	A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE
SUBMISSION NUMBER	41
INFORMATION SERVICES FOR PUBLICATION	

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Standing Committee on Planning, Environment and Territory and Municipal Services
Legislative Assembly for the ACT
PO Box 1020
Canberra, ACT 2601

**Draft Variation to the Territory Plan No 343
Residential blocks surrendered under the loose fill asbestos insulation
eradication scheme**

Dear Sir/Madam,

We are Mr Fluffy home owners who intend to re-purchase our block from the ACT Government to re-build our **single dwelling family home**.

How does the draft variation affect us, why am we objecting?

- As the territory has sought to make a blanket variation to the Territory Plan for Mr Fluffy RZ1 blocks greater than 700m² - regardless of the owner's intention to rebuild their single dwelling home – we are compelled to strongly object to Draft Variation 343. We do not support changes to the planning permission for any RZ1 Mr Fluffy blocks.
- We particularly do not support changes to the planning permissions for the Mr Fluffy blocks in our street - Conolly Place, Kambah. The changes would result in inconsistencies within planning zones, unfairly increase the market value of our block and negatively impact on the value of our surrounding neighbour's blocks as outlined below:

Inconsistencies within planning zones

- **Suburban Zone Objectives:** The proposed changes would create inconsistencies within RZ1 areas. The Suburban Zone Objectives state that RZ1 blocks are supposed to "provide for the establishment and maintenance of residential areas where the housing is low rise and predominantly single dwelling and low density in character".
- **Street character and integrity:** As RZ1 zones have predominantly single dwellings, allowing higher density developments will negatively affect the street character and integrity of these streets and neighbourhoods.

- **Existing RZ1 zoning permissions should be preserved:** It is unreasonable that some RZ1 blocks would have additional planning permissions that would increase the value of those blocks, whereas neighbouring blocks would be unable to access those same permissions to improve the value of their land. Approving these changes would set a precedent for other RZ1 owners to seriously consider seeking additional planning permissions for their blocks. There should not be different rules for blocks within the same zone. The existing RZ1 zoning permissions – as they exist throughout the rest of the Nation's Capital – should be preserved.

Negative Impacts on both Mr Fluffy and neighbouring blocks

- **Solar passive design and sun access:** Multiple dwellings on smaller RZ1 blocks will limit opportunities for solar passive design and may overshadow sun access for existing houses and gardens in the street.
- **Quality of life:** RZ1 zones are occupied by residents who sought out quieter environments that enhance their quality of life. The planned changes will see a sporadic and somewhat unplanned increase in residential density throughout the suburbs of Canberra and detract from the quiet and peaceful surrounds of RZ1 neighbourhoods. Increased traffic flow, noise levels, parking congestion and a higher than intended population in these zones are but some of the inevitable consequences.
- **Value of blocks surrounding RZ1 Mr Fluffy blocks:** Due to their location 'non-Fluffy' block owners in 'Mr Fluffy' streets will be financially burdened with an inevitable decrease in their property value. In addition, as they will not be afforded the same additional planning permissions for their blocks they will be unable to recoup this decrease in market value. Overall, the he proposed changes would make these areas more like an RZ2 zone, with medium density dwellings and the associated increases in noise and parking problems.
- **Unfair disadvantage for Mr Fluffy owners who wish to repurchase their blocks:** Had the ACT Government not announced its intention to change the Territory Plan for RZ1 zones, a significant proportion of Mr Fluffy owners would have pursued their original plans to re-build their single dwelling homes on their original blocks. However, the resulting uncertainty of the financial impact of the changes to the Territory Plan has left many Fluffy owners with no choice but to move on and purchase elsewhere. Where a Fluffy owner genuinely wants to rebuild a single dwelling home on their block they should not be financially penalised for doing so. This is, after all, in keeping with existing and long-standing RZ1 zone rules throughout Canberra.

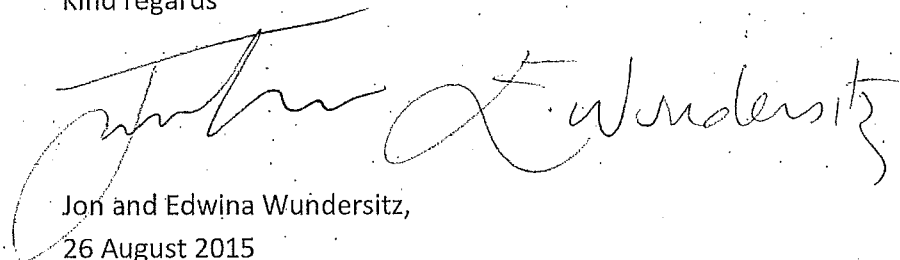
Recommendation

We strongly oppose the proposed variations to the Territory Plan for RZ1 Fluffy blocks and we recommend that the ACT Government abandon the proposed changes.

Rather than penalising Fluffy residents who wish to rebuild, the ACT Government should consider other variations to the Territory Plan that would allow residents to rebuild without the significant and unfairly targeted financial burden that the proposed variations create.

In addition, we suggest that the ACT Government thoroughly explore other community-wide avenues to defray the net cost of the Buyback scheme.

Kind regards



Jon and Edwina Wundersitz,
26 August 2015