

Territory Plan Comments,  
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### **ACT Territory Plan – Draft Variation 351**

The Ginninderra Falls Association's main concern with Draft Variation 351 is that the "Hills, Ridges and Buffer zone" will be completely excised from the subject area without any replacement areas having been formally designated. We are aware that such replacement areas would need to be in NSW and therein lies the problem.

To comply with the National Capital Plan, the landscape framework of hills and ridges in NSW must be entrenched in a consistent legislative framework across the ACT/NSW border. Such a legislative framework should have been put in place as part of, or prior to, the publication of DV 351. The West Belconnen development is very clearly a cross-border development so to proceed with it prior to the development of a proper cross-border legislative arrangement would appear to be quite irresponsible.

The need for hills, ridges and buffer zones is purely an ACT design criterion affecting the layout of Canberra. It is not to be expected that the NSW Government and/or the Yass Valley Council would be particularly inspired to reduce the options available to NSW land owners. This is a major issue that could take years to resolve.

#### **Explanatory Statement – Specific comments**

1. The Explanatory Statement on page 4 definitively states that:

This document is the explanatory document for a draft variation to the Territory Plan, which only applies to land in the ACT.

It is not possible to proceed with this variation to the Territory Plan when further cross-border liaison between the NSW and ACT governments will need to be undertaken to establish a consistent legislative framework to accommodate a range of cross-border issues which are currently unresolved.

2. Of the proposed changes listed on page 8, it is not possible to remove current land use zones of Broadacre, Hills, Ridges and Buffer from part of the site until

the surrounding hills and ridges in NSW have been legally entrenched as Hills, Ridges and Buffer Zone and unalienable.

3. The Reasons for the Proposed Draft Variation on page 10 state only one reason, i.e. the intent of putting into effect future settlement in West Belconnen. This can only be achieved subject to an appropriate cross-border legislative framework being agreed between the ACT and NSW governments.

#### 4. **2.6.2 Territory Plan (Page 11)**

##### **2. Spatial Planning and Urban Design Principles Non-urban areas.**

2.11. Planning policies will protect the landscape and environmental qualities of the hills and ridges surrounding urban areas.

This cannot be effective until a cross-border legislative framework has been put into place.

5. The Ginninderra Falls Association fully supports the comments of the Conservator of Flora and Fauna in relation to Water Quality in the Murrumbidgee River and Ginninderra Creek (pp.14-15) regarding:

- Number of runoff days should replicate pre-development flows;
- Protect aquatic habit;
- Encourage onsite filtering of stormwater.

6. The Ginninderra Falls Association also supports the Conservator of Flora and Fauna' comments regarding the need for:

a 50% summer shade target to all streets; deep root zones on all blocks (including multi-unit sites) to enable the successful growth of shade trees, maximising permeable areas to allow water penetration

7. The Ginninderra Falls Association fully supports the comments of ACT Heritage in relation the Structure Plan, particularly:

- Section 4, Points 1, 10 and 11 re heritage values and aboriginal sites to be incorporated in sustainable development principles and sustainable urban water management;
- references to the Murrumbidgee River as a natural asset should be revised to natural and cultural asset'. (p.18)

In this latter point, GFA believe that the Ginninderra Creek should be referenced along with the Murrumbidgee River.

## **2) STRUCTURE PLAN**

### **4. GENERAL PRINCIPLES AND POLICIES**

12. Development shall provide for and be integrated with adjacent urban development in the ACT and the proposed future development, immediately adjacent in New South Wales.

**ADD**

*This will require appropriate legislative framework to be put in place to provide for such integration. Lacking such a legislative framework, a buffer zone will be maintained between ACT housing and the NSW border.*

## **6.5 Environmental protection**

27. The landscape setting and values ... etc. ... etc.

### **ADD**

*The range of hills immediately to the north of Ginninderra Creek and those to the west of the Murrumbidgee River (both in NSW), will require proper statutory protection either as NSW nature reserves or as National Park land.*

The Ginninderra Falls Association submit that it is inappropriate to proceed with this variation until this matter has been resolved.

### Submitted by the Ginninderra Falls Association

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