

New ACT Planning Framework- Presentation 14 February 2023

Overview of Slides

- The presentation outlines the current planning framework followed by the proposed new framework and its many individual components.
- The interaction of the various components and the assessment process is then addressed.
- A map showing the current Territory Plan zoning of Deakin and Yarralumla is then provided.
- This is followed by a series of maps from the Draft Inner South District Strategy that show the proposed changes for Yarralumla and Deakin, these are the:
 - “Potential Areas for New Housing”,
 - “Inner South District Strategy Plan”, and
 - “Sustainable Neighbourhoods.
- Details are then provided on two major developments in Yarralumla, the Canberra Brickworks and the CSIRO Forestry Site.
- There are then two maps of the Draft Inner South District Strategy proposals for the Deakin Local Centre and the commercial area of West Deakin.
- A diagram showing an example of proposed “Urban Improvement” follows.
- The presentation ends with details of how to gain further information and make a submission.
- Following the end of the presentation is a table provided for the Panel Discussion by Richard Johnston on the current and proposed planning frameworks.

Talking Points - Dr Wright

John Bell separately provided detail on Deakin

- **Totally new framework is proposed**
 - New Planning Act
 - New Territory Plan
 - New Policies
 - New assessment methods
- **Aims and direction of new framework**
 - Seeks to provide flexibility and encourage innovation
 - Presents a number of challenges in its operation
 - Sets out significant changes to suburbs
- **Changes in direction**
 - Move from Greenfields development to 70% of new housing being Urban Infill (50/50 in 2012)
 - Estimated 22,400 dwellings in Inner South required by 2063, that is 25% total for Canberra
 - Move from Specifications to Outcomes
 - Move from quantitative approach that is based on criteria and rules, to one based on outcomes that is qualitative and hence subjective in nature.
- **Outcomes can Conflict**
 - Should not create heat islands (Planning Bill 2022 Part 2.2 sustainability and resilience principles

(b) – “effort should be focussed on adapting to the effects of climate change, including through mitigating the effects of urban heat”
 - Government Policy is for 30% a target of the tree canopy covering 30% of the Territory’s urban areas (Urban Forest Bill introduced to Legislative Assembly 3 August 2022)
 - However aim is 70% Urban infill and provides for up to 90m² build secondary residence on block covering up to 70% of a “compact block”, and for basements under single storey dwellings

- **Process and Assessments**

- Assessments apply non-statutory guidelines, and these can be readily changed
- District Policies in the new Territory Plan prevail over the Zone Policies of the Territory Plan
- District Strategies once finalised are then incorporated into the Territory Plan with associated changes to the Territory Plan (as is the ACT Planning Strategy (2018))

*“s47 Territory plan to give effect to strategic planning outcomes
The territory plan— (b) must give effect to the planning strategy and district strategies”*

- This is a change from the current situation where there are no District Strategies and no direct connection between the ACT Planning Strategy and the Territory Plan

“s108(2) Planning and Development Act 2007 “The planning strategy is not part of, and does not affect, the territory plan.”

- The Territory Plan and District Strategies can be changed by commissioning a “Planning and Response Report” that is accepted provided “adequate consultation” can be demonstrated.

- **Elements**

- District Strategies set long term direction policies and parameters and once finalised must be legally given effect to in the Territory Plan but are not there at present
 - District Specifications (non-statutory) can add further requirements to District Policies
 - District Policies prevail over Zone Policies
- Zone Policies – requirements and outcomes are added to by zone specifications, technical specifications and housing guidelines and urban design guide which are non-statutory
- Assessment is based on outcomes and likely to be challenging to administer and when subject to judicial review
 - number, complexity and inter-relatedness of all the elements
 - outcomes assessment is qualitative
 - uncertainty created by non-quantitative approach and use of non-statutory elements

- **Current Profile of Yarralumla and Deakin**

- 2021 ABS Census Yarralumla
 - 1,420 dwellings
 - 65% Separate houses (ACT Av 63%)
 - 27% Semidetached, row ,terrace or townhouse
 - 80% 3+ Bedrooms
- 2021 ABS Census Deakin
 - 1,345 dwellings
 - 68% Separate houses
 - 18% Semidetached, row, terrace or townhouse
 - 77% 3+ Bedrooms

- **Current Zoning of Yarralumla and Deakin**

- Deakin and Yarralumla are mainly RZ1 and with RZ2 close to shopping centres

Territory Plan 2008 @ 27 January 2023

“RZ1 – Suburban zone - Zone objectives

a) Provide for the establishment and maintenance of residential areas where the housing is low rise and predominantly single dwelling and low density in character

b) Protect the character of established single dwelling housing areas by limiting the extent of change that can occur particularly with regard to the original pattern of subdivision and the density of dwellings

c) Provide for a wide range of affordable and sustainable housing choices that meet changing household and community needs

d) Ensure development respects valued features of the neighbourhood and landscape character of the area and does not have unreasonable negative impacts on neighbouring properties”

RZ2 – Suburban core zone - Zone objectives

a) Provide for the establishment and maintenance of residential areas where the housing is low rise and contains a mix of single dwelling and multi-unit development that is low to medium density in character particularly in areas close to facilities and services in commercial centres

b) Provide opportunities for redevelopment by enabling a limited extent of change with regard to the original pattern of subdivision and the density of dwellings”

RZ1 and RZ2 Residential Zones Policy in Draft New Territory Plan 2022

RZ1 – Suburban Zone

The fundamental desired outcome for the RZ1 zone is to achieve and/or maintain low density residential neighbourhoods in suburban areas.

Other important desired outcomes to be achieved in the RZ1 zone:

- 1. Provide for a range of housing choices that meet changing household and community needs.*
- 2. Limit the extent of change that can occur particularly with regard to the residential density and original pattern of subdivision.*
- 3. Ensure development respects valued features of the neighbourhood and landscape character of the area and does not have unreasonable negative impacts on neighbouring properties.*

RZ2 – Suburban Core Zone

The fundamental desired outcome for the RZ2 zone is to facilitate development or redevelopment of sites within reasonable proximity to local services to achieve a mix of low to medium density housing.

Other important desired outcomes to be achieved in the RZ2 zone:

- 1. Provide for a range of housing choices where the housing is low rise and contains a mix of single dwelling and multi-unit development.*
- 2. Provide opportunities for redevelopment by enabling a limited extent of change in density.*

• **District Strategies - Inner South District Strategy-Yarralumla**

- RZ1 and RZ 2 are currently maximum 2 storey
- District Policies prevail over Zones Policy
- Inner South District Strategy shows future development not envisaged as RZ1 and RZ2
- Densification - about half of Yarralumla to become 3-6 storey dwellings
- 6 storey and over 6 storey apartment blocks between Adelaide Avenue and Weston Street through to the Uniting Church on Denman St and around Hampton Circuit (T5 and T6).
- From Schlich Street, near Empire Circuit, through to the Yarralumla Primary School are 3 storey zoned (T4).
- Between Novar Street and the bike path is planned as a development zone.
- Area between Guilfoyle St and Adelaide Avenue is shown as a change area. The area is currently mainly National Land in a Designated Area for embassies , the “Yarralumla Diplomatic Precinct”

and is the responsibility of the National Capital Authority. This area also has endangered temperate grasslands.

- All in addition to existing proposed developments of Canberra Brickworks 380 dwellings plus commercial and CSIRO Forestry site a further 350 dwellings plus commercial
 - These two developments will increase the number of dwellings in Yarralumla by 50%.
- **District Strategies – Inner South District Strategy – Deakin**
 - Densification in area bounded by Adelaide Avenue up to Carruthers Street, Kent Street, MacGregor Street, Bedford Street, Grey Street and includes the Deakin shops.
 - Area bounded by Empire Circuit, Gawler Crescent, MacGregor and Kent Street shown as 3 storey apartments (T4), with 6 storey (T5) apartments. Above 6 storey apartments (T6) shown around the Deakin shops and adjacent to Adelaide Avenue from Hopetoun to Kent Street – currently zoned RZ1 and RZ2.
 - Significant increase in West Deakin as commercial hub area shown as 3 storey (T4) to 6 storey (T5).
 - A large area of Deakin bounded by Adelaide Avenue, Empire Circuit MacGregor Street, Newgate Street and Kent, and including the whole of West Deakin is also shown as a “Possible Change Area”.
- **District Strategies- Inner South District Strategy - -Adelaide Avenue**
 - Adelaide Avenue to become a multi modal boulevard
 - “Transforming and humanising Adelaide Avenue - With the integration of light rail, Adelaide Avenue could be transformed. This area is currently dominated by a wide roadway and is challenging for pedestrians to cross. In future, Adelaide Avenue could be a vibrant, multimodal corridor that better connects into local neighbourhoods in Yarralumla and Deakin. “*
 - Adelaide Avenue is currently an arterial expressway and has no pedestrians. Yarralumla and Deakin are well connected by roads together with footpaths and bike paths that underpass and bridges that cross over Adelaide Avenue
- **Provisions for changes to District Strategies and Territory Plan**
 - The territory planning authority may propose amendments to a District Strategy, as well as related amendments to the territory plan, in a “Planning and Response Report” for the district or part of the district.
 - The Minister may amend a District Strategy by approving an amendment proposed in a “Planning and Response Report” if satisfied that there has been sufficient community consultation; and the amendment is consistent with the principles and policies for development of the district set out in the District Strategy.

Planning Bill 2022

s40 Amendment of district strategy

The Minister may amend a district strategy by approving an amendment proposed in a planning and response report if satisfied that—

- (a) there has been sufficient community consultation on the proposed amendment; and*
- (b) the amendment is consistent with the principles and policies for development of the district set out in the district strategy.*

- Amending the Territory Plan
 - For certain types of minor amendments consultation is not specified for other minor amendments it is 20 days

- For draft major Territory Plan amendment there are public consultation requirements and when approved by Minister, as at present, the changes go to the Legislative Assembly
- The new Planning Bill 2022 sets out the principles of good consultation

s11(d) consultation is meaningful if—

- (i) information provided as part of the consultation is adequate to ensure all stakeholders understand the subject of, and issues relating to, the consultation and can give informed responses; and*
- (ii) it genuinely seeks community feedback; and*
- (iii) community views are genuinely considered and incorporated into final decisions*

- **Input on the New Framework - Submissions close on 3 March 2023**

- Planning Bill (530 pages) consultation closed in November 2022
- Package of documents out for consultation, some 2000 pages comprises
 - District Strategies
 - Territory Plan
 - Governance
 - District Policies
 - Zone Policies
 - Leases etc
- Zone Specifications
- Technical Specifications
- District Specifications
- Explanation of intended Effects (EIE) of Urban Design Guide and Housing Design Guide
- **Note** - All elements of the framework are being changed at the same time and a number of elements are not complete – for example
 - no precinct map for Yarralumla in District Specification but other districts have one and there is one for Yarralumla in the existing framework
 - No Urban or Housing Design Guides only an “Explanation of Intended Effects”