

RZ3 REVIEW COMMITTEE

Canberra, 16 August 2010

SUBMISSION TO ACT LEGISLATIVE ASSEMBLY PLANNING COMMITTEE

Inquiry into RZ3 and RZ4 Residential

Development Policies – Inner North Canberra

INTRODUCTION

We thank the Committee for graciously agreeing to accept a late submission, and also seek an opportunity to appear as a group when the Committee holds its hearings. This submission from the residents of Braddon, who are listed below, addresses concerns relating both to particular current development applications in the suburb of Braddon, the adjoining suburbs of Turner, Dickson, Lyneham and Ainslie and what we believe are alarming broader policy and community issues and then turns to Terms of Reference 4 and 5.

We also fully share the concerns and views of the residents of Dickson and Turner and wholly support their submissions to the ACT Legislative Assembly Planning Committee lodged earlier. Moreover, one of the members of our Braddon Area Residents Action Group has a 50% interest in a family property at 12 Stawell Street, Turner, ACT (Section 054, Block 0018). These issues have been highlighted in the mainstream and also Australian "ethnic" printed and electronic media. The common thread has been the view that very large areas of Australia's beautiful, garden-city national capital are degenerating into ugly slums.

While the initial political and social concepts for Canberra's Inner North housing policies may have been commendable, albeit perhaps insufficiently thought through, their inadequately monitored implementation too often is becoming so gravely flawed, faulty and counter-productive that it makes an arrogant mockery of the initial objectives. Should this be allowed to continue, we will be heading for a social and economic urban disaster. Some of the recent actual and proposed "re-developments" in Braddon, Turner, O'Connor, Chifley and some other North and South Canberra suburbs also fall into this category and manifestly are not worthy of Australia's national capital.

The latest proposed re-developments in Braddon (at 63 Ijong St.) and also in O'Connor fly in the face of these policies and serve as a timely reminder of the threats we face. These are ugly, shabby, often seedy-looking blocks of hastily designed and erected, rushed and often poorly built little "units", some with a total area of well below 50 sq. m. This is not about "medium density" or "affordable accommodation". This is all about profit demand not market demand.

We are particularly and often painfully aware and alarmed because, unfortunately, this sub-standard redevelopment has been occurring close to where we live - sometimes right next door. However, as the increasingly numerous news reports and comments in the media and community reactions

show, grave concerns relating to these highly adverse, unnecessary and avoidable trends are general and very widespread. Please note that ACTPLA has made it difficult for the community to assess many development applications. ACTPLA should provide a summary statement of the DA available on the ACTPLA website:

- No. of stories
- No. of units
- No. of bedrooms per unit
- No. of studies
- No. of car park spaces
- Plot ratio (allowed and actual)
- Garbage – TAMS bin pickup or commercial skip bin
- Street trees
- Shadows 9am, Midday and 3pm, mid summer and mid winter

BACKGROUND

A Braddon Area Residents Action Group has been formed to raise the concerns of the poor quality developments being approved by ACTPLA and built in Braddon. The developments have no consideration for social and community needs, family, professional couples, retired couples or in fact many single people. Despite objections to many plans based on plans not meeting minimum policy requirements, ACTPLA proceeds to approve them. In some cases ACTPLA has accepted that its decision to approve is incorrect. In others residents are then required to make an application for review to ACAT.

Even after the decision has been approved, by ACTPLA or ACAT, the plans can still be changed (under S.197 (minor) amendments) without any consultation or notice. One change recently was an additional 20 units to a larger development. Of foremost concern is the tacky “little boxes” being developed with one bedroom units only. These potential slums are being produced in blocks of one bedroom units ranging in size from 8 to over one hundred units. Mr Barr in a written letter has advised he will not plan the new higher density development for Braddon but leave housing mix to developers and “market” demand. The developers make maximum profit from one bed room units, so guess that’s what they build. One bedroom units are the least efficient means to create a higher residential density suburb. Two plus bedroom units can accommodate over fifty percent more beds than one bedroom in the same floor area, with the reduction in kitchens, bathrooms and entrances. They also have a lower carbon footprint.

There must be regulations (there are none for developments less than 40 units) for the mix of housing sizes within a development, as other deregulated markets such in banking have borne witness. Other issues in developments include: not meeting the minimum car space requirements, traffic issues created by the development, garbage bins lined up like sentries (use hopper bin collection), and inclusion of “studies” in the plans which in reality will be sold as bedrooms, but

without the parking required. We need to leave a legacy of quality unit developments for the nation's capital, where people want to live.

Braddon, similarly to Dickson, Turner, Lyneham and Ainslie is one of a handful of the remnant inner-North developments dating back to the mid-1950s and comprising predominantly modest single-storey, free-standing, red-brick, tiled-roof dwellings with gardens and some duplex houses, apart from the Northbourne Avenue and adjoining public-housing complexes. In line with the social policies and prevailing value systems of the times, there is provision in most houses for one., perhaps at best two cars. The, until recently, quiet and tree-lined streets have been designed mainly for pedestrian and limited traffic motor vehicles traffic. Consequently, there is very limited (if any) availability of off-street parking. Compounding this problem is the extremely limited availability of on-street parking than does not create very dangerous traffic hazards. This has resulted in such very negative consequences as serious and dangerous driving problems in Torrens, Ijong, Dooring and Lowanna Streets. Moreover, this may impede access to emergency vehicles. There has also been an escalating proliferation of illegal parking on nature strips. Additional hazards, let alone gross inconvenience to residents and passers-by, are being caused by increasingly massive over-parking by builders' vehicles and trucks and heavy construction vehicles blocking streets and even pedestrian sidewalks for weeks and months. Greenery is being ripped out and not replaced escalating excessive carbon emissions hazards. Many new blocks of units are being built virtually without any hint of greenery around them.

As in Dickson and Turner, most of the internal streets in Braddon are narrow or very narrow and just capable of accommodating two lanes of traffic. There has been a degree of gentrification and redevelopment of older houses in the past 10 years or so, with some rebuilding of privately owned two-storey dwellings, and other general upgrading of resident-owner properties. As well, as older original residents have died, many formerly privately owned houses have been purchased by developers, and are currently tenanted.

Traffic congestion has been mounting over the past decade, with many non-resident car drivers using Braddon-Dickson-Turner residential streets to avoid traffic problems on Limestone and Northbourne Avenues. The need for the belated recent installation of traffic lights at the intersection of Dooring Street with Wakefield Avenue, and the current works in Dooring Street near the northern-most corner with Karuah Street, illustrate how these problems have grown. During the peak traffic periods it is sometimes very difficult to exit a driveway and/or cross the street on foot in Ijong, Torrens and Ipima Streets in Braddon.

HIGHER DENSITY REDEVELOPMENT IN THE INNER NORTH

Current owner-residents who have lived in Braddon since the 1970s and before are well aware of the Government's planning policies to increase residential density in the inner North. The signatories to this submission are not opposed to this policy in principle per se. However, we are concerned about the manner in

which the ACT Planning and Land Authority (ACTPLA) is allowing piecemeal development to occur, seemingly with a total absence of planning to maintain residential amenity. We need to ensure some consistency of approach that respects the overall historical character of the suburb and has regard to the impact on existing residents of substantial redevelopment of their suburb.

There are mounting concerns felt by alarmed residents of more and more Canberra suburbs - mounting concern, indeed alarm, felt by residents more and more Canberra suburbs from Hawker and Holt in the North to Dickson, Braddon, O'Connor in the centre to Griffith, Deakin and Cook in the South and many other areas - over the inadequate planning, lack of consultation but, particularly, the shoddy, ugly, poorly designed and poorly finished blocks of units being crammed into smaller and smaller housing blocks. We are not opposed to higher density redevelopment. But, with so many other Canberrans, we vigorously object to turning Canberra into a city of slums. "affordable accommodation", "City residential accommodation" and such-like bureaucratic cliches but about the greed of some developers and their backers for quick, sometimes large profits.

In addition to the effect on residential amenity, we are concerned that the type and rate of some developments already approved, and some still in application, will have the effect of adversely impacting on the asset value of owner-residents wishing to maintain that status, and to age-in-place. Current and proposed developments also ignore the limitations placed by existing infrastructure and road systems. In addition, they are apparently completely hostile to contemporary thinking on the need to adopt 'universal design' principles in the face of the need for affordable and accessible housing suitable for an ageing population and people with a disability.

We seek the intervention of the Committee so as to require the Minister for Planning, and the ACT Planning and Land Authority to:

1. Immediately establish a process of consultation and development of an overall plan and code for the residential areas of Braddon ..
2. Immediately apply prospectively to all development applications bearing on residential buildings, and retrospectively to all current developments under construction, the existing policy of guaranteeing that at least 25% of all residential developments will meet 'universal design' criteria so that people with a disability and ageing Canberrans with some mobility limitations are able to obtain affordable but accessible and appropriate residences, if need be in place of their existing housing in Dickson.
3. Adopt mandatory design elements to ensure environmentally friendly and solar energy standards are met, respecting the need for access to winter sunlight both in new developments and adjacent existing housing.

CONCLUSION

Summarising, we are very concerned that residential redevelopment in Braddon and the adjoining suburbs of Turner and Dickson - as well as in many parts of Canberra elsewhere - is proceeding rapidly, haphazardly and much too often without any regard to residential amenity and to the need to limit carbon emissions and pollution of the environment. We are particularly concerned about the scale of these developments, which are apparently being driven by those wishing to maximise profit and therefore to maximise occupancy, when smaller-scale multi-dwellings are more appropriate to the distinctive character of Dickson and to its existing infrastructure. We do not believe that either long-term owner residents and tenants or the increasing number of young families moving into the area who choose to live in free-standing housing should be adversely affected by large multi-unit dwellings that intrude on the privacy of their backyards, deprive them of sunlight, increase traffic in their streets and have little in common with the existing housing stock of their neighbourhood.

We thank you for your kind attention to this matter, reiterate our firm support for the submissions made by Turner and Dickson residents and seek an opportunity to appear as a group when the Committee holds its hearings,

On behalf of Braddon Area Residents Action Group

Yours sincerely,

Geoff Davidson

(Spokesperson)

Steve and Sylvia Alston

Andrew Bajkowski

Eugene and Jolanta Bajkowski

Greg Duffy and Karen Bissaker

Susan and Geoff Davidson

Gerlinde Sullivan

Attachment.

By way of practical illustration of a typical specific problem arising from poor quality, sub-standard redevelopment in problem in Braddon we attach an objection to the proposed redevelopment at 63 Ijong Street, Braddon, ACT, 2612 lodged by Jolanta and Eugene Bajkowski (and Andrew and Julian Bajkowski) and supported by the Braddon Area Residents Action Group.)

ATTACHMENT

Jolanta & Eugene Bajkowski

12 July 2010

Applications Secretariat
16 Challis Street, Dickson
PO Box 365 Mitchell
ACT 2911
app.sec@act.gov.au

**RE: NEGATIVE IMPACT OF DEVELOPMENT: APPLICATION 2010017843 – BLOCK
10 SECTION 2 BRADDON on BLOCK 11 SECTION 2 BRADDON**

Dear Madam/Sir,

This development application should be rejected. Should it be approved it would establish a highly negative precedent very adversely affecting the whole neighbourhood and adjoining areas.

We wish to document our very strong objections, and grave immediate - and also medium and longer-term - concerns about the proposed development of our immediately neighbouring property, Block 11 Section, 2 Braddon. These concerns are shared not only by many of other long-time residents and property owners in our close and near proximity but also in the nearby neighbourhoods. The proposed developments - never, in any way, signaled to us let alone consulted with us - by the new owner(s) of Block 11, Section 2, 63 Ijong Street, Braddon, ACT, 2612 - will very directly and most adversely affect our everyday life. This proposed development will also radically downgrade the neighbourhood, dramatically depressing long-time, legitimate living standards and lifestyles and substantially reducing nearby property values. This style of a redevelopment in one of Canberra's oldest neighbourhoods is leading to an impending disaster that is already being reported in Australian news media (as illustrated by the article "Dickson residents ask for rethink on inner-north planning" by Scott Hannaford on p. 12 of "The Sunday Canberra Times", 11 July 2010, p. 12).

Although the Development Application's 'Statement Against the Criteria' confidently declares that all boxes have been ticked and all the rules and design criteria have been met, in reality, we know that the impact of this development, if it is given approval, will destroy the internal and external environment of our home of 35 years.

The main message given by the 'Statement Against the Criteria' is that, *"The proposal provides sufficient separation between adjoining sites, there will be reasonable amount of privacy and solar access to adjoining dwellings and their private open space"*. These words however, are not backed with any evidence and the proposed block of flats will dominate and overshadow our house and our outdoor living space. High windows and screened upper balconies will not disguise the massive edifice.

We wish to highlight the following issues:

1. OVERSHADOWING

Despite the fact that the development proposal cynically represents our home with a single line, our attached drawing demonstrates that at 9:00 am, 21 June almost our entire house is cast in shadow.

2. VEGETATION, LANDSCAPING & COMMUNAL OPEN SPACE

The development proposal's siting on the block gives virtually no space for landscaping along the shared side boundary. Instead, there is 21 linear metres of hard paving. Even the minimal mandatory 7 x 7 metre rear setback deep root zone area has been whittled away to an area of 37 sq metres.

Although the "Statement Against the Criteria" states (under C147) that the development allegedly has "communal open space within the development" no such area is identified or identifiable on the drawings. In reality, small slithers of space unbuilt upon have been defined by future planting and labelled as private courtyards.

3). CLOTHES DRYING

Interestingly, despite the Development's Application statement about external individual clothes drying facilities (C165), no provision has been shown in the design documentation for external clotheslines. We wonder if this consideration has been overlooked, or perhaps it is envisaged that clothes will instead be dried mechanically. However, if clothes are to be dried outside, we are concerned that this will be squeezed into the area adjacent to our common side fence and thus visible from our dining and living rooms. We presume that the drying of clothes in the full view of Ijong Street and Lowanna Street would not be considered advantageous to the streetscape.

4). GARBAGE BINS

The proposed development will grossly invade our privacy and substantially degrade our standard of living with its placement of garbage bins (MGBs). Ten (10) garbage bins with their associated smells and noise are to be placed only 3.7 metres from our dining and living room windows. Likewise, the placement of the garbage bins directly under the dining and living room windows of unit 2 shows complete disregard for the living environment of the proposal's residents.

The location of garbage bins indicates that they will be placed on the kerb on Ijong Street directly between two intersections and on a curve. We believe that this would create an unacceptable traffic hazard, particularly with the current emptying times (of the bins) and the already high and escalating level of traffic. It is usual for the morning traffic to bank up around this corner both morning and evening.

5) AIR CONDITIONING UNITS

The Site Plan, Ground Floor and Upper Floor Plans of the application show 5 air-conditioning units facing towards the front, side and rear of our property. We understand that the ACT has a strict Environment Protection Act and we believe that the siting of these units will not meet these standards. If the proposal were to be built to these specifications the amenity of our property would be badly affected.

In addition, although the application does not document the location of mechanical ventilation to the basement car park, we are concerned about its potential siting and the detrimental effect it would have on our living environment.

6) CAR PARKING

The development proposal claims to have provided the statutory number of car parking spaces. That is, a total of 10: one per unit and two visitors' spaces. In reality, however, a percentage of units will require more than one space. Since there is no full-time kerb-side parking in the immediate area, we are concerned that these vehicles will park on the verge and degrade the streetscape and the viability of the street trees. In fact, this already is happening. The proposed development will further, and very seriously, aggravate this situation.

7) PLOT RATIO

We note that the development's Site Plan states that the development has a plot ratio of 64.88% which is just slightly under the allowable plot ratio of 65%. We also note that the figures used to arrive at this calculation are:

GROUND FLOOR	275.22
square metres	
FIRST FLOOR	258.28
square metres	
BASEMENT STORAGE	22.56
square metres	
TOTAL	556.06
square metres	

We also understand from the *Inner North Precinct Code* that under **Rules 2.6 Site Coverage R13**, "A basement structure that projects into the Rear Zone is included in calculations of site coverage".

If this is the case, then the Gross Floor Area calculations should include this additional area. Although, it is impossible from the information given in the development's documentation to determine this area, it can be assumed that it is, at an absolute minimum, **34.27 square metres**. (This is the figure given on the Site Plan drawing for the Rear Site coverage).

Using the stated site area of 857 square metres and adding the overlooked area into the GFA the plot ratio becomes **68.88%** which exceeds the allowable plot ratio of 65%.

See the calculation below:

$$590.33 \text{ (approx. GFA } 556.06 + 34.27) / 857 \text{ (stated Block Area)} \times 100 = 68.88\%$$

8) SOLAR ACCESS

Orientation of the proposed development with the northern facade aligned 26 degrees west of north means that units 2 and 6 will receive no direct sun before 1:30 PM on the winter solstice that limits solar access to only 1.5 hours. This is contrary to the residential Zones Multi Unit Development Code (Element 5: Amenity 5.1. Solar Access, R86:

"Development is sited to allow a minimum of 3 hours of direct sunlight onto the floor or internal wall of the main daytime living area of the dwelling between the hours of 9 AM and 3 PM on 21 June".)

Thus, if allowed to proceed, the development proposal which is the subject of this objection would not only very adversely affect our home but also deprive residents of the proposed units 2 and 6 of prescribed minimum of solar access.

9) CONCLUSION

It is obvious to us that the Development Application 2010017843 is an exercise in opportunistic profiteering. It exceeds the allowable plot ratio of 65% and also shows no concern for the long-term living environment of either the occupants of the proposed building or for the destruction of the environment of our adjacent property. Our property will be devastated. Not only our home and garden will be most direly affected but, importantly, Braddon's rapidly dwindling park and garden green areas will be further reduced. Higher density development should not be synonymous with creation of concrete jungles.

The proposal blatantly and arrogantly ignores the proposing developers' major responsibility to provide a sustainable and healthy environment. There is no communal open space. The proposed placement of the garbage bins (MGBs) not only is insensitive but also offensive and very unsanitary, creating a potential serious health hazard. It also appears that there has been no consideration either for the drying of clothing externally or for the noise pollution created by air-conditioning units.

The fact that the proposal is content to underestimate its plot ratio and greedily include 8 units, even though basic requirements have not been met, should serve as a warning to the clearly inadequate, in fact grossly deficient, quality of the proposed development. It is worth adding that the Applications Secretariat should be aware that there has never been any consultation undertaken by the applicants with us or other parties affected by the proposed development(s).

Furthermore, the following comments may be of useful interest to the ACTPLA Secretariat. The initial political and social concepts for Canberra's inner North housing policies may have been commendable, if perhaps insufficiently researched. It is therefore very sad that their inadequately monitored implementation much too often is becoming so gravely flawed, faulty and counter-productive that it makes an arrogant mockery of the initial objectives. Should this be allowed to continue, we will be heading for a social and economic urban disaster.

Some of the recent actual and proposed "re-developments" in Braddon, Turner, O'Connor and Ainslie fall into this category and manifestly are not worthy of Australia's national capital. These are ugly, shabby, seedy blocks of hastily designed and erected, hurriedly and often poorly built little "units", some with a total area of well below 50 sq. m. This is not about "medium density" or "affordable accommodation". These kinds of dwellings have already been rejected by public housing planners. Moreover, there is an escalating over-representation of one-bedroom units in Braddon (and adjoining areas).

Furthermore, this style of developments is likely to attract high-turnover tenants with negative consequences for the neighbourhood. It is also likely to attract the less scrupulous investors and landlords who prefer a churn-and-burn cycle of tenants rather than longer term occupants. Such dwellings may also attract people who usually find it difficult to find other, more suitable shared accommodation because of their lifestyles. This may increase the risk of violence stemming from alcohol and drug use in an inner city area that already faces a significant fallout from a rise in the number of licensed (and

often late trading) bars and bottle shops. It is notable that the Federal Government's plan for social housing specifically seeks to avoid creating poverty and other potentially problem-generating hotspots by blending the more challenged members of our diverse society into mainstream developments. The proposed re-development at 63 Ijong St. contradicts these policies. It is further contributing to urban disasters that are beginning to turn inner North Canberra into a slum area.

This proposal should be rejected.

Yours sincerely,

Jolanta and Eugene Bajkowski

Attachments:

Drawing of overshadowing

Joint objection(s)

Copies of other objections