

Austin Lynch
29 March 2011

Submission to the ACT Legislative Assembly Standing Committee

Planning, Public Works and Territory and Municipal Services

Re: DRAFT VARIATION TO THE TERRITORY PLAN NO. 302
COMMUNITY FACILITY ZONES

Thank you for the opportunity to make my views known to the standing committee on DV 302.

You may be aware that Old Narrabundah Community Council (ONCC Inc) won an ACAT case regarding community facility zoned land in Narrabundah, the Bundeela Street Salvation Army Church site in Bundeela St. The subsequent DA was not appealed against so the development is now proceeding. It should be noted that the bedrooms in this development face north so the principles of solar passive design have been ignored. The lift is only accessible to half the dwellings on the second & third stories.

There is now no evidence left of the Salvation Army Hall that provided help to the residents of Narrabundah in the early 1950s. There are no heritage areas preserved that were part of the life of the workers & their families that built Canberra that lived in the prefab area of Narrabundah. Heritage listing is difficult especially for facilities designed for the lower classes of society.

The ACAT case is accessible here:

<http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/act/ACTAAT/2008/14.html?stem=0&synonyms=0&query=narrabundah>

It could not be comprehended why such planning rules applied in a suburban area, especially that there were no height restriction & no plot ratio. A building 20 stories high could have theoretically been built here. There were also the complexities of the 30 metre rule, standard block etc.

Spot zoning is very bad planning and it is not understood why the development controls that apply to the surrounding residential areas do not apply to the community facility zone. Of course there will be an increased need for aged care & supportive accommodation but this does not justify multi-unit development islands that are not sympathetic or complimentary to the surrounding areas. Ageing in place should not only be in multi-unit developments. Suburban areas are not suitable for high-rise developments.

Existing element in CFZ:
"Element 5; Amenity: C5.4.1

Where a Neighbourhood Plan exists, development demonstrates response to the key strategies of the relevant Neighbourhood Plan.”

It is critical that the above element of amenity is retained until the future of Neighbourhood Plans is determined. This is rather odd taking the neighbourhood & amenity out of community facility zoned land. It sends the message that people around the zone are not stakeholders in their suburb. It has not been adequately explained as being “a public policy goal”.

Existing residents have very few specified rights under existing legislation and these are being scaled back. Residents who took part in the formulation of neighbourhood plans thought that these plans would protect their amenity from adverse developments. Imposing a sunset clause on Neighbourhood Plans would infuriate those that participated in their development. The affect would be to alienate many members of the community and turn them into cynics not wanting to engage anymore because their voice was not heard.

The comments of GNCA & WVCC to ACTPLA are endorsed.

It is recommended that the committee set up an inquiry into the future of neighbourhood plans in established suburbs and invite community councils, industry & anyone interested to make submissions. Is it possible NPs could be considered to be interim precinct codes until they are updated?