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Ms Mary Porter AM
MLA
Chair Standing Committee on Planning, Public Works
and Territory and Municipal Services
ACT Legislative Assembly
Civic Square,
London Circuit,
Canberra ACT 2601

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RE: DRAFT Variation 306

The Australian Institute of Landscape Architects (AILA) ACT Chapter welcomes the opportunity to comment on the above Draft Variation 306.

The AILA is the peak professional body for Landscape Architects in Australia. Founded in 1966, the Institute currently represents the interests of approximately 3,000 landscape architects throughout the nation. The profession is committed to the creation of meaningful and enjoyable outdoor places and to the sustainable management of our built and natural environment.

The AILA supports a comprehensive and integrated approach to urban design and planning that acknowledges the value of Green Infrastructure and embraces the *Australian Landscape Principles* in the planning and design of the public realm.¹

The *Australian Landscape Principles* articulate an ethical decision-making framework for landscape planning, design and management within the built environment. Their purpose is to strategically direct landscape interventions – both in our existing and future built environments - towards more sustainable, holistic outcomes.

In the context of urban design, this means we need to:

- **Value Our Landscape:** by working with the site's intrinsic resources, the climate, landform, landscape and ecology as well as the social and cultural context; feeding back social and environmental benefits and minimizing energy use via integrated green infrastructure strategies.

¹ AILA National *Urban Design Policy* - <http://www.aila.org.au/policies/docs/Urban-Design.pdf>

- **Protect – Enhance - Regenerate:** by promoting urban design solutions which proactively maximise opportunities to enhance and regenerate natural resources, and which measurably improve social, economic and environmental capital; urban design which aims to enrich the qualities of existing urban spaces, and responds to and complements their settings.
- **Design with Respect:** by providing places and spaces for people which are respectful of their needs and aspirations. Such places should be safe, comfortable, varied, attractive and distinctive. Where relevant such spaces should meet the social and health needs of a variety of users through opportunities for a range of uses such as recreation, social gatherings, relaxation and reflection.
- **Design for the Future:** by providing urban design solutions which incorporate the flexibility to respond to future changes in use, lifestyle and demography, and which respect the rights of future generations.
- **Embrace Responsive Design:** by promoting urban design solutions which effectively respond to the inherent values of a place, and incorporating those responses into strategies for ongoing evaluation and development.

Regrettably, such values and principles do not appear to have been specifically articulated and prioritized within the Draft Variation 306.

As a result, the AILA ACT wish to voice our concern regarding what has emerged as a most significant and serious deficiency in the proposed Draft Variation 306 - namely, the lack of an ACT Landscape Policy, and appropriately drafted and articulated targets and objectives for protecting and enhancing urban landscape design and function throughout Canberra.

As it is intended that the Draft Variation 306 and the associated development codes will be used to guide future urban development within Canberra, this deficiency is alarming.

THE ROLE OF LANDSCAPE IN PLANNING FOR A SUSTAINABLE CANBERRA

One of the key principles of urban design within the existing Territory Plan emphasises the significant role of landscape in the National Capital:

*“Retention of **Canberra’s unique landscape setting**, including the integration of natural and cultural elements that create its ‘garden city’ and ‘bush capital’ qualities, **will be accorded the highest priority**. Special attention will be given to safeguarding visual amenity, protecting vegetation and other important features within the established urban landscape, and ensuring the high quality of environmental design in new developments or redevelopment”.* (Cl. 2.16 Statement of Strategic Directions - Urban Design, Territory Plan)

In contrast, the proposed Draft Variation 306 document is conspicuously silent on targets and objectives for the protection, enhancement and ongoing regeneration of Canberra’s urban landscape structure, quality and amenity. The AILA is concerned that this omission heralds a significant shift in emphasis away from the historic prioritization of responsible stewardship of Canberra’s unique & nationally significant landscapes.

It is vitally important that any credible planning and development strategy should simultaneously articulate the strategic direction for how such development will make a positive contribution to Canberra’s overall landscape capacity, character and function.

It is crucial that goals and targets set reflect the need for urban intensification planning to address multiple objectives - not least of which should be biodiversity, climate adaptation and public health outcomes relating to urban landscape quality and function.

Would it not be infinitely more preferable to strategically and proactively *direct* future development towards positive landscape outcomes?

Surely there is potential to envisage proposed development in which landscape and buildings are designed in a more integrated manner - so that at local, suburb and metropolitan level both can function seamlessly to enhance and support the character and amenity of the ‘Bush Capital’, for current and future generations?

AILA recommends that ACTPLA view this potential as a primary responsibility, and that targets and strategies to achieve such integration be explicitly articulated within the final version of the Draft

Variation 306 and associated development codes, and directly referenced against related government strategies in separate departments.

WAYS FORWARD - Key Recommendations:

In summary, the AILA ACT Chapter recommends that the ACT Government, in reviewing the Draft Variation 306 and associated development codes, acts at all relevant levels to ensure that:

1. Ethical development frameworks such as the *Australian Landscape Principles* be used to guide planning, design and management of urban design and development across local, suburban and regional scales.
2. Integrated design & planning frameworks, informed by integrated sustainability assessment approaches, drive strategic planning and management of all urban design & infill projects, and underpin decision-making across multiple scales.
3. The role of Green Infrastructure is recognised and articulated in improving climate adaptation and sustainability strategies for urban retrofitting and redevelopment - and mechanisms are put in place to fund, design and manage it accordingly. Green infrastructure provision and performance should be incorporated as an integral component of assessments for all urban retrofitting and redevelopment proposals.
4. Decision-making processes which impact on urban development are underpinned by a genuine respect for the value of the associated landscape and urban/suburban context, and incorporate processes to establish benchmarks, set performance targets & monitor and evaluate progress accordingly.²

Specific Criticisms of Draft Variation 306 and Associated Development Codes

The proposed DV 306 is detrimental to the landscape character of Canberra as the Bush Capital. It is symptomatic of the changes to the urban and built fabric that have occurred over the last decade.

It is appropriate at this point in time to have the conversation and confirm that a Canberra landscape character is required and to define it and to require that all development in Canberra make a positive contribution to this Canberra Landscape Character.

The Canberra Planning and Land Development processes are devoid of instruments that positively direct the landscape fabric of Canberra.

There is no ACT Landscape Policy.

There is no direction regarding the content of a landscape plan.

There is no qualification required to prepare a landscape plan.

And yet there is a requirement to provide Landscape Plans for new Estates and for Development Application submissions.

ESTATE DEVELOPMENT

The effect of the new development codes for Estate development is that the provision for landscape is being reduced.

Where once, we had wide streets with large street trees and quarter acre blocks, we now have a more compact urban development form. Streets are narrower, blocks are smaller and houses are smaller.

The result of this compression is that the street trees are being displaced and the mature size of trees planted is smaller than the adjacent building heights.

The Estate Development Code requires that,

C24 Street tree plantings achieve an attractive streetscape.

C25 Street trees at maturity achieve reasonable summer shade to foot paths and shared paths with regard to heat gain and user comfort.

² AILA National Policy - *Retrofitting Urban Environments* - <http://www.aila.org.au/policies/docs/Urban-RETROFIT.pdf>

Without providing sufficient space for large trees and giving priority to services that displace trees from the street.

The minimum road verge widths required and the application of Design Standard 23 results in trees species of less than 10m high being available for selection. These small trees are smaller than the allowable height of adjacent buildings and the shade they cast is not capable of satisfying criteria 25.

The compact block width of 6m excludes the placement of a street tree on the verge. The 3m separation from driveways and street trees is not achievable with adjacent compact blocks.

Where once, we had neighbourhood parks with a range of facilities, DV 306 provides 0.5ha-1.0ha size spaces

' To accommodate opportunities for informal free and innovative play as well as a range of unstructured recreation activities for a range of ages.'
Play equipment is optional

Underground services and electricity are no longer found along the rear boundaries of blocks and have been relocated to the front verge where you can now find stormwater, gas, Telstra, NBN, water and sewer competing for space.

TAMS Asset Acceptance and ACTEWAGL regulate the location of services within the verge with priority being given to the services. A space for street trees is provided only when there is left over space between the services. Where once the provision was one or two street trees per block, the current situation is that one street tree is provided for three blocks.

ACTEWAGL minipillars previously serviced 6 house blocks. With increased demand for electricity, minipillars now service 4 house blocks. Offset requirements between street trees and minipillars result in street trees being displaced from verges. The irony is that the demand for electricity is decreasing shade from street trees that is driving the demand for more electricity to cool the city.

To achieve a substantial Canberra Landscape, space is required for urban trees.
This can be achieved in a number of ways.

1. Relocate underground services out of verges and into the space between the kerbs
2. Provide service connections to each block beneath the driveway
3. Require ACTEWAGL to provide electricity with infrastructure that does not displace street trees.
4. Reduce the 3m separation distance between trees and driveways

This will enable the planting of a tree on the verge in front of each block.

Reconsideration of the Design Standard 23 rules regarding size of trees in verges to allow larger trees in narrower verges will result in the selection of larger trees in residential estates.

And the result will be attractive shady streets that positively contribute to the Canberra landscape character, the city's green infrastructure and urban sustainability initiatives.

HOUSING DEVELOPMENT

At present the Draft Multi Unit Housing Code is vague on how new urban development is to contribute to the landscape and green infrastructure of the city. Where planning professionals are prescriptive when it comes to floor areas and setbacks and building articulation, they lack the language and the understanding of landscape design and implementation to provide meaningful direction in the Housing Code. Examples of this occur throughout the Codes, eg,

Rule 38 Site Open Space

Not less than 20% of the total site area is planting area.

- *Without requiring any planting to actually occur.*

Criteria 40 Landscape Design

C40

Landscape and site design achieves all of the following:

- a) planting of trees of semi-mature stock
- b) planting of trees with a minimum mature height of 4m
- c) a contribution to energy efficiency by providing substantial shade in summer, especially to west-facing windows and open car-parking areas, and admitting winter sunlight to outdoor and indoor living areas, especially to the north
- d) reasonable residential amenity
- e) reasonable visibility along paths and driveways
- f) visual interest in pavement materials and finishes

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- g) species with appropriate growth habits and mature height in relation to site conditions.
- *Semi Mature stock is not defined. A plant of 4m mature height is a shrub. Criteria c) assumes that there is space to plant a tree to achieve this contribution. Define 'reasonable'.*

Rule 91 Tree Protection

- *Indicates that the Tree Protection legislation applies.*

The development codes require,

1. A clearly articulated landscape policy
2. Minimum requirements on landscape works to be installed
3. Minimum requirements on the design quality of landscapes
4. Minimum requirements on the landscape documentation required for approval submission
5. Minimum qualifications on professionals preparing and submitting landscape plans
6. Professionals certifying completion compliant with approved landscape plans as part of the land titling process.

The Australian Institute of Landscape Architects (AILA) ACT Group wishes to thank the Standing Committee on Planning, Public Works and Territory and Municipal Services for the opportunity to contribute to this consultation, and also to offer the expertise and experience of our collective membership base in developing new ways forward for the planning, design and management of Canberra's urban landscapes.

Please don't hesitate to contact us if you have any queries relating to the issues raised in this submission, or if there are any other matters relating to the review of the Draft ACT Planning Strategy on which we might be able to provide further assistance.

Yours sincerely,



Michael Reeves (President, AILA ACT Group)