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To the Committee Secretary

Standing Committee on Planning, Environment and Territory and Municipal Services

Inquiry into Draft Variation to the Territory Plan No 343

Submission by

Prue McKay

Submission to inquiry into Draft Variation to the Territory Plan No 343

Residential blocks surrendered under the loose fill asbestos insulation eradication scheme

Dear Sir/Madam,

As submitted during the public consultation process earlier this year, I strongly object to Draft Variation 343. I do not support changes to the planning permission for any RZ1 Mr Fluffy blocks. I especially do not support changes to the planning permissions for the Mr Fluffy block at 11 Binns Street, Fraser, where my mother lives. The changes would negatively impact on the quality of life on Binns Street, the surrounding open crown land enjoyed by the wider Fraser, Dunlop and Charnwood population, and on the value of my mother's block of land.

I resubmit and reiterate in the strongest terms my original objection below, followed by comments on the findings of the EPD given after the consultation period:

1. Degradation of Suburban Zone Objectives

The Suburban Zone Objectives say **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”**. The proposed changes ignore this provision and would make pockets of low density, open suburbs more like RZ2 areas, with associated increases in population, parking and traffic issues, and noise.

2. Devaluation of neighbouring blocks in Mr Fluffy Streets

The proposed changes to the planning permissions for RZ1 Mr Fluffy blocks will encourage higher density dwellings in what are supposed to be quiet residential areas. My husband and I originally purchased the property at 11 Binns Street, in an RZ1 zone, because we wanted to live in a quiet area with limited noise and traffic. Binns Street is built along one side only, and is a cul-de-sac, with open crown land and farmland surrounding it – No. 11 is at the end of the street with open land on two sides. My parents (my father now deceased) bought the property from us 10 years ago for the same reasons. **The proposed changes would make this very quiet, very open area a less desirable place to live and would decrease the value of other blocks on the street and adjoining 11 Binns Street**, for reasons set out in Section 5 of this Submission. This is also true for other streets in RZ1 zones with Mr Fluffy blocks, particularly those streets with more than one Mr Fluffy block.

3. Inconsistency within planning zones

There should not be different rules for blocks within the same zone. The existing RZ1 zoning permissions should be preserved. The proposed changes would create inconsistencies within RZ1 areas. It does not make sense that some RZ1 blocks would have additional planning permissions that would increase the value of those blocks, but neighbouring blocks would not be able to access those same permissions to improve the value of their land. Approving these changes would set a precedent for other RZ1 owners to seek additional planning permissions for their blocks – permissions that we have been told will not be granted, but I anticipate challenges to this in the future, leading to approval of permissions and subsequent destruction of the character of affected suburbs.

4. Increase in price for current owners wishing to re-purchase blocks

The proposed changes would increase the value of the land significantly (estimates range from +20% to +60%, although nobody in the Asbestos Task Force has been able to give a concrete answer), making it extremely difficult for current owners, particularly those on fixed incomes and the elderly such as my mother, to re-purchase their full blocks outright without either borrowing or opting in to the land rent scheme.

5. Comments on the EPD Report on Consultation

- a. Concerned current and former residents, including myself, are disappointed that the Environment and Planning Directorate (EPD) has recommended that DV343 be approved, particularly as **the large majority of the submissions (more than 100 out of 124) did not support the variation**, and given that the Mr Fluffy Homes – Full Disclosure Group, the Fluffy Owners and Resident’s Action Group and the various Community Councils represent the views of a large group of residents, the level of community objection to DV343 greatly exceeds the number of written submissions received.
- b. Neighbours of Fluffy blocks may not have been aware of their proximity to Fluffy blocks because the list of Fluffy properties was not released until the consultation period for DV343 had closed. These owners therefore would not have received the information on the planning changes nor realised the potential impact of the changes on them. **An increased number of objections to DV343 may have been submitted if neighbours had been aware of Fluffy properties in their street.**
- c. The response to Planning Merits (2.2.4.2) does not explain **why it is appropriate to change the planning permission of some blocks based merely on the roof insulation** in the premises on those blocks.
- d. Submissions suggested that **urban intensification and infill should be focused on town and local centres** (2.2.5), but the EPD does not appropriately address these concerns.
- e. The EPD argues that there will be urban renewal on Fluffy blocks regardless of whether DV343 proceeds (2.2.9) – but the type of new dwellings built will differ markedly depending on the outcome of DV343. These two outcomes (dual occupancy/units, or a single dwelling) will result in a very different street character, particularly for streets with multiple Fluffy blocks, **completely ignoring the Suburban Zone Objectives for RZ1 areas.**
- f. DV343 provisions would result in a greater likelihood that dual occupancies will be built, and the EPD’s **response fails to adequately address the concern that land values of neighbouring blocks will not be adversely affected by the DV343 provisions.**
- g. The EPD argues that there is no evidence to suggest that a dual occupancy development would be more noisy than a single residential development. This seems illogical and there was no evidence offered to suggest that the case would be otherwise.

6. Recommendations

- a. I strongly oppose the proposed variations to the Territory Plan for RZ1 Fluffy blocks. **I recommend that the Government abandon the changes**, particularly for 11 Binns Street, Fraser.
- b. **Submissions (in large number) from people who lived or have lived in affected suburbs (and who will be directly affected by the draft variation) should be given greater weight than a few industry submissions that are likely to be influenced by profit only.** The Committee should make its deliberations on the basis that the majority of submissions to the EPD were from affected citizens and opposed the changes, and that a larger number of residents, if made aware, would oppose DV343 than the number of objections submitted to the EPD.

Yours sincerely

Prue McKay

26 August 2015