



## SUBMISSION ON THE ACT PLANNING SYSTEM REVIEW AND REFORM PROJECT

3 March 2023

The Molonglo Valley Community Forum (the Forum) welcomes the opportunity to provide feedback on the draft new Territory Plan and the *Draft Molonglo Valley District Strategy* (the *District Strategy*). These documents will fundamentally shape how the majority of the Molonglo Valley district develops over the coming decades. It is important that we get them right.

The Forum supports the shift towards an outcomes-based planning system. The residents of the Molonglo Valley continually express dissatisfaction with their first-hand experience of poor planning outcomes delivered by the current system. This planning reform project is a once-in-a-decade opportunity to learn from these mistakes and plan for a better future.

Based on resident and stakeholder feedback, the Forum's key recommendation is for the delivery of an additional design guide for mixed-use development. It calls for a clearer articulation of the desired outcomes of these valuable sites, to ensure the planning system delivers short- and longer-term benefits to the broader community.

Other recommendations relate to the Forum's proposed changes to the *District Strategy* to clarify the intended outcomes of the proposed initiatives. The Forum encourages the Environment, Planning and Sustainable Development Directorate (EPSDD) to consider the needs of residents and businesses in finalising the *District Strategy's* suggestions about the future of the Molonglo Valley.

### THE DRAFT NEW TERRITORY PLAN

**Key Recommendation** – improve the quality of mixed-use development by:

- a) developing a best practice *ACT Mixed Use Design Guide* to accompany the proposed *ACT Urban Design Guide* and the *ACT Housing Design Guide*, and
- b) adding additional assessment outcomes in *Part E2 – Commercial Zones Policy* and *Part E4 – Community Facility Zone Policy* which reference the applicable elements of this *Mixed Use Design Guide*.

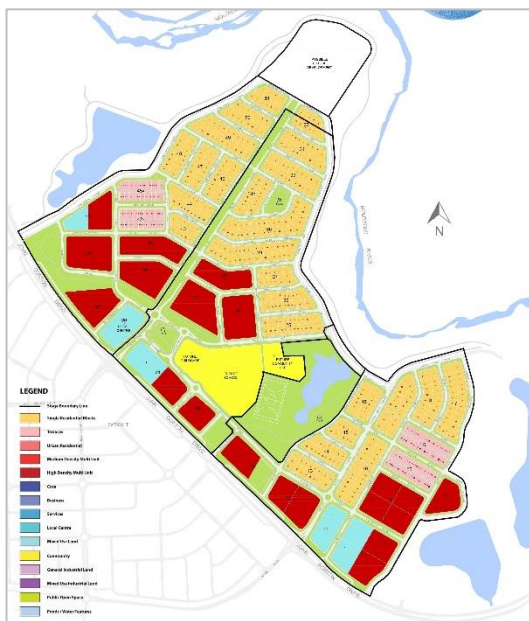
#### The Problem

The Forum views the Molonglo Valley as a microcosm of broader planning and development trends across the ACT. Our district is built on limited and topographically challenging land abutting areas of national environmental significance. To grow sustainably, development must occur in a way which minimises our ecological impact, while also meeting various other social, cultural, economic and environmental objectives.

The increased residential densities seen in the Molonglo Valley and in some other parts of Canberra are a direct result of these broader sustainability considerations. In theory, increased density can result in greater amenity for residents in the form of shops, jobs, facilities, public transport and high-quality public spaces within close walking distance of homes.<sup>1</sup> Unfortunately, the pattern of development we are seeing in parts of the Molonglo Valley and elsewhere in Canberra suggest that these theoretical benefits are not being consistently delivered. The result is communities with reduced levels of amenity, sustainability and wellbeing.

The original vision for the Molonglo Valley, as articulated in the 2006 *Molonglo Valley Structure Plan*, was for a series of walkable neighbourhoods centred around mixed-use nodes of development.<sup>2</sup> These varied in intensity and scale based on their accessibility and their place within the broader urban centre hierarchy. The nodes would have provided opportunities for low-impact small businesses to operate in a “shop top” environment, close to homes, transport and high-quality public spaces.

The first of these mixed-use nodes were incorporated into the concept plans and subsequent estate development plans for the first Molonglo Valley suburbs of Coombs and Wright. This involved the zoning of numerous sites as “CZ5 Mixed Use” (see [Figure 1](#)). The intent of these sites can be seen in places such as the Perth satellite town of Joondalup (see [Figure 2](#)). These real-world examples demonstrate that mixed-use development, if accommodated appropriately, can enhance local communities.



**Figure 1:** The Coombs Estate Development Plan, with sites zoned “CZ5 Mixed Use” shown in light blue.



**Figure 2:** An example of low-impact mixed use development, located at 75 Regents Park Road, Joondalup, Western Australia.

<sup>1</sup> <https://www.planning.act.gov.au/act-planning-strategy/resources/2012-act-planning-strategy>

<sup>2</sup> [https://web.archive.org/web/20080722002317/http://www.actpla.act.gov.au/\\_\\_data/assets/pdf\\_file/0018/6282/Structure\\_Plan\\_report.pdf](https://web.archive.org/web/20080722002317/http://www.actpla.act.gov.au/__data/assets/pdf_file/0018/6282/Structure_Plan_report.pdf)

It was this vision that the former Land Development Agency (LDA) advertised to prospective buyers of land in Coombs from 2014 to 2017.<sup>3</sup> With the promise of “planned local shops, a public school, community facility and Mixed Use developments”, residents were painted a picture of future convenience and amenity right on their doorstep. It was a logical continuation of the vision articulated in the 2006 *Structure Plan*. Unfortunately, as Coombs approaches completion, none of the five sites zoned for mixed-use development feature a non-residential use, nor are they designed to be easily adapted to accommodate such uses in the future (see [Figure 3](#)). They are “mixed-use” in name, but not in function.



**Figure 3:** Residential developments at Coombs Section 7, Block 1 (top) and Section 41, Block 3 (bottom). Both sites are zoned “CZ5 Mixed Use”, but neither feature a genuine mix of uses.

This issue is not contained to the Molonglo Valley. The Gungahlin suburb of Thorsby features one mixed-use site capable of being developed with shops (Section 18, Block 1). Much like the mixed-use sites in Coombs, this site in Thorsby has been developed as exclusively residential. Similar trends are emerging in the Gungahlin suburb of Taylor and at some redeveloped local shop sites in established suburbs.

<sup>3</sup> <https://www.web.archive.org/web/20170302185634/http://www.lda.act.gov.au/molonglo/coombs>



There is growing body of evidence to suggest that the failure of mixed-use development to deliver a genuine mix of uses is a growing, territory-wide problem.

The Forum believes there are several reasons why this is occurring:

1. The planning controls in the relevant *Precinct Codes* rarely require commercially adaptable ground floors or active retail frontages on mixed-use sites.
2. The LDA/Suburban Land Agency (SLA) have not put in place lease conditions that would require or actively encourage commercial or community use on mixed-use sites.
3. The relevant objectives for the *CZ5: Mixed Use Zone* in the current Territory Plan are vaguely worded and open to interpretation, to the point of being practically unenforceable.

In short, the current planning system is not delivering mixed-use development which meets community expectations. The result is a loss of valuable floorspace that could be home to small businesses and sorely needed facilities that benefit the wider community.

## The Solution

To restore confidence in the ability of mixed-use zoning to deliver a genuine mix of compatible uses in our suburbs and centres, the Forum recommends that EPSDD develop an **ACT Mixed Used Design Guide** (the *Mixed Used Design Guide*) to accompany the proposed *ACT Urban Design Guide* and *ACT Housing Design Guide*. This document should contain benchmarks and guidelines to ensure developers deliver building spaces that are attractive and useable by prospective tenants. Consultation should be undertaken with the local business community and community service providers to ensure the guide is tailored to the specific needs and commercial realities of the ACT.

There are numerous examples of mixed use and commercial design guides in effect elsewhere in Australia. One such example is the *Quality Design Guidelines for Commercial and Mixed Use Areas* used by Melbourne's Glen Eira City Council.<sup>4</sup> These guides clearly describe and illustrate desired outcomes for mixed-use sites at a variety of scales, including the preferred ratio of commercial floorspace per square metre of site area for strategic development locations. They also articulate how major new mixed-use developments should be designed to deliver significant, community-wide benefits.

The overarching objective of the *Mixed Used Design Guide* should be to facilitate the development of sustainable and usable spaces for businesses and community service providers within mixed-use buildings and precincts. It should discourage spaces that are likely to remain vacant due their cost, size, or usability, and encourage building layouts that provide safe and comfortable separation between residential and non-residential uses. There is an opportunity for the *Mixed Used*

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<sup>4</sup> <https://www.gleneira.vic.gov.au/media/3654/quality-design-guidelines-commercial-and-mixed-use-areas.pdf>

*Design Guide* to graphically illustrate how smart building design can be employed to successfully manage the competing demands of buildings which feature a diverse range of uses.

While the Forum acknowledges EPSDD's decision to not proceed with district and precinct-specific design controls for commercial development on mixed-use sites,<sup>5</sup> it is envisioned that the *Mixed Used Design Guide* would fill a broader gap within the draft new Territory Plan. As with the proposed *ACT Urban Design Guide* and the *ACT Housing Design Guide*, the aim should be to lift the quality of all new commercial and community spaces in mixed-use developments across the ACT. A failure to provide this design guidance is likely to result in a continuation of the poor outcomes being delivered by the current planning system.

## THE DRAFT MOLONGLO VALLEY DISTRICT STRATEGY

**Recommendation 1** – Update the *District Strategy* to reflect the latest population forecasts from ACT Treasury, by:

- a) revising the final intended population of the Molonglo Valley from 55,000 to 86,000
- b) upgrading the Molonglo Group Centre to “Town Centre” status within the ACT centres hierarchy, and
- c) ensuring planned population increases are delivered in areas with appropriate levels of amenity, transport accessibility and infrastructure.

The latest population projections from ACT Treasury show the Molonglo Valley reaching a total population of 86,148 by June 2060.<sup>6</sup> This is significantly higher than the figure of 55,000 contained in the *District Strategy* and outlined on the EPSDD website.<sup>7</sup> The Forum understands that prior planning studies had only ever conceived of a final intended population of up to 60,000 residents in the Molonglo Valley.

In the event 31,000 additional residents will be accommodated in the Molonglo Valley, the Forum believes that significant spatial, social and services planning changes will be required. A Molonglo Valley that is home to 86,000 people will substantially increase the required provision of accommodation, shops, transport links and key amenities such as schools, recreational facilities and urban open space. Failure to adequately plan for these basic community needs at this early stage will have dire consequences for the future liveability of the district.

The first step towards accommodating this previously unanticipated growth should be the reclassification of the Molonglo Group Centre to “Town Centre”

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<sup>5</sup> [https://hdp-au-prod-app-act-yoursay-files.s3.ap-southeast-2.amazonaws.com/1616/6798/7860/New\\_Territory\\_Plan\\_-\\_Supporting\\_Report\\_-\\_CONSULTATION\\_VERSION\\_09.11.22.pdf](https://hdp-au-prod-app-act-yoursay-files.s3.ap-southeast-2.amazonaws.com/1616/6798/7860/New_Territory_Plan_-_Supporting_Report_-_CONSULTATION_VERSION_09.11.22.pdf)

<sup>6</sup> <https://www.treasury.act.gov.au/snapshot/demography/act>

<sup>7</sup> <https://www.planning.act.gov.au/planning-our-city/planning-studies/molonglo-valley>

status. As articulated in the *District Strategy*, this should involve a greater focus on providing local employment and recreation opportunities. To provide sufficient time for this reclassification to be factored into the future development of the centre, this change should take place with the commencement of the new Territory Plan, rather than at some undefined point in the future.

This additional growth should also be located in areas best placed to support it. The *2018 ACT Planning Strategy* acknowledges that the most appropriate location for new homes is close to jobs, services and transport links.<sup>8</sup> In the future, assuming a corresponding increase in the provision of amenities, transport accessibility and infrastructure, the Molonglo Group/Town Centre will be one of these locations. Further guidance on how to balance growth in residential development in this centre with the appropriate provision of facilities with a wider community benefit is outline in Recommendation 2.

**Recommendation 2** – Protect the future delivery of commercial and community facility floorspace in the Molonglo Group/Town Centre by:

- a) requiring the delivery of a detailed community, retail and commercial needs analysis as part of the centre’s preliminary planning work, with a view to meeting the needs of the Molonglo Valley’s future population of 86,000 people
- b) developing a precinct plan for the Molonglo Group/Town Centre to ensure strategic community, retail and commercial facility floorspace targets are met on a site-by-site basis, and
- c) reviewing the building controls for the centre and surrounds, to ensure future residential development does not come at the expense of facilities needed by the wider community.

As articulated in this submission’s Key Recommendation, there is growing community concern about the balance of uses in land zoned for mixed commercial, community and residential use. The highest profile of these examples has been the conversion of the north-west precinct in the Gungahlin Town Centre from its intended use as a business park, to a predominantly residential estate with little commercial or community offering.<sup>9</sup> This is an outcome that the Forum does not wish to see repeated in the Molonglo Valley.

The increased population projections for the Molonglo Valley, as discussed in Recommendation 1, point to a future where land is at a premium. In the battle for land use, history suggests that community needs, such as facilities, retail and commercial premises, are expendable to residential development. The Forum does not believe that this outcome is desirable or inevitable. With sufficient and firm

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<sup>8</sup> [https://www.planning.act.gov.au/\\_data/assets/pdf\\_file/0007/1285972/2018-ACT-Planning-Strategy.pdf](https://www.planning.act.gov.au/_data/assets/pdf_file/0007/1285972/2018-ACT-Planning-Strategy.pdf)

<sup>9</sup> <https://gcc.asn.au/getting-development-right-for-the-town-centre-the-gungahlin-residential-towers-story/>

guidance from the ACT Government, the Forum believes that genuine mixed-use development in the Molonglo Group/Town Centre can accommodate the district's housing requirements, as well as its commercial and community needs.

The first step towards getting this balance right is ensuring decisions are informed by a thorough understanding of the community, retail and commercial floorspace requirements of the Molonglo Valley and its intended population of 86,000 residents. The Forum supports the proposed *District Strategy* initiatives which call for these studies to be undertaken as a matter of priority. The studies would ideally be cross-directorate initiatives between EPSDD and the SLA to ensure a joint understanding of these future requirements and a shared vision for implementation.

The next step is to guarantee these future floorspace requirements are met. Auctioning off parcels of mixed-use capable land with no articulation or means to enforce a desired outcome, as undertaken by the former LDA, is not well suited to meeting broader land use objectives. The Forum believes that precinct-scale planning in the Molonglo Group/Town Centre, with measurable targets for non-residential floorspace, can complement the proposed *Mixed Use Design Guide* in achieving a diverse, compatible, and desirable mix of uses across multiple individual sites with varied ownership.

Finally, to avoid the possibility of non-residential uses being “squeezed out” of the Molonglo Group/Town Centre to accommodate a higher residential population, the Forum recommends that a comprehensive urban design review be undertaken for the centre. This review should ensure that the building controls featured in the relevant *District Policy* and *District Specification* sections of the new Territory Plan facilitate development which meets broader district-level needs, such as shops, office space and community facilities, while still maintaining solar access to streets and public spaces. Residential development should be permitted where it is compatible with the primary non-residential use of the site.

**Recommendation 3** – Deliver greater certainty around Molonglo's future transport connections, by amending the *District Strategy* to explicitly plan for:

- a) a future rapid bus connection between Woden and Belconnen via Weston Creek and Molonglo, as detailed in the *ACT Transport Strategy 2020*
- b) future light rail connections from Molonglo to the City via Parkes Way, and from Molonglo to Woden via Weston Creek, as per the *ACT Light Rail Network Plan 2015*, and
- c) bus priority measures and reserved space for future light rail in new and upgraded roads that form part of the *National Capital Plan's* Inter-town Public Transport system.

Transport links are an essential part of district planning. The *District Strategy* acknowledges this by providing the first comprehensive overview of planned

future public transport connections in the Molonglo Valley since the 2009 *ACT Strategic Public Transport Network Plan* (the *Network Plan*).<sup>10</sup> Despite the significant developments that have occurred in the intervening period, the underlying principles of the *Network Plan* remain sound and should continue to inform future transport planning in the Molonglo Valley.

The *Network Plan* envisions two high-frequency public transport routes operating through the Molonglo Valley. The first route connects the Molonglo Valley to Belconnen via an extension of Bindubi Street, and to Weston Creek and Woden via Streeeton and Hindmarsh Drives. Sections of this route are identified in the 2020 *ACT Transport Strategy* as forming part of the “Future Rapid Network”.<sup>11</sup> The explicit mention of this connection in the *District Strategy* is welcome and must be retained in the final version to ensure it will be delivered as part of a future network update.

The second public transport route serving the Molonglo Valley outlined in the *Network Plan* connects the district to the City via Parkes Way. This route was identified as a future light rail corridor in the 2015 *ACT Light Rail Network Plan*.<sup>12</sup> This is correctly acknowledged in the relevant *District Strategy* maps. The Forum recommends taking this one step further, by rewording the relevant initiatives to explicitly mention the delivery of future light rail along this transport corridor. This will provide significantly greater certainty of future investment, service quality and connectivity for residents and businesses of the Molonglo Valley.

Prior to the extension of light rail to the Molonglo Valley, both corridors will be serviced by rapid buses. To ensure these buses operate quickly and reliably, the *District Strategy* should require the ongoing delivery of bus priority measures, including dedicated lanes and signal priority at key intersections. To avoid expensive and disruptive retrofitting, these priority measures should be built up front in new roads and as part of upgrades to existing roads along the Inter-town Public Transport corridors identified in the *National Capital Plan*, which include the two routes outlined above.<sup>13</sup> These roads should also be required to reserve space for future light rail, as per the relevant Transport Canberra corridor preservation guidelines.

**Recommendation 4** – Provide greater certainty regarding the future of the Molonglo River corridor, by:

- a) using appropriate and consistent terminology throughout the *District Strategy*, and
- b) clarifying the intended future use of the Coombs Peninsula.

<sup>10</sup> <https://web.archive.org/web/20120321045356/http://transport.act.gov.au/references.html>

<sup>11</sup> [https://www.transport.act.gov.au/\\_\\_data/assets/pdf\\_file/0016/1613302/200601-ACT-Transport-Strategy\\_web.pdf](https://www.transport.act.gov.au/__data/assets/pdf_file/0016/1613302/200601-ACT-Transport-Strategy_web.pdf)

<sup>12</sup> [https://www.transport.act.gov.au/\\_\\_data/assets/pdf\\_file/0016/1229011/Transport-Canberra-Light-Rail-Network.pdf](https://www.transport.act.gov.au/__data/assets/pdf_file/0016/1229011/Transport-Canberra-Light-Rail-Network.pdf)

<sup>13</sup> <https://www.nca.gov.au/planning/plans-policies-and-guidelines/national-capital-plan/consolidated-national-capital-plan/part-three>



The *District Strategy* uses the terminology of ‘Molonglo River Reserve’ and ‘Molonglo River corridor’ in similar contexts. Their meanings, which are not defined in the glossary, are quite different. The ‘Molonglo River Reserve’ is a precisely defined spatial area, for the purposes of its management. The ‘Molonglo River corridor’ refers to the wider landscape influenced by the river itself. This includes the biodiversity of plant and animal species and their movements alongside the river, where a boundary is not so defined, and may vary seasonally and with flooding or drought. The Forum believes greater specificity is required.

In the broader context of the river corridor development in the Molonglo Valley, the Coombs Peninsula has been an ongoing and contentious issue. This has been well documented and includes a community petition to the ACT Legislative Assembly to preserve the biodiversity of the river corridor.<sup>14</sup> The peninsula is marked on the *District Strategy* maps as ‘possible development’, yet the intended form of this future development remains unclear.

The Forum requests that the *District Strategy* put an end to this planning limbo, and provide significantly greater clarity about the intended short, medium and long term use of the Coombs Peninsula. The present situation, which has seen the indefinite deferral of plans to complete the sealed cycleway around the peninsula to link Stromlo Forest Park with the City, South Canberra, Weston Creek and Tuggeranong, is a source of continual frustration for residents and visitors. A priority resolution, cognisant of the needs of the wider Molonglo Valley, is therefore sought.

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<sup>14</sup> <https://epetitions.parliament.act.gov.au/details/031-19>