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Some comments on Draft Variation No 348 - Active Living Principles

General Comments

The GNCA supports the government's promotion increased incidental activity through improved urban design which would provide a range of social, economic and wellbeing benefits.

However, we have some doubts as to whether DV348 will have any effect in improving outcomes. Almost all the proposed changes to the Territory Plan are to the Statement of Strategic Directions, Planning Zone Objectives, statements of intent in the various Development Codes, or additions to the criteria in the various Codes. As is usual with Criteria, the new Criteria are expressed with generous servings of undefined and/or complete subjective terms, so have little meaning and provide little guidance as to what the Government would like developer to do, or to change from what is done at present. Only one change is to a Rule, viz Rule 4 in the Estate Planning Code, requiring a proportion of dwellings in a new estate to have "with well-lit and connected walking access" to the nearest bus stop. No suggestion is given as to what is meant by well-lit, and no objective standards are set, unusually for a Rule. In this regard we are puzzled as to why this rule does not adopt the outdoor car park minimum lighting rules proposed for outdoor car parks in the Parking and Vehicular Access Code which gives precise figure for required average and minimum illumination levels.

The GNCA wonders whether it would have been better if more effort had been made to make these changes effective by importing relevant pre-existing standards set in other parts of the Plan 9inb a similar manner as suggested above), or through devising new but plausible objective standards. As it is, one has to question whether the effort put into the preparation of such Draft Variations is a worthwhile activity for EPSDD staff, given the many other urgent tasks that the planning area has to deal with.

The GNCA also notes that community involvement is unlikely to be maximised when a discussion paper is released in January with a deadline for comment in early February. Even volunteers like a little time off in summer!

That said, the GNCA endorses five of the six principles outlined in the 2016 Information Paper “Incorporating Active Living Principles into the Territory Plan”. The six principles are:

- 1 CONNECTED PLACES: Providing connections between major uses and activity centres
- 2 OPEN SPACE: Providing high quality open spaces, parks and places
- 3 MIXED LAND USE AND DENSITY: Encouraging diversity in activities, land uses and development densities
- 4 SAFE AND ATTRACTIVE PLACES: Ensuring places are safe and attractive to everyone using that place
- 5 SUPPORTIVE INFRASTRUCTURE: Providing supportive infrastructure that encourages regular physical activity
- 6 ENVIRONMENTS FOR ALL: Ensuring places are inclusive and have equitable access by all Canberra

We have concerns with Principle 3. We can appreciate that diversity can be of benefit, but we would expect this be built into Master Plans for Precincts, rather than implemented according to the whims of developers. Too often in Canberra, developers are driving what is being built without any pretence of compliance with Master Plans or Strategic Plans. We contend that, where this has not already been done, Master Plans should be developed for Precincts so that the diversity in the developments meets the community requirements.

Consequently, somewhere in the Draft Variation, it should be made clear that the proposed modification to the Principles for Sustainable Development in the Statement of Strategic Directions (DV348 p12) through insertion of a new Item 1.18A including “c) encouraging mixed land use and density” should only be applied in accordance the provisions of any existing applicable Master Plan.. We would not want this provision being used to justify an opportunistic and unsuitable development whose only merit was the substantial profit it provided its developer.

We note that DV348 makes frequent references to pedestrian and cyclist access. Any policy intended to encourage walking and/or cycling must make sure that paths to walk or ride on both exist, and are of an appropriate standard. Many areas in the newer suburbs are without footpaths, and those in the inner suburbs often display the effects of lack of maintenance for half a century or so. Furthermore, if it is intended that pedestrians and cyclists share use of a path, then the path must be made wide enough to accommodate both sets of users with safety. If it is intended that Active Living take place at night as well as during the day, paths will need to be much better lit than is currently the case in most of Canberra. Some considerable investment by the Territory may be required to ensure that these requirements are met

Some Specific Comments

We have only commented on those parts of the variation that most strongly apply to the urban residential landscape, but presumably there are several other parts that could also benefit from a more prescriptive approach to Active Living

Specific examples of problems with the wording of the Draft Variation are given below.

1. Proposed Item 2.6A Principles for Sustainable Development, Statement of Strategic Directions (DV348 p13)

Development will provide suitable and well-designed supportive infrastructure that enhances people of all abilities experience of the urban environment and encourages and supports regular physical activity. How can you enhance people? – This is not clear and needs to be re-drafted. We suggest “enhances the experience of the urban environment for people of all abilities and encourages and supports them to undertake regular physical activity”.

2. Proposed additions to C37 Multi Unit Housing Development Code (MUHDC) DV348 (p 17)

“Publicly accessible and communal areas within large developments that are intended to be unit titled or community titled achieve all of the following:

- a) reasonable safety and lighting
 - b) reasonable functionality and space to support active living
 - c) reasonable accessibility and inclusion for all residents
 - d) reasonable residential amenity
 - e) landscaping beside internal driveways
 - f) provision for pedestrians and cyclists
 - g) sufficient off-street parking
 - h) reasonable connectivity for pedestrians and cyclists to key local destinations and community uses.
- The words ‘reasonable’ and ‘sufficient’ must be defined, or at least constrained by reference to an existing example that is considered “reasonable” or “sufficient”. What is reasonable to one person could be unreasonable to everyone else. It would of course be preferable to delete all the Criteria and replace them with Rules imposing objective standards.

3. Proposed additions to C38 and also C39, MUHDC (DV348 pp17,18)

Open space on the site achieves all of the following:

- a) sufficient useable space for the recreation and relaxation of residents to support active living
 - b) sufficient space for planting, particularly trees with deep root systems
 - c) provision for on-site infiltration of stormwater run-off
 - d) provision of outdoor areas that are inclusive and readily accessible to all residents for a range of uses and activities.
 - e) reasonable connectivity for pedestrians and cyclists to key local destinations and community uses.
- One or more of the following matters may be considered when determining compliance with this criterion:
- i) whether the total area of *upper floor level private open space* contributes to the function of other open space on the site
 - ii) whether any adjoining or adjacent public open space is readily available for the use of residents.

As above. The words ‘reasonable’ and ‘sufficient’ must be defined. What is reasonable to one person could be unreasonable to everyone else.

It would be preferable to delete all the Criteria and replace them with Rules. Thought needs to be given to whether the proposed Criteria are comprehensible eg in (i) it is not clear how the “total area of *upper floor level private open space*” can be expected to contribute “to the function of other open space”.

4. Proposed additions to C3 Commercial Zones Development Code (DV 348 pp18,19)

Buildings achieve all of the following:

- a) a contribution to the amenity and character of adjacent public spaces
- b) interesting, functional and attractive facades that contribute positively to the *streetscape*, pedestrian and cycling experience
- c) minimal reflected sunlight
- d) articulated building forms
- e) a contribution to permeability by providing pedestrian access through or around buildings and connections to external path networks
- f) floor plans that encourage walking within the building, including the use of stairwells
- g) physically open or visually permeable stairwells to facilitate natural surveillance.

These criteria are far too vague.

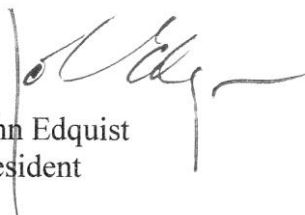
What is 'minimal reflected sunlight'?

The phrase "a) a contribution to the amenity and character of adjacent public spaces" does not help anyone. What sort of contribution? Surely it should say a positive or beneficial contribution?

We could go on, but by now the thrust of our comments should be clear. This is an important topic, and it deserves the effort required to make it possible for any resulting changes to the Territory Plan to actually have an effect. We believe that the Draft Variation could be substantially improved were it to be redrafted to address the issues that we have identified.

Yours sincerely

John Edquist
President



10 February 2017