

# WESTON CREEK COMMUNITY COUNCIL

- Your Local Voice -

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## **Submission to the ACT Legislative Assembly**

### **Standing Committee on Planning and the Environment 7<sup>th</sup> March 2003**

Mr. Jeff Carl, Chairperson, and Ms Pat McGinn Deputy Chairperson presented the Weston Creek Community Council (WCCC) submission to the ACT Legislative Assembly Standing Committee on Planning and the Environment (07-03-2003).

### **COMMENTS ON DV200**

Overall the proposed amendments appear to meet the objectives of the Residential Land use policies.

Changes to some Definitions and to the Residential Code also contribute to the Government's commitment to put in place policies to protect the unique character of Canberra's suburbs. They allow for some change in the process of residential redevelopment without overly radical measures that could upset the balance between developers and the community.

#### **Comments on Particular Proposals**

The alteration of the heading in Land Use Policies from 'Residential Development' to 'Residential Development and Redevelopment' and the inclusion of objectives are seen as a positive. It is considered that these stated objectives should result in greater compatibility with the features in a suburb, which are valued by the community.

## **Suburban Areas and Residential Core Areas**

It is considered that:

- the specific policy overlay proposed for Core areas allows for the use of more practical boundaries for the areas
- the different 'rules' applied should tend to focus higher density development around shopping centres and hopefully contribute to their viability and enhance community focus
- block consolidation will allow for larger developments which hopefully will offer the opportunity for innovative design in both an aesthetic and environmental sense

## **Dual occupancy**

Comment has been received from quite a number of long term residents of Weston Creek that they would like to remain in the area but would like a smaller house and yard.

At the same time many residents have stated that they do not mind dual occupancies if they are "well done". This comment usually seems to be a generic layman's way of saying well designed and not overlarge.

The proposed changes would seem to address some of these concerns. In particular:

- the introduction of a sliding scale for plot ratios should result in fewer huge houses on small blocks
- The requirement for single storey developments for rear dwellings will greatly reduce the chance for overlooking and overshadowing.
- The inclusion of car parking areas in the gross floor area when calculating in the plot ratio is also seen as an improvement
- The reduction of the minimum block size to 700msq will hopefully increase the opportunity for dual occupancies in Weston Creek suburbs.

## **Landscape Character and Private Open Space**

Most of the proposed changes to standards are seen as a positive. In particular:

- The separation of standards for single and multi storey development is seen as a positive as it should be more easily understood and applied
- The simplification of requirement for space useable for outdoor living to 10 per cent of block area will again simplify application of the standard
- The modification to the standard in relation to minimum area for Private Open Space along with the plot ratio alterations should assist in the retention of the leafy character of suburbs
- The alteration to the dimensions required is applauded, as it will result in a larger percentage of open space on all size blocks.

However the inclusion of including manoeuvring areas for private driveways will counter some of the gains made by other measures and increase the amount of 'hard covered' open space. This may well affect the percentage of hard to soft areas and thus have an impact on run-off into the storm water system.

It is not agreed that the increased Private Open Space requirements would necessarily result in garages being pushed to the front. However it would require more thoughtful and possibly more innovative design in order to avoid this.

It is hoped that improved design standards will be generally encouraged.

### **Setbacks and Building height**

The modifications to the Residential design and Siting Codes are generally considered to be positive.

In particular:

- Those that take into account the solar orientation of a block. It is applauded that the level of solar access required to be maintained is greater than elsewhere in Australia
- Building setbacks and height restrictions appear to be reasonable

In general the proposals put forward in the final revisions to DV 200 seem to be a step forward in balancing development/regeneration with the community's desire to retain the character of their suburbs. It is hoped that this will not become a static document but be open to amendment if it is found that any section is impractical or undesirable from either a Community or a Developer's perspective.

The dangers that the residents can see have been expressed to the WCCC as concerns that the development will be ad hoc without sufficient community consultation. We are concerned that if this amendment is left to stand in isolation it may reduce future options to develop effective integrated planning in individual and groups of suburbs.

For these reasons the WCCC would like to see this urban consolidation related to overall neighbourhood plans which have been formulated with community consultation. These plans could take account of the individual characteristics of suburbs and in particular those highly valued by the community. However any Neighbourhood Plan will only be effective if it is integrated into the overall 'planning legislation' and at present this proposed amendment does not appear to allow for any links between the overall and the specific.

Notwithstanding the above comments, the January 18 fire event has raised specific issues that are not competently addressed by DV200.

## **5 per cent Rule**

The present 5 per cent rule for 'Suburban Areas' will cease to apply on or about 30 May 2003 or when Variation 200 commences under Section 30 of the Land Act, whichever is the earlier. The WCCC foresees that up to perhaps 150 residential blocks in Weston Creek where houses were destroyed (ie just over 1/3 of the total) will change ownership prior to the commencement of any rebuilding work on these individual blocks. Judging by the advertised prices for these blocks, a significant number of these blocks are expected to be purchased by developers wishing to convert the lease to suit dual occupancy housing. With large parts of various sections in both Duffy and Chapman completely destroyed, there are few residents presently residing in these sections that will be directly affected by the dual occupancy redevelopments. Also, there are difficulties in locating residents who will be entitled to object to the redevelopment because the immediately adjacent blocks are vacant, and indeed, the immediate neighbours of such developments might themselves be planning a dual occupancy development on their block.

In this way a significant proportion of a residential section can be redeveloped for dual occupancy without local community involvement and the very nature and character of the neighbourhood will be significantly altered.

The WCCC believes that our community has an expectation that the character of our fire-damaged neighbourhoods after rebuilding will be substantially similar to the character of the neighbourhoods prior to the January 18 event. To maintain our suburban character until the community rebuilds, the WCCC requests that consideration be given to extending the application of the 5per cent rule to the fire-damaged sections until at least 18 January 2005, or perhaps, 18 January 2006.

The WCCC realises that such moves might limit some individual's options, but the residents living (or planning to rebuild) in these sections have experienced enough trauma in recent months without having to fight development applications lodged over the coming months that could seriously impact on their lifestyle.

WCCC  
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