made by the community.</p> <p>In addition a third ephemeral sign system could be designed for “harvest me” instructions or “I’m not ripe yet”. A</p>	<p>Make ‘blackboard’ spaces in existing brick fence pylons next to the corner senior Housing unit – render and paint with blackboard paint</p>

Submission to the ACT Legislative Assembly inquiry into the value of the natural environment to an urbanising Canberra.

<p>Signage requirements do not allow for seasonal, movable and ephemeral signage.</p>		<p>simple anchor system could be designed so they are not easily removed.</p>	
Barriers at LC	Perceived Rationale	Solution	
<p>Inability to install garden infrastructure: No agreement for the placement of any infrastructure normally associated with energy efficient and sustainable garden on site</p> <ul style="list-style-type: none"> • Unable to put in trellis to support the growth of some desirable plants – e.g. raspberries • A lot of energy is wasted carrying essential tools and resources on and off site. This energy could be used more productively engaging and educating the community • There is no storage space for: <ul style="list-style-type: none"> ➤ tools ➤ hand watering hose ➤ other frequently used equipment, tables, chairs, 	<p>The project is a trial and may fail</p> <p>Garden storage units and infrastructure may be broken and so lead to injuries and legal liability</p> <p>The public may be concerned if the site looks messy, or ramshackle or like it is made from reused material. I.e. has a hippy look!</p> <p>Infrastructure might impede the view of near by neighbours</p> <p>Infrastructure may not meet community aesthetic standards or expectations</p>	<p>The project is widely supported by the community and has not failed!</p> <p>The community could be consulted about the design, look and placement of infrastructure</p> <p>Infrastructure can be aesthetically pleasing robust and well designed!</p> <p>Engaging the community in the consultation, design and building process will build community connection and resilience!</p>	<p>LC to consider if there are any of these ‘requirements’ we can safely ignore.</p> <p>LC to develop principles for installing safe garden structures (e.g. stakes) and then go ahead and do it.</p> <p>Only deal with TCCS around issues that are outside the LC policy for safe garden infrastructure installation.</p>

Submission to the ACT Legislative Assembly inquiry into the value of the natural environment to an urbanising Canberra.

<p>potting on equipment</p> <ul style="list-style-type: none"> • Green tunnels or cold-frames are not permitted 			
<p>Barriers at LC</p>	<p>Perceived Rationale</p>	<p>Solution</p>	
<p>Inability to install people and community friendly infrastructure to support participation:</p> <ul style="list-style-type: none"> • Picnic table and chairs • Simple nature play equipment for kids – e.g. logs to climb on and jump off • Simple covered outdoor learning and meeting space • Outdoor performance space • Art installations • Little libraries • Accessible pathways for wheel chairs <p>Loss of opportunity to empower our local by community demonstrating ways to build resilience by:</p> <ul style="list-style-type: none"> • Recycling • Building using recycled materials • Repurposing • Practicing efficient use of 	<p>The project is a trial and may fail</p> <p>Art and infrastructure in public spaces needs to meet community aesthetic standards and look professional – community initiated or community built projects may not</p> <p>The structures need to be sturdy to withstand vandalism and prevent injuries resulting from it being broken.</p> <p>The use of approved contractors with public liability insurance protects against problems arising from building or installation, shifting the burden from tax payer</p> <p>TCCS does not have funds for people friendly</p>	<p>Support the Lyneham Commons to consult the community about they want on site</p> <p>Support the development of a site community enrichment plan to be funded and built by the wider community</p> <p>Support the local community to fund and build the safe people friendly installations that they want</p> <p>Support building projects that demonstrate the building of structures with recycled or repurposed materials</p> <p>Support local artists to work with the local community to make ‘art’ on chairs works, tables, wall etc</p>	

Submission to the ACT Legislative Assembly inquiry into the value of the natural environment to an urbanising Canberra.

water	infrastructure – including tables and chairs!		
Barriers at LC	Perceived Rationale	Solution	
<p>Inability to support basic soil health by composting on site</p> <ul style="list-style-type: none"> • Energy is wasted carrying valuable resources off site to be composted • Off site composting is less efficient because it is visited less frequently • Opportunities to compost materials from near by flats, currently going into landfill, is wasted • Requests to compost neighbours materials have to be turned away 	<p>Compost may smell and attract vermin</p> <p>Compost will need to be contained by infrastructure – see all of rationale above</p>	<p>We could cold compost leaves with manure on site without the use of infrastructure and of any of the anticipated problems</p> <p>Site could house a solar powered composting unit to service the local community (flats and units) – See environment center model</p>	
Barriers at LC	Perceived Rationale	Solution	
<p>Inability to practice sustainable soil preparation for the proposed windbreak.</p> <p>TCCS standards for the removal of persistent weeds (couch grass) do not allow for the lowest tech and most sustainable</p>	<p>TCCS and Recreation do not have the resources to design, prepare, plant, or maintain the windbreak (\$200 funding has been offered)</p> <p>TCCS standards set the</p>	<p>Solution 1: Most cost effective option:</p> <ul style="list-style-type: none"> • Train and insure LC volunteers to use a hand mower to trim back couch until it is shaded out (could be via a grant) • Plant very hardy 	

Submission to the ACT Legislative Assembly inquiry into the value of the natural environment to an urbanising Canberra.

<p>management option – Shading out by nature over time.</p> <p>Proposed trees and shrubs will successfully grow without the couch grass being removed. Mature trees and shrubs will out compete the couch grass</p> <p>The two options allowed are: Option 1: Spray using toxic chemicals</p> <ul style="list-style-type: none"> • Soil health and the long term health of the environment <u>will</u> be damaged • Health of locals using the recreation area may be put at risk <p>Option 2: Scalp and remove soil</p> <ul style="list-style-type: none"> • The existing soil ecology will be disturbed and possibly damaged by scalping • Use of fossil fuels will be required • There cost to the taxpayer of the design approval and use of heavy machinery will be significant when there is a simple solution 	<p>requirements</p> <p>TCCS equipment will not be able to mow to suppress weeds between the plantings</p> <p>The community expects that public plantings will look neat and cared</p> <p>Persistent weeds must be removed before planting, eliminating the need for ongoing management or suppression</p> <p>Spraying is perceived as the most cost effective option</p> <p>The risk arising from the use of chemicals to manage persistent weeds is perceived as low</p> <p>Destroyed ecosystems services provided by soil life and potential harm to people from toxins do not need to be considered as a cost</p>	<p>and vigorous ground covers that will shade it out e.g. myoporum parvifolium?</p> <p>Fall back solution 2: Fund a contractor to hand mow couch back until it is out shaded out</p> <ul style="list-style-type: none"> • Not the preferred option but stills significantly less cost to the public purse and the environment 	
<p>Barriers at LC</p>	<p>Perceived</p>	<p>Solution</p>	

Submission to the ACT Legislative Assembly inquiry into the value of the natural environment to an urbanising Canberra.

	Rationale		
<p>Inability for volunteers to hand mow persistent weeds at Lyneham Commons</p> <ul style="list-style-type: none"> Couch grass in less critical areas of the food forests (paths) couch could be controlled by hand mowing, freeing the community to engage in more attractive and educational activities 	<p>Volunteers may injure themselves using mowers</p> <p>Privately owned mowers may not be maintained to standard</p> <p>Passers-by may be injured by materials thrown up by mowers</p>	<p>Train volunteers in safe use of hand mowers in public spaces</p> <p>Mower could be maintained by the Men's shed?</p> <p>Alternatively: Provide a fleet of hand mowers maintained by TCCS that can be borrowed for use for this purpose!</p>	
<p>Lack of government staff resources to support community driven and innovate solutions:</p> <ul style="list-style-type: none"> Staff are overloaded and stretched too thin Water harvesting project appears to be stalled? 	<p>Community connection resilience, engagement and stewardship of the environment is not a priority to the government</p>		