



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

**STANDING COMMITTEE ON PLANNING, ENVIRONMENT
AND TERRITORY AND MUNICIPAL SERVICES**

(Reference: [Draft Variation to the territory plan No 343: Residential blocks surrendered under the loose fill asbestos insulation eradication schemes](#))

Members:

**MS M FITZHARRIS (Chair
MR A COE (Deputy Chair)
DR C BOURKE
MR A WALL**

TRANSCRIPT OF EVIDENCE

CANBERRA

WEDNESDAY, 2 SEPTEMBER 2015

**Secretary to the committee:
Mr H Finlay (Ph: 620 50129)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

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Amended 20 May 2013

The committee met at 2.01 pm.

HOPKINS, MR MICHAEL, Deputy Executive Director, Master Builders Association of the ACT

THE CHAIR: Welcome to this public hearing of the Standing Committee on Planning, Environment and Territory and Municipal Services inquiry into draft variation to the territory plan No 343: residential blocks surrendered under the loose-fill asbestos insulation eradication scheme. On behalf of the committee, thank you, Mr Hopkins, for coming to speak with us. I draw your attention to the pink card in front of you, the privileges statement. Can you confirm that you have read and understood the conditions of the statement?

Mr Hopkins: Yes.

THE CHAIR: The proceedings are being recorded by Hansard for transcription purposes and webstreamed and broadcast live. Would you like to make an opening statement in addition to your submission?

Mr Hopkins: Briefly, yes. Thanks for having me along. I will keep my opening statement brief and then I am happy to take questions after that, of course. Up-front, the Master Builders Association supports DV 343. We also support some greater flexibility being provided to some of the building design controls, particularly around plot ratio. We also support applying the intent of DV 343 across other areas in the RZ1 zone.

I will make five brief points. Our first point is that we believe there is already existing or substantial government policy built into the territory plan which supports this amendment. Strategy 1 of the territory plan talks about creating a more compact, efficient, city focused on urban intensification—statements like that. Strategy 3 is about providing more cost-effective and sustainable living options. We think those statements essentially support DV 343 anyway. Those objectives could not be fully achieved without some acceptance of greater density and greater renewal, if you like, within existing suburbs.

Secondly, if you accept that DV 343 is good planning policy, we think those principles could be applied across other parts of the RZ1 zone, particularly RZ1 zone lots which are greater than 700 square metres, corner blocks, for example, or other RZ1 blocks which are close to facilities like shops and schools and things like that.

Thirdly, we note that a number of the submissions and the concerns raised relate to building design for dual occupancies. We think they are valid concerns, but we think they are best dealt with through other building controls rather than just scrapping the policy altogether.

Fourthly, we think that allowing some moderate intensification in the RZ1 zone is good for the construction industry. The construction industry is a large employer; it comprises 10 per cent of the territory's gross territory product. With new land supply being so constrained at the moment, these blocks would allow a valuable future pipeline of work for local builders, which obviously we support.

Finally, we think the impact of not allowing this amendment and not allowing some greater intensification within the existing suburbs will have the impact of putting more pressure on new land being released on the urban fringe. Eventually that urban fringe will extend across the ACT territory border and a lot of the economic benefits generated from the construction industry will be realised outside of the ACT.

THE CHAIR: You mentioned building design and that some valid concerns have been raised in some of the other submissions, but you thought they are best dealt with through the building controls. How would that happen? How does it happen normally, and how would it happen in this case?

Mr Hopkins: If you look at what happens at the moment with building a simple single detached house, there are already building design controls which control the height, the setback from the street, the site cover and the plot ratio. We think they are logical controls and, as a principle, those controls which apply to single detached houses should apply equally to dual occupancies. We are essentially talking about two forms of housing which are very similar to each other. It would follow that if they are suitable for single detached houses why not apply them to dual occupancies? I do not think there is an argument to be any more restrictive, but I certainly agree that they are valid concerns and there needs to be some controls.

THE CHAIR: You mentioned also the plot ratios. Could you talk us through your view on the plot ratio aspect of DV 343?

Mr Hopkins: For a single storey dual occupancy the plot ratio, I think, is 35 per cent, which is quite a lot less than the plot ratio that would apply to a single detached house. Again, if you accept that this is good planning policy and if you accept that the controls that apply to single houses are acceptable then I think it follows that you should apply those same plot ratio controls in DV 343 and increase it to 50 per cent.

DR BOURKE: Could you explain for the committee what those plot ratios are and what you think they should be?

Mr Hopkins: We think they should be the same as—

DR BOURKE: Which are?

Mr Hopkins: I think they are 50 per cent instead of 35 per cent.

THE CHAIR: You mention in your submission the availability of different types of housing stock and that this one per cent increase in density might provide smaller and more affordable housing and also opportunities to downsize within existing areas. What are some of the barriers to doing that at the moment?

Mr Hopkins: One of the barriers at the moment is that the areas in which you could build dual occupancies, for example, in the RZ1 zones are very limited. They have to be greater than 800 square metres. We would like to see a lot more flexibility, a lot more opportunity, to build other forms of housing, such as dual occupancies in RZ1 zones.

DV 343 goes a small way. We are only talking about around one per cent of blocks. That is why we suggested this could be extended to a lot of other blocks in the RZ1 zone so that those opportunities to build smaller houses or a second house, being a dual occupancy, to allow elderly people to retire in the same suburb or to allow families to build a second house for a teenager, for example. That is all good planning policy which we think could be achieved through an amendment like this one.

THE CHAIR: There is demand out there for that sort of housing now?

Mr Hopkins: Absolutely.

THE CHAIR: But no supply in existing established suburbs?

Mr Hopkins: Very limited supply. There is obviously some ability to build a dual occupancy at the moment. As I said, we would like to see those opportunities increased.

MR COE: Going on from the question of demand: if, say, the policy was to be rolled out to all RZ1, not just the 750-odd Mr Fluffy-affected RZ1 blocks over 700 square metres, what would be the take-up, do you think? Is this going to be a preference or a priority for someone who could otherwise buy a stand-alone dwelling, or is it a new market?

Mr Hopkins: I do not think 100 per cent of the blocks with opportunity will necessarily be taken up. I think also the number of blocks or the percentage of blocks that will be taken up will somewhat depend on those building controls. If the building controls are very restrictive, like they are at the moment in the current amendment, I think we will see quite a small take-up. But if there was some flexibility given, I think there would be a lot greater take-up—but not to the point where there are 100 per cent of blocks having dual occupancy on them.

MR COE: Is the plot ratio of 50 per cent—whilst I realise you get the harmony that way with the single dwelling versus the second—the right amount, or should it be a common 40 or 60 or some other figure?

Mr Hopkins: The way we have looked at this in a principle sense is to say that the controls that apply to a single detached house should apply to a dual occupancy. We can argue about whether that is 50 per cent or 60 per cent or 40 per cent, but the principle is that the impact from a well-designed dual occupancy compared to a well-designed house is very similar and certainly not enough to have more restrictive controls on the dual occupancy.

MR COE: On that broader question, do you have a view as to what is the optimum plot ratio? Is there such a magical figure?

Mr Hopkins: If I had to say a number now it would be 50 per cent. That is what we said before. Like I say, I am a little bit sketchy on what the current rules are around the single detached houses. We would like to see them consistent between dual occupancies and houses.

MR COE: There are also different rules with regard to two-storey versus single storey. Do you believe those controls stack up?

Mr Hopkins: No, we think they are too restrictive. Again, if they were the same as a single detached house, just as you get well-designed two-storey houses at the moment, we think you would get well-designed dual occupancies.

DR BOURKE: Further on that theme of your proposal that all RZ1 blocks over 700 metres should be able to be dual occupied, what do you think the impacts on neighbourhoods, traffic congestion and road infrastructure are going to do to neighbourhoods in the territory?

Mr Hopkins: There are two parts to that question. In terms of the impacts on immediate neighbours, I think that depends on the building controls. That is what we have been talking about—the plot ratios, the site covers and things like that. If there are good controls, the impacts on adjoining neighbours can be managed appropriately.

In terms of greater impacts on public infrastructure—water, sewer, roads and things like that—we are still talking about a very small increase, certainly not material enough to warrant substantial upgrades to infrastructure, I would not have thought. Even on the current proposal, we are talking about one per cent of blocks. To give some perspective to this issue, we are talking about a very small increase in density—not enough, I do not think, to cause concerns about traffic impacts or impacts on other public infrastructure.

DR BOURKE: To clarify, you are talking about dual occupancy with strata title?

Mr Hopkins: Yes. The current proposal talks about strata title.

DR BOURKE: It does for that one, but in your extension to the rest of the RZ1 zone, you are talking about dual occupancy with strata title?

Mr Hopkins: Correct. But strata title is just a titling mechanism; it does not necessarily increase the density or the impact on infrastructure. It is just a titling mechanism.

DR BOURKE: It tends to provide a mechanism whereby people can split their block and own half and sell off the other half, which is possibly a greater incentive for them to undertake a dual occupancy, rather than just dropping another house in the backyard and then renting it out.

Mr Hopkins: Possibly. But even without that titling provision in place, you could still build the same scale dual occupancy with the same impact.

DR BOURKE: I do not dispute that. I am just trying to clarify what your advocacy for the rest of the RZ1 across the territory is. I take it, therefore, that you are advocating RZ1 dual occupancies with strata title?

Mr Hopkins: Correct.

MR WALL: From your position in the MBA, Mr Hopkins, whilst these changes allow for a broader use on the Fluffy blocks that have been acquired by the government, are there going to be limitations on how they could be developed as a result of past planning changes such as 306, which has been an issue in some greenfield areas? From your position, what impact are things like that going to have on achieving the maximum yield on those blocks? You mentioned achieving a compact city and cost-effective construction.

Mr Hopkins: For the purpose of this committee, we have limited our comments to DV 343. What you are asking is a much broader question about the impact of all other government regulation on that.

MR WALL: But certainly these blocks were not subdivided with those types of restraints even imagined. Now that we are talking about increasing the density on them, will those changes cause limitations and have a detrimental effect or a positive effect on the outcomes that might be achieved on them?

Mr Hopkins: I think some of those other controls such as the 306 variation that you mentioned are causing great impacts on us at the moment, and they would continue to cause great impacts on these dual occupancies as well. As a separate argument, we would like to advocate changes to 306. But those changes would apply uniformly. They affect everyone. I am not sure they would necessarily affect these dual occupancies to any greater or lesser extent.

THE CHAIR: In terms of the difference in the titling and the change to a 700-square metre block, from your point of view would that look any different on the streetscape? Would it be different types of houses or different building design, or would it look like what a dual occupancy might look like now in an older suburb which has had some renewal in it?

Mr Hopkins: I do not see why the titling arrangements would substantially affect the design. The building controls will deal with the design issues. The titling, I think, is a separate issue.

THE CHAIR: So where there is titling available currently or has previously been from previous regulatory environments, could you drive through a suburb and spot which one might be a dual occupancy that is strata titled or not?

Mr Hopkins: I would not have thought so no, except maybe you could pick a third letter box for the body corporate or something.

MR COE: In terms of the impact on the building industry in Canberra—this is getting a little away from the variation—and in terms of the demolition schedule which has been published now, does that schedule and does this variation, in effect, provide work which is going to be able to be fulfilled by ACT operators alone without needing to bring interstate guys in?

Mr Hopkins: The demolition schedule is going to create work for local contractors. We think if local operators are essentially given first preference of those, they will

take up the opportunity to demolish the majority of those. That is not to say there might be some subcontractors or builders that come from interstate. We think the local workforce is sufficiently geared up to deal with the majority of that demolition schedule.

MR COE: In terms of the reconstruction, though, is the schedule going to provide a pipeline that is manageable for the ACT construction industry?

Mr Hopkins: Absolutely. I think it is going to create a pipeline which the local industry are screaming out for because they simply cannot find land elsewhere. I think it is also important to understand that these 750, or however many there might be, dual occupancies are not all going to be built overnight, just like they will not be demolished overnight. This will be a slow, gradual process of individuals taking up these opportunities or not taking them up, which will occur over a number of years. It is gradual change; it is certainly not radical change.

DR BOURKE: Drawing on your organisation's experiences after the bushfires when we had a lot of rebuilding going on on existing sites in Canberra, what do you estimate the proportion of these potential dual occupancies would actually be dual occupied as opposed to people building a new single home?

Mr Hopkins: Firstly, I was not living Canberra when the bushfires happened, so I cannot draw on that experience.

DR BOURKE: No, I was asking for the corporate memory.

Mr Hopkins: We spoke before about how many of these dual occupancy opportunities will be taken up. I think to some extent that depends on the building controls. If the building controls are very restrictive, then obviously that will mean a lot less are taken up. I do not think we will ever get to a point where 100 per cent of them are taken up. It would be difficult to make some sort of estimation, though, of a particular percentage.

DR BOURKE: I thought that was something you might have been aware of as a result of the experiences we had following the bushfires.

Mr Hopkins: I apologise. I could not make a realistic estimation of that.

THE CHAIR: Anything else you would like to add?

Mr Hopkins: No. Thanks for the opportunity.

ANDERSON, MR TOM, Chair, Weston Creek Community Council
McGINN, MS PAT, Deputy Chair, Weston Creek Community Council

THE CHAIR: Mr Anderson, Ms McGinn, welcome to the inquiry this afternoon. Thank you for coming to speak with us today. I draw your attention to the pink privileges statement in front of you. Can you clarify for us that you have read and understood the statement?

Mr Anderson: Yes I am fine with that.

Ms McGinn: Yes I am.

THE CHAIR: The proceedings are being recorded by Hansard and also transcribed and broadcast live on the Assembly website. Would you like to make an opening statement in addition to your submission?

Mr Anderson: Yes please. I thank you for the opportunity to appear before the committee. I also thank the government and the Assembly for what they have done in relation to the people that own Mr Fluffy houses. I have some comments first. I firstly congratulate you on your election to the Assembly, chair, and thank you, when you were working for the Chief Minister when he was the Deputy Chief Minister, for resolving an issue we had in Weston. It was very common sense.

I need to apologise if I am not fully prepared but there are things happening. I only returned from China visiting our daughter on Sunday and was asked on Monday to appear today. Our son is being married on Saturday, and on and on it goes. My wife has dementia and has had for 13 years. I am a carer but, as we say, life goes on.

On to my comments—I am sure Pat will have some comments as well—I have an interest that I need to declare in that we have a Mr Fluffy house adjoining our back yard. I want to put that on the public record and say that we have lost our good neighbours of nearly 40 years. I would also like to thank the task force for working with the council. They are very easy to work with and very helpful, not only for us but for the wider community.

In relation to Weston Creek, we have 188 houses in Weston Creek that are affected. They are fairly evenly distributed across the eight suburbs. Our concerns are in relation to the unknown factor of one, plus what we have said in our submission. The proposal looks to change the rules for development and what we are going to have through the suburbs is pockets which are different. We are looking at at least five years of ongoing change. It will not be too bad for rebuilds but not if there is dual occupancy, is our view. We already have rebuilds within the suburbs in Weston Creek and we have new developments going in RZ2 zones that are already there with dual occupancies.

The one thing about Weston Creek that is different is that this is the second major event to impact on Weston Creek in 12 years. Since 2003—I am still not sure of the numbers because I was not here at that time—we have almost half the number of houses now as were lost in the bushfires then. We have got a double-whammy

impacting on our community. And we are still seeing houses rebuilt from the fires now, 12 years on. It is a long period, and one of our concerns with all this is the rebuild and how long that is going to take. We already know it is going to be at least five years.

What we do not want to see is random islands of RZ2 within RZ1 zones. We have just heard from the master builders about how they just want this to flow across basically RZ1, which will change the fabric of Canberra, in our view. I will leave it at that.

Ms McGinn: We address several items in our submission, as you have no doubt read. I think you have had time to read it. The reduction of the block size from 800 to 700 has some significance in that it is going to make it very difficult to get two houses on there. Firstly, something like solar orientation is quite an issue when you have a smaller block like that. Then there is access but also the changing in the plot ratio, which is going to affect how much private open space there is within a given block when it is split into two.

One of the things that seem not to have been taken into account is the fact that there is a lot of downsizing going on, particularly in areas like Weston Creek where the population demographics are gradually creeping up the age scale—Tom and I being an example. A lot of people want to downsize. They quite frequently do not want two storeys. Whilst we appreciate the economics of the situation for the owner of the block wanting to get maximum return from it, there is a huge market for single-storey, smaller dwellings for people downsizing. That would mean that some of the people who are going to lose their homes because they are Mr Fluffy will be able to remain within their suburb if they can buy something that suits their needs, which quite frequently means single storey rather than double storeys. That is quite an issue for us.

The other thing that we have been talking about quite a lot to the government over a period is design criteria and the design of the dwellings that, therefore, occur when a block is redeveloped, whether it be a Mr Fluffy block or any other knockdown and rebuild. The smaller the block becomes, the more crucial it is that the design is good to allow a bit of room for public open space, to possibly allow room for a tree, but also to integrate those sorts of blocks in a sense of a design not totally disrupting the street scene and the street ambience—in other words, fencing rules and regs.

What we are aiming for is “good design”. I know that means different things to different people but long, blank walls of brick are not going to continue the streetscape or keep the ambience of a suburb particularly well. We feel if it evolves that 700-square metre blocks are going to be divided, in particular, but it also applies to the 800-metre blocks, it is very important that design is very carefully looked at and that the rules are adhered to, they are not bent, there are not people given leeway to get away with things that stick out like a sore thumb, to be quite truthful. That has been happening quite a lot.

On the other hand, there have been some very good dual occupancies. I can think, in particular, of one in Curtin and one in Garran on corners and blocks that are suitable to split. If you have got a great, long, thin block, as you can imagine, that is 700, getting two dwellings that are halfway decent is very, very difficult. So it would be very helpful if the configuration of the blocks is taken into account. That may be

difficult to do within the legislation but we think it is something that should be considered.

That falls under our third point—that the design criteria maintain the amenity of the existing RZ1 areas. Tom mentioned in passing the fear we have that this will get pushed on throughout the RZ1 suburbs—that once you can dual-occupancy anywhere on a Mr Fluffy site, this will then become the norm. Whilst appreciating the government’s desire to densify—using a slang word—the suburbs, we have no problem with that but we think it should be done strategically, not by ad hoc spotting everywhere.

If you drive through areas of Weston Creek and areas of Kambah there are small plots of land that could be quite easily multi-unit sites. We have no problem with any of that. What we have is forcing a huge, two-storey, monolithic-looking dwelling with a blank brick wall and no trees into the middle of a street and a suburb which does not have that at the moment. The community just do not want that.

There have been some questions about whether sites that are contiguous—in other words, if you have three Mr Fluffy blocks either side by side or one behind the other and two at the front—are going to be turned into multi-unit sites. I have not heard anything about that at all. Is there any thought of that?

THE CHAIR: The committee has had the opportunity to ask that question, and through this draft variation there will not be an opportunity to do that.

Ms McGinn: In some cases that might be an advantage that it is done rather than a disadvantage, if you can see where I am coming from. Three or four separate dual occupancies could be quite out of context with one another and out of context with the surrounding houses whereas a carefully done multi-unit site might, in actual fact, be a better option. I have had a couple of comments from the community about that, and that is why I am mentioning it. Tom has been away so he may not have heard those.

Mr Anderson: There are pockets scattered right through our suburbs where in small places two of the four houses are Fluffy houses with one at the back. The potential to change the character of that is great. In my view, there is enough that can go on in the RZ2 zones to provide for the dual occupancy there. We are seeing it emerge in Weston Creek now in the various suburbs that the RZ2 blocks are being sold and are being made into dual occupancies.

THE CHAIR: You mentioned a couple of times the need for smaller houses, that there is demand for that in Weston Creek.

Ms McGinn: Particularly single storey. We have mentioned single storey on a couple of occasions in our submission. Older people do not want stairs, on the whole.

THE CHAIR: In your submission you note that the building height of a single-storey dual occupancy, either the existing dual occupancy or the new—you have probably found it within the draft variation, by the looks of it, and you have referred to page 14 of the draft variation—was possibly contradictory around the single storey and double storeys.

Ms McGinn: Yes.

THE CHAIR: Certainly in our briefings and discussions it is very clear that the dual occupancy blocks can only be single storey. I think from your submission we will ask that that be clarified by the planning directorate to make sure. From your point of view, if the dual occupancies must only be single storey, is that good?

Ms McGinn: If you are looking at what the community would like to look at and what the community would like next door, yes. However, the community is not impractical as regards to the economic envelope in which this is operating and the need for the government to recoup moneys. As I mentioned, there is the economics for the builder or the owner who may be buying their block back. I think the whole of it hinges around good design, appropriate design, that fits into the thing. That is much more difficult to administer than having a criteria that says single storey, if you see where I am coming from.

If we were to ask the community as a whole—whilst we have talked to quite a lot of people—what they would want is a single dwelling back but I do not think, on the other hand, they would want a two-storey, enormous single dwelling overlooking. That is a major issue. The overlooking is quite a major issue. There is also the sliding scale for the plot ratio, which we mentioned as well. I think people never want to change from the comfort of what their suburb has been like for a long time. On the other hand, people say they can see the sense in being practical about it.

Mr Anderson: Can I talk about the demographics? Everyone says Weston Creek is ageing. In one sense it is, and in another it is not. The schools are full. There are as many people from zero to 15 in my suburb, Chapman, as there are over 65. It is this interesting mix of regeneration of the suburb but the people who are in that top category, like I am, are looking for somewhere to downsize. There is very little available. Townhouses that are being built now in Wright and Coombs are two storeys. Very few people over 65 would want to go to a two-storey house.

THE CHAIR: Do you see this draft variation as an opportunity to have some of those housing types provided?

Mr Anderson: I am very nervous about it.

DR BOURKE: How do you think that can be delivered in your suburb without changing the rules?

Mr Anderson: Without changing the rules? There are opportunities in the RZ2 to do that.

DR BOURKE: What you would be advocating instead of the current rules in RZ2 to deliver the single-level, smaller accommodation that you see as desirable for downsizers is that RZ2 be restricted to single storey?

Mr Anderson: No, you cannot do that.

DR BOURKE: Then how do you get the single storey—

Mr Anderson: By trying to influence people to do that.

DR BOURKE: How do you do that?

Mr Anderson: The people like us, if you like, who are the ones that want that, are staying in their houses because it is not there—in a broad sense.

DR BOURKE: I can see the desire, and it is a great desire. And I can see the argument that you have presented in the submission against change. But it seems to me that the draft variation is going to deliver what you want but you do not support it. And I cannot see any other way that you can get what you want that you have been able to argue for.

Mr Anderson: I share a lot of Pat's views in relation to design and the area of the blocks and trying to visualise it near me, if you like, with one behind and one across the road from that and how that might work. The block behind us is a narrow block. How you would do that, I do not know, and keep it to one storey.

Ms McGinn: I think what Tom is saying is that people who want to downsize within the suburbs are going to be vacating houses which can be taken over by the younger families coming in. The same is happening in my suburb. So far in Weston Creek we have had several service station sites already developed—two-storey townhouses. There is one going—it looks to be nice—in the suburb where Tom lives, at Chapman shops. We have still got one service station to go.

I am trying to be careful in what I say; I am trying to keep my opinion separate from the community's opinion, which is a difficult thing to do when you are on a community council. People have indicated to us that they do not want dual occupancies. But if the variation goes through with dual occupancies on the 700 to 800-block size, single storey would be much more acceptable to the community than two storeys, partly because 700 is quite a small block when you have got to get a driveway down. If you have not got a wide enough frontage to have them both front on to the street, if they have got to be one behind the other, it is very, very difficult to get a long driveway. You have to see what has happened in some of the suburbs, even the larger blocks in Yarralumla, as to what has happened with them.

THE CHAIR: With the dual occupancies, though, that can be done now.

Ms McGinn: Yes, at 800-plus.

THE CHAIR: Do you have a view on the unit titling provisions in the draft variation?

Ms McGinn: In view of what we have been saying about the need to downsize, I think individual title, yes. I do not think the community would disagree with that at all, from the comments we have had.

THE CHAIR: The community would support the unit titling?

Ms McGinn: I think they would, yes. I have had several comments about that.

Mr Anderson: Yes I think they would.

MR WALL: To clarify, you believe the community supports unit titling or separate titling for each dwelling?

Ms McGinn: Separate titling, yes. But what we are trying to say is that the community as a whole does not like dual occupancies. But we have to be practical. I have had quite a few say to me they do not have a problem with them if they are designed well and they are on an 800-plus block, which is what we tried to reflect here. If you go down to a 700-block, particularly on some of the long, narrow blocks, some of the awkward-shaped blocks, it is going to be almost impossible to get anything of a reasonable size on there without going to two storeys, which the community does not want.

THE CHAIR: Are you able to stay for the rest of the hearings, because we might have an opportunity to ask some questions of some of the other witnesses later around the design issues?

Ms McGinn: Yes.

MR COE: It is interesting. The government seem to be trying, through the variation, to have a compromise whereby you have a 50 per cent plot ratio for a single dwelling or a lower plot ratio for a dual occupancy. They are trying, it seems, to make a compromise. But in doing so potentially no-one is happy in terms of either the people in the industry or, in fact, the community. In my experience, I have not heard too many complaints about dual occupancies; it has been more about perhaps maxing out of consolidated blocks in RZ2. In your experience, have you had many complaints come through to the community council about dual occupancy developments, noting, of course, there are relatively few compared to 15 or so years ago when they were far more common?

Ms McGinn: Yes. We have not had—

Mr Anderson: There have been a few but they relate to the RZ2 areas, so it is a different issue there. People were not happy with it when it first started to occur. I think there is more acceptance of that now in that area. When you look at these areas in Weston Creek that have been probably there for 40 years and they are all built to a whole different group of rules than what the rules are today with six feet on one side and nine feet on the other side of your house—that is not the case today—you are lucky if your eaves are not over the fence.

MR COE: I wonder whether some, for want of a better term, distasteful RZ2 multi-unit basement parking projects have, in effect, tainted the idea of dual occupancies as well. I am curious as to whether, because there have been so few dual occupancies done in Canberra over the last 10 or 15 years, perhaps it would not be too objectionable if they were done in a tasteful way on the right blocks with the right layout. Is that a fair summary?

Ms McGinn: I think that is a fair comment. I think we also have as many complaints about single dwellings, the mega dwellings that stretch from side to side. We would have had as many complaints about those, Tom.

Mr Anderson: Yes we would have.

Ms McGinn: As recent complaints about dual occupancies. I will cite an example of something. The colour of the brick and such is not the best but you can get medium density on a multi-unit site and still get good design. It has been done all over the world. It has done in the UK since the 1950s. But you can get good design, single storey on a medium-density site. You can do it. It just has to be designed properly. That is the thing. People keep coming and saying to us, "This is atrocious. It's overlooking my backyard. It's this, it's that, it's the other." That is where you have guidelines as opposed to strict dimension-type rules, if you know where I am coming from.

The planning legislation has been watered down from being too rigid to now, in our opinion, being too flexible. People have to meet criteria which are very woolly and are not clear enough about what they can or they cannot do. So they do not know where they are, and they push them as far as they possibly can. Sometimes it comes back to you having to tighten them up a little to make them a bit more prescriptive than they have become. This is not the place to carry on about that.

Mr Anderson: The area of overlooking has certainly been an area where we have got a lot of complaints. That has been in RZ2 areas where originally they were single-storey houses and all of a sudden there are two storeys alongside them from a multi-unit site. People have just said, "That's it. Selling up. Going."

Ms McGinn: The service station site at Holder was developed into a two storey with the complete agreement of all the surrounding neighbours because they were consulted and the design was altered when the community raised objections.

MR COE: It goes back to what I said earlier. There have certainly been many very good RZ2 developments, but I wonder whether, because everybody knows of an RZ2 development that they do not like, that is tainting pretty much all redevelopment to an extent.

Ms McGinn: I think it might be having some influence. I do not know that it is a major one. It is just that they do not want it in their street. They are quite happy for it to be in an RZ2 area because they know it is an RZ2 area.

Mr Anderson: And the rules have changed now. Suddenly it is in their street and it is alongside or it is across the road or at the back of their house, like it will be for me. We will see what happens.

DR BOURKE: I am hearing a little bit of what seems to me conflicting information coming from you.

Ms McGinn: Yes.

Mr Anderson: We do not always agree.

DR BOURKE: For instance, taking the plot ratios, it is 35 per cent for a dual occupancy and 50 per cent for a single occupancy. A dual occupancy is actually going to occupy less of the site than a single residence, but you regard that as taking up more land. I do not understand where that theme is coming from.

Ms McGinn: It is not totally that. You have things like the driveway to take into account as well, and garages—two garages instead of one.

DR BOURKE: My understanding is that the garage is included in the plot ratio.

Ms McGinn: Yes, they are included in the plot ratio calculation, usually. I think it is just the total effect of having two dwellings there—the generation of traffic. People are very funny about that. They think people are going to be driving up and down the street all the time. It is the community's perception of what is going to happen. If I put a plan of a house on a block in front of 10 people, eight of them will not understand it. We have tried to condense down what the community are saying to us about what they would like to happen and what they would like not to happen. We are trying to put that over to you. At times it may sound confusing because we are getting mixed messages. It is very difficult to write a submission sometimes when you are trying to encapsulate what the community have been saying to you, as you would no doubt appreciate.

DR BOURKE: So what you are saying is that the community is in two minds at least on the issue, if not more?

Ms McGinn: There are different voices, yes.

Mr Anderson: It is very hard for a community council to reflect one view because you have a range of people with a range of views there. We have tried to consolidate it and summarise it, but it is not easy.

Ms McGinn: The sorts of comments we get are that they do not know about plot ratios. They do not know about the sorts of things that you would know about. But what they do know is they do not want to be overlooked and they do not want two houses crammed in with no yards for the kids to play. They want something that fits into their street. Those are the sorts of generalities that the community give to you. That is what we try to translate into our submission. It is what they want it to be like, irrespective of the fact that they do not understand everything that is said. Does that help?

DR BOURKE: Yes. I will go to the next contrast, which was your advocacy for block consolidation for multi-unit developments when there were a couple of Mr Fluffy blocks adjacent to each other. That also seems to be in conflict with the submission.

Ms McGinn: That has only been said to me by less than half a dozen people. I am just communicating to you that we have been told that. What they are expecting from that is single storey, well designed. That is what they are expecting from anything that gets

built on these blocks. If you were living next door to a Mr Fluffy block, I think that is what you would expect too.

Mr Anderson: There are several where there is a Mr Fluffy house on either side, and the people in the middle are wondering what is going to happen either side of them and would they be better off to sell and consolidate all that? We have that situation, but not quite everywhere. We have two in almost all the suburbs alongside one another and one across the road. It is these little pockets. People are worried about the change that will occur and that their local subarea, if you like, will no longer be the same.

DR BOURKE: Given that this is less than one per cent of the houses, as we have heard, how realistic do you think Weston Creek, as a community, feels that this issue is?

Ms McGinn: If you go back to what Tom said about the 2003 fires and the building that has occurred since then, this is the second wave of this sort of thing happening. The community have seen good, but they have also seen very bad. That is perhaps why they are feeling very nervous about what might happen, particularly on the smaller blocks, the 700 blocks. The task force has been excellent at communicating to the Mr Fluffy owners what is going on. We have had two or three briefings and they really have been very good.

Now we are moving to a stage where it is the people living around the Mr Fluffy blocks that need the support and the information. It is very difficult for a layperson to understand what all of this means. That is why we are getting concerns and people are worried. What they would like is for nothing to change. Of course, that is not going to happen. They are realistic enough to know that economic return is important. It is important to their rates, apart from anything else. But, on the other hand, they still want to try and retain some of the ambience—that is the word I use—the character, the feel, of their suburbs. That is where we have tried to hit a sort of in-between note, which is not easy.

MR WALL: I understand your frustration in trying to convey it. Every individual has at least one view on what is appropriate or inappropriate development. For those residents that live in a street that has a Fluffy property, it puts a big question mark over the world as they know it, and it is obviously of great concern.

Mr Anderson: It is not only the street; it is the next street too.

MR WALL: Especially in, say, your case, Mr Anderson, where it is an adjoining block. It is not necessarily your street but one of your boundaries adjoins it. The draft variation is, in part, delivering, to some extent, what you are calling for—that is, where two dwellings go onto a block, they are only allowed to build on a lesser proportion than if it was one dwelling, and they will be single storey unless they both have street frontage. From the information we have been given, it would only be a limited number where you would be able to get both properties—say, on a corner block—having street frontage. So in large part where you are going to see multiple dwellings being built as a result of this variation, they are largely going to be single storey. Do you think that will be consistent with what people are comfortable with

that are talking to you?

Ms McGinn: If they are single storey, I think the answer would be yes; I think so.

Mr Anderson: If they are two storey then I think it changes things. As you look through vast areas of Weston Creek, the vast majority of houses are single storey. When you renew, as happened in the fires, you suddenly see a change. People were not happy with that.

MR WALL: The point I was going to raise is that there has never been a protection in RZ1 from two-storey houses. I think it has been a shift in building design and building construction that has allowed an increase in those types of buildings. There has certainly never been a protection.

Mr Anderson: There was. I can tell you there was.

MR WALL: Going back a long, long time ago.

Mr Anderson: First home buyers for first land release. It was restricted in terms of total price for house and land. Certainly that was the case for us.

MR WALL: But certainly, at least in my lifetime, there has been very little protection in the sense of someone wanting to renovate or extend. Going up was always an option but often cost prohibited it. Do you think people often have, I guess, a false sense of security in thinking that that sort of thing will not happen to them and that it is a bit of an unrealistic expectation? Is it that they are not properly informed as to what the rules are surrounding their block and their neighbouring blocks?

Ms McGinn: A few years ago I would have said people would be—blasé is not the right word—thinking, “This won’t happen to me.” But nowadays I think they realise quite strongly it could happen to them, because it is happening. If you go out to the newer suburbs in particular, most of the houses are two storey and large—not all of them, but quite a percentage. Also, there are quite a few builders now who openly advertise a knockdown and rebuild for people. People doing that are often the people who have got children and want a larger house. We talked about downsizing and people of our age wanting a single-storey building. Some people are seeing this as an opportunity to be able to do that and age in the same suburb.

THE CHAIR: You might have hit on one of the challenges I see in this—that is, there will be a lot of change. What we have had referred to us is the change based on this draft variation. It is the change from the 800 to the 700 and also the titling aspects of the draft variation, as well as the stricter design criteria that go with it. You have probably identified and certainly can accept that Weston Creek, in particular, has had this second wave of change. But our job here is on this draft variation and the specifics of it.

I want to ask a question about the houses that you have found that people are saying to you they do not like. Are the people that live in those houses now engaging with the community council and what is the apparent community response to their house? How welcome are people who might redevelop a block or build a new house that might be

large and might not be like what is next door to them made to feel in their community if there is: “We don’t like your house”?

Ms McGinn: First off, unless somebody is engaging long term with the community council, we would not know where they lived because we do not have their address.

THE CHAIR: Do you have a gut feel for how many people?

Ms McGinn: I can only comment on those around me. I have a dual occupancy behind me—not immediately joining my boundary because there is a laneway between; quite a wide one. We started off having a dual occupancy there that was way over the plot ratio. The community all got together and went to the architect and said, “We don’t like this and we’re going to take you to the AAT if you go any further.” The end result was redesign, a lovely dual occupancy that the whole community is happy with. As a consequence, the people have integrated very well. I think in areas where it sticks out or intrudes on the privacy or in some way affects the neighbours, they are far less likely to be welcome in the street.

Mr Anderson: We have had a knockdown and rebuild behind us. That is fine, but it is a single storey. I would have thought that a double storey would be out of character. I think that is the issue for everyone in all of this.

THE CHAIR: Double storey?

Mr Anderson: Double storey, yes.

Ms McGinn: Because they usually affect the neighbours a lot more than single storey. There are overlooking issues usually. Wherever you put the bathroom window or the bedroom window, you generally get some overlooking and the house is more intensely used because, for instance, they may have three teenage kids. That is why they need five bedrooms, or whatever. If you are getting a two storey, there are immediate design issues which do not happen with a single storey. That affects the neighbours more—shading and cutting out the sunlight in the next door neighbour’s garden. Immediately you get a two storey on a small block, you are going to have more neighbourhood issues than you are if it is single storey. That is just a fact of life.

THE CHAIR: I personally live in that situation. I do not think we find that at all. Different parts of the city live like this, as you are describing, very happily and very harmoniously. It is an interesting conversation to have with you about it.

Ms McGinn: I live in a cul-de-sac of Gary Willemsen-designed townhouses—two storey on a block that is under 300 square metres. They are well designed and we have a fantastic cul-de-sac where everybody knows everybody. Because of the way they are designed, there is no overlooking and there is no overshadowing. That is a personal comment.

THE CHAIR: I think we can all agree with you on the difficulties of balancing representations made to you.

DR BOURKE: You might be aware that we heard before from the MBA who are

arguing that this variation ought to be extended to the rest of RZ1. What is your comment around that, given, as you say, the community's desire for smaller places so they can retire in their own suburbs? That comes back to my question before.

Mr Anderson: Personally, I would not like to see it. I am not sure. I think the community would accept in this case why it is being done—all the reasons why it is being done. To then just say carte blanche across RZ1—I would think the community would not be willing to accept that.

Ms McGinn: If you are going to do it, you make it incremental, you let it sit for a number of years so people get used to it. If this is well done, there will be less opposition—in other words, an example, a pilot. If it works, think about it again. You have got to win the community over.

DR BOURKE: Certainly that design that you expressed for that type of housing is consistent with the evidence that representatives from the seniors community gave to the estimates committee earlier in the year. There is a strong desire for single-level, smaller houses, smaller blocks within existing suburbs. I think the question for government is how to deliver that.

Ms McGinn: And you can do it. It has been done already in Canberra in a few places.

Mr Anderson: It is a very good question.

THE CHAIR: To follow up, Alistair mentioned before that there might be developments in other suburbs that people see that they do not like and they think of those ones. You mentioned that if this change is approved and there is a challenge then to industry to build houses, if there are going to be houses built in dual occupancies, there is a challenge to them to build something the community will like and have a chance to see what it looks like rather than to imagine it?

Ms McGinn: Yes I quite agree. For instance, when Swinger Hill was first developed that was developed by the government as a pilot, as an example of what could be done. Lower down the site it is single-storey courtyard houses; up the top it is townhouses. That was almost, I think, one of the first that was done in Canberra. People just snapped them up because they could see that they could be good and they could be suitable for them. Families are not always the same size, the same shape, do not have the same aspirations. So there is not one size that fits all.

Mr Anderson: I think the problem you face is that the bad ones are always the ones that people remember, and the good ones, they just go by them and say, "Yeah, that's okay." But the bad ones, they say, "We don't want anything like that around." That is the issue you have—how do you do that? Pat will always talk about one particular house—not a redevelopment but a development. She always talks about this house and says, "How could they possibly have built that there?"

Ms McGinn: Rubbish. I just had an idea actually, if you do not mind me putting that forward. There must have been some cases in some suburbs where you have Housing ACT properties that are next to one another and a Mr Fluffy. If you have got that, what about a pilot being done by the government, something fantastic? Everybody can

look at it and say, “Great, I’d like to live there.”

THE CHAIR: Thanks for the suggestion. Thank you very much for coming today.

EVANS, MR NEIL, ACT Executive Director, Housing Industry Association
DOWSE, MR GLEN, ACT President, Housing Industry Association

THE CHAIR: Good afternoon and welcome to the committee hearing this afternoon. I remind you of the pink privileges statement and if you could confirm that you understand the implications of it.

Mr Evans: Yes that is fine.

THE CHAIR: I understand, Mr Dowse, you might be coming back in another capacity to speak with us again next week but you are here today in your capacity as president of the HIA.

Mr Dowse: President of HIA, that is correct.

THE CHAIR: Hansard are recording the proceedings and also broadcasting them live. Would you like to make an opening statement?

Mr Evans: In our opening statement I would like to thank you for the invitation to come along and present in front of the committee this afternoon. We have some strong views on this issue. We believe the draft variation does fit and go well with government policy in terms of infill development, low density infill development. We think it provides extra housing choice in the ACT because at the moment all we are seeing predominantly is single dwellings and apartments.

Previous speakers talked about people downsizing. We agree with that. We will speak a little more about that later. It also opens other opportunities for young people trying to get into the housing market rather than having to live in apartments. There could be possibilities where they could move into a small townhouse.

I would also like to run through a couple of key areas we want to talk about and also a couple of topics that were touched on. We read some of the community submissions. I will briefly discuss land values, traffic, overlooking and the perception.

In terms of our areas, we would like to touch on the issues in the draft proposal in relation to plot ratios. We would like to see the single-storey limit removed. We would like the minimum frontage restrictions modified to allow for wedge-shaped blocks and battleaxe blocks. We would also like to talk about trees.

THE CHAIR: Would you like to go ahead and talk about those freely and then take questions?

Mr Evans: Yes. We will start with plot ratios. We believe 35 per cent is not enough. We believe the same plot ratios should apply to dual occupancies as to a single dwelling because, after all, you are going to have the same site coverage. It is not going to be more; it is going to be the same.

Mr Dowse: Before I start, I declare that I am the president of the Housing Industry Association, I am a practising architect in Canberra and I am also a developer.

In the context of plot ratio, the main impact of plot ratio is on economics and feasibility for redevelopment. Dual occupancies can be built to 50 per cent if both dwellings face the street, 35 per cent if they do not, of course. Second dwelling has a restriction that it cannot be greater than the size of the first. So you have half that. And it is restricted to single storey.

On the economics, when you do your feasibility study your return is based on yield. The land value also impacts on the sale price and affordability. Single-storey dwellings, which there is a massive market for, are highly desirable but there is also a massive market for two storeys. And two storeys have a much lower land price and are, therefore, more affordable. To deliver single-storey dual occupancies or single-storey multi-unit developments, the land component is much higher. So it pushes the price of those up.

To develop a suburb where we are integrating any of the redevelopment sites, whether they be single residences or dual occupancy or multi-unit, into areas like Weston Creek that we have been talking about, those areas were developed with a 35 per cent plot ratio. I do not know that that has been appreciated. Fifty per cent plot ratio is a fairly recent change. Any development that goes back in and is pushing to the limits of those plot ratios is going to be significantly different to what the surrounding character is.

But given that, the houses in those areas that have been re-extended are also taking up those opportunities to go to 50 per cent. They are also taking up the opportunity to go to double storeys, which is inherent in the lease as a right. There has been discussion around where you are restricted to single storey. Do not forget that that is inherent in the rights in the lease to build two storeys.

To make these projects feasible, you need to consider pushing to 50 per cent. It is a bigger argument than simply saying, "What's the correct plot ratio?" It might be 35 per cent, it might be 50 per cent, it might be something in between. There is room in good planning principles around that to look. It might be that we look at RZ2 areas going to 50 per cent but hold back RZ1 areas to 35 per cent. It might be that we look at corner blocks utilising the 50 per cent plot ratio; straight blocks not. Do not discount it as a simple policy; it is complex and it needs to be treated by the skilled planners we have to put a proper proposal up.

Mr Evans: It was touched on before. Dual occupancies can deliver great outcomes if they are designed well. The other side of our argument in the reason for the increase in plot ratios is that it is going to return more to the government in land sales. The government have a big loan to pay off and it would be considered financially irresponsible if they could not get as much money without detriment to the neighbourhood and the neighbours in this proposal.

On the single-storey limit, again builders and designers usually work for clients. There is a huge push at the moment for people in suburbs that they have lived in most of their lives to be able to downsize and maintain that community and that infrastructure they have lived with and enjoyed for many years. And seniors will want single-storey homes. There is no doubt about it. But if there is a young couple without

a family looking to move into a house rather than an apartment and they can only afford a dual occupancy, they might choose that they want a two-storey dual occupancy. There are swings and roundabouts there as well.

Mr Dowse: On the issue of second storey, there is a lot of hysteria around this idea of overlooking with second storey. It is based on the fact that there are windows. The reality is that those rooms at the upper level are fairly low usage rooms—bedrooms that are occupied while sleeping, a small amount of time morning and evening. Very, very few are high activity areas, living spaces. We see those on sloping blocks where we have rooms at upper levels. Some of the comments might be that those are impacting on overlooking.

The same can be said for single storey. There is no difference. Anything that is above 1.8 above ground level is classed as an upper floor. So that room, be it bedroom or living room, looks directly over the fence. We live in a city. We have neighbours. It is a fact. Do not forget, when considering the upper floor, primarily they are sleeping areas or bathrooms. The real impact is very, very small.

Mr Evans: On top of that there are planning tools in addition that can assist with preventing overlooking, that is, placing windows up, the sill of the window has to be greater than 1.8 metres off the floor. So you get the light through the top of the wall but nobody can see out. Other planning tools can be obscure glass in some windows and for balconies and verandas and the like there are many screens on the market these days that can be incorporated which totally stop overlooking. They look and form part of a really good design development.

Mr Dowse: I also comment there that, despite all of the advice from industry in the consultation around 306, 306 was a massive increase in overlooking. The setbacks were decreased. And the community accepted that.

Mr Evans: I have touched on minimum frontage. There could be some really great battleaxe and wedge-shaped blocks with a small frontage which would lend themselves to dual occupancy developments. We would like the committee to consider modifying that front.

Mr Dowse: Neil is referring to the 20-metre restriction. Some of the best blocks that have the least impact on streetscape are those wedge-shaped blocks with the narrow frontage. There is opportunity at the back to put a house. Currently that rear house is restricted to 17½ per cent. So it is half of the available plot ratio. It cannot be larger than the front.

Mr Evans: I want to touch on trees. We believe that obviously trees in the front yard and the streetscape must be maintained to keep that streetscape looking as wonderful as it probably is. But we have some concerns around trees in backyards. There could have been an inappropriate species planted in an inappropriate place 20 years ago which could stop or prevent an extension or a dual occupancy going in on that block. Our view is that the protection of trees in backyards needs to be considered in this proposal. It could open up a lot more allotments that could take Mr Fluffy dual occupancies and give the government another help with income.

That being said, our view is that, as in other jurisdictions, a pretty good principle is that if a tree is taken down because it is in an inappropriate location and an inappropriate species that was planted by a previous owner 20 or 30 years ago, it be replaced with two or three trees of appropriate species in appropriate locations to make up for that initial loss.

THE CHAIR: That is your reference to the proposal to amend the Tree Protection Act?

Mr Evans: Yes.

THE CHAIR: You also mentioned traffic.

Mr Evans: Yes. I was reading in quite a lot of the submissions that people were concerned about the traffic that is going to be in the street. If you take an example of a young family without any children buying into a dual occupancy, the maximum worst case scenario is two cars. For seniors, it is the same; the maximum worst case scenario is two cars. But then if you look at a neighbour in a single dwelling in the same street who has got two teenagers ready to get their licence, the maximum possibility is four cars. For three adult-teenagers that are near to getting their licence or have their licence, it is five cars. As you can see, for families with older children in that area where they want to buy a car and use a car, there could be four, five or six cars being applied to that one single dwelling. In fact, a lot of dual occupancies would attract fewer cars than people are concerned about in the street.

Mr Dowse: The same goes for energy usage, water usage—teenagers with showers.

THE CHAIR: Bad news, if they want to shower! It is either all or nothing.

Mr Evans: The other amazing opportunity that this offers is particularly for the downsizing people. These houses can be designed and built for them specifically to cater for adaptable measures that might be needed down the track. You could do away with steps in the design. You could organise the design to remove any slip and trip hazards. There is a major opportunity to allow people to get back into a dwelling in their existing suburb and enjoy the remainder of their lives.

THE CHAIR: I will open up to questions from the committee.

MR COE: With regard to the value of, say, a 750 square metre block with the controls proposed in 343 versus the 750 square metre block next door, what sort of additional value do you think the secondary dwelling rights bring?

Mr Dowse: With the current framework of rules and taxation, you will be aware that dual occupancy pretty much stopped overnight. There is no proposed change that will impact on that in these current rules. The rules do not support dual occupancy. It is my business to do feasibility studies for developers for individual house owners, and we cannot get them to stack up. That is why they do not exist.

A developer will not be interested unless there is a profit. The only ones that we consider close are existing home owners where they are putting an additional house

on as a granny flat or something like that where they already own the land. Therefore, you take that out of the equation. You can make it work. You can make it work for supportive housing for parents and things like that.

You put that up against the redevelopment market, so the knock over and rebuilds for single res. Those people are interested in moving back into these suburbs and paying for a house and land. They are not just buying the land, which is all the developer is interested in. They buy the house and land. They are willing to pay considerably more because it is not purely a commercial decision. My opinion is that the land is actually worth more as single residence than it is as a dual occupancy because the economics do not work.

Mr Evans: The developer you are talking about could be a mum and dad developer.

Mr Dowse: Yes, mum and dad developers do try; they get this idea that there is lots of money to be made in doing dual occupancies. The fact is there is not, otherwise we would have a massive industry.

MR COE: So, with that said, if there are 750-odd blocks for which this variation applies, could you have a stab in the dark as to how many you think might actually result in dual occupancies?

Mr Dowse: I think less than 50 per cent. I would be surprised if it goes any higher. Developers will be interested in blocks well over 700 square metres. We are looking at 900 square metres to be comfortable. We need to put a large house on those to get a decent return. We cannot make it work on a low cost house. As a developer, we deliver high-end townhouses, single and multistorey, into the market, and there is massive demand from downsizers for both. Some want single storey; some are quite happy with two storey. All want the main living area and primary bedroom on the same level. That is the distinction. As a market, that is what we need to deliver. The inquiry rate is massive. But, as a developer, we are competing against people that are buying these blocks at auction to put a knock over and rebuild on, and we cannot compete.

THE CHAIR: Do the current titling arrangements have an impact on that?

Mr Dowse: Yes. There is a massive difference in feasibility between single residential titles and residential titles. Single residence is not even worth looking at for all redevelopment. Residential it is.

THE CHAIR: So the titling changes as part of DV 343—do you support those?

Mr Dowse: I have not seen a lot of detail on the title change.

DR BOURKE: It means it is strata title, instead of just dual occupancy.

Mr Dowse: I absolutely support it—either strata or subdivision.

Mr Evans: The problem that currently exists is that we have an unnecessary growing industry out there and that is in the body corporate space. The current arrangement in

the ACT—I admit that once you get into multiple, multiple complexes, bodies corporate are critical, but for two small dwellings on a block, it is just ongoing cost and unnecessary burden throughout the life of the development.

DR BOURKE: But does not the strata title offer the person who is doing it the opportunity to have common property, such as driveways, which you would not get if you had separate titles?

Mr Dowse: You would do it with an easement. The rules around strata titling—

DR BOURKE: Who carries the insurance around that?

Mr Evans: The owner.

Mr Dowse: It is difficult, and that is why that provision was turned over six months to a year ago where two-unit bodies corporate were allowed again. It was too difficult. Nobody was taking up the option of subdividing. The legal framework around unit titling and bodies corporate is much easier to deal with.

THE CHAIR: You say that the economics of dual occupancies currently are not viable. What titling changes would make it viable on a 700 square metre block?

Mr Dowse: The new leases need to be issued as a new 99-year lease with two units, or a specified number of units on the lease. We would encourage that on some of the larger sites the planning of those sites be considered. You might go for more units. If a block is 1,400, 1,500 or 2,000 square metres, why would you put two units on there when you can get the same density with four or five?

THE CHAIR: But with these changes that we are currently looking at—the shift from 800 to 700 to allow dual occupancy and unit titling—do you specifically support the titling aspect of that?

Mr Dowse: Yes.

THE CHAIR: Does that make it more economically viable to deliver single storey—because it can only be single storey under the current draft—dual occupancy with unit titles on a 700 square metre block? Are they viable to build?

Mr Dowse: My personal opinion is no.

THE CHAIR: Are they viable to build on 800?

Mr Dowse: Yes, 800 up. I personally do not look at them under 900.

DR BOURKE: That is based on the current economic situation. Whatever it might be in the future, these blocks will presumably carry forward into the future—

Mr Dowse: The cost of land and betterment tax are two of the biggest inhibitors.

THE CHAIR: But there would be no betterment tax if the variation—

Mr Dowse: Correct. That is fundamental. If you want to get this right, you have got to issue with a specified number of units in the title.

MR WALL: You mentioned that the preference would be subdivision and having two separate titles on a block. But the common way forward tends to be strata title because it is easier to navigate. Is that because it is more cost-effective or is it just a simpler process as a developer?

Mr Dowse: It is both, both cost effective and simple. It also depends on the block. A straight block where you have one unit behind the other is very hard to subdivide. It is much easier to unit-title that. A corner block is actually very easy to subdivide.

MR WALL: With street frontage for both units, it is easier to subdivide?

Mr Dowse: Yes, I would say, on a straight block.

DR BOURKE: What you are advocating is a change to say if the blocks should have the option of strata titling or subdividing?

Mr Dowse: Yes.

THE CHAIR: Not one or the other?

Mr Dowse: So it needs to be an option, yes, to achieve what you are after.

MR WALL: The HIA's submission makes reference to the plot ratio and you recommend that the plot ratio for dual occupancy or two dwellings be increased from 35 per cent to 50 per cent. You also call for the limitation on single-level dwellings for dual occupancies to be removed. What would be the preference? If you could have one of the two, would you prefer a high plot ratio or the height restriction removed?

Mr Dowse: The higher plot ratio.

MR WALL: You think that would be—

Mr Dowse: It is yield. We sell these houses by the square metre.

MR WALL: That, in turn, would drive a better underlying land value at auction when they went to market?

Mr Dowse: Yes. That is going to maximise return to government.

THE CHAIR: You mentioned earlier the body corporate. Is there an optimal number of dwellings above which a body corporate makes sense?

Mr Evans: It gets back to the size of the block, how many units on it. Glen, you might be better with this. It is a hard question to answer.

Mr Dowse: An odd number is the preferred. It is certainly preferred by the legal

fraternity.

THE CHAIR: Like the Assembly, for example.

Mr Dowse: You have to have the tiebreaker, which is why the two-unit bodies corporate were in question. Then it is the make-up of the people that are involved in the body corporate. It only takes one to cause a problem. Smaller bodies corporate are better than big bodies corporate because you have so many chances of getting that rotten apple.

THE CHAIR: Going back to demand, I asked a question before about the economics of building on a 700 or an 800. In your view—you cannot really put economics to the side—is there demand for a dwelling of the size that might be on a 35 per cent plot ratio and 700-square metre block?

Mr Dowse: Absolutely. With, say, consolidation in larger developments in RZ2, we are looking at 250 to 300-square metre blocks per townhouse. There is massive demand for that from young people and the elderly. It is across the board.

THE CHAIR: And the supply at the moment?

Mr Dowse: There is very, very little at the top end. I am talking about million dollar-plus properties. There is a queue. People are just waiting, saying, “Why can’t you come and deliver them in Weston Creek?” We are not operating in that area at the moment. We are north side at the moment. We cannot find the land. The land is the hardest component for all of the development industry. As to the comments from the Weston Creek community about consolidation, particularly in RZ2 we can achieve so much better result out of that, much higher quality for less cost, than we can with doing dual occupancies.

THE CHAIR: You might have heard the Weston Creek Community Council also talk about building design and a view that it perhaps has not been delivered by the housing industry in some way or another. Do you have any comments to make on that and what opportunities there are in this draft variation?

Mr Evans: I will start.

Mr Dowse: I could go all day.

Mr Evans: You can finish. Design is a funny thing. It gets back to the previous speaker talking about perception. A few years back I was working in Victoria and the planning minister put together a group and wanted a committee to give him some recommendations on improving the planning system. I was fortunate or unfortunate to be on that group. What we did was, we got in a bus—there were about a dozen of us—and we went around and visited the neighbours of the nine biggest problematic designs that were put forward and that copped community backlash like you would not believe.

It was touched on with the earlier speaker. Some people can look at plans, some people can look at different things and not get a full, clear understanding of it. When

you think you are going to be disadvantaged or the property is going to overshadow you or be too tall, too wide, too whatever, it causes a lot of angst. We went around and after two years we interviewed the people that went to VCAT and argued against these developments going forward. All of them said, “We did resist it at the time, but it’s not so bad. It’s pretty good. It’s not what we expected.” Misperception is a big issue to get around and how we communicate and show people that they are not going to be disadvantaged is a key element to this whole planning and design process.

Mr Dowse: As was touched on before, good design is the key to all of this. It is plain and simple. More restrictive rules do not encourage good design. With variation 306 the planning authority stepped away from considering good design as part of their assessment, which I thought was tragic. It pulled back to prescriptive rules that they could assess.

Our rules should not be based around what the lowest common denominator is going to deliver. Our rules should be looking forward to promote good design, bonuses for good design, anything that would encourage better. Our industry can deliver it. It is just that there is a level out there that is not interested; they are interested in maximising the dollar return. Those guys are providing affordable products that get our young people in the door. Not everybody can afford the million dollar properties. So we have to provide product across all levels.

It is the same with retirees. Some of them are pretty restricted. How do we get good design at a really low price? It is around the designer and it is around the builder and that combination of what they can deliver.

Mr Evans: And the planning authority saying no to developments and proposals going forward that do not meet good design.

THE CHAIR: Thank you.

Mr Dowse: I will put one more comment on the table, if I can, and that is around the block size debate. Consider some criteria around the cut-off point. Say our cut-off point is 800 square metres, a 790-square metre block may be far better to deliver than an 810-square metre block on its merit. I just advise you to consider that—some criteria that would allow flexibility around the cut-off.

THE CHAIR: Thank you.

HUNT, MS ERIN, Mr Fluffy Homes – Full Disclosure Group

THE CHAIR: Welcome. I draw your attention to the privileges statement.

Ms Hunt: Yes, that is fine.

THE CHAIR: Hansard is recording this for transcription purposes and it is being broadcast live as well. Thank you for your submission. Would you like to make an opening statement?

Ms Hunt: I am here representing the Mr Fluffy Homes – Full Disclosure Group. It is a group of about 456 members at last count and encompasses affected home owners, families, friends, neighbours, press and general supporters. I would also like to state that I have made a private submission as well to the committee, which you should have. But I am here representing the group. I would like to state that I am very, very nervous. I have never done this before. As a vet nurse I have learnt a lot about planning and development, so please be tolerant!

As you know, we have made a submission, and I would like to address part of that submission—three main areas of concern—and also make some points about what the MBA, the HIA and the Environment and Planning Directorate have said in their reports. Some of them are concerns of the group, some of them are my own personal concerns.

We believe DV 343 is what we call “unplanning” and unfair. We find that it is inconsistent with planning zones. DV 343 targets random blocks. It was not planned or coordinated. You might as well just throw darts at a map of Canberra, and that is no way to plan a city, we feel. Allowing greater development on random RZ1 blocks undermines the integrity of the whole planning system. Basic common sense tells us that there should not be different rules for blocks within the same zone. The existing RZ1 zone permissions should be preserved. Houses are grouped together in specific zones for a reason, and it should remain that way.

If the ACT government considers the planning changes to RZ1 Fluffy blocks to be consistent with the RZ1 zoning objectives, then why are neighbouring RZ1 blocks not allowed the same planning permissions? And both the MBA and the HIA have stated that as well. If the proposed changes are not consistent with the zoning objectives, then the ACT government should abandon them.

The additional planning permissions allowed for ex-Mr Fluffy RZ1 blocks should increase the value of those blocks via additional planning permissions. At least that is what we believe, although some people disagree with that. Neighbouring blocks should also have those same permissions and be able to do the same thing at no value detrimental to them.

The government’s position is indefensible, we believe. Therefore, we believe that approving these changes could set a precedent for other RZ1 owners to seek additional planning permissions for their blocks. If the standard RZ1 sliding scale plot ratio is considered necessary to protect current RZ1 zones in all cases, then how is the

case for a Mr Fluffy block any different?

The EPD's response in a specific point within their response, it was actually 2.4.1 on financial considerations, argues that unit titling of RZ1 Fluffy blocks supports a range of low density housing choices in RZ1 areas. If this argument is valid, then why are the provisions not being extended to all RZ1 blocks? The EPD fails to explain why it is appropriate for these changes to be made only to RZ1 Fluffy blocks and not all of the RZ blocks across the city.

Submissions suggested that urban intensification and infill should be focused on town and local centres. The EPD does not appropriately address these concerns or explain why it is appropriate to encourage infill in random areas of suburbs without consideration given to transport, traffic, school locations, access to amenities et cetera.

The EPD's report repeatedly responds to submission concerns by arguing that dual occupancy is already allowed on RZ1 blocks of greater than 800 square metres. The EPD seems to be suggesting that the proposed variation would not result in any differences in the replacement dwelling types on these blocks compared to the original Fluffy-affected dwelling types. They state that dual occupancies are already allowed and, therefore, the proposed changes are not significant. We refute that. The argument is absurd because it is clearly far more attractive to build two dwellings on a block that has unit titling than a standard RZ1 block because the dwellings can be sold separately, as the previous speakers said.

We urge the committee to extensively test the EPD's argument. For example, we suggest that the committee request data from the EPD on the number and proportion of dual occupancies that have been built on eligible RZ1 blocks which cannot be unit titled against those built on eligible RZ2 blocks which can be unit titled. If the number and proportion of dual occupancies in RZ2 zones are greater than RZ1, then it can be concluded that blocks with unit title provisioning will result in more dual occupancy developments. It makes sense. The committee could also request data on how many of the eligible RZ1 Fluffy blocks currently have dual occupancy developments on them, just so you know.

The next point is revenue raising. The EPD stated that it is appropriate for the government to implement the changes because it needs to recoup some of the costs of the loose-fill asbestos eradication scheme. Economic outcomes are supported by the ACT planning and strategic directions but must be balanced with social and environmental outcomes. DV 343 specifically fails to do this.

Can I also say at this point that Mr Fluffy owners are part of the community. We pay our rates. Most of us are still living here. All of this relates to us as part of the community. With previous speakers I have felt like we are being excluded and that our thoughts, feelings and considerations are not being taken into account at all. In fact, we are being ignored. All the points I am going to make here are specifically directed at us as Mr Fluffy owners and how we are being financially and emotionally destroyed in some cases. I am sorry: this is close to my heart.

We believe that there are breaches to the ACT territory plan statement of strategic directions. Specifically, DV 343 breaches strategic principle 1.3, which is that

economic, social and environmental objectives will be pursued in a balanced and integrated way having regard to both short-term and long-term factors. This short-term revenue-raising measure ignores social and environmental objectives and does not adequately consider the long-term consequences on the amenity and integrity of Canberra's oldest neighbourhoods.

DV 343 breaches strategic principle 2.5: "A wide range of housing types will be permitted in identified residential areas close to commercial centres and some major transport routes to increase choice. Outside of these areas, planning policies will protect the typically low density garden city character of Canberra's suburban areas."

Changing the zoning rules for blocks without regard to their proximity to commercial centres or major roads is in direct contradiction to the plan's objective to have lower density as you move away from centres and major roads. It will negatively affect the garden city character of these suburban areas because dual occupancy dwellings will result in being built closer to existing neighbours and there will be fewer gardens available in the blocks themselves. Some people would also like to destroy our existing trees.

The MBA have stated that DV 343 provides an opportunity for sensible and measured urban infill development which will diversify the housing stock and allow smaller and more affordable housing close to existing urban infrastructure. We do not believe this is the case as many of these blocks are not located close to urban infrastructure. In fact, by their very nature, being an RZ1 block, they are outside of these areas.

DV 343 breaches RZ1 suburban zone objective (a): "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 allow for two double-storey dwellings where the 50 per cent plot ratio is allowed. That was my reading and understanding, and that was a lot of people's reading and understanding. I could be wrong on that, but that is the way it is actually read, so if it is ambiguous, it needs to be cleared up.

This is in clear defiance to the stated objective for low rise, low density dwellings. The dual occupancy unit titling will also encourage more than one dwelling to be built in these areas, which also compromises the aim to achieve single dwelling residences.

The HIA have submitted they would like to have even bigger homes covering more of the block and allow two storeys. They suggest that approving DV 343 would provide more townhouses and homes for the elderly. We believe this may not be the case as some of the older members of our group have advised us that they would, in fact, like to live in areas where the houses are a decent size, single storey, but the gardens are large and workable. Multiple dwellings, especially double storey, with small courtyard gardens are less appealing to this group of residents. Also, many of the RZ1 blocks are not close to public transport and amenities for the elderly and, therefore, this argument by the HIA should be dismissed.

DV 343 breaches RZ1 suburban zone objective (b): "Protect the character of established single dwelling housing areas limiting the extent of change that can occur particularly with regard to the original pattern of subdivision and the density of

dwelling”. The proposed changes would be a very clear breach of the above objective because the proposed subdivision and increase in density to be permitted on these blocks will completely change the original land use pattern.

DV 343 proposes to reduce the minimum block size for dual occupancy from 800 to 700 square metres and above. The ability to unit title the dual occupancy is considered to be an incentive for dual occupancy development on the surrendered blocks. We believe this incentive will be a major driver in purchasing of Mr Fluffy blocks by developers to build those dual occupancies, thereby driving us as repurchasers out of the market.

DV 343 breaches RZ1 suburban zone objective (d): “Ensure development respects valued features of the neighbourhood and landscape character of the area and does not have unreasonable impacts on neighbouring properties”. The proposed changes would make it likely that dual occupancy dwellings would be built as close to the property boundaries as possible in order to maximise dwelling size. If that plot ratio is increased to 50 per cent or more, that will be even worse. This will mean that neighbours who had previously enjoyed privacy from their direct neighbours will now have neighbours in close proximity, leading to increased noise and reduced amenities of their properties. Additionally, valued features of the neighbourhoods and landscape characters—large gardens, privacy from neighbours et cetera—will be compromised.

Both the MBA and the EPD consider that DV 343 is appropriate to allow the government to recoup some of the costs associated with the eradication scheme. But neither state whether other revenue-raising planning changes were considered and, if so, why were they rejected. There is a potential to implement other planning changes that would raise revenue but not result in a piecemeal approach to the territory plan.

The MBA has stated that it will provide opportunities for additional housing stock to be built which will benefit local builders and contractors and help relieve the chronic shortage of land for home building that currently exists in Canberra. We counter that argument with the fact that houses are still going to be built on these blocks regardless of DV 343 being approved or not. We will still use local builders and contractors. They will still have work, so the MBA’s statement is not, as such, true and should not hold as much weight. After all, the houses are going to be built; it depends on who by. The work is there.

The final main point is that it fails the pub test. Every person outside the building industry that has mentioned DV 343 has said that it is wrong and, “They can’t do that. It’s just a land grab.” That was the most common statement heard.

We were very disappointed to find out that the Environment and Planning Directorate has recommended that DV 343 be approved, particularly as more than 100 of the 124 submissions did not support the variation. In fact, only 12 submissions supported the draft variation and the majority of these submissions in support of DV 343 were industry based.

I feel that it is very concerning that the only support comes from the building industry and their opinions seem to hold more weight than those of the general population. I also notice that out of the 28 published submissions to this committee, only two

support this variation. Twenty-six either wholly or partly are against it being approved. Surely the public opinion has a greater effect on decision making than a majority of industry.

Despite the EPD's arguments that these blocks will remain RZ1, the reality is that under the proposed variations, these blocks will be treated as if they are RZ2 zones and can be subdivided and unit titled for blocks as small as 700 square metres. In practice, this will result in RZ2 islands randomly distributed in RZ1 zones, resulting in a more complex and difficult to navigate territory plan. As we all know, it is difficult enough as it is.

These changes are really only to benefit developers because most home owners want to build a single dwelling but will have to pay a higher buyback price and ongoing higher rates because of the changes. This will prevent many original owners from repurchasing their blocks, forcing them into alternative neighbourhoods and communities. We will not be able to return home, as such.

We believe the original home owner should be able to buy our blocks back with the valuation assumption that the lease purpose is the same as when we sold it to the government as a single residential dwelling. That is the decent, moral and ethical thing to do. So far, I have presented the committee with all the details and hard facts as to why this draft variation should not go ahead. We believe they are completely sound and reasonable facts.

I was told by so many before coming here to speak from the heart. I would like you to use your imaginations now. Imagine it is last summer and you have come to visit me at my home in Fraser. Together we walk out into the backyard and my next door neighbour, who is slightly older, and has dubious musical likes, has some friends around and they are enjoying drinks in their garden under the mature trees in a leafy, lush place. They can only do this because their block is large and there is enough to support those trees.

On the other side of the fence we can hear the young kids and their parents playing backyard cricket. They can only do this because their block is large enough to support a real game of cricket. We walk out the front of my house and across the street we can smell a barbecue and hear a family in the pool. They can only have a barbecue and a pool because their block is large enough to support this. We see a young boy walking his dog down a quiet street knowing that he is safe to do so. That was last summer.

Fast forward five years. I am not there anymore because I could not afford to rebuy my block. But you go and see the new people and you walk into their courtyard out the back. You do not see my neighbours in their garden under their trees because their current house has been sold and the new two-storey dual occupancy overlooks their garden and half our trees have disappeared, so they do not like their garden anymore and they do not go out there. You cannot hear the kids playing cricket because they are scared to hit the ball into a brand new window that was not there last year. Their parents say they cannot do it anymore because they do not want to pay for a window. You walk out the front and there is no smell of a barbecue or a pool because the house across the street was also a Mr Fluffy house. Where the pool was there is now another house. There is no child walking his dog down the road because he is worried it will

get hit by a car due to the extra traffic.

My street and these older established suburbs will be irreversibly changed if this goes ahead. In 1968 the government of the day was warned not to let asbestos into our homes. It was ignored, and this saga began. Since then, every federal and ACT government has perpetuated the problem until we are now faced with this man-made disaster. We are asking you to not compound this issue. Please do not make Fluffy owners pay for the mistakes and inaction of successive governments. Please do not punish our neighbours by reducing the value of their blocks. Please reject this variation as it is not how to plan and administer this city.

THE CHAIR: The reason for holding this inquiry when it was referred to us as a committee was to hear particularly from the community at large, but we certainly acknowledge both the financial and the emotional journey you are on, which will go on for some time. Thank you and well done.

DR BOURKE: You mentioned in your submission that you talked about other changes to raise revenue. Perhaps you could elaborate on those.

Ms Hunt: One of the other people mentioned that there are currently areas—schools, old petrol stations—that could be built on to raise revenue. I am not a town planner.

DR BOURKE: Sure. I thought you might have had some more, because you mentioned that, and I thought I would ask what there was.

Ms Hunt: I know of one school that was closed years ago that still has not been redeveloped. The ovals and the school and the surroundings could be built on. Why are they not being built on? Why is there not infill in those instances instead of driving current neighbours and people out of their blocks?

DR BOURKE: Secondly, you raised a point about former Fluffy owners wanting to buy back their blocks being forced out by competition with developers. Do you not get first option?

Ms Hunt: We do have first right of refusal. But if this goes ahead, there will be extra planning permissions, as you know, placed on those blocks. From what we can tell, those blocks will have an increased price. We will not be able to purchase them back, or we will not be able to purchase someone else's Fluffy block back either, because developers will go in and drive up the prices. That is what we believe. Does that answer your question?

MR COE: As a scenario, just say someone was offered \$700,000 for their Mr Fluffy house, do you see a figure for the land at which it is viable?

Ms Hunt: As you know, only the demolition schedule has been released. People are only being told the expected valuation of their blocks six months prior to the demolition. There are very few at the moment that actually have prices on their blocks, because they are only supposed to be demolished in the next six months. Of those, we only know of one person that actually has a value that is willing to share, and that was 40 per cent higher than what they sold for. Their unimproved land value was 40 per

cent higher than what they sold to the government. They cannot afford to buy that land back and build a house on it.

DR BOURKE: Have you had any people who have explored the options to use the land rent scheme?

Ms Hunt: Yes we have. They are relying on that as their only option to repurchase their blocks. They cannot afford to repurchase their blocks and build houses, decent houses, on them with what the government is currently paying us.

MR COE: To clarify, that is 40 per cent higher than the house and land that was purchased, not just the—

Ms Hunt: From what we understand, for the land. As you know, when you get your rates, you get your unimproved land value.

MR COE: So 40 per cent above that?

Ms Hunt: Forty per cent above that.

DR BOURKE: Are you able to table that?

Ms Hunt: It was not me. It was part of our group. I could find the posting and table it, yes.

DR BOURKE: I am interested in the valuation.

THE CHAIR: The HIA and the MBA—no-one can give us a figure of how many people might take up that opportunity but they indicated that it would not be necessarily very strong because the dual occupancy ratios might prevent it. Did that persuade you in any way that the value may not go up as much as you have anticipated that it would because it might not be as attractive?

Ms Hunt: No.

THE CHAIR: As you have probably figured out, building a house is not cheap, necessarily for a builder either.

Ms Hunt: No.

THE CHAIR: Or for an owner. If the economics were to change and there was not that much additional value because there were stricter controls on a dual occupancy, would that change your view?

Ms Hunt: No I do not think it would, because there are still extra costs. We know the costs are going up every day anyway across all of Australia.

THE CHAIR: Land values?

Ms Hunt: As land. But every single dollar counts, especially when you are being

forced to pay for something that you did not want to destroy in the first place. Despite what they have said and they think that it will not go up that much, it is still going up, and it is still driving people like me out of the market.

MR WALL: I am keen to get to the core of the concern with this draft variation. Understanding the personal connection that you and many of your members have with the land that once was their home and the big question mark that hangs over their head as to whether or not they will be able to return, is the objection in part to these changes the fact that it is seen more as a cost-recovery initiative rather than sound planning? If the changes themselves were being implemented more broadly, not just on Fluffy blocks but across RZ1 areas more broadly, would that be more palatable, or is it that this is seen as a cost-recovery exercise to minimise the liability to government?

Ms Hunt: Both. There are people within the group that solely think this is a cost-recovery exercise. And there are people like me who feel that this piecemeal attempt to change RZ1 blocks is fundamentally wrong. We object on both fronts. Yes there are considerations we need to recoup some of the costs, but eroding the planning piecemeal by piecemeal by little bit is not the way to plan.

DR BOURKE: If I might clarify, this is something you brought out at the start of your submission, the discrepancy between DV 343 and the rest of RZ1. From what you have also said today, I am assuming that you think DV 343 should not be applied to all RZ1?

Ms Hunt: No.

DR BOURKE: I wanted to put that to you.

Ms Hunt: I personally do not. You have the zones and there are specific planning permissions for a reason. If you are going to just say all corner blocks or all RZ1 blocks can be made unit title, dual occupancy, why have an RZ1 zone at all? Just go straight to RZ2. Start there.

DR BOURKE: What about the rest of your group?

Ms Hunt: I believe from what the rest of the group has told me, yes they would also object.

DR BOURKE: You do not see any merit to the suggestion that has been presented earlier in the day that these changes should be applied to all RZ1?

Ms Hunt: No I do not. I do not think that the group would either.

THE CHAIR: In terms of the planning argument that currently there is high demand but a real barrier to supply for downsizing, for affordable housing in established suburbs for young couples or singles, rather than having an apartment, what do you make of that case?

Ms Hunt: If that is what industry is telling you, that there is a drive for that—from

what we have seen of apartments, people would prefer to live in a house or at least a townhouse rather than an apartment—then if that is what the need is, then that is what the need is. But to retrofit that to established older suburbs I do not think is the best way of doing it.

THE CHAIR: So for older people, for people who have lived in a suburb all their lives and want to have a smaller house on a smaller block, which we have heard, as one of my other members mentioned, through a number of committee processes that people are saying there is no ability to do in Canberra, do you see another way of meeting that demand for older people to stay in their suburbs on smaller blocks if they cannot currently do that?

Ms Hunt: Not unless there are areas where you can, such as old schools or petrol stations or other green areas that can be filled in in that way. But you also have to remember that there are people like me who are not that elderly and who would also like to return to my neighbourhood and stay in my neighbourhood but do not necessarily want a dual occupancy on my block.

MR COE: Are you able to give us some background about the group and whom you actually represent—we did not get that at the beginning—and how the group came about?

Ms Hunt: It is a Facebook group community basically that came about in reaction to this entire, I have to call it, debacle. We were not getting the answers or the support from the task force or other community groups that we needed. So a group of people just got together and created the group. Over the last nine months, 456 people have joined that group. We provide honest, open information, which does not make everybody happy, but it is out there and it is information that we have desperately needed.

I would also like to state that because most of us have not had the support and understanding or the communication from the task force our group has been a vital source of that information and a vital support to the actual Fluffy community and the neighbours and their families. Without the group, most of us would be basket cases, I think. The task force have actually asked us to jump into a black hole and just sell, whereas at least we have some recourse through our group, some support. You are welcome to join.

THE CHAIR: I want to make a comment. This is my comment and is not on behalf of the committee. In terms of the number of submissions that we have received and looked through both in terms of the EPD and the submissions on the draft variation, I accept your comments on the number that do not support it but I personally note a number of the reasons to not support DV 343 may not necessarily be based on the changes within DV 343 themselves. For example, a number of submissions say no dual occupancy on anything in RZ1 but perhaps, like you say, there are probably more people with knowledge of the planning system in Canberra than there are in other parts of the country. But still a lot of people are not across the detail of what is a complex system. We have delved beneath that to try and get the substance of it.

On a personal note, I accept established suburbs. But I make the case that a lot of

people live in newer suburbs. I have personally lived in both where families are able to have barbecues and swimming pools and be a community. So it was really some reassurance that it changes as a community is established. It may not necessarily destroy a community where families cannot—

Ms Hunt: No, and that was not my point, that it was destroyed. But it definitely changes it. One of the things I have found is that driving around these established suburbs people go, “Look at that house. I’d like to live there.” They actually aspire to live in the larger gardens and, yes, while the new suburbs are wonderful communities, people still aspire to live with larger blocks and a nice community as well.

THE CHAIR: Thank you.

The committee adjourned at 4.14 pm.