



A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE	
SUBMISSION NUMBER	46
DATE AUTH'D	
PUBLICATION	

The Standing Committee on Planning,
Environment and Territory and Municipal Services

ACT Legislative Assembly, Canberra
committees@parliament.act.gov.au

DV343 Residential blocks surrendered under the loose fill asbestos insulation eradication scheme

I would like to thank the Standing Committee on Planning, Environment and Territory and Municipal Services for the opportunity to make some brief comments on Draft Variation 343 and urge the Committee to recommend to Government that the Variation be withdrawn.

My reasons are as follows:

DV343 is at variance with the 2012 ACT Planning Strategy

The effect of the proposal would be to randomly rezone over 700 blocks within RZ1 zones and turn them effectively into RZ2 blocks. RZ2 zones are supposed to be within 200 metres of local shops or regional centres, so that residents can easily walk to the shops and other facilities. DV 343 will essentially weaken the integrity of the 2012 ACT Planning Strategy, which was supposed to provide a framework for 2012- 2030 and beyond, because many of these blocks will be well over 200 m from any local facilities.

Blocks of 700 m² are two small for high quality separate single storey developments

Mr Challis in his submission points out that "On a 700 m² block where one dwelling is to be constructed behind another, the proposed variation will limit development to two single-storey dwellings of 104.5 m² each." Variation 306, which was enacted in July 2013, after considerable in-depth consultation, specified 800 m² as the minimum block size in RZ1 for subdivision. There should be good reasons why 700 m² is a suitable block size for subdivision, but none have been given. This is completely unsatisfactory.

DV 343 is only being proposed to help fund the Government's immediate Mr Fluffy commitment. Long term planning requirements have been ignored

There is nothing in the Draft Variation that refers to its impact on the 2012 ACT Planning Strategy. In fact if enacted it is likely to degrade many RZ1 zones because, as the Housing Industry Association has argued. If a 700 m² Mr Fluffy Block can be sub-divided satisfactorily, why can't all blocks of 700 m² or larger be also subdivided? The logic is irrefutable. It will be the thin edge of the wedge.

DV343 would reduce the area available for trees in RZ1 zones

As the temperature increases there needs to be more trees planted, not less. Not only will Mr Fluffy blocks be completely cleared but if there are two dwellings on the block there will be less room for trees; another degradation of RZ1 zones that is not needed.

DV 343 would increase the complexity of the already complex Territory Plan

The Territory Plan is already a very complex document. This variation would increase this complexity, by making over 770 exceptions to blocks in RZ1. And what happens to Mr

Fluffy blocks that may have already been demolished and re-developed? Will these be able to be sub-divided? There are too many unknowns and too many complexities.

DV 343 is unethical and does not conform to good governance

The Government will be able to sub-divide and sell the Mr Fluffy blocks. The current owners and their neighbours will not. It's one law for the Government and another for everyone else. This means more than 4000 blocks could be affected because most standard blocks will have five neighbours.

People who purchased a house in an RZ1 zone because of the Garden City characteristics would be adversely affected. Not only by the increased building activity, but also because they could be surrounded by multi-unit developments.

I estimate that the 124 earlier comments represent at least 2000 people from all over Canberra who overwhelmingly object to the Draft Variation. Even the few who support the DV mostly have some reservations. There is a strong voice against DV343.

Reading the submissions from Mr Fluffy owners and their neighbours' one cannot avoid the feeling of annoyance, frustration and disenfranchisement felt by these writers. Mr Fluffy owners not only suffer by having their homes destroyed but they may not be able to afford to buy back their original block if DV 343 is enacted. In other words the government appears to be actively discriminating against those who are the most adversely affected.

DV 343 reminds me of Matthew 25:29 *"For whoever has will be given more, and they will have an abundance. Whoever does not have, even what they have will be taken from them."*

And if the government can fund a \$415,000 epidemiological study at the ANU, when it has already made its decision to bulldoze all the homes without the results of this study, it must have an abundance.

Conclusion

It is good that Draft Variation 343 is being analysed fully by this Standing Committee. I hope that as a result of this inquiry the Committee would recommend the Variation be withdrawn. The residents deserve better legislation for the future of this wonderful city. DV 343 adds nothing that remotely resembles good planning.

Yours faithfully



David Denham
27 August 2015