

Portfolio: Planning and Land Management

PLANNING SYSTEM REVIEW AND REFORM PROJECT

Talking points:

- In 2022, EPSDD will be progressing reforms to three key elements of the planning system: a new Planning Bill, preparing draft District Strategies and a new draft Territory Plan.
- Each element will be open for public consultation to allow for the reformed planning system to reflect community and industry views and to build trust and confidence in the reformed planning system.
- EPSDD has prepared a consultation draft of the Planning Bill, which will deliver a new Planning Act to set the foundation for our new system.
- The consultation draft of the Planning Bill has been developed in conversation with community and industry stakeholders, with targeted stakeholder engagement occurring throughout 2021.
- Public consultation on the draft Planning Bill commenced on 16 March 2022 and runs for a period of three months.
- The public consultation includes a presentation road show with five online sessions available for members of the community, industry and other stakeholders to attend. The first of these sessions was held on 30 March 2022.
- The first of two workshop style meetings with the The Environment and Planning Forum was also held on 31 March 2022 and gave members an opportunity to focus discussion on two key topics (Territory Priority Projects and the Principles of Good Consultation).
- The Yoursay page also provides and opportunities for the community to provide feedback on the draft Planning Bill in a number of different ways.
- The purpose of public communication and engagement activities in 2022 is to capture input from the community and industry more widely on the proposed policy positions within the legislation.
- This is an opportunity to inform the community and industry of the proposed changes and benefits to the planning system that will be delivered through the provision of a new Act
- EPSDD are also working on a new Territory Plan and draft District Strategies to deliver our reformed planning system and will consult with stakeholders and the wider community on these proposed changes in the second half of 2022.
- As the reform journey continues, engagement and consultation will continue to be at the heart of the Project.
- This is an exciting time for planning in the ACT as the directorate continues this important work to build a planning system that responds to the need of Canberrans

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in a growing city including important elements such as the environment, mitigation against the effects of climate change and the appropriate recognition of our first nations peoples.

Key Information

- Throughout 2021, EPSDD continued the review and reform phases of the Project. They have been working to determine what changes are required to give effect to our reform goals and have focussed on the technical work of identifying and developing the changes required to deliver on the policy directions.
- This technical work has been undertaken within EPSDD, working with other parts of Government and seeking independent technical input on some matters.
- In identifying the key features and concepts for a reformed planning system and developing the new Planning Act, EPSDD has also undertaken engagement and tested early policy ideas with key stakeholders through workshops, forums, working groups and online.
- A Project Update paper was released in December 2021, which summarised the technical work and consultation undertaken in 2021 and provided an indication of the ongoing work for 2022.
- A further Policy Update paper was released on 16 March to coincide with the exposure draft of the Planning Bill and explains and is available on the EPSDD website.

Consultation Background

- Communications and engagement on the ACT Planning System Review and Reform Project (PSRRP) have been ongoing since 2019 and involves a range of targeted stakeholder activities and broad public consultation.
- EPSDD has been working closely with a number of stakeholders, sharing policy ideas and capturing their feedback along the way. This work has helped inform our final policy positions and allowed us to balance community and industry needs through the processes within the draft Planning Act.

Draft Planning Bill

- From May – December 2021 EPSDD delivered a Stakeholder Working Series (SWS) which invited community and industry stakeholders to discuss key policy positions with the PSRRP project team.
- The stakeholder working series allowed for a deeper exploration of some elements proposed for the reformed planning system, with industry, community and interest group representatives discussing ideas and providing feedback for the project team to consider in resolving final policy positions and supporting processes.

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- A legislation working group was established with legal and planning practitioners to discuss the drafting of provisions to give effect to the policy positions informed by discussions held in other forums. The group will continue to meet in 2022.
- The Environment and Planning Forum has also been used to discuss early policy approaches to legislative changes proposed in drafting a new Planning Act. EPF is co-chaired by the Chief Planner and a community representative, with community council and industry association representatives in attendance.
- Through all our conversations we have heard of the continued desire for stakeholders to be involved in the reform of the planning system; to understand how all the elements fit together; and to know when future opportunities for engagement will occur.
- The PSRRP YourSay page is the main mechanism for engagement with the Planning Bill. It has seen a steep rise in visits and contributions since the release of the Bill on 16 March. Key engagement statistics since 16 March include:
 - 38 contributions
 - 1815 page visits
 - 197 downloads of Policy Overview Paper
 - 63.9% users are first-time visitors to the page

District Strategies

- We have also been progressing work on district strategies, including compiling existing policy plans for each of the 8 urban districts.
- Several engagement activities have been held to seek community views on a range of matters relating to districts and what elements of each area are valued by residents.
- We have heard from members of the YourSay Community Panel about the unique features of their local areas and what they liked and disliked about the buildings and streetscapes around them.
- This information was expanded on through a series of focus group workshops and an online activity delivered in June 2021 with community members representing each of Canberra's eight urban districts.
- A final engagement report for the district planning consultation held in June 2021 was published in December on the YourSay website.

Portfolio: Planning and Land Management

MANOR HOUSE DV375

Talking points:

- In response to the ACT Legislative Assembly resolution of June 2017, which asked the ACT Government to deliver demonstration housing proposals, DV375- Manor House is proposed as one project forming part of the Demonstration Housing Project.
- The manor house and other Demonstration Housing proposals provide a 'hands on' opportunity for government, industry and the community to showcase and test the benefits and effectiveness of innovative housing types over time. The manor house is an example of providing housing choice and our future growth while maintaining benefits particularly for those who want to remain in their local neighbourhood.
- DV375 proposes changes that only relate to Griffith section 31 block 6. The proposed changes involve introducing a definition for 'manor house' and allowing this development type at the site.
- Further restrictions include limiting the number of dwellings to four. A basement, which will contain carparking, is proposed to be allowed beneath a two-storey dwelling providing the 'manor house' appears as though it is one large house and appears as two storeys from street frontages. A provision to protect solar access of adjacent dwellings is also proposed as is unit titling of the dwellings.
- The site at Griffith section 31 block 6 is in the Residential RZ1 Suburban zone. No zoning changes are proposed, and other proposed changes only apply to this individual block.
- Public comment was invited about DV375 from 19 February 2021 until 16 April 2021. A total of 535 written submissions were received, which included 476 form letters, 55 submissions from individuals and 4 submissions from community organisations. Four submissions are in support of the draft variation and a large majority of submitters do not support it. EPSDD has considered the submissions received. A report on consultation and the recommended version of DV365 is being prepared.
- Should the changes to the Territory Plan proposed in DV375 proceed and the project is constructed, there will be evaluation of the effectiveness of the new housing type and whether and under which circumstances a 'manor house' could be further considered.
- Lessons learnt from the evaluation of this proposal and others undertaken as a part of the Demonstration Housing Project will inform future government policy and possible future Territory Plan changes to encourage and support improved housing choice and housing quality in Canberra.

Key Information

- The key concern raised in submissions is that a manor house is inappropriate in the Residential RZ1 Suburban zone. Other concerns relate to traffic generation, increasing density, probity (perceived conflict of interest of one of the proponents), landscaping, car parking, loss of property values, and uncertainty about the location of potential future sites for manor houses.
- On 2 June 2021, Ms Elizabeth Lee MLA lodged petition number 28-21 that calls upon the Legislative Assembly to reject Draft Variation 375 Demonstration Housing, Griffith section 31 block 6, Manor House, so the character and amenity of Griffith can be maintained.
- The petition received in excess of 500 signatories and has therefore been referred to the Standing Committee for Planning, Transport and City Services, consistent with the Legislative Assembly Standing Order 99A.
- The Government is considering its response to the petition, which is anticipated to be provided by 3 November 2021, in accordance with the Legislative Assembly Standing Order 100.
- Subsequent to the formal consultation period for DV375 closing, an Open Letter rejecting petition 28-21 and supporting the Manor House proposal, driven by younger Canberrans seeking access to housing options in the Inner South, was circulated on social media.
- The Open Letter calls on members of the Legislative Assembly to support DV375 and honour the ACT Planning Strategy Strategic Directions to create a city that is compact, efficient, diverse, sustainable, resilient, liveable, affordable and accessible.
- The Open Letter generated discussion on forums such as ABC 666 Canberra's Facebook page, the Riot Act's page, and the Kingston Barton Resident Group's Facebook page. It received 214 signatures and was sent to each member of the Legislative Assembly on 10 December 2021.
- The community group Greater Canberra formed in response to the opposition to Manor House and is responsible for the Open Letter. They support DV375 that would permit Manor House and see it as one element that addresses a range of issues such as housing affordability for both purchase and rental, intergenerational inequity in housing, densification of the RZ1 zone, measures to reduce exclusionary zoning, and measures to increase access to housing in the inner south and across the Territory. They have a strong social media presence on Facebook, Twitter and Discord.
- Public submissions about DV375 have been considered by EPSDD.

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Lead Directorate: Environment, Planning and Sustainable Development

Background Information

- The ACT Legislative Assembly passed a resolution in June 2017, which asked the ACT Government to engage with the community and industry stakeholders to deliver demonstration housing proposals.
- A two-stage Expression of Interest (EOI) process was developed for the Demonstration Housing Project by EPSDD in consultation with community and industry representatives and commenced in April 2018. This process was designed to assess the interest, capability, and experience of proponents to deliver projects that address the Legislative Assembly's resolution.
- The aim of the Demonstration Housing Project is to demonstrate how infill development can incorporate high quality green space, can be delivered in ways that supports Canberra's changing needs such as ageing in place and multigenerational homes, and how strong collaboration between government and the community can deliver positive urban renewal outcomes.
- Draft variation 375 (DV375) was prepared to support the development of a Demonstration housing proposal for a new type of housing development not currently available in Canberra called a 'manor house' and implement the key recommendations of a planning report prepared by Knight Frank Town Planning to support the proposal.

Portfolio/s: Planning and Land Management
Housing and Suburban Development

GUNGAHLIN TOWN CENTRE LAND RELEASES AND DV364

Talking points:

- The ACT Government has a vision for the Gungahlin town centre as an active and inclusive place where people live, work, study and come together as a community.
- The ACT Government's investment in light rail, connecting the Gungahlin town centre with the City, has transformed the town centre – creating a lively commercial centre and promoting an appropriate level of residential living opportunities.
- Residential living in the Gungahlin town centre is making an important contribution to the ACT Planning Strategy's strategic planning direction to build a compact and efficient city, and to grow mostly within the City's existing urban footprint.
- Residential living opportunities are planned and happening on commercial mixed use zoned sites within the town centre (CZ5 zoning). The final available CZ5 zoned sites were sold at auction (May 2021).
- The Government continues to support the take up of other investment within the town centre, providing a prospectus to the Commonwealth Government to encourage its departments to relocate to, or establish employment hubs in, the town centre.
- There are six large commercial blocks that can be released to accommodate large scale commercial office development within the town centre into the future.
- Work is shortly to commence on a precinct planning approach with the community for undeveloped land on either side of Flemington Road, consistent with the Government's commitment in response to the two Assembly resolutions about planning of the town centre from last year.
- Work is also continuing in relation to community recreational needs within Gungahlin, consistent with the ACT Government's commitment to build a community centre in Gungahlin.
- A community recreational needs assessment has been completed and a report is expected to be released to the community in the next few weeks. The report should assist in discussions with the community about the existing provision of community facilities and the gaps that may need to be addressed as Gungahlin continues to grow and the population profile changes in the future.
- The 2021-22 budget follows through on this commitment by allocating \$300,000 to complete project feasibility, undertake community engagement and develop the business case for future funding for a new community centre. \$150,000 is allocated in 2021-22 and a further \$150,000 in 2022-23.

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- On 30 September 2021 the Standing Committee on Planning, Transport and City Services released its report on its inquiry into Draft Variation to the Territory Plan 364 - Gungahlin Town Centre Planning Refresh (DV364). The committee made eight recommendations that are under consideration by the Government.
- The Government's response to the Committee's recommendation was tabled in the Assembly on 8 February 2022.
- I expect to table Variation 364 in the Assembly during this sitting period and the Variation, subject to disallowance, could formally commence between mid-May to early June 2022.

Key Information

- The 2021-22 to 2025-26 Indicative Land Release Program (ILRP) identifies block 1 section 228 (CZ1 Core) and block 1 section 249 (Community Facility) sites, together with 300 dwelling units, to be released this financial year. The 300 dwellings may be achieved on block 1 section 228 (CZ1 Core) rather than the release of an additional block of land.

Background Information

Variation 364 (Gungahlin town centre planning refresh)

- Variation to the Territory Plan 364 (Gungahlin town centre planning refresh) responds to various planning recommendations arising from the 2018 Gungahlin town centre planning refresh snapshot and makes the following changes to the Territory Plan:
 - The quantity of commercial land in the eastern portion of the town centre, fronting Flemington Road, was reduced to two sites for exclusive office use. This equates to approximately 65,000m² of land for commercial offices gross floor area.
 - Introduction of mandatory building heights and replacement of the building envelope controls with maximum building heights.
 - Permission for increased building heights (up to 10 storeys) along the light rail corridor (Flemington Road) reducing to 3-6 storeys on the town centre's periphery in Gungahlin east.
 - Introduction of minimum building heights in Gungahlin east: four storeys along Flemington Road and three storeys along The Valley Avenue.
 - Removal of restrictions on residential uses in Gungahlin East to allow for a mixed-use precinct and to stimulate the night-time economy.
 - Retention and protection of two land parcels close to the light rail corridor, to allow for large-scale commercial office buildings in the future.

- Retention of land for community facilities and introduction of provisions to allow flexibility in the location of the facilities, including within mixed-use development and closer to the public transport stations.
- The variation was amended to reflect the Government response to the Committee's recommendations, particularly in relation to preserving land for commercial offices and clarifying active frontage requirements in the town centre.

Portfolio/s: Sustainable Building and Construction

Planning and Land Management

Water, Energy and Emissions Reduction

LIVING INFRASTRUCTURE PLAN (including DV369)

Talking points:

- The ACT Government is committed to achieving sustainable development outcomes that meet the needs of the growing population, while retaining the values, features and landscape setting that make Canberra unique.
- The ACT Government recognises that population growth, urban densification and climate change pose challenges for how we achieve this outcome.
 - Continued urban expansion puts pressure on the valued natural resources that surround the city such as our bushland and grasslands, landscape setting and connectivity of ecosystems.
- Urban densification introduces new challenges for which innovative and ecologically sustainable urban development solutions will need to be considered and adopted.
- The ACT Government is committed to planning for connected open space networks and sufficient tree canopy cover for public spaces and to mitigate against the loss of tree canopy cover, permeable surfaces and planting area as a result of urban intensification.
- *Canberra's Living Infrastructure Plan: Cooling the City* outlines the ACT Government's commitment to addressing urban heat, primarily by protecting and improving living infrastructure within urban Canberra.
- Living Infrastructure helps to make our city 'climate-wise', enhancing its capacity to cope with the impacts of urban densification and climate change by reducing urban heat island effects, increasing access to shade, and safeguarding urban landscape function and health.
- The Living Infrastructure Plan has established targets of 30 percent tree canopy cover (or equivalent) and 30 percent permeable surfaces by 2045 within the built environment footprint. They are an important element of achieving the sustainability and resilience objectives for our city set out in the *ACT Planning Strategy 2018*.
- Achieving the Plan will rely on collective and collaborative efforts across Government, community and the business sector.
- Current action being undertaken by the ACT Government includes:
 - Planting of 54,000 trees in Canberra between 2020-21 and 2023-24 to contribute to the 30 percent canopy cover (or equivalent) target for Canberra's urban footprint.

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- The Development of an Urban Forest Strategy to support the long term strategic management and growth of the urban forest. The final Strategy was released on 30 March 2021.
- Demonstration projects such as the Whitlam Display Village which trials innovative living infrastructure solutions such as passive irrigation, permeable driveway surfaces and advanced street tree planting.
- Introducing changes to the Territory Plan requirements, notably to the draft Territory Plan Variation 369 – Living Infrastructure in Residential Zones which are outlined below -
 - These requirements don't go all the way to achieving the Plan's targets, but they significantly strengthen the contribution that residential developments make to tree canopy and green infrastructure.
 - Further amendments to planning processes in the future will be introduced to support the ACT reaching its targets by 2045.

DV369 – Living Infrastructure in Residential Zones

- This draft Variation proposes higher requirements for the minimum planting area, along with new requirements for planting of trees for blocks with a residential zoning.
- DV369 also introduces new site coverage requirements for different sized residential blocks, introduces a new definition for deep soil zone and strengthens the definitions for site coverage and planting areas.
- Changes to the recommended version respond to community feedback that living infrastructure should be embedded across private and public land. These included adjustments for small blocks to enable an appropriately sized home to be built while providing planting area on the site.
- The recommended version of DV369 and associated consultation report were made available to the public on Friday 29 October 2021 on the Legislation Register and EPSDD website.
- The Standing Committee on Planning, Transport and City Services advised that an inquiry into DV369 will not be conducted at this time.
- Industry information sessions on the changes proposed with DV369 were held during the weeks of 21 and 28 February 2022.
- Given the significant impact that this change will have across the Territory, particularly at the affordable end for people who have purchased compact blocks, I have asked officials to consider how industry and homeowners can best transition to this new system before finalising and tabling the draft variation.
- I do not want to disadvantage people who have bought house and land packages in good faith. Similarly, I want to ensure the best possible way to increase our tree cover and permeability.

○

2020 Tree Canopy Cover Estimate

- Updated Light Detection and Ranging (LiDAR) analysis has allowed us to more accurately estimate current tree canopy coverage and provides us with a better picture of our living infrastructure in Canberra.
- Canberra's Total Canopy Cover (TCC) in 2020 was estimated to be 22.5 percent of Canberra's urban footprint.
- This provides a new baseline and helps identify areas where canopy cover is low so planting efforts can be prioritised.

Key Information

- In 2017, the ACT Government commissioned CSIRO to study Canberra's urban heat island effect. The research found that Canberra's summer land surface temperatures can be up to 10 degrees Celsius hotter than surrounding rural areas.
- Common measures to reduce urban heat include trees, watered grass, shading structures, wetlands, green walls and appropriate building and surface materials.

Background Information

- The Plan was released in September 2019. Canberra currently has an estimated 22.5 percent TCC, although this is not evenly distributed across the city.
 - This latest estimate has been prepared using LiDAR data captured in 2020 and represents the most recent analysis of TCC in urban Canberra.
- The urban heat island effect occurs when urban areas are warmer than surrounding rural areas. This is often due to buildings, roads and pavements (built environment) absorbing heat, which is then slowly released, leading to higher temperatures at both day and night.

2020 Tree Canopy Cover Estimate

- On 28 October 2021, the Minister for Transport and City Services, Mr Chris Steel MLA, released new estimates for tree canopy cover in Canberra.
- The estimates were prepared by staff in both EPSDD and TCCS using an updated methodology and LiDAR (Light Detection and Ranging) data collected in April 2020.
- The new estimate replaces the previous estimate using 2015 LiDAR data that was found to be unreliable due to inaccuracies in the data and the time of year the data was collected. Consequently, direct comparisons between the current 2020 estimate and the previous 2015 estimate should not be made.

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Lead Directorate:	Environment, Planning and Sustainable Development	

Portfolio: Planning and Land Management**NORREBRO DEVELOPMENT IN WATSON****Talking points:**

- The independent planning and land authority approved the Norrebro development in October 2017 after consideration of the development against the relevant planning requirements.
- The development consists of the staged construction of 319 residential mixed-use buildings comprising various scales and typologies, including attached ‘terrace style’ townhouses (2-3 storeys) and apartment buildings (4-6 storeys).
- The Watson Precinct Map and Code allows for residential use in some areas of Watson, including the Norrebro site.
- The *Commercial Zones Development Code* contains rules and criteria relevant to the development. The two-storey height limit and six metre setback requirements are not mandatory rules in the code, and a proponent can rely on the corresponding criterion which was the case with this development.
- The authority publicly notified the original DA and five amendment applications since the initial approval. Representations received were considered by the Authority.
- Copies of public register plans and approvals are available upon request to the planning authority’s customer services area at the Access Canberra Mitchell office, by email ACEPDCustomerServices@act.gov.au or phoning 6207 1923. I understand the Authority is looking at ways of making access to development information easier.

New amendment application

- An amendment to the DA (DA-201630707 - S197K) has been lodged with the authority and is currently being assessed.
- The amendment application was publicly notified by the authority between 17 November 2021 to 8 December 2021. Four representations and an applicant’s response will form part of the assessment and decision process.
- The proposed amendments include changes to the internal layouts, facade, external materials, and gross floor area to some of the buildings across the site.

Key Information

- DA 201630707 has been approved by the planning and land authority and the developer can rely on this approval to continue development as per the approval.
- The site is designated CZ6 Leisure and Accommodation Zone and the Watson Precinct Map and Code has specifically provided for residential development at the site and surrounds since December 2012 following a review of the Territory Plan at that time.

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Background Information

- Complaints about development currently under construction have been made to the Minister for Planning and Land Management in regard to the approved development known as Norrebro located in North Watson. These complaints have been referred to the Environment, Planning and Sustainable Development Directorate which initiated a review of the development approval process for the ‘Norrebro’ development at Block 1, Section 122 Watson.
- The review concluded that the development application decision was properly made in accordance with the requirements of the *Planning and Development Act 2007* (the Act) and the Territory Plan.
- DA 201630707 approved the following development elements:
 - Lease variation; demolition; staged construction including:
 - Stage 1: 114 dwellings 64 apartments and 50 attached terrace townhouses,
 - Stage 2: 55 apartments and commercial space for a future childcare centre (for a separate DA)
 - Stage 3: 67 apartments, 84 attached terrace styled townhouses and commercial uses such as restaurant, shop, gym and health facility;
 - Associated works including landscaping, servicing, waste facilities and off-site works.
- WorkSafe ACT has received and responded to a separate complaint made about potential safety issues resulting from construction activity. WorkSafe is the correct area of government to investigate such complaints.

Timeline of approvals

1. The Estate Development Plan (EDP) (DA201731068) for the Carotel site was approved on **28 June 2017**. This EDP created a row of single (mid-size) dwelling sites directly east to Block G of the Norrebro development. This row of single dwelling sites is now known as Section 114 (Shewcroft Street).
2. The Norrebro DA (DA 201630707) was approved on **31 October 2017**. This DA established Block G, i.e., the three storey multi-unit building on the western side of the row of single dwelling sites along Shewcroft Street. The building was approved with a “green wall”, set back 1900mm from the common boundary with the row of single dwelling sites.
3. DAs for the single dwellings along Shewcroft Street with a direct interface with Block G were approved between **6 June 2019** and **23 August 2019**.
4. An amendment to the Norrebro DA (DA 201630707 s197F) was approved on **2 October 2019**. This amendment introduced the obscure secondary balconies on the eastern side of Block G with an interface with the single dwellings along Shewcroft Street.

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Portfolio/s: Planning and Land Management

WILLIAM HOVELL DRIVE DUPLICATION - ENVIRONMENTAL IMPACT STATEMENT AND CONCURRENT DEVELOPMENT APPLICATION

Talking points:

- The proposal is for the duplication of 4.5 km of William Hovell Drive between the intersections of John Gorton Drive and Drake Brockman Drive in the districts of Belconnen and Molonglo Valley.
- The proposal was submitted as a concurrent application that consists of a draft Environmental Impact Statement (EIS) and development application (DA).
- The public notification period for the concurrent application commenced on 5 July 2021 and, as requested by the community, was extended to 64 working days, ending on 30 September 2021. Six representations were received on the EIS and 30 representations were received for the DA.
- The notification period extended well beyond the legislative requirements to allow as many local community members as possible to have the opportunity to comment on the proposal.
- On 15 October 2021, the independent planning and land authority (the Authority) completed its assessment of the draft Environmental Impact Statement (EIS).
- The proponent must now submit a revised EIS that responds to the Authority's assessment of the draft EIS, all entity comments and public submissions received.
- The Authority's assessment determined that further information on the proposal is required for the EIS to fully meet the requirements of the scoping document.
- To meet the requirements of the scoping document, the proponent is required to conduct further consultation with adjacent residents and the local community.
- Other parts of the EIS that need to be addressed include impacts relating to transport, climate change, flora and fauna, heritage, noise, water and visual impacts.
- When the revised EIS is accepted for lodgement, it will be assessed by the Authority to determine whether it addresses the requirements of the scoping document.
- Once the EIS is complete, the assessment and decision on the DA can be finalised.

Key Information

- Additional notification signage was erected on 25 August 2021 and additional written notices were sent to residences surrounding the proposal, in response to requests by the community.
- Transport Canberra and City Services (TCCS) has commenced the next stage of community consultation.

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Background Information

- A revised EIS was submitted to the Authority on 22 March 2022 for completeness check and has not yet been accepted for lodgement. The proponent is currently responding to the Authority's request for further information.
- A total of 220 written notices were sent to residences surrounding the proposal and the DA and EIS applications were made available on the Authority's website.
- A number of local community groups were informed directly during the notification process, including:
 - Belconnen Community Council
 - The Conservation Council
 - Ginninderra Catchment Group
 - Friends of Grasslands
 - Friends of The Pinnacle Nature Reserve
 - Friends of Mount Painter
 - Pedal Power
 - Molonglo Valley Community Forum (now known as Molonglo Valley Community Council)
- Further to the three additional notification signs that were erected following requests by the community, the Authority relocated an existing sign at the request of a community member on 27 August 2021. A total of five signs were placed at the following locations:
 - William Hovell Dr adjacent to Whitlam;
 - Springvale Dr adjacent to Weetangera and The Pinnacle Nature Reserve;
 - intersection of Drake Brockman Dr and William Hovell Dr;
 - intersection of Belconnen Way and Murrnaji Street; and
 - walking track adjacent to Kurundi Place.

Portfolio: Planning and Land Management

Tribunal decision: YWCA, Rutherford Crescent, Ainslie

Talking points:

- On 14 April 2021 the independent planning and land authority conditionally approved a development application for supportive housing for the YWCA. The development was to support women in need, and in particular victims of domestic violence.
- The Authority's decision was appealed in the ACT Civil and Administrative Tribunal.
- On 6 September 2021 the Tribunal set aside the Authority's approval and substituted it with a decision not to approve the development application. The Tribunal provided its detailed reasons for its decision on 23 September 2021.
- The independent planning and land authority has reviewed the reasons for the decision and determined no further legal action will be instigated by the Authority.
- It is understood the time frame for further legal action has lapsed therefore the ACAT's decision to refuse the DA is final.
- A new DA (202139743) was lodged with the Authority on 25 February 2022. Public notification took place between 7 and 29 March 2022, with over 250 representations received. The new DA proposes 9 dwellings, compared to the previous 10, and has other minor changes. The new DA is under assessment including referrals to entities.

If asked about call in powers,

- I carefully consider any use of the ministerial call-in power under the Planning and Development Act. I have not directed the authority to refer this decision to me at this time.

Key Information

- On 14 April 2021 the planning and land authority (the Authority) conditionally approved the development application proposing supportive housing consisting of 10 dwellings and associated infrastructure on Block 1 Section 87 Ainslie. The development was proposed by the YWCA to support women in need, and in particular victims of domestic violence.
- Three residents applied to the ACT Civil and Administrative Tribunal for review of the Authority's decision. The hearing was conducted over five days concluding on Friday 3 September 2021.
- On 6 September 2021 the Tribunal set aside the Authority's approval and substituted it with a decision not to approve the development application.
- The Tribunal provided its detailed reasons for its decision on 23 September 2021.

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- A new DA has been lodged with the Authority 25 February 2022. The new DA is for 9 supporting housing dwellings and has other changes to the previously refused development.
- The Authority is undertaking an assessment of the new DA.
- Public notification took place between 7 and 29 March 2022, with over 250 representations received, with a significant number in support of the application.
- Territory Plan technical amendments have occurred since the ACAT ruling on the previous DA. This includes clarification in regard to trees and overshadowing and for access requirements for supportive housing. These new Territory Plan elements may be relevant to the new DA.

Background Information

- The Tribunal's decision was made on the basis that the development does not comply with elements of the Territory Plan, including rules relating to adaptability, fences/courtyard walls, Principal Private Open Space (PPOS), solar access and front setbacks. The Tribunal also stated that it was not satisfied that realistic alternatives for potential impacts on a tree (not proposed to be removed) have been considered.
- The Territory Plan team within EPSDD have reviewed the ACAT decision as the ACAT decision applied new interpretation to solar access provisions in regard to trees and supportive housing development requirements in particular car parking requirements. Additional interpretation notes have been added to the Territory Plan to clarify how these provisions should be interpreted consistent with how the Authority has used them for some years.

Portfolio/s: Planning and Land Management

MOLONGLO GROUP CENTRE

Talking points:

- Land in the Molonglo Group Centre is on the 2021-22 to 2025-26 Indicative Land Release Program for the release of first sites in 2023-24.
- The suburb of Molonglo (which includes the Group Centre) will become the active hub of Molonglo Valley and will provide for the growing population of Canberra's newest district.
- With commercial, retail, residential and community facilities, Molonglo will provide future employment opportunities and create places for residents of the Molonglo Valley to live and work.
- The group centre will also become Canberra's first all-electric commercial centre, delivering on the ACT Government's commitment to remove mandatory gas connections to new suburbs as part of its Climate Change Strategy.
- In the course of setting the 2021-22 to 2025-26 Indicative Land Release Program, the Government decided to defer release of land in the Molonglo Group Centre to a later release date of 2023-24 to allow time to refine, settle and conclude planning work and to coordinate with other infrastructure projects.
- There are a number of large infrastructure projects underway and planned for the Molonglo Valley that directly impact the Molonglo Group Centre and surrounds, including the final design and alignment of John Gorton Drive (stage 3C) and the East-West arterial road.
- In December 2021, EPSDD released the Draft Concept Plan for the Molonglo Group Centre and Surrounds. The Draft Concept Plan addresses comments from the National Capital Design Review Panel and incorporates current Government Policies.
- EPSDD engaged with the Molonglo Valley Community Forum (MVCF) on the Draft Concept Plan in late 2021 and early 2022, including a presentation to the group on 19 January 2022. The MVCF has provided positive feedback about the directions set in the Draft Concept Plan.
- The Concept Plan is the basis for the next step to incorporate provisions into the Territory Plan. There will be community consultation at this stage of the process and is expected to occur in April.
- Government is working to establish land use across Molonglo Valley to attract the desired level of industry investment in the group centre and in turn achieve the level of amenity, activation and community use to support the community.

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Cleared for public release by: Executive Branch Manager Ext:58592
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Lead Directorate: Environment, Planning and Sustainable Development

Key Information

- Land in the Molonglo Group Centre is on the Indicative Land Release Program (ILRP) for release of first sites in 2023-2024. This represents a delay from the prior ILRP to allow for refinement of the planning work, further community engagement and consideration of the infrastructure projects underway and proposed.
- A Draft Concept Plan for Molonglo Group Centre and Surrounds was presented to Cabinet and tabled in the Assembly in November and December 2021 respectively. The Draft Concept Plan was then publicly released in December 2021.
- EPSDD has consulted with the Molonglo Valley Community Forum (MVCF) on the draft Concept Plan in late 2021 and early 2022, including a presentation to the group on 19 January 2022.
- Engagement on the draft Concept Plan will provide input prior to the statutory process and community consultation activities anticipated in April 2022.
- While the ILRP indicates the release timing, the release method and community engagement on the land release is determined by the Suburban Land Agency (SLA). The 2023-24 timing also allows the SLA to undertake their processes to achieve land release.

Background Information

- Planning for the Molonglo Group Centre has been ongoing over several years as the necessary assessments and investigations have been undertaken. The Molonglo Valley community, as expressed through the MVCF, would like to see the group centre developed to provide services and community facilities in Molonglo as soon as possible.
- The Draft Concept Plan provides a planning and design framework to facilitate development and implementation of the vision for the Molonglo Group Centre and surrounds.
- The plan will, together with other relevant codes of the Territory Plan, guide the planning, design and assessment of estate development plans and inform the allocation of final zones on a parcel of land.
- A working Draft Concept Plan for the Molonglo Group Centre was developed in 2014. The 2014 version did not proceed as it required further work to consider infrastructure and shifts in government policy. Since 2014 the Government has adopted new policies that affect the Molonglo Valley, as well as elsewhere, which includes (but is not limited to) the ACT Planning Strategy 2018, the Molonglo River Reserve Management Plan 2018, and policy initiatives that promote transport and movement, climate change initiatives and living infrastructure.
- The 2014 Draft Concept Plan has been used as a basis for the 2021 Draft Concept Plan.

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Portfolio: Planning and Land Management**Bushfire Operations****Talking points:**

- ACT Parks and Conservation Service (PCS) manages approximately 187,000 hectares of the ACT and the Googong Foreshore in NSW and implements an extensive ongoing bushfire fuel management program.
- PCS prepares an annual EPSDD Bushfire Operations Plan (BOP) that details all the fire preparedness activities to be undertaken for the financial year across all Transport Canberra and City Services (TCCS) and Environment Planning and Sustainable Development Directorate (EPSDD) managed land in the ACT. This accounts for more than 80% of the ACT.
- Fuel management is one of the major components of bushfire preparedness and can reduce fire behaviour and severity, improve firefighter safety, increase the probability of success of suppression and reduce the impacts of bushfires on natural, cultural and built assets.
- The 2020-21 BOP has been finalised and PCS completed 94.4% of the actions identified in the BOP. The wet conditions experienced throughout the year were the main driver for activities not being completed with prescribed burning, physical removal and access management activities most impacted (90%, 84% and 79% completion respectively).
- The Commissioner for Emergency Services approved the 2021-22 EPSDD BOP on 15 September 2021.

Key Information

- The EPSDD Regional Fire Management Plan (RFMP), which provides strategic guidance to the fire management and risk mitigation activities on EPSDD and TCCS managed land over the next 5 years, has been approved by the Director-General.
- The BOM declared a La Nina event and the ACT has been subject to consistent and above average rainfall. La Nina events increase the chances of above-average rainfall for northern and eastern Australia. Latest advice from the BOM is that La Nina will extend into late Autumn.
- Significant rainfall in through Spring, Summer and early Autumn has led to strong grass growth. The resultant wet conditions continue to cause delays to access management activities due to inaccessibility of some sites and to avoid damage to assets and equipment and vehicle boggings etc.
- It is likely that components of the 21/22 BOP will not be able to be completed as a direct result of the ongoing wet conditions. In particular, works to maintain fire trails (sodden and in some instances, flooded) has not been possible, neither has it been possible to deploy heavy vehicles to deliver vegetation control work on roadsides.

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- Whilst all attempts will be made to catch up on these works, continued wet weather is forecast through to May 2022. Should this eventuate, the larger hazard reduction burns in the mountains will also likely not be able to be delivered. A number of smaller urban burns may come into prescription and will be undertaken if suitable conditions eventuate.
- Staff are monitoring grass growth and curing, or drying, across the Territory. This data is used to identify areas of concern and allow for appropriate allocation of resources if required.
- Current curing is low and is maintaining potential grass fuels in a non-flammable state.

Background Information

- Fire preparedness on EPSDD managed land is the sole legal responsibility of EPSDD.
- In addition to fuel management, EPSDD undertakes numerous other key activities to ensure the Directorate is as prepared as possible. Other actions include recruitment of additional seasonal staff, extensive training for over 180 fire fighters, interstate liaison, equipment purchase, essential contract finalisation and fire trail maintenance and upgrades.

Portfolio/s: Planning and Land Management
Environment

Black Summer Commonwealth Grant

Talking points:

- In February 2022 the ACT Government was advised it would receive \$6.58m over 2.5 years through the Australian Government's Black Summer Bushfire Recovery Program to support the Government's ongoing Bushfire Recovery Program.
- Black Summer funds will be used to augment existing projects identified under the Recovery Program's 'build back better' initiative and engage Canberra's Ngunnawal community in projects designed to improve the ways in which we work together to promote and manage country and culture.
- The region's recent weather events are a strong indication the climate is changing and a catalyst for the Government to reconsider how we plan and build infrastructure well into the future. The additional funding now available through the Bushfire Recovery Program will ensure that assets destroyed during the fires and subsequent floods are built to withstand more frequent wildfire and intense storm and flood events.
- Specifically, funds will be used to improve our capacity to protect life and property through improved fire fuel and wildfire management within the landscape. A suite of projects focused on upgrading critical stream crossings throughout Namadgi will improve and safeguard access to strategic firefighting and fuel management areas and greatly improve general park operations including search and rescue operations.
- Visitors will also enjoy improvements to many more walking tracks throughout the park similar to the recent modifications to the Mt Tennent summit track. Substantial funding has been allocated to improving opportunities for people with disabilities including improving accessibility of an existing interpretive trail around the Namadgi Park Visitor Information Centre.
- Visitor numbers to Namadgi have increased since COVID 19. With increasing pressures on the Park, the Black Summer grant funding will be used to develop a framework to help promote and regulate major events and commercial opportunities.
- A Financial Agreement has now been negotiated and executed by both parties. Detailed planning and works are now commencing. Stakeholders will be engaged as appropriate.

Key Information

- The \$6.58 million awarded through the Black Summer Bushfire Recovery program will build on the ACT Government's Bushfire Recovery Program.
- Funding through the Program is restricted to physical infrastructure damaged through the fire and community development projects.

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- The Program is due for completion by March 2024 and will focus on engaging the Ngunnawal community in Park management and fixing damaged tracks and trails.

Background Information

- On 12 Feb 2022 the Australian Government announced the outcomes of the competitive Black Summer Bushfire Recovery Grants program. The Government further announced that contributions to date have been boosted to \$390 million to further support communities to recover from the bushfires.
- The ACT Government was awarded \$6.58 million through the program.
- The Grants will build on the existing ACT Bushfire Recovery Program – refer to *Fire recovery* QTB for further information.

Portfolio/s: Planning and Land Management

Environment

FIRE RECOVERY**Talking points:**

- Namadgi National Park remains open to the public with the exception of Yankee hat. Access to Orroral Valley via Rocky Crossing on Orroral Road however remains restricted. Roads ACT have now prioritised the reconstruction of the crossing with an estimated time of completion towards the middle of 2022.
- Since reopening the Park is experiencing unprecedented numbers of visitors. The Government continues to strongly advocate, through social media and signage throughout the Park, that users remain vigilant with respect to the condition of walking trails and trees.
- On-ground recovery works are progressing well and in line with the Government's Bushfire and Flood Recovery Plan and December 2023 timeframe. Walking trails and management roads have been made safe and improved in most areas. Weed and vertebrate pest management programs have been expanded to help respond to rapid growth conditions and incursions.
- The ongoing La Nina event and associated rains have resulted in extensive natural recovery with significant regrowth across the catchments. Assisted environmental recovery in critical ecosystems including our alpine bogs and fens has helped stabilise the Parks catchments and secure their critical functions in providing water supply for the ACT.
- Ongoing studies will determine the extent of recovery for some of our most critically endangered species and communities and help us understand the long term impacts of the fires and importantly climate change.
- The La Nina event however continues to significantly undermine the Park's network of management trails some of which are becoming inaccessible and may compromise future fire preparation and fighting capability. The Government is working towards developing options to address ongoing concerns.
- In addition, the ACT Government has been awarded \$6.58m under the Australian Government's Black Summer Bushfire Recovery Program. This initiative will support ongoing engagement with the Ngunnawal community and the upgrade of major waterway crossings and walking trails throughout the Park in response to ongoing climatic events. (See Black Summer Commonwealth Funding QTB for more details).

Key Information

- In January 2020, the Orroral and Beard fires and subsequent heavy rainfall impacted Namadgi National Park, Tidbinbilla Nature Reserve and areas around Pialligo, Oaks Estate and Beard.

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- An early assessment of the bushfire and flood impacts indicated significant damage to the National Park's physical assets, wildlife, habitat and water catchments. The risks to the National Park's values are reflected in the Rapid Risk Assessment Team's report, which was released publicly on 3 March 2020.
- Within the first six months following the fire the Government undertook a number of immediate actions to address and mitigate extreme risks to public safety, the environment and the park's cultural values. In July, the Government released the 'Rapid Response Progress Update' which contains further information about the Government's actions to date.
- On 27 July 2020, the Government released the Namadgi Re-opening Strategy and announced the re-opening of the Corin and Naas/Boboyan Road precincts, and Woods Reserve and Mt Clear campgrounds.
- On the 4 September 2020, the Government released the three-year ACT Bushfire and Flood Recovery Plan (the Plan) and announced the reopening of the Namadgi Visitor Information Centre. The Plan marked the transition from the rapid response phase to an ongoing recovery program. The Plan includes key principles that guide recovery efforts and provide for the broader community, and most importantly Ngunnawal People, to be engaged in the recovery process.
- In conjunction with the Plan, the Government also provided \$1.36 million to support recovery actions in 2020/21. The funding will be used to re-instate and improve popular walking trails, and address erosion and sedimentation in key areas. This included realigning the upper sections of the Mt Tennent walking trail which is now open for public use.
- Through the Australian Government's Bushfire Recovery for Wildlife and Habitat program, \$600,000 was also secured for urgent interventions to support recovery of native plants, animals and their habitat. In addition, a further allocation of \$1.183 million was recently confirmed to support sustained efforts for longer-term recovery of native plants, animals and their habitats.
- Ecological recovery projects include work focused on the impacts of fire on the Vulnerable Broad-toothed Rat and Two-spined Blackfish, and the Endangered High Country Bogs and Associated Fens; as well as work on Sambar Deer impacts, fire-affected flora, sub-Alpine woodlands, and cryptic native frog species.
- The Government's Economic Stimulus Program has provided \$625,000 for the reconstruction of boundary fences, \$325,000 to assist with remediation of the Lower Cotter Catchment and employment of 26 rangers and field officers (temporary), including 6 rangers from the Ngunnawal community to assist with recovery actions.
- The ACT Parks and Conservation Service, on behalf of the Government, submitted an application under the Australian Government's Black Summer Bushfire Recovery Grants Program. It is anticipated that successful applications will be announced in

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early 2022. If successful, funding will contribute to infrastructure and community recovery actions under the Plan.

- Insurable assets will be recovered through ACTIA.
- Ongoing consultation with key stakeholders (including Kosciuszko Huts Association and National Parks Association) continues on next steps for Max and Berts and Demanderling Huts, which we destroyed by the Orroral Valley Bushfire.

Background Information

Orroral Valley Bushfire

- The Orroral Valley bushfire started in Namadgi National Park on Monday 27 January 2020 and continued to burn until it was declared out on Thursday 27 February 2020. The fire burnt through 88,000 hectares, including approximately 80% of the National Park.

Sensitivities

- In July 2021, the ACT Coroner launched an inquiry into the Orroral Valley Bushfire.

Portfolio: Planning and Land Management

CURTIN HORSE PADDOCKS

Talking points:

- On 28 October 2020, the National Capital Plan Amendment 95 – North Curtin Diplomatic Estate and Urban Area took effect. Amendment 95:
 - changed the land use policy of Block 4 Section 106 and part Block 5 Section 121 Curtin to facilitate the development of a new diplomatic estate
 - created a new urban area adjacent to this estate for future ACT residential use
 - includes the whole area (both Commonwealth and ACT Government land) within Designated Areas to permit the National Capital Authority (NCA) to have planning and development approval responsibilities.
- The NCA is undertaking detailed site investigations and estate development planning for the diplomatic estate. This process will determine subdivision layout, infrastructure requirements, access arrangements, the location of open space, and block sizes within the estate.
- Detailed conditions for planning and development for the ACT residential land (associated with the horse paddocks) will be prepared by EPSDD, in consultation with the NCA. Opportunities for appropriate urban intensification will be considered, given the sites location along the City to Woden light rail corridor and proximity to services.
- Six small site survey related consultancies are underway for the ACT land within the horse paddocks. The outcomes of these surveys will also be used to the draft Detailed Conditions for Planning and Development
- Once the conditions for planning and development are drafted, the NCA will undertake a community consultation process before final conditions are approved by the NCA Board or NCA Chief Planner.
- A consultant has undertaken a Light Rail Stage 2B Urban Infill Capability Assessment along the stage 2B corridor, including the Curtin Horse Paddocks residential site. The outcomes of this assessment will be used to inform strategic planning work in the light rail corridor and the preparation of the draft district strategies for the new Territory Plan.

Key Information:

- On 5 March 2020, the Commonwealth Government exercised its planning powers under the *Australian Capital Territory (Planning and Land Management) Act 1988* by declaring Block 4 Section 106 Curtin and approximately 70% of Block 5 Section 121 Curtin as National Land for the purposes of a new diplomatic estate.

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- In recognition of the impact that this change will have on the existing horse paddock agistees on Block 5 Section 121 Curtin, the ACT Government sought agreement from the National Capital Authority (NCA) to provide for an appropriate transition period for the horse paddocks. The NCA has committed that the horse paddocks will continue to operate with the same capacity for a period of time.
- The strategy for how the agisted horses will be moved off the land is a decision between the paddock contractor and the agistees.
- A new horse paddock complex is being investigated at Pialligo. However, it may not be fully operational for at least two years, if it is to proceed. EPSDD has commenced initial site preparation and pasture establishment over some of the land. Further resources and work in the coming years will be required to fully establish the new paddocks. The Government will consider providing for this through the normal budget process in consideration of other Government priorities.
- As part of the land agreement between the Commonwealth and the ACT, approximately 2.8 hectares of land in Lake Burley Griffin's West Basin area has become Territory Land for the purposes of new public open space.
- NCA works approval was granted on 4 September 2020 for the land reclamation and boardwalk extension. Works have commenced, with the entire project expected to be completed in the first quarter of 2022.
- EPSDD is also considering any necessary augmentation for the potential new horse paddock site at Pialligo, such as to the trail network, associated paddock facilities, provision of water and vehicle access to and through the site.
- The ACT Planning Strategy contains a specific action relating to the City to Woden light rail, being:
 - *Action 1.1.3 - Undertake preliminary land use investigations for the potential City to Woden light rail line to determine the opportunities for urban intensification afforded by increased transport accessibility.*
- The emphasis of the action is to determine the opportunities for urban intensification in the area. This does not mean that all land will have zoning changes or be redeveloped.

Background Information:

- Australia's obligations with respect to diplomatic missions are defined under the Vienna Convention of Diplomatic Relations. This includes a commitment to facilitate the acquisition of premises for the establishment of foreign missions. The National Capital Authority is responsible for the creation and management of diplomatic sites on national land in Canberra and is therefore now responsible for the management of the land that has been transferred to the Commonwealth.

Portfolio: Planning and Land Management

WESTERN EDGE INVESTIGATIONS

Talking points:

- To provide greater certainty about where future greenfield development may occur once Gungahlin and the Molonglo Valley are developed, the ACT Planning Strategy 2018 identifies the need to investigate land to the west of Canberra's metropolitan area – that is, the Western Edge.
- The Western Edge investigation area is approximately 9,800 hectares in area and includes land generally bordered by the Murrumbidgee River and the existing urban areas of Belconnen, Molonglo Valley, Weston Creek and Kambah. The investigation area includes Mt Stromlo.
- We already know that the Western Edge contains significant environmental values and as such, only parts of the Western Edge may be suitable for development.
- Over the last two years, the ACT Government has completed a range of preliminary background investigations that are necessary to provide a complete and informed picture of the environmental issues associated with the area. Further environmental investigations are required and are planned to be undertaken. Similarly, the risk of bushfire will also need to be carefully and thoroughly considered as the project progresses.
- Over 2021-2022, with funding of \$477,000, we will be assessing the capability and suitability of parts of the Western Edge for potential urban uses and for environmental conservation.
- In 2022-2023, with a budget of \$230,000, we will move into preliminary strategic land use planning phases with ongoing environmental and aquatic surveys.
- Substantial work is still required before options and recommendations can be put to the community and to the Government for consideration to inform any future statutory environmental or planning process.
- This work is critical and requires investment and effort over many years. Development in the Western Edge may be at least 10 years away and will be subject to the outcomes of future detailed studies and investigations; Government decisions; community engagement; budget funding; and Commonwealth and ACT statutory planning and environmental approvals.

Key Information:

- The Western Edge investigation area does not extend west of the Murrumbidgee River, towards the ACT border. The border itself is not being considered in the context of the Western Edge investigations.
- The preliminary investigations and due diligence in the area are tenure blind – they are undertaken without regard to the nature or status of leaseholds in the

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Western Edge, so as to provide a comprehensive view of the potential urban capability of the area as a whole.

- The Western Edge is home to a substantial array of flora and fauna, in some cases requiring study and assessment over multiple years to understand habitat use over lifecycles and connection and movement through the habitat.

Background Information:

- The ACT Planning Strategy (2018) contained the following strategic direction and action:

STRATEGIC DIRECTION 1.2

- Investigate the potential for new residential areas to the west of the city to meet future housing need.

Action 1.2.1

- Undertake environmental, infrastructure and planning studies for the western edge of the city to identify suitable areas for:
- potential urban areas (excluding Central Molonglo);
- nature reserves;
- environmental offset and potential environmental offset areas;
- the consideration of cultural and heritage values; and
- other uses, for example rural, broadacre, major infrastructure, transport and services.

STRATEGIC DIRECTION 3.5

- Protect biodiversity and enhance habitat connectivity to improve landscape resilience.

Action 3.5.1

- Identify and establish environmental offset areas within planning processes to mitigate any unavoidable impacts of development on ecosystems and biodiversity of national significance and other protected matters.

Action 3.5.2

- Incorporate consideration of natural habitat and conservation areas into urban planning and design processes to promote habitat connectivity and support the establishment of biodiversity refuges.
- A recommendation from the ACT Auditor-General Report No.8 of 2018: Assembly of Rural Land West of Canberra was for the Chief Planning Executive to undertake a planning study, to define the long-term future urban form and identify the Territory's future development fronts to guide the update of the ACT Planning Strategy (2012).

- The Government response to the audit report's recommendation was - *Agreed. Studies underway as part of the current Planning Strategy Refresh will be used to determine the timing of a study into the long-term future urban form.*

Portfolio: Planning and Land Management

EASTERN BROADACRE AND THE MAJURA VALLEY

Talking points:

- The supply of land in Canberra's industrial estates is very limited. The continuing supply of industrial and employment lands over the coming decades in strategic locations is critical to support Canberra's future employment, economic growth and diversity.
- The ACT Planning Strategy 2018 has identified the Eastern Broadacre area for investigations into establishing new industrial and employment opportunities. Eastern Broadacre is in close proximity to national freight routes and extends from Hume in the south to the Federal Highway in the north and includes land around Fyshwick and Canberra Airport.
- Eastern Broadacre also includes a part of the Majura Valley, in the vicinity of Majura Road and Majura Parkway. Some of this land, closest to Canberra Airport, contains expired leases with continuing occupancy rights. The reason these leases have expired and have not been able to be renewed by the ACT Government, is that part of each block is National Land administered by the Department of Defence (i.e. the split blocks).
- EPSDD and the Department of Defence are working together to resolve the complex land tenure arrangements in this area. Negotiations with Defence to degazette the National Land are active and ongoing.
- Once resolved, the leases for these blocks will be solely on Territory land for the ACT Government to further consider the use and tenure of the land.
- Parts of the Majura Valley could have an ongoing role in agriculture, environmental conservation, rural tourism, and recreation.
- The Eastern Broadacre areas contains critically endangered flora and fauna, such as natural temperate grassland, striped legless lizard and the grassland earless dragon.
- On this basis, the ACT Government has entered into an agreement with the Commonwealth Government to undertake a strategic assessment under the *Environment Protection and Biodiversity Conservation Act 1999*. Public notification on the draft strategic assessment documents is expected to commence later this year.

Key Information:

- The Eastern Broadacre strategic assessment will assess the potential impacts on environmental values from potential development in parts of the area and recommend an environmental offsets, avoidance, and conservation strategy. This will include the establishment of new nature reserves.

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- Under the 10th ACT Legislative Assembly's Parliamentary and Governing Agreement, ACT Greens policy platform No.23.2, productive farmland including in the Majura Valley is to be rezoned to rural zoning and long term leases issued.
- The affected rural lessees will be engaged through these processes.

Background Information:

- The Department of Defence has indicated its support for degazettal of National Land in the Majura Valley.

Portfolio: Planning and Land Management

FIVE YEAR INDICATIVE LAND RELEASE PROGRAM – 2021-22 TO 2025-26

Talking points:

- The ACT Government's Indicative Land Release Program (program) is a vital tool in implementing the desired growth and settlement patterns of our city and balancing the supply of land to meet the needs of our growing and changing city. Long standing principles guide the purpose, objective, and development, of the ACT Government's land release program – these principles include to:
 - deliver housing diversity and affordable housing choice;
 - support the development of a sustainable and resilient city in the landscape by promoting the efficient use of land and being responsive to change;
 - contribute to the strategic planning for Canberra contributing to building a compact and efficient city and supporting sustainable growth by working towards 70 percent of new housing within the existing urban footprint;
 - balance a sustainable supply of land with forecast demand to maintain an inventory of land in the planning, development, and building pipeline;
 - support a sustainable and competitive land development and construction industry to create jobs for Canberrans and attract investment into Canberra; and
 - achieve satisfactory returns to the ACT Budget.
- The program is reviewed each year and may change year-to-year as the Government's priorities adjust to better respond to the circumstances impacting the Canberra community.
- The ACT Government published a 5-year program for the years 2021-22 to 2025-26, alongside the 2021-22 ACT Budget. An updated program will be published alongside the 2022-23 Budget.
- The residential land release program for the next five years targets the release of more than 16,000 homes to cater for demand for new housing.
 - In 2021-22, 4737 homes are programmed for release.
- More broadly over the next five years, the land release program will comprise:
 - 86,899m² of Mixed use land;
 - 165,615m² of Commercial land;
 - 97,037m² of Industrial land; and
 - 188,438m² of community land is programmed for release bringing new schools and more local community facilities to our suburbs.

ILRP - 2021-22 Housing Targets

- The ACT Government is committed to improving housing availability, diversity, and choice, to a growing population in Canberra.

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- The ACT Government has set a target of delivering 15% of the annual residential program for public, community, and affordable, homes to provide for the housing needs of all Canberrans.
- The 2021-22 housing target is comprised of:
 - 155 new public housing dwellings;
 - 30 new community housing dwellings; and
 - 122 homes dedicated for affordable home purchase to eligible low-income households.

ILRP - Build to Rent

- Through the program, the ACT Government will release residential development sites to build affordable rental properties under a build-to-rent model. This is an initiative of the ACT Government Housing Strategy.

ILRP - Showcase Sustainable Building Innovation

- The ACT Government is committed to building a sustainable and resilient Canberra and is committed to actions to showcase building innovation.
- Through the program, the ACT Government will release development sites suitable to showcase sustainable building innovation, integrating living infrastructure, and sustainable building design, to make Canberra a resilient city with the landscape.

Key Information:

- The table below is a breakdown of the residential commercial, mixed use, and community and non-urban land release programs by year, location, and dwelling type:

Table 1: 2021-22 to 2025-26 ILRP Residential Releases

	Single dwellings	Mid-Density dwellings	Multi-unit dwellings	Total Residential dwellings	Mixed-use land (m ²)	Commercial land (m ²)	Industrial land (m ²)	Community land (m ²)
2021-22	631	92	4014	4737	71,917	94,996	17,030	31,003
2022-23	850	270	2060	3180	0	45,419	40,000	100,000
2023-24	1180	160	1297	2637	14,982	15,200	0	46,500
2024-25	880	230	1770	2880	0	10,000	40,000	0
2025-26	630	130	2240	3000	0	0	0	10,935
Total	4171	882	11,381	16,434	86,899	165,615	97,030	188,438

2021-22 Program

- The 2021-22 residential target is 4,737 dwellings. An indicative dwelling mix for the 2021-22 residential program is shown in Table 2 below.

Table 2: 2021-22 Residential Program - Indicative dwelling mix

Total residential dwelling releases for 2021-2	4,737
Number (and %) of Single dwelling blocks	631 (13%)
Number (and %) of Compact blocks and mid-density dwellings)	92 (2%)
Number (and %) of Multi-unit dwellings -apartments	4,014 (85%)
Number (and %) of dwellings in new suburban areas (greenfield)	1,807 (38%)
Number (and %) of dwellings in existing suburbs (infill)	2,930 (62%)

Portfolio: Planning and Land Management

LAND AND PROPERTY TRENDS

Talking points:

- Canberra's property market continues to experience a high level of buyer activity driven by record low interest rates, high household savings and housing related stimulus, such as the ACT Government's *Economic Survival Package*.
- Housing related incentives in the Package included stamp duty concessions for owner occupiers and a 50 percent reduction in Lease Variation Charge for those developments requiring a lease variation.
- As part of the ACT Government's tax reform program, stamp duty is abolished for off-the-plan apartment and townhouse owner-occupier purchases up to \$600,000 was abolished. Effective from 1 April 2022, the purchase price threshold increased from \$500,000.
- Monitoring land and property trends in the Canberra's housing market is an important part of informing the ACT Government's Indicative Land Release Program.
- Monitoring these trends is the function of the ACT Land and Property Reports. The Reports are prepared on a six-monthly basis and provide the community and industry with a valuable snapshot of land supply and release across Canberra, from what's in the pipeline for development to the number and price of houses and units sold.
- The latest edition of the report is available on the Environment, Planning and Sustainable Development Directorate website. This edition of the report covers activity during the **January to June 2021** period. The next edition of the report, covering activity during **July to December 2021** is expected to be released by June 2022¹.

Key Information:

- The building approval data has not reflected any potential impact of COVID-19 related lockdown restrictions in the ACT which commenced on 12 August 2021. While the January 2022 recorded a negative growth in the month, and also fell over the year, January data is historically low due to most of January is holiday season.
- The last 6-month period saw record land sales as buyers took advantage of the stimulus on offer. These sales will soon translate into approvals. While the ACT lockdowns have had some impact on construction work, builders continued to have their building projects approved to be ready for construction as restrictions eased.
- The value of total construction work done increased by 17.5% in the December quarter 2021 and was 7.6% higher than its level in the December quarter 2020.

¹ There is a delay in the data sourced from the SLA. This is due to changes been made to SLA's data storing system.

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Multi-unit development activity

- Development activity across Canberra for new units, townhouses and apartments remains steady with an estimated 13,444 units in the planning pipeline across 105 development sites as at the December quarter 2021.
- An estimated 7109 units across 67 sites are currently under construction across Canberra. The majority of activity in terms of the number of units and the number of development sites in the pipeline is in the Inner North of Canberra, followed by Molonglo, Woden and Gungahlin.
- An estimated 202 unit completions on 6 development sites were recorded in the December quarter 2021. The recent lockdown appears to have had some impact on multi-unit completions.

Prices and auction clearance rate

- In December 2021 the *median transaction house* price increased slightly by 0.3% to \$950,000, while the *median transaction unit* price increased by 0.9% to \$534,900. Both the median house and unit prices were 25.1% and 1.1% higher than its level a year ago, respectively.²
- In December 2021 the *average transaction house* price was \$1,098,140 (increase of 2.6%) while the *average transaction unit price* was \$606,235 (increase of 0.7%)².
- Data from *CoreLogic* shows that median house prices rose by 0.3% to \$1,031,410 in February 2022 while the median unit prices rose by 1.0% to \$602,475. Both the median house and unit prices were 25.4% and 17.5% higher than its level a year ago, respectively.
- Domain data on *auction clearance* showed auction clearance rates of 73% for the week ending 29 March 2022. In comparison, auction clearance rates declined to 39%³ through March and early-April 2020 as a result of the COVID-19 related restrictions that were in place in the ACT at that time. As show of the strength of the Canberra property market, the lowest auction clearance rate recorded during Canberra's lockdown period in August 2021 was 79% in the week ending 4 September 2021, which is higher than the current rate.

Housing finance and first home buyers

- *Housing finance for owner occupation* slowed in January 2022, decreasing by 17.7% to 877 commitments. The number of housing finance commitments for owner occupation was 4.3% lower than the same period last year. However, the value of housing finance commitments for owner occupation increased by 33.5% to \$641 million in January 2022 and was 12.3% higher than its level in January 2021.⁴

² Access Canberra Property settlements data.

³ Domain auction clearance rate for the week ending 4 April 2020.

⁴ ABS Lending Indicators Publication, January 2022.

- The number of investor finance commitments decreased by 14.1% to 384 commitments in January 2022. The number of commitments from investors was 23.9% higher than its level a year ago.⁴
- There were 308 *owner occupier first home buyer* housing finance commitments in January 2022 and a further 17 *investor first home buyer* commitment.⁴

Portfolio: Planning and Land Management

UNIT TITLES REFORM

Talking points:

- The Unit Titles Reform Project is looking at unit title laws and policies and how they can be improved to better support stakeholders, and in particular deal capably with mixed-use developments. The reforms are being progressed in two stages with high priority and more straightforward matters proceeding in stage one.
- Stage one of the reforms, in the *Unit Titles Legislation Amendment Act 2020*, commenced on 1 November 2020, with transitional arrangements in place for some of the new requirements. The Act introduced a number of positive changes for unit owners and prospective buyers which include:
 - better decision making processes for owners corporations to deal with financial matters and rules;
 - improved disclosure requirements for buyers of off-the-plan units, including more information upfront and updates when important details in the development change;
 - new requirements for building maintenance to make it clearer to owners and buyers what their responsibilities are; and
 - encouraging more pet friendly units plans, with improved pet rules and streamlining arrangements for assistance animals.
- The *Planning and Unit Titles Legislation Amendment Bill 2020* was passed on 31 March 2021 and makes minor amendments to unit titles legislation to support implementation of the stage one reforms.
- The *Planning and Unit Titles Legislation Amendment Bill 2021* was passed on 11 November 2021 and makes minor amendments to simplify the process for lodging a Building Management Statement, from the stage one reforms.
- A second stage of the project is underway to consider additional reforms to further improve unit titles laws and policies to make it easier for people that live and work in these buildings to efficiently manage them.

Key Information:

- Through the first stage of the project the Unit Titles Reform Project Consultative Group reviewed the draft legislation and provided feedback on implementing the reforms; they remain engaged through the second stage of the project.
- The Group includes representatives from the Owners Corporation Network, Strata Community Association, Law Society, Housing Industry Association, Planning Institute, Surveying and Spatial Sciences Institute, Real Estate Institute, Property Council, Legal Aid ACT and Master Builders Association.

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Background Information:

- The Unit Titles Reform Project commenced in 2016. Extensive consultation with stakeholder groups was undertaken in 2016-17 to identify key issues, followed by internal Government review.

Portfolio: Planning and Land Management

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999 (EPBC ACT) SINGLE TOUCH APPROVALS

Talking points:

- The ACT and Commonwealth governments have commenced discussions on the administrative elements of proposed single touch approvals to ensure it is feasible, fit for purpose and takes into account considerations unique to the ACT.
- The ACT and Commonwealth governments have a strong relationship collaborating on environmental assessments and have been effectively implementing the current assessment bilateral agreement since 2014.
- The ACT undertook preparatory work for an approval bilateral agreement in 2014 as part of the ‘one stop shop’ reforms, including amending the *Planning and Development Act 2007*.
- The ACT Government is committed to preserving and enhancing the environment in our region by ensuring robust environmental assessment and approval processes are in place.
- Separate to this process, the Commonwealth Government has also released made a budget announcement on developing regional plans under the EPBC Act. The ACT Government will discuss what the implications are for the ACT from this announcement.

Key Information

- An independent review of the EPBC Act was undertaken by Professor Graeme Samuel AC in 2019-2020. The final report made 38 recommendations for reform. The centrepiece of the recommended reforms is legally enforceable National Environmental Standards (NES) which would underpin bilateral agreements.
- Concerns have been raised by stakeholders and in the media about the timing of single touch approval negotiations as a number of important pieces of work being undertaken by the Commonwealth have not yet been finalised.
- The Commonwealth have commenced a portion of the reform work with the EPBC Amendment (Streamlining Environmental Approvals) Bill 2020 (Streamlining Bill) and EPBC Amendment (Standards and Assurance) Bill 2021 (Standards and Assurance Bill) currently before Parliament.
- These Bills will support the implementation of approval bilateral agreements to devolve approval powers to states and territories; will establish a framework for making, varying, revoking and applying NES; and will establish an Environment Assurance Commissioner (EAC) to monitor and audit the operation of bilateral agreements.

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- Both the Streamlining Bill and the Standards and Assurance Bill were referred to the Environment and Communications Legislation Committee for an inquiry. The ACT Government provided a submission to both inquiries highlighting potential shortcomings due to unclear assessment processes and standards, the operationalisation and granularity of effective and final NES, and monitoring, auditing, compliance and enforcement obligations.

Background Information

- In July 2020 and reaffirmed in December 2020, National Cabinet agreed to support single touch environmental approvals through the negotiation of approval bilateral agreements between the Commonwealth and states and territories.
- Approval bilateral agreements are proposed to be underpinned by National Environmental Standards (NES), as recommended by Professor Graeme Samuel in the EPBC review report.
- The ACT was involved in 'one stop shop' reforms in 2014 which resulted in an updated assessment bilateral agreement. Approval bilateral agreements were not signed as legislation to support the implementation of the new arrangements was not passed through the Senate at that time.

Portfolio: Planning and Land Management

RED HILL INTEGRATED PLAN

Talking points:

- The ACT Government endorsed the final Integrated Plan for Red Hill Nature Reserve and Surrounds on 9 June 2021. The Plan and the Engagement Report have been publicly released on the ACT Government website.
- This was the result of a lengthy integrated planning process that involved considerable collaboration and engagement with the community.
- Two petitions were lodged in the Legislative Assembly 24-21 (1527 signatories) and 29-21 (201 signatories) on 3 August 2021. The petitions object to recommendation 7 of the Integrated Plan for a retirement village to be permitted at the southern end of the Golf Course with access off Kitchener Street.
- Petition 24-21 was referred to the Standing Committee on Planning, Transport and City Services because it contained more than 500 signatories. The Committee has not decided whether to conduct an inquiry into the petition.
- Regardless of the Standing Committee's consideration of the petition, the ACT Government has prepared a response to the petition which is due to be tabled in the Legislative Assembly by 3 November 2021, consistent with Standing Order 100.
- The ACT Government intends to progress the implementation of the Integrated Plan including recommendation 7 for the retirement village at the golf course. This is because the petitions did not provide any information or evidence that would justify a reconsideration of the Integrated Plan or its recommendations.
- The Minister Planning and Land Management has endorsed the release of the Implementation Strategy to map out next steps associated with the Plan recommendations. Implementation involves coordination of a number of agencies, consideration of implementation timeframes, Government resources and priorities. EPSDD is progressing with the implementation of the Plan which also includes providing a 50m buffer to surrounding residential near the proposed retirement village site at the southern end of the Federal Golf Course, and:
 - Two Territory Plan variations that are currently being prepared for statutory public consultation in 2022:
 - DV380 Deakin Office Park and open space expansions – consistent with recommendation 6 of the Integrated Plan; and
 - This applies to land at Deakin sections 66 and 78 and includes land proposed to be zoned for open space and incorporated into Red Hill Reserve; and

- DV384 – This will enable the use for a Retirement Village at the Federal Golf Course – consistent with recommendation 7 of the Integrated Plan.
 - This relates to enabling development for a retirement village at the southern part of the Federal Golf Course.

Key Information

- The following concerns were raised about the retirement village at the golf course during the engagement process for the draft Plan in 2019/2020 and in the two petitions 24-21 and 29-21:
 - the loss of ecological values at the southern end of the Golf Course
 - potential impacts on amenity of low-density residential areas surrounding the Golf course; and
 - traffic impacts on Kitchener Street
- The final Red Hill Integrated Plan was amended to stipulate 50-metre-wide buffers between development at the golf course and surrounding areas. The buffers are intended to:
 - Retain and enhance ecological values and corridors at the golf course and to maintain connectivity to the surrounding open space network and the Hughes woodland; and
 - To minimise potential impacts on the amenity of surrounding residential areas.
- An independent Traffic analysis was conducted as part of the integrated planning process. It was endorsed by Transport Canberra and City Services TCCS and found that the surrounding road network has capacity to accommodate the traffic generated by the retirement village at the golf course.

Background Information:

- The Environment, Planning and Sustainable Development Directorate (EPSDD) undertook community engagement on the draft Plan from 13 November 2019 to 31 December 2019.
- This period of consultation follows a two-year process of stakeholder engagement, during which time a number of community organisations and residents' groups participated in, were consulted and informed on the drafting of the plan.
- During the seven-week engagement period, EPSDD heard from over 900 community members through a number of engagement methods including local drop-in sessions, an online survey and email submissions
- Some 582 written public submissions were lodged in relation to the draft Red Hill Integrated Plan.

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- EPSDD prepared an engagement report in response to the public comments and feedback.
- Outcomes of the engagement indicate that there is community support for recommendations 1 – 6 presented in the recommended option 4 of the plan pertaining to:
 - Implementation of the Management Plan for the Red Hill Nature Reserve;
 - Maintaining existing management of the open space network in the area;
 - Capping of the old Deakin tip in terms of contamination;
 - Progressing road upgrades for Kent Street in terms of capacity and on Gowrie Drive in terms of the safety;
 - Retaining the existing low density residential areas surrounding the Red Hill Nature Reserve; and
 - Rezoning part of Deakin Section 66 to reflect current use of the site as offices and part to urban open space to protect ecological values.
- The engagement report indicates strong community support for recommendation 7 (the retirement village on southern portion of the Federal Golf Course) -the report does not state ‘majority community support’ as reported by the Garran Residents Association.
- There is also strong support for recommendation 7 of the draft Plan, which provides for the Federal Golf Course to develop a 125-unit retirement village at the southern portion of the site, subject to the following considerations:
 - Appropriate measures need to be in place to make sure that proposed road upgrades cater to future traffic use and consider the impact of other developments in the area (e.g., SPIRE project at Canberra Hospital).
 - Appropriate measures for minimal ecological impact need to be in place, which includes wide buffers surrounding the development and further ecological assessments of the proposed location.

Portfolio: Planning and Land Management**TERRITORY PLAN VARIATION – NORTH WATSON****Talking points:**

- Draft variation number 372 (DV372) to the Territory Plan was approved on 8 February 2022. The Territory Plan Variation number 372 (TPV372) is anticipated to commence on 1 April 2022. The variation provides for RZ4 Medium Density Residential, including Demonstration Housing; and PRZ1 – Urban Open Space protecting landscape and treed areas for wildlife on Watson Section 76.
- The Place Plan and Development Concept (PPDC) was publicly released in January 2022 on the project’s webpage. Based on the outcomes of community engagement, undertaken concurrently with the DV372, the PPDC sets the community’s place vision, themes and principles to guide the future development of the site, including a one-hectare park and new walking and cycling paths. EPSDD updated the Watson Community Association (WCA) when the final PPDC was publicly released.
- The detailed design of the one-hectare park has commenced. The detail design phase will include community information session(s) which will be coordinated with the Suburban Land Agency’s (SLA) community engagement on their estate plans for Section 76 Watson.
- EPSDD is coordinating the design of the park with Transport Canberra and City Services around the work for the Inner North Play Space that is proposed adjacent to Canberra Technology Park in Watson.
- Key stakeholders for Section 76 Watson, including the Dhawura Ngunnawal Caring for Country Committee (DNCCC) and the WCA, will continue to play an important role in shaping the site as it progresses through the detailed design phases.
- EPSDD is working closely with the SLA around their preparation of the Estate Development Plan (EDP) for the subdivision of Section 76 Watson.
- A site audit, assessing the bioavailability of the naturally occurring heavy metals found in the northeast of the site, is currently underway. A Section A audit that provides the Environmental Protection Authority’s approval for residential use on larger part of the site unaffected by the heavy metals is expected to be available in early April 2022. A Section B audit that includes the smaller portion of the north part of the site affected by the heavy metals will include a Remediation Action Plan to be implemented by the future developer of the site and is anticipated to be finalised in April 2022.
- EPSDD has prepared development options that consider the preliminary findings of the site audit and demonstrate that even without development in the northeast portion of the site, the 200 dwellings target, identified in the Indicative Land Release Program for 2022-23, can be achieved.

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- This project demonstrates Government’s commitment to addressing the significant economic, demographic, and environmental changes that are taking place in the ACT.
- The project also demonstrates ACT Governments commitment to creating a more compact, efficient and inclusive city, with a clear focus on limiting urban spread and making better use of the existing infrastructure.

Key Information:

- Section 74 and 76 Watson are currently on the Indicative Land Release Program for 2022-23 for 200 dwellings on each site.
- Work on the proposed Territory Plan Variation for Section 74 is not proceeding at this time, while government undertakes analysis on the best use for the site. Education Directorate has advised they are investigating Blocks 11 and 12 Section 74 Watson for a school.
- A recent ecological assessment outlines that Section 74 contains 3.77 ha of Box-Gum Woodland under the *ACT Nature Conservation Act 2014 (ACT)*. ACT Parks and Conservation also advises that the site is important for movement for the vulnerable Superb Parrot.
- If Government decides to use Section 74 for a school, Education will take the lead in completing the necessary site investigations. With Education intending to use part of the Section 74 for a school, the remainder may be reserved to protect the ecological values.
- Further community consultation on the Demonstration Housing proposal for Section 76 will be undertaken if the proponent is found successful in the Stage 2 Request for Tender process.
- EPSDD has provided the SLA with an Assurance Package for S76 Watson in December 2021 to allow the SLA to commence their work, including the EDP. The SLA will be able to lodge the EDP after the commencement of TPV372 and when EPSDD has completed the site audit.
- In preliminary community consultation, issues raised related to:
 - environment/trees;
 - transport/parking;
 - overall planning for the North Watson area including provision of recreation and community facilities, and further shops; and,
 - limiting any residential development on site to an appropriate scale.

The WCA undertook community consultation in 2018 to inform their ‘2019 Plan for Watson’. The WCA’s plan sets out community concerns outlined above, the importance of the local character of Watson, and the desire for future planning and development to be integrated within the existing built and natural environments.

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