



ROBERT E & MARY H HIGGS

12A Hackett Gardens
Turner ACT 2612
Ph: 02 6249 6169
Email: rehack@bigpond.net.au

The Secretary
Standing Committee on Public Accounts
ACT Legislative Assembly
GPO Box 1020 Canberra ACT 2601

Re: Development Application and Approval Process in the ACT

We redeveloped our block at 12 Hackett Gardens Turner in 1998 and made considerable efforts to comply with the then existing regulations, which we understand have not been substantially amended.

Redevelopment of 6 Hackett Gardens Turner commenced five months ago, after approval was granted on 23 December 2004. DA 20045298. We contacted ACTPLA, who provided plans of the proposal, and advised that there was only a requirement to notify direct neighbours, as it was a single dwelling. The proposal was "extension and renovation of existing residence (single storey), with no lease variation".

On Sunday 03 April 2005, from 8am, the building was demolished. This it not, as we understand, a renovation to an existing residence. This was a material change to the DA, as the approved plans show a dwelling which could house multiple families. Each of the bedrooms has an ensuite bathroom, the kitchen has two sets of fixed appliances, such as ovens, hot plates and fridges. The laundry has space for two washing machines and two tubs.

Although parking restrictions apply in Hackett Gardens, the plans did not indicate any off-street parking for possibly up to twelve tenants and their visitors.

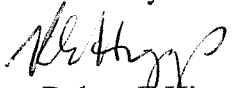
We took a letter of objection to the Manager, Residential Section of ACTPLA, on 04 April 2005 and for the following two months made numerous phone calls to various officers at ACTPLA. We were verbally advised on 07 June 2005 that no action would be taken as the plans complied with the regulations.

We are concerned that this development exploited existing regulations relating to Multi Use Developments and Variations to the Lease. There are three nearby blocks which could also be redeveloped in a similar way – Block 21, Section 27 and Blocks 20 and 21, Section 28.

We contend that ACTPLA has not justified why approval was granted for this proposal. Our assessment and others who have seen them, consider that they do not qualify as a single dwelling.

As we have been active in discussions with ACTPLA, we would be happy to provide further details to the Committee as required.

Sincerely


Robert E Higgs
29 July 2005.


Mary H Higgs

	A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE
SUBMISSION NUMBER	6
DATE AUTH'D FOR PUBLICATION	10 Aug 05