

2015

LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

RESPONSE TO THE
STANDING COMMITTEE ON PLANNING, ENVIRONMENT AND
TERRITORY AND MUNICIPAL SERVICES - REPORT NO 10

DRAFT VARIATION 343
Residential blocks surrendered under the loose fill asbestos insulation
eradication scheme

Circulated by the authority of
Minister for Planning
Mr Mick Gentleman MLA

Recommendation 1

The Committee recommends that where a draft variation to the Territory Plan proposes to amend a code, the existing sections of the code be reproduced alongside the proposed amendments to facilitate public understanding of the Draft Variation.

Response

Agreed in principle. The Environment and Planning Directorate will explore options to include 'marked up' versions of the full code or relevant sections and attached these to a fact sheet in support of a draft variation.

However, it should be noted that the full reproduction of a code often attracts comments on the parts of the code that are not proposed to be amended.

It also attracts criticism that it is not clear which parts of the code are being amended. Notwithstanding this, it is acknowledged that amendments to parts of codes can be difficult to understand in the current draft variation format.

Recommendation 2

The Committee recommends that the ACT Government review its planning framework in order to facilitate the supply of a much broader range of housing types to meet community desires and lay out a public consultation plan to discuss proposals.

Response

Agreed. There is ample supply of single residential dwellings at one end of the spectrum and apartments at the other. The ACT Government has already commenced internal investigations into options to stimulate a broader range of dwelling types, including dual occupancy and town houses through the planning system and through other means.

This is particularly important to the ageing Canberra population. The Government is committed to promoting increasing housing choices throughout the Canberra suburbs to allow people to downsize and to relocate within their own suburb and community of interest.

Any changes to planning policies in relation to the range of housing types available would involve preliminary consultation on the proposed changes prior to any Territory Plan variation statutory consultation process.

Recommendation 3

The Committee recommends the ACT Government consider titling options as part of any examination to facilitate increased supply of medium density housing.

Response

Agreed. The Government acknowledges that security of tenure is a major consideration in housing choices both in terms of community preferences but also in securing finance. However, as DV343 only proposes to change unit titling allowances for a small portion of blocks in the ACT, other titling options have not been considered as part of this variation.

Recommendation 4

The Committee recommends the ACT Government consider a mechanism to engage in a community conversation with particularly affected neighbourhoods about community recovery and redevelopment.

Response

One of the government's primary focuses when establishing the Asbestos Response Taskforce (the Taskforce) was to provide a coordinated and compassionate approach to homeowners and tenants affected.

As well as immediate financial support and the offering of the voluntary Buyback Program, a key element of the response has been around providing structured support and information to homeowners and community most affected through the highly skilled team of Communications and Personal Support Officers.

The Taskforce will be providing additional engagement support and information to the community where there are multiple houses in a close proximity ('cluster areas') to support them through what will be a challenging change management period for their streetscapes and community. A focus will be on recovery as well as renewal.

More than 127,000 people reside in the 56 established suburbs where affected houses will be demolished. Of these an estimated 12,000 neighbours will be in direct proximity to a Mr Fluffy house and information and engagement will continue to support the community around the demolition and rebuild programs.

Recommendations on which the Committee did not agree

Recommendation

Two Committee members recommend that Draft Variation 343 be amended to allow a maximum plot ratio of 50 per cent for all dual occupancies on surrendered blocks.

Response

Not agreed. The 35% plot ratio and associated single storey building height limit is intended to reduce potential impacts on adjoining neighbours. It was publicly notified as such.

A 50% plot ratio is not without merit, as the 35% plot ratio will render some sites less feasible for dual occupancy redevelopment due to the small scale of the rear dwelling. However, the 50% plot ratio is more appropriately considered as part of a strategic review of the residential zones. In this way, options can also be explored to minimise potential impacts on surrounding properties and appropriate provisions implemented at that time.

Recommendation

Two Committee members recommended that, at the conclusion of the first right of refusal process, the ACT Government thoroughly explore whether amalgamation or consolidation of neighbouring surrendered blocks provide opportunities to encourage innovative and high quality medium density developments.

Response

Agreed in principle. DV343 currently only applies to blocks in the RZ1 suburban zone. The opportunities for amalgamation and consolidation of blocks in this zone are tightly restricted. In this regard, any proposal for amalgamation or consolidation of blocks in this zone may require a future site specific variation to the Territory Plan and each proposal would be assessed on its merits.

Outside of the RZ1 suburban zoned areas amalgamation and consolidation of blocks is supported by the Territory Plan provisions and the Land Development Agency would investigate all options open to it at the conclusion of the 'first right of refusal' process.

Recommendation

Two Committee members recommended that the Minister for Planning approve Draft Variation to the Territory Plan 343 Residential blocks surrendered under the loose fill asbestos insulation eradication scheme.

Response

Agreed. However, DV343 will be progressed without the 50% plot ratio recommended by the two Committee members.