

Your local voice



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Mary Porter, AM, MLA
Chair,
Standing Committee on Planning,
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ACT Legislative Assembly.

8 June 2012

Draft Variation 306 to the Territory Plan

The Weston Creek Community Council welcomes the opportunity to comment on Draft Variation No. 306 to the Territory Plan. The Council notes that in response to submissions concerning Draft Variations 302 and 303 these have been replaced with a more clearly drafted document. We note that when presenting the changes ACTPLA paid particular attention to explaining the points of difference in DV 306.

We must say that understanding the Variation and its interpretation is not easy for us and for the community in general. While we consider that great steps have been taken to make this clearer, our efforts to understand the transcripts from earlier Committee Hearings have left us less than confident with what is the true meaning of the Variations.

We do have some comments to make though one of our problems is to identify from our earlier Submission to ACTPLA just what changes have been made to the final document. We are still working through this but have included all at the moment while we continue to work our way through the maze. Though like the broader community we don't agree on all issues so there may be some differences when we comment.

In all of that we do have the following comments to make on the various sections of Draft Variation 306.

1. Residential Zones

The revision to describe the 'desired character' of urban development in each zone is a feature which by its clarity will afford a greater degree of

certainty to the residents of Weston Creek and the Council considers this to be a major improvement.

We noted that a differentiation is made between existing and new RZ 1 zones. The Council is pleased to note that the minimum block size for dual occupancies has reverted to 800 sq m. although they cannot be subdivided or unit titled. Council suggests that this provision be reconsidered for corner blocks where access can be obtained from two streets and the opportunity exists for innovative design without detriment to adjoining properties.

The move to retain neighbourhood character in RZ 2 zones by limiting both the density of dwellings and the scale and character of a development is welcomed. In particular, the requirement to maintain a continuous street frontage and placement of dwellings in relation to both the street and car parking is regarded as a major improvement.

The reduction of the minimum block size to 700 sq.m. is regarded as a positive in the context of the overall reduction in density. A slightly higher density for adaptable housing is regarded as a tool to encourage the building of more dwellings for elderly and disabled persons close to facilities. This is very relevant to Weston Creek which has an ageing population with a limited ability to maintain large gardens.

The Council supports the general principle to consolidate higher density in the RZ3 and 4 zones close to commercial centres and transport corridors. In particular in RZ3 we note the aim to create a wide range of housing, the maximum height restriction and the 65% plot ratio. However this needs to be linked to a quality of design that in many cases has been noticeably absent from the formula. Council continues to state that there is a need to encourage innovative design and use of materials to add some vibrancy to these areas.

The Introduction of an integrated development parcel which is subject to the same block compliance tables as a single dwelling block without the subsequent single blocks necessarily needing to comply. Council considers that whilst this will allow for higher densities, the design element will be absolutely crucial in avoiding a lower level of residential amenity, solar access and the chance of these dwellings becoming future 'slums'.

In a broad sense we would like to see a better mix of Town House and Apartments rather than what we see at the moment as generally Apartments predominating.

2. *Secondary Residences*

This new form of residential development is regarded by the Council as a positive move to allow a secondary dwelling on a single block without the occupancy restrictions which are very difficult to police and enforce. However the upper size limit of 75 sq.m. could be inappropriate on some blocks. Whilst we note that the secondary dwelling must comply with both the Single Dwelling House Development Code and the parking requirements, the approval of these dwellings via the Code Track provisions could be problematic.

Council strongly prefers that the Merit Track provisions be applied so that neighbours are aware of the development even at the slight risk of fewer applications.

3. *Single Housing Development Code*

Council supports the retention of the 50% plot ratio on single dwelling blocks in RZ1 and applauds the clarification of the private open space provisions.

There appears to have been some change to the provisions regarding setbacks with reductions in most cases. This causes some concern to Council in particular the nil boundary setback for upper floor level on mid size and compact blocks. The spatial and visual effect could result in a very cramped overall design for an area particularly where there are several developments of this nature in close proximity. One only has to travel through the new Molonglo Suburb of Wright to see this at first hand with very cramped housing already being built. In some ways Council would prefer to see some terrace housing in place which continues to provide suitable housing but, in our view, a better visual effect and in some ways a better outcome.

The alterations to a nil side boundary setback for garages are an acknowledgement to current practices. However, Council believes that neighbours should continue to have notification rights.

The alterations to the requirement for solar access appears to provide a more flexible approach to allow for the different orientation of blocks and has removed the different building envelopes for the primary and rear building zones. This proposed alteration does not ensure that some of the problems with overshadowing have been addressed.

4. *Private and Communal Open Space*

The definitions are clear and it is noted that mention is made of deep rooted trees which will assist in re –invigorating the existing tree landscape. However, past observation indicates that the ‘guidelines’ have often been manipulated with the space provided not being useable or even attractive in reality. One could say that it is leftover that is not suitable for anything else. Council would expect that the proposed requirements will be rigorously enforced.

5. *Multi Unit Housing Development Code*

Comment has already been made on a number of the changes in the RZ 2 zone such as block size for a dual occupancy, density controls, plot ratio for single blocks, solar access. Council also supports the amendment to natural ventilation provisions in blocks of more than 3 dwellings, the threshold for short stay parking and the moving of area specific provisions to the relevant precinct code.

Council welcomes the provision in Multi unit Housing Development Code requiring that for each block included in the development there would be at least one dwelling with three or more bedrooms.

Of concern is the deletion of the reference to neighbourhood plans and the reliance on the provisions in the precinct codes. Overall Council supports the development of neighbourhood plans taking into account the local conditions and especially constraints. This provides an opportunity for local residents to input into the plans which engenders both a sense of ownership and responsibility. The development of these neighbourhood plans can act as an exercise in building trust between Government, the Planners and residents which can be a very valuable asset at times of major development. This is something which we see as missing at the moment and which the community would say has been missing for a number of years.

Conclusion:

Of course we are happy to appear before the Committee and look forward to giving our opinions though we should say again that like the community we don’t always agree.

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