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Submission Cover Sheet

Engagement with Development Application Processes in the ACT

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**SUBMISSION TO THE PLANNING AND
URBAN RENEWAL COMMITTEE OF
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*Inquiry into Engagement with
Development Application Processes in the
ACT*



HOW CAN THE DEVELOPMENT APPLICATION PROCESS BE IMPROVED?

(A resident perspective)

Introduction

There is a myriad of issues which irritate residents and these can be mitigated through a sensible, common sense approach.

Some of the issues are:

- inadequate consultation — that is, the timing doesn't allow for residents to discuss the issue either with neighbours or developer(s)/architects and perhaps have a "second bite" at the proposed development;
- residents develop, for want of a better description, construction fatigue — this relates to the volume of development(s) in particular suburbs and therefore the noise and traffic inconvenience which occurs;
- there is an almost siege mentality when an e-mail or phone call is made through Canberra Connect to make inquiries about development(s);
- there seems to be little or no consideration of what development activities do to traffic/parking arrangements within particularly older suburbs where streets are narrow; and
- there would appear to be no safety or other considerations when developers dig significant holes in the ground and the development is then left for months or years.

My submission attempts to address each of the issues I have identified.

Prior to Application — Consultation

Much of what occurs throughout the consultative process appears to residents to be adversarial. There are a variety of reasons for this — including, but not limited to a perception by residents that developers are always trying to get an edge over them and, where developments are for apartments/townhouses, build as many as possible on a small envelope of land.

The adversarial nature of the application can be removed fairly easily with the inclusion of measures early in the process

- before finalisation of plans, the draft plans are circulated to residents in the affected area;
- residents are invited to meet with the developer(s) and architect in either a community meeting or a one-on-one meeting;
- residents can identify potential issues either at that meeting or in a one-on-one;
- developer(s) and architect take on board issues raised in these meetings;
- consultation should continue through the adjustment of proposals to remove as much angst as possible.

I can use an example where this occurred and it opened the channels of communication so that the developer and the resident worked together to achieve an agreeable outcome. The developer continues to chat with us to make sure there are no ongoing issues.

It is my contention that there would not be as many applications to ACAT from residents if this process was followed.

Application documentation

Consultation

Once the consultative process has concluded, there should continue to be a more formal consultative process — this should incorporate details of the earlier consultation and where issues have been identified how these have been addressed.

The Planning Directorate should still seek input from residents so that issues which cannot be resolved informally (as outlined above) can be resolved in a more formal environment.

Assessment of DA by planners

One of the issues which affects many residents is that the Planning Directorate undertakes its assessment in isolation of the *whole* application. For example, there seems to be little or no consideration given to the thorny issue of where builders/tradespeople park their vehicles and pedestrian access around developments.

Compounding this issue is the need to accommodate deliveries to developments by often over-sized vehicles and the need to close roads or restrict through traffic.

An example of ill-considered applications include the development on the corner of David Street and Macarthur Avenue in Turner where there have been issues around parking and pedestrian access since the development commenced. These issues include, but are not limited to:

- workers parking under ‘no parking’ and ‘no standing’ signs — this has been quite dangerous for residents endeavouring to go about their day-to-day activities and having trouble with access to streets;
- once the issue of parking in dangerous areas was addressed, workers then parked on surrounding nature strips — this does incredible damage to the roots of sometimes very old and valuable trees as well as inconvenience to residents who are required to maintain their nature strips;
- footpaths are closed, often with signs which advise pedestrians to use ‘other’ footpath — even though there is no other footpath to use!
- footpaths are also effectively closed by vehicles (including trucks) parked on them — this presents ridiculous challenges for those who are pushing prams or those who are less agile in movement than those who have blocked the path;
- builders/workers often seem to be ignorant of the need to check traffic before crossing roads, seemingly because they are wearing high viz clothing;
- closure (or reduction to one lane) for vehicles — this should *never* be undertaken during peak hour and there should be checks to ensure that it doesn’t occur (as it did on the development cited);
- deliveries of seemingly huge components to building sites on trucks which simply will not fit in the street — this is a regular feature in Turner where streets are narrow and roads are regularly blocked to enable delivery either of components or even concrete for a pour.

Another important consideration is the ‘construction fatigue’ issue — whereby residents are subjected to many simultaneous developments or a stream of developments. When this occurs residents will become irritated and human nature is such that residents will find anything to complain about just to stop another year of noise or inconvenience.

What I would like to see is planners looking at the whole suburb and even outside the suburb in an attempt to reduce the number of simultaneous developments.

As an example, I believe inner northern residents have been very accommodating with light rail works and as far as possible use alternate routes to avoid Northbourne Avenue. That accommodation becomes an issue of irritation when streets are blocked one and two blocks back without advice or consultation while concrete pours are undertaken or big items of machinery are moved.

It is also important that when such issues are addressed in a DA approval, there is some element of checking to ensure the developer is doing the right thing, once construction starts.

Handling enquiries throughout the process

I am often left shaking my head in dismay at the treatment of residents who make enquiries — usually through Canberra Connect — about developments (either at approval or post-approval). Invariable (and I have first-hand experience of this) the resident is left feeling that it was an inappropriate enquiry (the “none of your business” tone), or the incredibly patronising response (the “you won’t understand” or “you don’t need to understand” tone).

These issues can be easily resolved through appropriate customer service training — whereby staff actually understand that residents pay their wages and are key stakeholders in any development application.

Further, there are a range of developments where the developer seemingly walks away from the development for long periods of time. Two examples are:

- a development in Macleay Street, Turner (near the Towns Street intersection); and
- a very large development in Hartley Street, Turner (opposite Turner School).

In both instances significant holes were dug and then left for an inordinate period of time. The Macleay Street development is still a hole in the ground; and a very dangerous hole in the ground. While it has a fence across the front it is easy for children to get through. In inclement weather the hole (which is lined with concrete) fills up with water and is, I believe, a significant hazard. There are rules for backyard pools in the ACT, why are there no rules for this situation?

The Hartley Street development, while not going as long as the Macleay Street development, is similarly dangerous. Indeed, in high winds the fence blew over and blocked the footpath.

I believe there should be a process to mitigate such events — perhaps developers should demonstrate (at the application phase) financial viability, together with relevant building knowledge, to complete the development. Aside from the danger to those around, the developments I have cited look unsightly and should not occur.

Further, the penalty for non-completion should perhaps be strengthened.

Summary

The issues I have raised are issues around which I’ve had first-hand experience. It would seem that the DA process could be streamlined to ensure appropriate and relevant consultation so that safety is not compromised, and residents don’t feel as if they are living on a permanent construction site.

I am happy to expand on the issues I have raised.

Helen M Goddard



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