

## **ACT Planning System Review and Reform Project**

### **Draft Territory Plan and Draft District Strategies**

As community-based organisations we have fielded a significant quantity of communication from a broad range of Canberrans. Many concerns raised were specifically with the consultation process which was not sufficient to satisfactorily inform the community of the plans for their suburbs and protection of local environmental assets. In particular there have been many comments on the lack of co-design with the community and paucity of clear understandable information provided in these documents. Many groups have sent in more detailed submissions which further outlines these concerns and recommendations.

Our organisations do not believe that the mandate identified on page 41 in the District Strategies as follows can be met by the changes to the legislation or directions:

***The protection of heritage and biodiversity values is mandated by ACT Government and Australian Government law and should be a primary consideration in all planning and development decisions.***

1. The Planning Bill omits the intention to protect biodiversity in the ACT. Protection of biodiversity should be a core intention of the Planning Bill thus it is recommended this be forefront in inclusion. Once enacted the Planning Bill will be the main legislation under which decisions impacting the environment are made on a day to day basis in the ACT.
2. There is no land use policy identified for the protection of off reserve conservation areas under the draft Territory Plan; effectively, the land use zones in the draft Territory Plan have not changed since it was first developed. They are outdated and do not recognise that:
  - i) Many conservation areas containing Critically Endangered Ecological Communities and threatened species occur outside the reserve system, including on Urban Open Space, other unleased land, along easements and on rural and urban leasehold land.
  - ii) Unless in reserved land, there are no provisions for protection of these areas or directions for management for ecological outcomes or restrictions of recreational or other land uses.
  - iii) It is unclear how the ACT Nature Conservation Act interrelates with the Planning Bill and Territory Plan.
3. The draft District Plans are presented as providing the final arbitration for future use for the next twenty years. However, the maps are not fit for purpose:
  - i) There is reduced direction provided to developers on what they can't do, so that there are likely to be more proposals for development on conservation areas, and more cumulative impacts, not less.
  - ii) Overlays with the exception of future urban areas have been removed. Identification of off-reserve conservation areas and potential reserved areas are unclear, given they are not identified in the draft Territory Plan as requiring protection.
  - iii) The maps are at too coarse a scale to examine particular areas/sites; most conservation areas have been omitted, while some are specifically but ad hoc included; there are inconsistencies between maps, there are concerning overlays that might or might not be errors. The mapping must recognise that the need to protect other areas may arise.

## **Recommendations:**

1. Ensure the Planning Bill is amended to include the recommendations of the ACT Legislative Assembly Standing Committee on Planning, Transport and City Services Report on the Inquiry into the Planning Bill 2022 dated 22 December 2022 relating to environmental matters (recommendations 38 to 46).
2. Ensure protection and enhancement of biodiversity is seen as an 'outcome' of the various planning instruments, including explicit reference in the objects of the Act and a suitable mechanism to facilitate such biodiversity protection and enhancement is included in the Act, with subsequent flow through to a new Territory Plan and (proposed) District Strategies.
3. Do not finalise the draft Territory Plan and draft District Strategies until the final revised form of the Planning Bill has been developed by the ACT Government, and only following amendments and further consultation which may be appropriate based on the revised Bill:
  - i) Give primary consideration to protection of heritage and biodiversity values during planning processes.
  - ii) Include a category of land use in the Territory Plan that enables Conservation Areas outside the reserve system to be protected, managed for ecological outcomes and at the same time, to retain compatible land uses.
  - iii) Provide more accurate and complete district plans at a range of scales, including a full set of overlays and a process for amendment over time.

Sincerely

Friends of Grasslands Inc  
ACT Landcare  
Conservation Council ACT Region  
Southern ACT Catchment Management Group  
Ginninderra Catchment Group  
Canberra Ornithologists Group  
ACT Urban Woodland Rescue  
ACT Herpetological Association  
Kuringa Woodland Landcare Group  
Cooleman Ridge Parkcare Group  
National Parks Association  
Field Naturalists of Canberra