



**Legislative Assembly** for the  
**Australian Capital Territory**

Standing Committee on Environment  
and Planning

# Submission Cover Sheet

## Inquiry into DPA-04 – Missing Middle Housing Reforms

Submission number: 024

Submitter: Marea Fatseas

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# SUBMISSION TO ACT ASSEMBLY INQUIRY INTO “MISSING MIDDLE”

## DRAFT MAJOR PLAN AMENDMENT DPA-04

In my submission dated 5 August 2025 to the ACT Government on the draft Major Plan Amendment DPA-04, I addressed a range of issues and made a number of recommendations. I have analysed the current draft of DPA-04 presented to the Minister and referred to the Standing Committee to determine the extent to which any changes have been made in response to my feedback and recommendations. My overall conclusion is that, generally, my issues of concern remain. Even more changes made recently to DPA-04 have heightened concerns around such matters as reduction in provisions for adequate planting area for trees and other vegetation, loss of solar access, and inadequate dimensions for living spaces in Missing Middle Housing. I draw them to the attention of the Standing Committee on Environment and Planning.

### RECOMMENDATIONS AND EXTENT TO WHICH CHANGES MADE TO DPA-04

***My Recommendation 1:** As part of this process evaluation, it would be valuable to take a sample of DAs decided since the new planning system was introduced on 27 November 2023 and see what, if any lessons can be learnt, and feed those lessons into the current proposed additional reforms.*

There is no indication on the City and Environment Directorate’s website that such a review of a sample of DAs under the new planning system has been undertaken to learn lessons before the latest round of proposed changes in DPA-04. If it has, I haven’t seen it. Nor has the Directorate met its own commitment to undertake a:

“Process evaluation in Year 1 or 2 of the framework to assess the planning system’s useability, accessibility, timeliness and certainty.”<sup>1</sup>

From my own observations in my suburb of Yarralumla, the main new dwellings built on RZ1 land since the new Outcomes Based Planning System was introduced two years ago are very large single detached dwellings. Before that, very few Mr Fluffy blocks in the suburb were replaced with dual occupancies and they were not affordable. For example, in one case the new dual occupancies sold for about \$1.8-1.9 million each several years ago, a similar price to some nearby older style detached houses sold more recently on much bigger blocks. If downsizers from large, older house blocks had wanted to downsize into such new dual occupancies in their suburb, it wouldn’t necessarily be more affordable.

Contrast this with the Canberra Brickworks development and the Forestry Place development in Yarralumla which were planned at precinct scale to provide a mix of dwelling types. They will deliver much more housing in the suburb, an approved 380 and 300 dwellings respectively. However, such precinct scale developments take too long. There needs to be much better intra-government co-ordination for such developments to be considered in parallel assessment/approval processes rather than stringing them out through sequential processes. Even the proposed doubling of public housing at Minninbah Court (opposite the Forestry Place development) is taking too long, with public housing tenants transferred out over four years ago, the Development Application approved earlier this year and still no sign of redevelopment. That’s about a dozen public housing tenant households who could have been accommodated for another 4 years in that complex.

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<sup>1</sup> <https://www.planning.act.gov.au/professionals/our-planning-system/act-planning-system-evaluation-framework#:~:text=The framework outlines the government's,important to the Canberra community.>

***My recommendation 2:*** Ensure that provisions of the new Missing Middle Design Guide and the Technical Specifications are more consistent with the Objects and Planning Principles of the Planning Act and the Assessment Outcomes of the Territory Plan, especially those relating to sustainability and a climate-resilient environment. In particular, provisions relating to solar access in the Technical Specifications and Design guide should be amended to refer to “good solar access”.

The latest version does the opposite. It waters down solar access provisions in the Policy Outcomes for All Residential Zones from “good solar access” to “reasonable solar access”. That is not consistent with the drive towards a more climate resilient urban form, net zero target and good amenity for ACT residents.

As noted by the ISCCC’s submission to the Inquiry<sup>2</sup>, the Residential Zones Technical Specifications 14.2 say that the building envelope plane is proposed to be set 500mm higher. Also, in 15.1, the slope of the “solar building envelope” for multi-unit housing is increased from 31 degrees to 45 degrees, with potential serious effects on access to sunlight by neighbouring properties.

While Section 15.3 seems to provide more protection for solar access of neighbours, surely there must be a typographical error in Section 15.2 where it says that “No fewer than 70% of dwellings on a site receive less than 3 hours of direct sunlight to the floor or internal wall of a daytime living area” between 9am and 3pm on the winter solstice (21 June). Does it really mean to say that 70% receive **more than** 3 hours of direct sunlight?

***My recommendation 3:*** The ACT should not endorse apartment living rooms smaller than those in NSW, as proposed by the Residential Zone Technical Specifications.

The Government’s Consultation Report responded:

“Noted.

The reduction in minimum dimensions for living spaces and bedrooms were intended to provide greater flexibility in delivering diverse housing, including compact dwellings.

It is acknowledged that while these minimum dimensions can work well in some planning configurations, in others they may limit flexibility for users.

The specification has removed these changes. Where a proponent elects to deliver less than minimum room dimensions a suitable layout will need to be demonstrated.”

It still doesn’t seem to close the door on such undersized living spaces. It’s hard to see why the ACT’s planning system would contemplate providing poorer living space amenity for people in Missing Middle Housing. I’ve heard a range of people, including downsizers and others, say they don’t want to live in many of the “dog boxes” that are being built in this city, even before the proposed changes.

***My recommendation 4:*** There needs to be an update in summer 2025/26 of ACT-wide heat island mapping, last conducted in 2017, to determine which areas are most vulnerable to the heat island effect and hence need more active planning of planting area on dwelling sites and in the public realm to address this challenge.

Recent ACT wide heat island mapping has not yet been undertaken to update the 2017 findings. Given the strong connection between urban heating and tree canopy cover, with suburbs enjoying high tree canopy cover experiencing summer maximum temperatures up to 10 degrees lower than suburbs with low canopy cover, it is relevant to note the finding in the ACT Government tree canopy coverage report

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<sup>2</sup> ISCCC Submission to the Inquiry into DPA-04 Missing Middle Housing Reforms, Submission no. 2, p.4

that most Canberra suburbs have experienced declines in canopy cover. Canberra's total canopy cover declined by 1% from 22.7% in 2020 to 21.8% in 2025, despite the ACT Government's target of increasing the canopy coverage to 30% by 2045.<sup>3</sup> Losses are in new suburbs and in existing suburbs where infill has been undertaken.

***My recommendation 5:*** *The proposed parking arrangements should be reviewed, including the reduced parking provision on-site and the lack of visitor parking, especially in suburbs with no/minimal shared paths and narrow streets. We should avoid unintended consequences that may arise if we make active travel more difficult in such suburbs where people have to walk/cycle on the road and dodge parked and moving cars.*

It is of concern that there doesn't appear to be a change in the proposed parking provision. Besides the issue of parking on narrow streets impeding active travel, it also decreases the willingness of residents to use valued verge space for street trees that can provide the needed canopy cover in those suburbs where it is no longer easy to provide on small residential blocks. As the ACT Government's recent Tree Canopy Coverage Report found:

"Street tree planting rejections continue to challenge the delivery of City Services' tree planting program. The program received 537 refusals from residents, with 284 in Spring 2024, and 253 in Autumn 2025. The refusals occur particularly in suburbs with low canopy cover and increased areas of vulnerability to urban heat. This can be due to narrow streets and verges, cul de sacs or steep and smaller blocks or dual occupancies where space for resident parking is limited.

Refusals double the efforts of the City Services team, as an alternative location must be programmed to enable the planting can still occur, including all the pre-planting checks that must be undertaken. Resident feedback occurs after planting notification letters are received and later at the time of planting, with the primary reason for refusing a planting being parking concerns. Recent refusal patterns have not shown any trends associated with exotic or native tree species."<sup>4</sup>

***My recommendation 6:*** *Provide a description of 'site context' in the proposed Plan Amendment, and 'Design Guidance' about this in the Draft Missing Middle Housing Design Guide.*

There is nothing about this in the revised DPA-04 and the ACT Government's Consultation Report says that: "This guidance is located throughout the guide in association with specific design elements. Opportunities will be considered where this guidance can be strengthened."<sup>5</sup> However, a revised Missing Middle Housing Design Guide is not provided along with the other documents in the package on the City and Environment website.

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<sup>3</sup> ACT City and Environment Directorate. Report to the Legislative Assembly of the Australian Capital Territory, Urban Tree Canopy Coverage, Assembly Resolution of 31 March 2025 - Fifth Update", p. 10

<sup>4</sup> Ibid, p. 31

<sup>5</sup> ACT Government Territory Planning Authority, "Consultation Report: Missing Middle Housing Reform, Draft Major Plan Amendment to the Territory Plan 04, Residential Zones and Subdivision Policy", September 2025, under the heading Site Analysis and Place-Based Design, Appendix 1.

***My recommendation 7:*** As proposed by the ISCCC submission, support greater block consolidation than provided for in the proposed Missing Middle provisions, for example, consolidation of a minimum of four adjoining existing house blocks, with a development plan to be negotiated with stakeholders, and only if the plan will deliver good solar access, more than 30 percent planting area and 30 percent canopy cover.

This does not appear to have been changed in the revised MPA-04.

***My recommendation 8:*** Also as proposed by the ISCCC submission, new single detached dwellings should be discouraged in RZ2, a zone which should be transitioning to more medium density housing.

This hasn't been acted upon. The Consultation Report says in response:

"Provisions in RZ2 enable greater scales where new development is for multi-unit housing. This is intended to incentivise greater residential densities in well suited locations (i.e. RZ2 sites) while maintaining some flexibility to accommodate individual leaseholder preferences."<sup>6</sup>

## **OTHER ISSUES:**

### **Change in Subdivision Policy**

Another issue of concern is that the latest Subdivision policy allows a subdivided block to be as small as 350 sq metres or 300 sq m in the case of subdivided multi-unit housing, which would count as mid size blocks where the site coverage of built form can be up to 60 percent. This has major implications for capacity to include adequate planting/permeable area for canopy trees and other vegetation.

### **Proposed Reductions in Planting Area**

The documents accompanying DPA 04 propose reductions in the area of required planting area in Missing Middle developments from 35% to 30% of block area for large blocks (500 sq metres and over) , and greater reductions for mid-size and compact residential blocks.

The attempt to compensate for this with a slight increase in requirements for tree canopy cover from 15 to 20% is not credible. Tree roots still need room to grow and it seems fanciful to suggest that decent canopy cover will occur in smaller planting/permeable areas, especially taking into account that utility services like stormwater, sewage and electricity often compete for space in the same areas. My personal experience living in a dual occupancy of about 500 sq m (which counts now as a large block) is that it has still been a challenge to plant canopy trees in suitable locations that don't interfere with sewerage and stormwater pipes and easements, and other services. One of my regular costs is for a plumber to come every couple of years to clear the drains of tree roots.

The ACT Government's most recent Tree Canopy Cover Report found that:

"The data shows that canopy cover has increased on unleased land from 23% in 2020 to 24% in 2025, while canopy cover on leased land decreased from 21% to 19%. The increase on public land may be attributed to the growth of young trees planted in streets and parks in newly established suburbs. Conversely, the decline of TCC on leased land, and also observed across older divisions, may reflect the impacts of urban densification and the lack of tree planting space available on smaller blocks typical in more newly established suburbs in the Gungahlin, Molonglo Valley and West Belconnen districts."<sup>7</sup>

Instead of repeating the mistakes of the past in the inadequate provision of planting area on smaller blocks in the new suburbs, more planting area should be provided in Missing Middle developments in the existing suburbs. It is not sufficient to plant more trees in reserves to meet the canopy cover target. The canopy

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<sup>6</sup> Ibid, under heading Zoning Recommendations in Appendix 1.

<sup>7</sup> Ibid, p.12.

cover is needed in people's suburbs - WHERE THEY LIVE - to ensure shading/cooling in hot summer conditions as climate change increases the number of extremely hot summer days.

I may provide a supplementary submission early next year if time permits and if the Standing Committee would accept one.

Thanks for the opportunity to comment on DPA-04.

Marea Fatseas  
(Writing in my individual capacity as a Canberra resident)  
19 December 2025