



**Canberra
Business
Chamber**

SUBMISSION PAPER

City and Gateway – Draft Urban Design Framework

Submission date: 15 May 2018

IN COLLABORATION WITH



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Introduction

The Canberra Business Chamber in collaboration with the Master Builders Association, Property Council of Australia and Consult Australia welcomes the opportunity to put a submission to the ACT Government on the *City and Gateway – Draft Urban Design Framework*. We recognise that the Framework is intended to be a high level strategic document that should not be prescriptive in nature and will need to be supported by detailed planning regulations and controls.

We have considered the Framework and are broadly supportive of a plan for the city and gateway into Canberra. It is recognised that a plan provides a vision for the corridor leading into Canberra which will provide the context for building and development into the future.

Discussion

The Framework

The Framework is a key step in providing the community insight into the ACT Government's thoughts on redevelopment of the city and gateway. Once the Territory Plan amendments are adopted investors and the community will be able to comprehend the aspirations of the Framework which will provide certainty for investors on leased land.

The Framework references the need for further detailed work, including such things as an Infrastructure Plan (for the entire corridor both now and into the future), an open space and landscape plan and the like. These will be critical in providing a holistic approach to the implementation of the Framework and ensures that there is consideration of all aspects that relate to the built environment.

The open space and landscape plan will need to detail the urban landscape improvements that will be completed in public spaces, such as road corridors, parks, and other open spaces to realise the Frameworks ambition.

In its current state the Framework does not provide sufficient flexibility to accommodate for the unforeseen implications and impediments that will arise from the detailed work in developing plans such as the Infrastructure Plan. The success of the Framework will depend on this flexibility.

Immediate Action

In addition to our views on the Framework we believe that priority should be given to:

1. Both levels of government being adequately resourced to prioritise the development and implementation of the Framework and supporting planning controls to ensure they are released in a timely manner in advance of further major investment in infrastructure.
2. Set timelines for the ratification of the strategy which then needs to be communicated to business and community.
3. Recast the Framework to include only objectives and aspirations – leaving the Planning Controls to detail the requirements.
4. The Framework should be given immediate effect, to provide greater certainty for developers who are currently progressing development approvals, prior to future Territory Plan amendments taking effect. Legislative change should be considered to allow the City Renewal Authority (CRA) to make determinations for those developments already in motion.
5. The immediate establishment of a infrastructure sequencing plan which illustrates physical, and social infrastructure that will be upgraded to support the development needs.

Summary of Industry Views

1. **Clarity regarding the purpose of the Framework** - The Framework as drafted is a mixture of high level aspirations, prescriptive requirements and detailed rules. For the Framework to truly endure it must be a set of aspirations and objectives agreed between the ACT Government and the National Capital Authority (NCA) with details included within the planning regulations.
2. **The intent of the Framework should encourage and promote design excellence, sustainable design, diversity in building type, land use and housing mix.** The industry needs to be provided flexibility to innovate. This flexibility could extend to the removal of the prescriptive application of the National Capital Plan Building Height Requirement of RL617. This rule places an unnecessary cap on development where greater height limits on key nodes and stations should be permitted. Consideration should also be given to the reduction of onsite parking as part of the strategy to promote mode shift to public and active travel which aligns with governments health promotion and Climate Change Strategies. Amenity of residents, relating too road noise from the corridor, should be a design consideration. The Framework also needs to clarify whether Northbourne Avenue is intended to be a movement corridor or a destination, or whether there are specific destinations and that the remainder of the corridor is a travel route. This will inform decisions about land use and activation.

Setbacks to Northbourne Avenue are important areas for landscaping and the maintenance of the corridor of trees. However, a blanket ban on set down opportunities is considered too stringent given the likely hood of decreased private car ownership and increased use of ride sharing services.

The Framework mentions protection of solar access to public spaces but doesn't propose a specific policy. As this has the potential to have significant impacts on development potential the policy will need to be rigorously developed and applied consistently. This may be a matter for broader application across the Territory given some recent and current discussions relating to the Woden Town Square, Curtin Courtyard and Garema Place.

It is not clear how the north-south active travel provision is to be prioritised, with options to use Northbourne Avenue, Active Travel Streets and other routes also available. The interplay between these active travel opportunities and future traffic arrangements needs more consideration, especially where current developments are being encouraged to channel traffic into the Active Travel Streets rather than the higher order roads.

3. **Implementation of the Framework should be expedited to:**
 - a) **Provide certainty for the private sector** – Property Owners and Developers have been left in a state of uncertainty with what planning controls govern potential development sites. This level of uncertainty detracts from the ability to make commercial decisions on developments and deters private sector investment.
 - b) **Realisation of urban renewal under the Framework** - The Canberra business community has been awaiting the publication of the Framework for many years. During this time the city has continued to develop with construction of light rail, public housing renewal and redevelopment of numerous sites along Northbourne Avenue and adjacent suburbs. The benefits of the Frameworks will not be realised if further delays in the implementation continue.
4. **Quality in design should be the focus of the Framework** - With an increased population, the effective and efficient use of public spaces will also become important for liveability and community wellbeing. An area wide strategic plan that clearly articulates the needs of residents and identifies how those needs will be met through existing or new greenspace and living infrastructure will be critical in gaining community acceptance. This strategy can also then incorporate climate change/sustainability elements.

5. **Density as key outcome.** The Framework does not consider densification as one of its planning principles. The Framework is more focused on building heights as the main parameters for its spatial design. Consideration should be given to defining the densification target for the corridor. This will allow better and more constant planning principles to be implemented and the private sector to respond innovatively to government objectives.
6. **Further detail is required regarding the incentivisation for the development of the public spaces to ensure integrity of the Framework.** More detail needs to be provided on the incentives that may be provided for the development of public spaces. A key feature of the Framework is the blurring of the lines between public and private outdoor space to enhance liveability, which is commendable. However, trade-offs that are not applied in a consistent manner can compromise the realisation of the Framework aspirations and provides further uncertainty regarding the requirements for development. An example of this is the 5 metre deep soil profiles to support biodiversity and other environmental gains. There is no discussion on cost share principles. Also, public realm aspirations have a similar mix of public good outcomes funded by private investment. The Framework uses road verges which will be a critical way of providing functional open space, creating a sense of place and recreation areas. Developers that contribute or invest in the upgrade of these areas should be allowed reduced areas of private open space within sites.
7. **Implications on planning controls outside of the Framework and land release need to be considered as part of the ACT Governments broader planning controls** – this is particularly important given the Stage 2 Light Rail preferred route to Woden through the Parliamentary triangle and increasing housing affordability issues which could be amplified by further reduction in land releases.
8. **Delays on Rezoning.** The delay in finalising the Framework and associated infrastructure plan has created a level of uncertainty for property owners and investors within the corridor and adjacent suburbs.

A number of decisions have been deferred and number of key sites are already under development before the Framework and associated amendments have been undertaken. Whilst this not only creates uncertainty, it is resulting in reduced opportunity to realise the objectives of the Framework, but also ability to achieve other ACT Policies, including ability to encourage inner suburban consolidation and carbon neutral initiative's.

The introduction of the light rail and proximity of existing suburbs to Civic and Dickson provides significant opportunity for the Government to realise its urban consolidation agenda. The Framework foreshadows the future rezoning of parts of Watson and Downer for infill development. If rezoning is warranted, it should occur sooner rather than later. The extent of rezoning should be considered to other suburbs along the corridor, including review of existing restrictions and encumbrances that limit urban consolidation. Appropriate transitions of scale to the existing suburbs can be considered and built into any future precinct code.

If rezoning is not actively pursued, the existing dwellings are likely to be redeveloped as new, high value single dwellings and will quarantine the redevelopment opportunities into the future. These may also affect the ability of rezoning opportunities, which may be constrained by established dwelling character.

An additional outcome may be that investors will acquire the old homes and landbank them waiting for the rezoning at which time they will be demolished. This will result in poorly maintained dwellings and further resolution on loss of quality on the suburbs.

Consideration needs to be given to discourage the development of high value single dwellings in higher density zoned areas and ensuring that government policy, such as Lease Variation Charge, does not result in reduced viability of medium density development.

9. **The proposal for an urban village at Macarthur Avenue is supported**, however it should not be at the exclusion of commercial opportunities at other sites along the corridor. Given the anticipated increase in population in the corridor (17,000 over the next 10 years) it is likely that a Group Centre scale development would be warranted, along with two additional local centres; one to the north and one to the south of Macarthur Avenue. This would provide for daily shopping needs of future residents within walking distance of their dwelling.
10. **Consultation.** Given the detail within the Framework and consultation undertaken, it is strongly recommended that consideration should be given to remove third party appeal rights for any proposal that complies with the policy Framework, or/ and, that which has been determined by the Design Review Panel. Third party appeals by either community objectors or commercial objectors will slow down the implementation of new development. As a minimum, the proposal controls need to be considered in relation to potential review or provide greater ability for decisions within the corridor to have pre-hearing to rule out that vets out spurious or vexatious appeals.

Conclusions

Overall the high-level ambitions articulated in the *City and Gateway – Draft Urban Design Framework* are commendable and are further enhanced/reflected in the upcoming planning strategy refresh process. In addition, the timing of such initiatives is imperative to capitalise on the benefits that the ACT Government is trying to achieve through this Framework. The ACT Government and the National Capital Authority need to prioritise and adequately resource the ongoing development and implementation of the Framework in advance of further major investment in infrastructure, including Light Rail Stage 2.

The Canberra business and property community are committed to the sustainable growth and prosperity of the Canberra economy and of the region. The *City and Gateway – Draft Urban Design Framework* provides a sound basis for building the detailed planning controls needed to enact the broader vision. The Chamber and supporting contributors would welcome any further discussions on the matter any further assistance we may provide to facilitate this work.

Who we Represent

Canberra Business Chamber

The Chamber is an employer organisation representing over 5,000 organisations and businesses in direct membership, and over 10,000 affiliated industry and association groups across the ACT Region. Members of the Chamber are typically small to medium sized businesses and community organisations.

The Chamber's aim is to represent the interests of the private sector, by providing access and avenues for members and industry to both Federal and Local Government to assist shape and develop policies that are in the best interest for ACT business.

Members of the Chamber are interested in business growth and prosperity of the Canberra.

Master Builders ACT

The Master Builders Association of the ACT (MBA ACT) is the peak industry body covering all sectors of the building and construction industry in Canberra and the surrounding region. MBA ACT provides member services, training, and advocacy and lobbying for the benefit of more than 1200 members across commercial, residential, civil, professional, supplier and subcontractor sectors. MBA ACT is a Registered Training Organisation (RTO) No. 88163 and a Group Training Organisation (GTO) providing current training to meet the needs of the industry.

Property Council of Australia

The Property Council of Australia is the leading advocate for Australia's biggest industry and biggest employer – property.

Our industry represents 13% of Australia's GDP, employs 1.4 million Australians (more than mining and manufacturing combined) and secures the future of 14.8 million Australians who have a financial stake in property through their super funds.

Consult Australia

Consult Australia is the industry association for consulting companies in the built environment sector, including engineers, architects, project managers, planners, environmental scientists and quantity surveyors, among others.

We exist to assist our member firms by offering a range of products and services to help them run their business, as well as acting as their collective advocate to government and other stakeholders in pursuit of a better operating environment and robust public policy for the built and natural environment.