



**WESTON CREEK COMMUNITY COUNCIL COMMENTS FOR:**

**THE ACT PLANNING SYSTEM REVIEW AND REFORM PROJECT  
DRAFT TERRITORY PLAN**

**Submissions close:**

**Friday 3 MARCH 2023**

[https:// yoursayconversations.act.gov.au/act-planning-review](https://yoursayconversations.act.gov.au/act-planning-review)

*Your local voice*



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### **ABOUT WESTON CREEK COMMUNITY COUNCIL (WCCC)**

Weston Creek Community Council (WCCC) appreciates the opportunity to comment on the **Draft TERRITORY PLAN.**

As a Community Council we are committed to advocating and supporting the Weston Creek residents in pursuing the expectations and values that enhance and ensure their safety, well-being, and quality lifestyles. The community of Weston Creek value their unique village atmosphere, garden landscapes, and open green spaces as vital links to physical and mental well-being. Planning and development, climate change, and distribution of amenities and resources are topics of high interest and importance in Weston Creek.

To inform this submission Council has actively engaged in the Planning System Review and Reform Project over a number of years. This has included: participation in stakeholder workshops, hosting information meetings with guest speakers, encouraging an ongoing dialogue in the community via a WCCC online discussion group, meetings with community individuals, businesses and groups, newsletters, meeting with MLAs, and reading and circulating documents.

### **WCCC POSITION ON THE DRAFT PLANNING BILL**

The Territory should be planned, designed, and developed to:

- be well-connected in ways that facilitate the safe, secure, and effective movement of people within and through them
- to support active and healthy lifestyles and to cater for a diverse range of cultural and social activities
- to be sustainable with focus on achieving energy efficient urban environments that address the implications of climate change

Council acknowledges and supports the Government's vision to review the current planning system. However, for true reform Council suggests that two Acts are required:

- **a Planning Policy Act and**
- **a Planning Administration Act.**

Unfortunately, the Planning Review has missed the opportunity for meaningful reform and ploughing ahead with District Strategies and a new Territory Plan (when the fundamentals of the Planning Bill have not been addressed) is a recipe for disaster.

Weston Creek Community Council provides the following comments and recommendations against the **DRAFT TERRITORY PLAN NOVEMBER 2022** for consideration.

## **FURTHER COMMENTS TO THE DRAFT TERRITORY PLAN**

### **GOVERNANCE**

The Territory Plan sets a statutory framework for the future of development in the ACT. The intent is to have a policy about how land can be used and what can be built where.

Of great concern is that the **Design Guides** are not available for comment. Design guides will be valuable in achieving quality outcomes. It is however difficult to comment when these guides have not been published. Concerns include:

- It is important that building and development criteria be protected within the law. It is suggested that this could be achieved firstly in the Planning Act
- Greater emphasis on the human condition and the human right to a healthy environment needs to be explicit
- Clarification is required around the six urban character zones and transect thinking. If the land use zones are not being replaced, how will they be used and enforced. What will be the compliance and appeal and processes?
- With the increase of mixed-use development, design guides for commercial and industrial areas should be available.

For the **development application (DA)** process clarification is needed:

- Where is the standard for obtaining approvals? There are concerns for timeliness, builder holding costs, and deliverable quality.
- The Territory Plan specifies the level of compliance required. But what is the complaints process? Questions remain about compliance and enforcement. What will be the procedure and the consequences?

Council has provided more detailed feedback on these guides within the WCCC submission on the District Strategies.

Council has ongoing concerns about the application of enforcement activity. One prominent example being the case of the recent non-compliant dual occupancy construction in Torrens. Happy to discuss this at future consultation, with examples, or have a separate conversation.

### **DISTRICT POLICIES**

The success of the writing and implementation of the **District Strategies** will be dependent on thorough community consultation. Residents value the area's garden village atmosphere.

With the future developments of LDK, Fetherston and the RSPCA site, the options for people to downsize while staying in their communities has increased, this needs recognition in the Territory Plan.

The Western Creek District retains strong connections to surrounding open space. The Western Edge must be protected within the Territory Plan.

Council has provided more detailed feedback about the Weston Creek District Strategy in a separate submission.

## **ZONING**

Council is of the view that the stewardship of the territory's land holdings is of the outmost importance and therefore should be open to the scrutiny of the Legislative assembly at all times. Zoning must form part of the Planning Act.

Other points to be resolved:

### **Residential Zones Policy.**

- the impacts on residents - for example, the inclusion of **air quality**.
- Ensuring infill and densification does not have unreasonable negative impacts on people and their economic situation
- Community consultation for redevelopment of sites

### **Commercial Zones Policy**

- Promoting active living with attractive, safe, and well-lit pedestrian environment is welcomed in the Territory Plan. It is hoped that this would apply to all zones, not just CZ1 Core Zone.

### **Community Facility Zones Policy**

- The definition of temporary use to be clearly articulated
- Safeguarding the amenity of surrounding residential areas to include heat and air quality

### **Parks and Recreation Zones Policy**

- Parks and recreation areas that are valued by a community should be explicitly listed, mapped, and preserved, for example Coolo

### **Non-Urban Zones Policy**

- It is crucial that rural zone areas have special consideration so that the territory can maintain and grow its food source. These areas also provide a bush fire buffer zone. Council supports urban growth boundaries. Rural land significance needs explicit mention in all District Strategies with links to the Food and Fibre Strategy. This includes investigation areas.
- Hill ridges and buffer zones need protection not just for visual separation of suburbs but also to act as a green space and noise buffer
- The river corridor zone must be protected from suburban run off and sprawl for river quality
- Non-urban zones, Mountains and bushlands are also an important component of well-being and mental health

More extensive consultation is also recommended for Zone Policies, particularly the relationship between transect thinking character types and current zoning. Specifically, in the RZ1 and RZ2 sections.

Council requests clarification around:

- Where current documents, such as the Urban Forest Bill and Living Infrastructure Framework, fit in and/or relate to then Territory Plan.
- The process for exemptions and demonstration projects
- The zoning code for community housing
- Subdivision of blocks and related building timeframes

- The maximum number of dwellings permitted in multi-level RZ2
- The removal of plot ratio
- Simplification of the solar envelope to one angle
- Reducing the height of a lower floor level from 1.8 to 1m. There is community and business concern of the implications of this particularly for small set back and loping blocks
- More detail and consideration of bushfire risks and urban heat island effects. This IA a significant issue for Weston Creek residents

### **LEASE VARIATIONS**

Accessible sites for civic life and community groups are under great pressure. Families and communities should have good access to facilities and services. These should be protected from competition from other uses.

The current urban development and population expansion of the ACT, combined with the present land lease arrangement, may suggest a need for a review of this process.

Council notes the formula of removing a concessional lease and that a concessional lease guideline is a notifiable instrument. Council does not agree.

Variation of leases and amendments have become problematic in the ACT. With the deletion of the pre-consultation process, community awareness of, consultation with and feedback of any such changes could be diminished.

### **DISTRICT SPECIFICATIONS and TECHNICAL SPECIFICATIONS**

Provisions to support compliance with development requirements are referenced as Technical Specifications. The main concern here is the adherence of compliance and any necessary enforcement.

Additional information is required for District Specifications DS6. All development should have open community consultation and avenues for feedback and appeal. For example, Council does not support DS6: Weston Creek 1.8 Weston demonstration housing without community consultation. In a public meeting organised by Council, a range of community opinions were put forward on this project. It therefore requires further consultation and transparent processes.

Further information is required in the Environment and Heritage specifications. Particularly tree protection, planting, and canopy.

Council notes the recent media comments by the Minister and Chief Planner have ignited a widespread debate in the community about parking. Council also notes that a revised Territory Parking Policy has been under development for a long time. Council, therefore, reserves its right to comment until the position is settled.

Thank you for the opportunity to provide this input on the ACT Planning System Review and Reform Project, Draft Territory Plan. As an active community group, we look forward to participating in any future discussions.

As a priority, Weston Creek Community Council has broadened the areas and fields of its community consultation to best express the views of a wide range of groups. We believe that our consistent and ongoing consultation with the community through our surveys, public meetings (which are also available digitally), social media presence, newsletters and projects have proven to be valuable avenues of people being able to have their say, be listened to and be involved in decision making. We reiterate our open invitation to Government Ministers to address the Weston Creek Community Council at public meetings.

Yours sincerely

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