

Standing Committee on Planning, Transport and City Services Inquiry into the Territory Plan and other associated documents

Expression of Interest to appear at Public Hearings.

Set out below is my Expression of Interest to appear before the above Inquiry. I have been analysing the new planning arrangements as a member of the Committee of the Inner South Canberra Community Council (ISCCC) since their announcement. The views in this EOI are my own.

I wish to address Terms of Reference (b): How Variation 369 and the ACT Government's commitments to living infrastructure targets are embedded in the Territory Plan....

For multi-unit developments there are no requirements for Living Infrastructure or solar access. The Government has dropped the V369 (Living Infrastructure) provisions of the current Plan, and has not replaced them.

I obviously don't need to spell out the importance of these provisions; even in the last year or so since the draft Plan and Act were released the climate crisis has become even more evident.

In summary:

- The proposed provisions appear to rely very much on a role for the *Housing Design Guide* and *Technical Specifications* that is not supported in the Planning Act, or Territory Plan
- It is highly likely that this approach will be challenged on appeal, and it is hard to see ACTPLA fighting hard on these issues; the easiest approach will be to not reject weak DAs
- Relying on favourable legal outcomes for protections in this area does not reflect their importance
- Increased allowable densities will increase financial incentives to maximise the number of dwellings; living infrastructure and solar access will become residual items.

Living infrastructure and solar access are too important to be left to chance; as a priority they should be covered by mandatory specifications, mirroring the approach for single dwelling developments. There is no good reason why requirements should be weaker for multi-unit developments as compared to single dwelling developments.

Specifically, sections 14 and 16 of the Residential Zones Technical Specifications should be made mandatory Assessment Requirements for RZ1 and RZ2 multi-unit developments.

Background

The following relates to multi-unit developments in RZ1 and RZ2. For single dwelling exempt developments, ('knock down-rebuilds') there are mandatory requirements that are based on the relevant sections (14 and 16) of the Residential Zones Technical Specifications.

For Living Infrastructure and solar access

- The *Territory Plan* policies and desired outcomes are qualitative, open to interpretation, and qualified with words such as 'appropriate', 'sufficient,' 'where possible'.
- The *Housing Design Guide* has to be considered, but it is also qualitative; it does not have to be complied with. There is a world of difference between 'has to be considered' and 'has to be complied with'
- The *Residential Zones Technical Specifications* incorporate numeric quantifiable measures, but there is nothing in the new Planning Act that says they have to even be considered.
- The Housing Design Guide and Technical Specifications are supporting documents, and cannot operate as a set of rules.

If a change is to be made, the sooner the better. Once the development industry adapts to the lack of hard requirements for multi-unit developments, and the related financial benefits, resistance to change will increase.