



PO Box 396
Dickson ACT 2602
info@northcanberra.org.au
www.northcanberra.org.au

Protecting, promoting and enhancing the economic, cultural, social and environmental well-being of the residents of North Canberra

The North Canberra Community Council receives funding and support from the ACT Government



Minutes: Committee Meeting 7pm 19 April 2023

Attendance: Christopher Mobbs, Ernestine Kirsch, Marcus Hipkins, Marianne Albury-Colless, Simon Clarke, Margaret-Ann Hendersen, Ann Hare, Jane Goffman, Margaret Dudley, Gordon McAllister, Joachim Zeil, Bruce Smith, Chris Finnigan, Ian Hubbard

Observer: Paul Costigan, Peter Boreham

GENERAL BUSINESS

1. February Committee Meeting Minutes Confirmed

Jane to organise dinner at Gang Gang Café in Downer during May. Proposed invitations to Greater Canberra and Canberra Planning Action Group to present at NCCC Annual General meeting. Leon to bring together a working group on affordable housing.

2. Chair's Report (provided by Chris Finnigan)

Discussion of interim Heritage Council arrangements and Governments Inquiry into Heritage Matters. Suggestion that a number of reports provided by individuals to the Inquiry are worth a read. Mentioned were reports by Duncan Marshall, Michel Jefferson, David Hobbs and Ros Hanson (MA-C). Interestingly, Heritage Act encompasses natural as well as built form. An issue raised was the confusion around the hierarchy of responsibility and protection that are provided by the various Acts.

Discussion of the management and links between Mt Majura, Mt Ainslie, Mulligan's Flat and Goorooyaroo Nature Reserve. Wildlife Bridge across the Federal Hwy. The level of management has implications for public use and access, expensive infrastructure such as fencing, feral animal control. Discussions is being had at the political level but some implications are contentious (JZ).

NCCC letter on the future of Monash Drive has been circulated to all local representatives and passed onto Kristy McBain in her role as Minister for Regional Develop, Local Government and Territories. No response has been received to-date and needs to followed-up (CF).

3. Items for Consideration

Ainslie Football Club Update (Marcus Hipkins)

The Ainslie Football Club (AFC) has submitted a series of tactical development applications (DAs) with the end game being a significant multi-unit residential development at the Allan

Ray Oval in Ainslie. The presentation provides the outcome of the ACAT hearing regarding second DA for a childcare centre at the sports ground.

Opposing the development six issues were raised:

- sight distances from the new verge crossing
- safety issues generally related to parking arrangements
- capacity of the road network to accommodate traffic generated by the development
- air quality, noise and safety issues relating to the proximity of the childcare centre to Limestone Avenue
- status of the land as a sport and recreation reserve
- compliance with the requirements of the crown lease

Issues raised with the Tribunal are restricted to the basis for the decisions made by ACTPLA in approving the development and these are based on the key planning documents. The Tribunal relies on evidence or otherwise of compliance with these guidelines and rules. The member's decisions rely heavily on expert opinion on whether the guidelines have been met. The Tribunal members acknowledged that there were existing traffic issues in the area and 'trusts that consideration would be given to improving traffic conditions in the area'. The point was made that the Government (ratepayers) will need to do things to support this development (JZ). The Tribunal accepted the opinion of the proponent's traffic expert although asked that a traffic safety audit be undertaken. This work is done behind closed doors and is only available to the proponent and TCCS. Residents are not made aware of any additional requirements placed on the development.

There was little support for the protection of existing community recreational opportunities (a group of shade trees next to the existing playground on Angus St will be fenced off and incorporated into the childcare centre). The Tribunal didn't seem too concerned about the existing land being converted to uses other than sport and recreation. Firstly enabling a large proportion of the site to be designated for car parking then supporting another part of the site to be carved out for a commercial childcare centre. Of real concern for sport and recreation reserves across Canberra was the Tribunal's position that 'if all the land in the blocks was redeveloped so there was no more oval just a use that is not recreational but still permitted, it would be a concern.'

While members of the Tribunal acknowledge that the ACAT process is not a level playing because residents don't have the resources to match the experience and expertise used by the proponent and the decision maker, the ACT Planning Authority in the hearings they still make their decision based on the evidence provided by the professionals employed by the proponent. The evidence and expert opinion is clearly not independent. The ACAT process is largely a waste of energy for residents and community groups trying to protect community assets, land currently zoned for community use, sport and recreation reserves or other green spaces. We are currently watching the impacts of zoning changes, the stripping of community assets and green spaces along Northbourne Avenue (IH). Residents around this corridor have no protection from the impacts. Residents are faced with the Governments support for rapid residential intensification and sporting clubs selling land in an effort to support viability (JZ).

The presenter suggested that MLAs should read some of the ACAT hearing transcripts to appreciate the imbalance between the parties and the limits to the issues that can be raised in the ACAT process. Also the importance of planning rules in protecting the interests of residents.

The point was made that residents have been successful in ACAT only when a proponent has not met a planning rule or criteria. The worry is that as the current rules and criteria are removed or watered down there will be limited opportunity for residents to mount a case in ACAT. The replacement of clear planning rules by broad outcomes will enable a developer to bring together a team of paid professionals to provide licence to whatever development they propose regardless of the planning impact on the community. ACTPLA hands more control over planning to major developers. The new planning rules will enable developer led Territory Plan variations.

Others raised concern about the implications of changing land zoning to enable greater housing intensity. The concerns included affordability, climate and environmental impacts and the loss of community assets. Questions were also raised regarding the current lease variation charges and the return to the community when developers are allowed to increase the amount of buildings on an existing block. (CM)

Comment was made that DAs are distributed to government agencies for comment but they are not resourced to handle the volume of work. The agencies are also hesitant about highlighting any problems as this generates further work. ACTPLA can also disagree or ignore the advice from agencies. (JG)

Guest presentations for 2023 General meetings. (CF)

Consider being proactive about choosing presentations as we have limited slots available. Suggested presentations by agencies and important DAs. Individuals including David Pocock, Peter Cain, Rebecca Vassarotti. Chairs of other community councils. Organise debates on subjects such as climate change and planning (Jo Clay and Peter Cain) (CPAG and Greater Canberra). Planning discussion is popular in Canberra and a previous meeting filled Albert Hall. (MD).

An email thread to be put together to make future arrangements more efficient. (CF)

4. Treasurer's report (Bruce Smith)

Summary: positive current balance, expenditure update provided and tracking on budget. Discussion on insurance and the need for risk management plans. Copies of risk management plans for events to be sent to Bruce. Templates are available from Bruce and Ernestine. Explanation of why community councils aren't covered by ACT Government volunteers insurance (JZ)

5. Other business

Issues raised included:

- Communications base station on Ainslie Volcanics temperate grasslands (MA-C)
- Blackspot signalisation at Euree St (MA-C)
- Stadium and Civic Pool site (MA-C)
- Place Names in Dickson shops (JG)
- Heritage Marker for airstrip (JG)

Close of meeting (Minute taker for the meeting: Ian Hubbard)