



**ACT**  
Government

Environment and  
Sustainable Development



**E-MAILED**  
20.2.12

Our Ref: A7073832

Ms Mary Porter  
Chair, Standing Committee on Planning,  
Public Works and Territory and Municipal Services  
ACT Legislative Assembly  
London Circuit  
CANBERRA ACT 2601



Dear Ms Porter

**Draft variation 307 (DV307) Griffith section 42 block 15 (Austin Street) –  
proposed amendment to Part C(5) multi unit housing development code**

I refer to an email from Mr Trevor Rowe, senior advisor to the Standing Committee requesting formal advice on the current status of the above component of DV307. I can advise that a subsequent technical amendment (TA2011-27) to the introductory component of Part C(5) of the multi unit housing development code means that this component of DV307 is no longer required. On this basis, the Committee may wish to consider recommending that this element be removed from the draft variation.

The provision relates to the introductory wording of Part C(5) of the code which describes the application of that part of the code. Importantly, it does not change policy provisions. It was our view that the previous wording of the introduction could have been misinterpreted to mean that the provisions of Part C(5) did not apply to the Griffith site when they are intended to. It was the work of preparing DV307 that highlighted this potential issue and it was why this technical, consequential component of the draft variation was included. However it was not, in our view, the main policy issue on which the Committee's views are being sought, i.e. whether the zoning of the site should be changed.

Although the Griffith proposal highlighted the issue it became apparent to us that this was a broader matter that required clarification sooner rather than later.

Upon reflection it would have been useful to have advised the committee of this clarification sooner and I apologise for not doing so. When the Minister and representatives of the Environment and Sustainable Development Directorate appeared before the Committee, the focus was on substantive matters before the Committee and that was why it was not specifically raised at this time. Again I apologise for this oversight.

I trust that this letter clarifies the situation.

Yours sincerely



David Papps  
Director General  
Environment and Sustainable Development Directorate

17 February 2012

Cc Minister for Environment and Sustainable Development

---