



Legislative Assembly for the
Australian Capital Territory

Standing Committee on Environment
and Planning

Submission Cover Sheet

Inquiry into DPA-04 – Missing Middle Housing Reform

Submission number: 005

Submitter: Bruce Paine

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Standing Committee on Environment and Planning – Submission by Bruce Paine

Submission to Inquiry into DTA 04 – Missing Middle Housing Reform

This Submission focusses on three issues:

Solar Access

Good solar access for buildings and open spaces is self-evidently important for well-being.

I suggest the Assembly aim for a ‘good’ standard of solar access, rather than merely a ‘reasonable’ standard of solar access. This is particularly important to the living area of all residences. Unfortunately, the draft changes have merely aimed for ‘reasonable’ – see page 26 of the Consultation report (under ‘solar access/solar envelope’) for an explicit acknowledgement of this lesser standard.

I suggest the Committee request a briefing from the Government on the impact of requiring a ‘good’ standard of solar access for all residences, for example on any change in the expected increase in the number of residences.

It is beyond my capacity to analyse the changes that would be required to the Policy and Technical standards to achieve a ‘good’ standard. However, the Committee could ask the Government for the pros (and any cons) of amending the following areas to improve solar access:

1. proposed clause 15.3 of the Residential zones technical standards. The proposed requirement would still allow overshadowing for 50% of the specified hours. Why not reduce that proportion to say 1/3? That would provide a minimum of 4 hours direct sunlight per day.
Furthermore, I suggest the Committee asks how closely the proposal aligns with requirements in NSW and Vic (as claimed in the Consultation report).
2. Proposed clause 15.2 of the Residential zones technical standards. The proposal still does not guarantee all people living in multi-unit dwellings any solar access. I understand that Developers often want to maximise their profit; however people have to live in the resulting Units. Even if the Units are warm because of thermal mass, there are demonstrated benefits for people in having solar access.
3. Proposed amendment to clause 15.1 of the Residential zones technical standards ie the amendment allowing multi-unit dwelling to be constructed on a 45 degree solar envelope (rather than the 31 degree envelope generally applying). Again, I understand that Developers often want to maximise their profit. However, it is obvious that a general requirement for a 31 degree envelope reduces the risk of overshadowing.

The suggest the Committee seek advice on the practical effect of maintaining

the envelope at 31 degrees – for example on the number or size of Units that can be constructed in a typical block or blocks.

Providing more public open space (eg parks) in certain densification areas

I support good densification. The objective of densification is to markedly increase the number of people living in desirable areas. It is very likely that will reduce the amount of private open space – both in absolute terms and more certainly in per capita terms.

I think it is therefore critical to ensure there is good access to public open space, including to engender a sense of community. Many areas of Canberra already have close access to public open space. However, I think more public open space needs to be provided in areas where the current provision will be insufficient with an increase in the number of people living those areas.

For example, the area of Deakin bounded (roughly) by Adelaide Avenue, Hopetoun Circuit, Stonehaven Crescent, Strickland Crescent and Kent Street currently only contains one modestly sized publicly accessible park. It is very probable this area will be redeveloped into multi-unit developments.

Unless more parks are facilitated prior to development being approved, it will be physically impossible to provide them later.

I acknowledge the policy challenges in providing or mandating further parks – however it is not impossible, for example by government conducting a reverse auction to acquire a block or blocks to convert to a park.

Lease variation charges, and rates

The consultation document essentially does not engage with these issues and refers them to ACT Treasury. However, LVCs will have an important influence on whether and in what form(s) densification occurs.

I suggest the Committee give some consideration to these matters. The Committee could seek expert advice and recommend the Government do further work on this matter including comparisons with other jurisdictions (although LVCs seem to be set by local government and hence vary significantly).

In my opinion, high(er) LVCs are likely to discourage densification because they will: reduce vendor's return from selling land (eg part of an existing RZ1 block) and hence reduce the supply of land; reduce developer's profit; and/or increase the price of a residence in a new development and hence reduce demand. Of course, these effects must be balanced against the need for government revenue.

Part of the above may impact on rates that existing landowners will face. Assuming that part of any LVC is passed back (ie borne by existing landowners) high(er) LVCs will suppress the increase in land value, with a lower increase (than otherwise) in rates.

High(er) LVCs could also reduce the opportunity for existing landowners to sell (or redevelop) part of their land (for example to age in place).

Bruce Paine

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