



Inner South Canberra Community Council

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ISCCC SUBMISSION IN RESPONSE TO HOUSING CHOICES DISCUSSION PAPER

The Inner South Canberra Community Council (ISCCC) is grateful for the opportunity to comment on the Housing Choices Discussion Paper of November 2017 (the Paper).

The ISCCC is a voluntary, not for profit, community-based association operating in the inner south area of Canberra. The ISCCC's objective is to preserve and improve the social, cultural, economic and environmental well-being of Inner South Canberra and the Inner South Canberra community.

We are the peak community representative body in Inner South Canberra representing the interests of local residents and communities with representation from:

- Old Narrabundah Community Council
- Griffith Narrabundah Community Association
- Yarralumla Residents Association Inc
- Deakin Residents Association
- Red Hill Residents Group
- Kingston and Barton Residents Group
- Oaks Estate Progress Association
- Forrest Residents Group

The ISCCC would be happy to discuss any matter raised in this submission in more detail should EPSDD wish to explore the matter further.

Yours sincerely

21 March 2018

EXECUTIVE SUMMARY

Guiding Principles for Future Housing Development

The ISCCC contends that the ACT Government should be guided by the following principles in the development of its future housing strategy:

- The various residential zoning categories (RZ1 to RZ5) should display diversity of housing types *between* the zones, but not *within* each residential zone;
- The current policy of restricting dual and triple occupancy redevelopment to the RZ2 (Core Area) zone while leaving the RZ1 (Suburban Area) free of such developments should be continued;
- Most of the anticipated increase in Canberra’s population should be accommodated in the medium density (RZ3/RZ4) and high density (RZ5 and any subsequently established high density) planning zones;
- The density of the residential housing zones should be linked to the City Centre/Town/Centres/Groups Centres/Local Centres hierarchy to ensure that people live close to work, retail, entertainment and other infrastructure and services;
- Housing diversity should be accompanied by social diversity;
- No changes should be made to the existing zoning arrangements until there has been a thorough review of these to assess to what extent these have been effective.

Summary of Recommendations

In addition to the guiding principles outlined above, the ISCCC has produced a series of recommendations responding to the proposals and questions outlined in the Housing Choices Discussion Paper. These recommendations can be divided into three key areas: recommendations relating to zoning and coverage issues; recommendations relating to building planning, quality and transparency; and recommendations related to social inclusion. These are summarised below and outlined in greater detail in the body of the submission.

Recommendations related to Zoning and Coverage Issues

The ISCCC recommends that the ACT Government:

- 1) Abstain from any decisions in relation to RZ1 and RZ2 planning zones until:
 - a) The success of the “Mr Fluffy” experiment is evaluated (the ISCCC has some suggestions in relation to this but these are beyond the scope of this paper); and
 - b) It has been demonstrated that the existing strategy of restricting dual/triple occupancies to RZ2 zone has failed to meet its policy objectives;
- 2) Consider and justify proportions of each of high density and medium density housing the Government wishes to see located in the City Centre, the Town Centres, Group Centres, and in the ACT overall and explain why and how these would maximise the utility of housing choices for all Canberrans;
- 3) Resolve pressing problems with CZ5 zones, including poor build quality, inequitable strata titles that disadvantage residents over commercial tenants, and exclusion of commercial zones and some precincts such as the Kingston Foreshore from ACAT appeals;
- 4) Merge the existing RZ3 and RZ4 planning zones, given the similarity between the two zones;

- 5) Retain the “Dwelling Replacement Rule” and take other steps to ensure that medium and high density living becomes a more viable choice for households of more than two members, particularly families;
- 6) Review plot ratio rules once a mandatory requirement is introduced for a specified proportion of permeable open space capable of supporting large shady trees;
- 7) Require that comprehensive suburban Precinct Codes be prepared in consultation with local communities that cover each suburb, including RZ1 and RZ2 zoned areas;
- 8) Continue and improve protection for heritage precincts from development that would damage their heritage qualities by including specific provisions for each heritage area in the appropriate suburb precinct code and other steps as appropriate;

Recommendations related to Housing Planning, Quality and Transparency

The ISCCC recommends that the ACT Government:

- 9) Require all practicing Engineers, Draftspersons, Architects and relevant trades within the ACT to hold an authorised License, Registration or Institute membership;
- 10) Require Builders and Developers to advise all affected “off the plan” buyers, and publish on the internet, all variations to building plans, fit-out, fittings and landscaping;
- 11) Improve purchasers’ understanding that the certifier is their advocate in ensuring the quality of the dwelling being constructed for them.
- 12) Restore public confidence in the planning process through:
 - a) the establishment of an independent and adequately funded planning authority (IPA) that is accountable directly to the Legislative Assembly;
 - b) the transfer of responsibility for monitoring and enforcement of ACT planning and building rules from Access Canberra to the IPA;
 - c) ensuring the integrity of the IPA by establishing an Independent ACT Integrity Commission (IAIC) and a mandatory review by the Auditor General every three years of the IPA’s execution of its responsibilities;
 - d) Improvement of planning appeals procedures by:
 - i) Ensuring that ACAT provides cheap, accessible and timely decisions on planning disputes;
 - ii) Reviewing the ACAT regularly through mandatory triennial reviews by the Auditor General; and
 - iii) Discouraging in the strongest terms any tendency by the IPA to become joined as a party to any side in a planning matter before the ACAT;

Recommendations related to Social Inclusion

The ISCCC recommends that the ACT Government:

- 13) Ensure a more balanced distribution of public and community housing throughout the ACT through clearly articulated plans reflecting social diversity in housing diversity;
- 14) Provide sufficient resources to properly maintain public housing assets and enforce the provisions of public housing tenancy agreements;

- 15) Use the redevelopment of the Red Hill, Stuart and Gowrie Court flats as exemplars of high quality and socially inclusive redevelopments to demonstrate the Government's willingness and ability to improve the quality of planning and building design and construction.

Introduction

- 1) ISCCC welcomes the statement in the Paper's Executive Summary at p.3 highlighting the focus on residential zones (RZ1–RZ5) and the requirements of the multi-unit housing development code. The ISCCC endorses the Paper's view that 'maintaining the character and amenity of Canberra's suburbs is fundamental to maintaining Canberra's reputation as a garden city' and looks forward to the Government taking effective steps to protect Canberra's suburbs and the RZ1 zone and codify the character of these areas into the Territory Plan as suburban Precinct Codes.
- 2) The ISCCC believes that when conducting policy discussions it is important to draw on all the available facts, and to be very clear and precise as to what are the Government's objectives. To this end the ISCCC would like to draw attention to Table 1: Australian Dwellings by Type 2016, based on numbers provided by the ABS. This shows that Canberra currently has the second highest proportion of high density dwellings in Australia after Sydney, and about 30% more proportionately than Melbourne. In terms of medium density dwellings Canberra is only slightly behind Melbourne (22.9% for Melbourne vs 21.8% for Canberra). The ISCCC urges the Government to consider and justify the proportions of high density, medium density housing that it regards as appropriate for Canberra, and where these approach or exceed the proportions in Melbourne, explain what Canberra gains by being denser than a city about 12 times Canberra's size.
- 3) The ISCCC shares the common perception that housing supply in Canberra is failing to adequately provide for groups such as those that:
 - do not wish to live in a detached house on a large block, but also do not wish to live in a multistorey apartment, and would consequently welcome more terrace and town house developments; or
 - do want to live in an apartment, but because of the size and structure of their family or other reasons, cannot find anything suitable in a market dominated by cheap, small and badly designed apartments aimed at investors.

Given that the market shows no sign of addressing these failings it may be that the Government will have to intervene, but it should do so on the basis of evidence as to where the difficulty lies..

Changes to High Density and Medium Density Zoning

- 4) Certain areas in the Inner South, notably Kingston and Barton, have a preponderance of CZ5 (mixed use) housing. This very significant zone is not discussed in the Housing Choices paper, yet there are pressing problems affecting residents in these areas. Strata titles in mixed use buildings in CZ5 zones create tensions due to inequitable sharing of electricity, water and other costs between residents and commercial tenants, and inappropriate use of basement parking and lifts for commercial use. One option to address this is separate strata titles to apply for residential use.

Planning decisions relating to CZ5 and other commercial zones cannot be appealed against in ACAT, and this disenfranchises many people living in mixed use buildings and concerns people who would like to live in CZ5 areas. Appeal rights should be restored for planning decisions relating to these zones.

- 5) The current zonings provide for three low(er) density zonings. The RZ3 zoning does not appear to be used much and the ISCCC is not aware of any examples in the inner South. With a height limit of only 2 storeys RZ3 is right at the bottom of Medium Density. If it were to be merged with another planning zone, it would seem RZ4, which is also Medium Density, is more appropriate than RZ2, which is Low Density. The ISCCC consequently contends that there might be scope for merging the two medium density zonings, RZ3 and RZ4, and encourages Environment, Planning and sustainable Development Directorate (EPSDD) to explore this option.

Planning Zones and the City/Town/Group/Local Hierarchy

- 6) The ISCCC contends that a significant proportion of Canberra's anticipated increased population can and should be accommodated around the City Centre (Civic and its surrounds), the four Town Centres (Belconnen, Gungahlin, Woden and Tuggeranong), the 18 Group Centres and the suburban Local Centres so that people live near where the jobs, retail, entertainment and other infrastructure and services are located. The permitted housing densities should reflect this hierarchy.
- 7) A strict enforcement of this hierarchy would provide increased definition of the city, town centres, and group centres. It would also ensure that higher concentrations of population were located where there were more jobs and other facilities, and simplify transport needs by locating population in nodes rather than in a uniformly distributed mass of housing developments of randomly varying densities.

Changes to RZ2 Zoning

- 8) The ISCCC also contends that minor changes to RZ2 might be desirable or acceptable, such as modifying the rules so as to permit one dwelling on top of another as a dual development, instead of side by side, as at present, or to remove the illogical lowering of the plot ratio to 35% when one dwelling is to be located behind another. This latter rule is incomprehensible (its principle consequence is that one of the two dwellings involved has markedly inferior solar access, which one would have thought an undesirable outcome) and its policy intent is unclear, as RZ1 dwellings, RZ2 dwellings side by side, and RZ2 triple or higher occupancies are all permitted a 50% plot ratio.

Need for Evidence in relation to effectiveness of RZ2

- 9) The Mr Fluffy rules which permit the subdivision and construction of dual occupancies on RZ1 blocks, was heralded as an "experiment" to test the acceptability of RZ2 style developments in RZ1. Unfortunately no criteria for evaluating the success or failure of this experiment were made public at the time. The ISCCC believes it appropriate that the Mr Fluffy redevelopment experience be assessed before any other actions are proposed in relation to RZ1. The ISCCC has views on some of the possible indicators that could be

employed when doing such an evaluation but these are beyond the scope of this paper. However ISCCC would be very happy to discuss these at a suitable date.

- 10) The ISCCC also contends that before the Government declares RZ2 to be a failure it needs to demonstrate that the existing RZ2 zoning has failed to meet development demand for dual occupancies in Canberra. In an attempt to bring real data to this discussion the ISCCC notes that the Griffith Narrabundah RZ2 zone surrounding the Griffith shops on Stuart St consists of 75 original blocks with a total area of 62,945m². However, 25 of these blocks are smaller than 700m², and so cannot be redeveloped as dual occupancies, and three (Throsby Court, and the flats at Nos 48 and 50 Stuart St on either side of Favenc Circle) have been multi-unit developments since the suburb was first developed. This leaves 42 blocks with a total area of 48,926m² available for dual occupancy development. Since the introduction of the RZ2 zoning some 11 blocks (or 26.2% of the available blocks) with a total area of 15,825m² (or 32.3% of the available area) have been redeveloped as dual occupancies. A further three blocks (with a total area of 2,925 m² (7.1% of the available blocks and 6.0% of the available area) have been extensively remodelled (with the addition of an upper storey) or rebuilt as single dwellings. This relatively low take up for dual occupancies suggests that there is no real shortage of RZ2 blocks available for redevelopment and that a significant proportion of those who buy into the RZ2 zone prefer to construct single dwellings.
- 11) We would welcome EPSDD providing Canberra wide data on this issue. For example, what number and percentage of RZ2 blocks in the existing RZ2 areas are over 700m², and therefore available for subdivision? Since 2008 and the introduction of Variation 200 what number and proportion of such blocks, have been redeveloped? And of these, how many and what proportion have been redeveloped as dual occupancies? It would be premature to decide that it was the spatial extent of RZ2 zones that were the root cause of any problems. The ISCCC would welcome the opportunity to take part in any consideration of these issues.

Public Preference for Separate Dwellings

- 12) Table 2 “Current, Future and Ideal Dwelling Choice” is a table originally produced by Winton Sustainable Research Strategies in their “Housing Choices Community Survey”, and reproduced in the Housing Choices Paper. The table shows that an overwhelming proportion of Canberrans would prefer to live in a separate house on a large block. Some 44.1% (31.5+12.6) of respondents currently live on a block that is larger than 799 m², some 57.5% (52.6+4.9) expect to live on a block larger than 799m², and 72.1% (44.2+27.9) would like to live on a block larger than 799m². This preference for life on a large block dwarfs by a factor of ten the next most popular preference, which is 7.2% for a separate house on a block between 700m² and 799m². Preference for attached housing is slight, with only 5.6% preferring a unit in a building of three storeys or less, 5.2% for a townhouse or duplex, and smaller figures for other forms of attached housing. Why the Government feels the need to encourage developments which are favoured by only about 16% of the population, while ignoring the preferences of 73% of the population, is not borne out by the evidence. If it is about developing a “compact” city, then the Government should state that clearly as its objective rather than suggesting that this is the wish of the majority of the population, as the survey indicates clearly that it is not.

Benefits of Densification

- 13) While not questioning that some densification of Canberra could yield some advantages, any realistic assessment of the benefits of such a policy must be cognisant of the significant problems bequeathed to Canberra by the scale of its design. Its layout of separate Town Centres surrounded by suburbs each separated from other districts by greenbelts, and the reserves for hills and lakes, means that even if all the residential land in Canberra had its dwelling density increased to that of Manhattan the overall density for the entire city would still be relatively low, and service reticulation and public transport costs consequently higher, than might have been expected.
- 14) That said, it appears that Canberra's density may not be unusually low by Australian standards. The National Cities Performance Framework Dashboard produced by the Australian Government Digital Transformation Agency (at <https://smart-cities.dashboard.gov.au/all-cities/overview>) indicates that while Canberra's density is 1,660 persons per square km, Brisbane's is 1,620, Adelaide's 1,590, and Perth's 1,540. This suggests that Canberra has not been unsuccessful in encouraging densification.

Need to make Apartment Living attractive to groups other than young renters

- 15) The ISCCC presumes that the Government desires to retain social diversity as well as housing diversity. To this end it is essential that the Government ensures that there are apartments of a size and standard likely to be attractive to families. The ISCCC is consequently vigorously opposed to any proposal to repeal the Dwelling Replacement Rule, which requires that in any redevelopment one 3 bedroom dwelling must be provided in the redevelopment for every 3 or more bedroom dwelling demolished for the redevelopment. It might be desirable for the Government to take other steps to make apartment living attractive for families and for downsizers who are not attracted by the current plethora of small, low standard one and two bedroom apartments aimed at the investor market.

Failure of Plot Ratio Rules

- 16) It is now clear that the Plot Ratio rules are not achieving anything worthwhile, as it appears that houses may be built to cover most of the block without being in breach. The ISCCC believes that the plot Ratio Rules should be reviewed once a mandatory requirement is introduced for a specified proportion of permeable open space capable of supporting trees that provide shade in summer and solar access in winter. Climate change poses a threat to all cities, and one of the most effective ways to ameliorate the changes is to increase the number of trees (preferably deciduous trees). Canberra is fortunate that many of its suburbs have ample public and private space for trees, but steps must be taken to protect these tree planting spaces and to ensure that they are occupied by large shady trees. CSIRO's recent report on "Mapping Surface Urban Heat in Canberra" highlights the importance of ensuring that green cover and green spaces are not lost through urban densification"¹.

¹ See recent CSIRO report on "Mapping Surface Urban Heat in Canberra", page 41, https://www.yoursay.act.gov.au/application/files/6415/1976/9241/CSIRO_Mapping_Surface_Urban_Heat_In_Canberra.pdf, accessed 6 March 2018.

- 17) In relation to this issue the ISCCC notes that the National Capital Authority's (NCA's) recently released "Draft Amendment 89 Deakin/Forrest Residential Precinct" proposes the following requirements for blocks within the precinct:
- a single dwelling only per block
 - new and existing trees to be capable of providing at least 15% canopy coverage of a site when trees are mature
 - not less than 35% of the total site area to be for planting area (meaning an area of land covered by trees, grass or lawn, garden beds, shrubs, and the like).

- 18) The Draft Amendment goes on to say further on that
- “Trees should be chosen to contribute to energy efficiency by providing substantial shade in summer, especially to west facing windows, and admitting winter sunlight to outdoor and indoor living areas, especially to the north.
- Not less than 35% of total site area should be for planting area. Planting area means an area of land within a block covered by trees, grass or lawn (not including synthetic turf), garden bed, shrubs (including hedges) and the like. Planting area does not include any area covered by buildings (including basement), swimming pools, vehicle parking or manoeuvring areas (whether permeable or not), or any other form of impermeable surface.”

If this is good enough for the NCA the ISCCC cannot see why similar provisions cannot be inserted into the Territory Plan.

Other Legislative Responses to improve the Effectiveness of the System

- 19) The ISCCC understands that the ACT is one of the few jurisdictions in Australia where one may practice as an engineer, draftsman, architect or in certain trades without holding an authorised licence, registration or institute membership. This should be rectified and people prevented from practising in these professions or trades without adequate qualifications and being registered, licensed, or holding membership of a specified professional institution.
- 20) Anecdotally, many owner-builders are not aware that they have the right to appoint an independent certifier to ensure their builder complies with planning requirements. In the case of multi-unit developments, off-the-plan buyers often don't find out until it is too late that a series of minor amendments have led to them not receiving the kind of dwelling they expected.
- 21) It should be possible with current technologies to provide transparent and easy to access information to empower these consumers to advocate for their rights. If necessary, the Government should take further steps as appropriate to improve purchasers' understanding that the certifier is their advocate in ensuring the quality of the dwelling being constructed for them.
- 22) Also, builders and developers should be required to advise all affected "off the plan" buyers, and publish on the internet, all variations to building plans, fit-out, fittings and landscaping,

notwithstanding any provisions in the contract of sale which might permit such changes without the purchasers' knowledge.

Precinct Codes to cover RZ1 and RZ2 and Heritage Areas

- 23) Prior to the commencement of Variation 306 in 2013 many suburban areas of Canberra were subject to their respective suburb's Neighbourhood Plan which formed part of the Territory Plan. One of the consequences of Variation 306 was that these Neighbourhood Plans were removed from the Territory Plan but this was accepted by legislators and the community because firm undertakings were given by the then minister that the Neighbourhood Plans would be replaced with appropriate elements in the various suburban Precinct Codes to be introduced subsequent to the commencement of Variation 306. In the event, this did not happen – precinct codes were introduced for all suburbs but no substitute for Neighbourhood Plans was introduced. For example, the Griffith Precinct Code has sub Precinct Codes covering the Amaya apartment development, Manuka Group Centre, that portion of Griffith north of Canberra Av redeveloped as multi storey apartments and the Griffith industrial area around Hume Place. However, the Griffith Precinct Code is incomplete, and there are no sub Precinct Codes specifying the neighbourhood characteristics of the Griffith RZ1 Suburban Area, or the RZ2 Suburban Core, or the Blandfordia 5 Heritage Precinct.
- 24) The ISCCC contends that that the current system of incomplete Precinct Codes is dysfunctional and completely inappropriate. If one consults a Precinct Code for a suburb and cannot find any reference to the area of interest, what does it mean? Are there no special provisions that apply to the area? Are there some, but EPSDD has not gotten around to inserting these into the Precinct Code? All this is quite unclear. The ISCCC regards such ambiguity at the heart of a planning system as unacceptable and unworkable because they do not cover the complete "neighbourhood" and the ad hoc approach is totally unsatisfactory.
- 25) The ISCCC is of the view that the impact of this problem is probably worst in the suburbs of inner Canberra, both north and south, where redevelopment is currently more intense than in the outer, newer, suburbs of Canberra. The ISCCC would be happy to work with EPSDD and relevant residents groups in developing Neighbourhood Plans for the suburbs of the inner south.
- 26) It goes without saying that any extant provisions relating to heritage areas in Precinct Codes as they are currently written should continue. Protection for heritage precincts from development that would damage their heritage qualities should be improved by including specific sub precinct codes for each heritage area in the appropriate suburb Precinct Code, as well as by other steps as appropriate.

Public Housing Issues

- 27) The Government's decision to redevelop a number of public housing sites in the inner North and inner South of Canberra has drawn public attention to the issue of the location and size of public housing complexes. The ISCCC considers that housing diversity includes social diversity, and that consequently public housing should be distributed relatively uniformly across Canberra's suburbs, preferably within walking distance of town, group and local

centres, and that concentrations of disadvantage should be avoided through a true “salt and pepper” policy.

- 28) The ISCCC reminds the Government that public housing tenants have the same rights as other residents of Canberra to be protected from antisocial behaviour by their neighbours, and the same legitimate expectations that their dwellings are properly maintained and reflect current standards for insulation, solar access and the like. The ISCCC consequently urges the Government to provide sufficient resources to properly maintain public housing assets and enforce the provisions of public housing tenancy agreements.

ACT Design Review Panel

- 29) The ISCCC notes that the Housing Choices Paper concludes with a proposal to establish an ACT Design Review Panel to provide independent expert design advice for private sector development proposals and key public infrastructure projects. The hope is that this will achieve improved quality of development, reduced risks and costs for development and faster development approval processes, which it is hoped will lead to improved amenity for building occupants, neighbours and the broader community. No timeframe has been indicated for the establishment of such a panel.

- 30) The ISCCC wishes this initiative well, while noting that the ACT’s success to date in raising the appallingly low building standards in the ACT and an apparently persistent inability to enforce planning decisions and reign in rogue certifiers does not inspire confidence in the ultimate success of this proposal. However, the ISCCC notes that there are significant public housing site redevelopments scheduled for the Red Hill flats, Stuart Flats and Gowrie Court Flats in the inner South in the next few years. The redevelopment of these sites as high quality and socially inclusive redevelopments would demonstrate the Government’s willingness and ability to improve the quality of planning and building design and construction in the ACT and provide examples to be followed throughout the ACT.

Significant Reform of Planning to restore confidence in the quality of planning and development.

- 31) It can be argued that this topic is not closely related to improvement in the supply of housing in the ACT, and consequently lies outside the scope of this document. However, this argument is refuted by the Housing Choices Discussion Paper itself, which concludes with an outline of the Government’s proposal to establish a Design Review Panel as discussed above. The Government’s intention is that will improve the quality of development, and hopefully improved amenity for building occupants, neighbours and the broader community. This proposal is an implicit concession by the Government that the low quality of design and construction in Canberra at present has lowered public faith in the Government’s ability to achieve good planning outcomes.
- 32) The ISCCC’s view is that this initiative will achieve little, and that a more vigorous shake up of Canberra’s planning structures will be needed to restore public confidence. The ISCCC is concerned that ACTPLA/EPSSD has been so stripped of staff and funding that it is not able to adequately execute its duties. The Canberra community has lost confidence in the

Government's ability to ensure the quality of new houses and multi-unit developments. As indicated in the Winton survey, 60 per cent of respondents were reluctant to consider higher density housing due to concerns about building design and poor construction quality. There is no real housing choice if people face the prospect of high costs and possible litigation to rectify building defects. The system is "broken" and important governance changes are needed to fix it. The ISCCC considers that this could be remedied by establishing an independent planning authority (IPA) to administer the ACT Planning and Development Act and undertake related planning and building rule related activities.

- 33) To be truly independent the IPA would need to be established with an independent head, or Chief Planner, and its own staff structure requiring suitable qualifications and entirely separated from the rest of the ACT public service, so that IPA officers could not be induced to adopt responses likely to please Government to advance their own careers. Independence also requires access to appropriate and adequate funding to carry out its legislated duties, rather than annual funding at the whim of the Government. Possibly this could be set by an independent commission which would set the funding in five year blocks. Possibly fees for the provision of planning services could be hypothecated to the IPA. Some of these changes may require legislation.
- 34) As part of these reforms, responsibility for inspections, and policing and enforcement of planning and building rules and regulations should be transferred from Access Canberra to the proposed IPA to restore the currently lacking public confidence in the quality of new buildings, including compliance with requirements in relation to water proofing, solar access and energy efficiency.
- 35) In place of responding to a Minister, the IPA through the Chief Planner would be responsible to the ACT Assembly as a whole. An essential integrity control would be the establishment of an Independent ACT Integrity Commission with the power to investigate any matter on its own motion, thus being able to investigate and prevent planning irregularities such as took place in Wollongong. To provide adequate scrutiny of the IPA's effectiveness in carrying out its duties the ACT Auditor General should be required to report to the assembly on ACTPLA execution of its duties at least every three years and more frequently if this is felt necessary either by the Assembly or the Auditor General.
- 36) Further important elements of this reform would see public confidence in the planning process improved through establishment of a cheaper, more accessible and speedier appeals system than is currently provided through the ACAT. Clearly this is a large subject and beyond the scope of this paper apart from noting the need to reform the operations of the ACAT. However, the ISCCC would welcome the opportunity of participating in discussions on such reforms in due course.
- 37) Once the reforms have been put in place the operations of the ACAT should be monitored regularly (we would suggest triennially) by the Auditor General to ensure that it continued to provide a cheap, accessible and timely planning appeals forum.

38) At present a considerable proportion of the planning budget is spent on ACAT hearings where EPSDD joins with either the plaintiff or the respondent and is represented by its own QC and instructing solicitor. This is unnecessarily expensive and the ISCCC preference would be that EPSDD's planning resources are directed to getting the initial planning decision correct, rather than defending it at great cost if subsequently appealed. The ISCCC notes that EPSDD would have no dog in any planning fight if it were sure that it had decided the issue correctly in accordance with the planning rules. If the ACAT rules that the planners have misinterpreted these rules the correct response by EPSDD would be to note the error and take account of this in future decisions (and publish the reasoning behind such decisions on the internet).

Vision for Canberra

- 39) It would have been more helpful had the Housing Choices Paper asked what Canberra should be like in 10 to 50 years. It should have posed questions about such issues as the nature of the future landscape, where the jobs will be, and how the transport system will be designed to meet realistically anticipated growth. Without such questions there is no big picture. And without the big picture, how can decisions be made about what sort of housing is wanted or needed and where it should be located?
- 40) The ISCCC is aware that this year the ACT Government will review the ACT Planning Strategy 2012. It would have been preferable for community engagement to be undertaken first in response to that review to provide an up-to-date context for community engagement on housing choices.
- 41) The ISCCC would be happy to discuss any matter raised in this submission in more detail should EPSDD wish to explore the matter further.
- 42) Finally, the ISCCC wishes to acknowledge the incredible contribution of the ISCCC Deputy Chair, John Edquist, in preparing this submission.

Yours sincerely



Marea Fatseas
Chair

21 March 2018

Table 1: Australian Dwellings by type 2016 (%)

	Sydney	Melbourne	Canberra	Brisbane	Adelaide	Perth	Australia
Separate house	55.0	66.1	64.8	74.4	73.1	74.6	71.1
Medium density	20.3	22.9	21.8	15.3	23.9	19.6	17.9
High density	23.5	10.1	13.0	9.0	2.3	5.1	9.1
Other	1.2	0.8	0.4	1.2	0.7	0.7	2.0

Table 2: Current, Future and Ideal Dwelling Choice % of respondents

Type of Dwelling	Current dwelling	Expect to move to	In an Ideal World
Separate house on block <500m ²	8.3%	4.3%	1.7%
Separate house on 500m ² <block<699m ²	11.0%	11.8%	3.2%
Separate house on 700m ² <block<799m ²	22.1%	17.4%	7.2%
Separate house on 800m ² <block<1049m ²	31.5%	52.6%	44.2%
Separate house on block<1050+m ²	12.6%	4.9%	27.9%
Townhouse or Duplex	3.6%	0%	5.2%
Row or Terrace Hse	0.9%	0%	0%
Dual Occupancy	1.3%	0%	3.2%
Unit Block <3 storeys	4.9%	7.3%	5.6%
Unit Block 3+ storeys	3.7%	1.7%	1.7%
Totals	99.9%	100.0%	99.9%

Source: Winton Sustainable Research Strategies (2015). Housing Choices Community Survey, Canberra: ACT Government, Chart B, p.3