

From: [Committees](#)
To: [Strkalj, Veronica](#)
Subject: FW: Further comments on DV306 for Standing Committee members
Date: Thursday, 5 July 2012 12:12:26 PM
Attachments: [Sample comparison table.docx](#)
Importance: High

From: Jane Goffman [REDACTED]
Sent: Wednesday, 4 July 2012 1:36 PM
To: Committees
Subject: Further comments on DV306 for Standing Committee members
Importance: High

Dear Members of the Standing Committee on on Planning, Public Works and Territory and Municipal Services,

Please find attached a draft sample table comparing each provision in the proposed multi-unit Code with what currently exists. This painstaking process is vital for working out what the changes really are and analysing what they're likely to achieve, but it takes considerable time and effort. Unfortunately the provisions are in many cases poorly worded, are not plain English, and their implications are not straightforward.

Having waded through all seven draft pieces of planning legislation (over 200 pages) with sincere sympathy for the drafting team who've been slogging away at this for almost three years and are probably sick of the whole thing, I'd offer the following general comments in addition to my earlier submission.

I'm concerned that the draft variation has been misrepresented as a vehicle for delivering improved energy efficiency through solar access provisions whereas its main effect is to entrench a shift away from planning as the political pendulum swings in favour of land clearance for low-density housing at the fringe and redevelopment for units wherever the opportunity arises.

The draft Codes and revised definitions permit higher site coverage on all blocks, permit much higher yields (65% plot ratios compared to 50% now) on particular blocks in RZ2 and in the future on particular blocks in RZ1, and apparently uncontrolled yields on blocks for single dwellings where site areas are 500 sqm or less. In my opinion, the net result of DV306 would be to significantly increase the proportion of excessively large houses being built on blocks 500 sqm or less, because both the multi unit and single dwelling codes permit the rear setback for upper floors to be reduced from 9m to 6m, itself a major change, and the building envelope to be encroached in a variety of ways. Excessively high site coverage would continue unchecked across the ACT because the Codes are silent on site coverage and the draft private open space standards are even less exacting than they are already. The likelihood of adverse impacts such as loss of privacy, visual bulk and unacceptable noise levels mean that DV306 would trigger many more disputes in residential zones and therefore increase the workload of the Tribunal and sap the community's energy for other more positive projects or volunteer activities.

There are also several good initiatives contained in the package that enable secondary residences, introduce the density control that was hitherto missing from RZ2, and improve the wording of the zone

objectives. These should be retained, the interim effect given full force and the nexus between objectives and the development codes strengthened. Most of the criteria have become so rubbery that I suspect it would be better to replace them altogether with the introductory statement "While the rules provide an important numerical standard, the community generally expects a high standard of design and performance so it is desirable that applications incorporate ways to minimise adverse impacts on the surrounding neighbourhood and contribute to residential amenity. To assist this, a reasonable degree of flexibility will be practised by the authority but the outcomes must be consistent with the strategic and zone objectives, published Territory guidelines and relevant Australian Standards."

Ideally, a draft variation as significant as this should be subject to a series of independent tests. It should be tested to judge how it performs in terms of economic, social and environmental impacts and that involves substantial research, data analysis and modelling of different scenarios. To the best of my knowledge that has not been done and the Standing Committee is therefore forced to rely on opinion, and weigh up whose opinion is most credible. This is not the way that public policy should be formulated and after nearly 25 years of self-government I personally think the community has a right to expect much better and the Committee is entitled to demand that this be done.

Sincere regards,

Jane C. Goffman, M.U.R.P. (Uni Sydney 1990), BA cum laude Growth & Structure of Cities (Bryn Mawr 1984)


