



MICK GENTLEMAN MLA

Minister for Planning and Land Management
Minister for Racing and Gaming
Minister for Workplace Safety and Industrial Relations
Manager of Government Business

Member for Brindabella

Mr Tom Duncan
Clerk
Legislative Assembly for
the Australian Capital Territory
London Circuit
CANBERRA ACT 2601

Dear Mr Duncan

I write to you to provide my response, pursuant to standing order 100, to petition No. 6-16 lodged by Mr Simon Corbell MLA in the Legislative Assembly (the Assembly) on 3 August 2016.

The Government is committed to protecting the residential amenity and character of established suburbs, including Hackett. There are 29 blocks in Hackett included on the list of blocks affected by loose fill asbestos insulation. The majority of these blocks are located within the residential RZ1 suburban zone. I approved Territory Plan variation number 343 (V343), to permit unit titled dual occupancy development on 'Mr Fluffy' blocks surrendered under the Loose Fill Asbestos Insulation Eradication Scheme in 2015. My decision was based on a need to defray some of the significant cost of the Government's response to the 'Mr Fluffy' issue whilst continuing the positive neighbourhood amenity in the established Canberra suburbs. V343 commenced on 17 February 2016.

The variation was subject to the statutory requirements of the *Planning and Development Act 2007* including public consultation and an inquiry by the Legislative Assembly Standing Committee for Planning, Environment and Territory and Municipal Services. At the time the Environment and Planning Directorate and the Asbestos Response Taskforce worked extensively to publicise the draft variation. This included attending Community Council and other stakeholder and community meetings. In this regard, I consider appropriate consultation has been undertaken in relation to the provisions that apply through V343.

ACT LEGISLATIVE ASSEMBLY

Phone (02) 6205 0218 Email gentleman@act.gov.au



@GENTLEMANMick MickGentleman

V343 facilitates modest urban renewal throughout the capital, by focusing on the redevelopment of remediated Mr Fluffy blocks and limiting these to dual occupancy development. This is a modest increase in housing density and does not include 'higher density' development such as apartments. It should also be noted that V343 does not apply to heritage blocks; only loose fill asbestos affected blocks surrendered under the ACT Government Buyback Scheme, within the RZ1 zone and 700m² or larger. All other loose fill asbestos blocks are subject to the existing relevant Territory Plan requirements.

V343 reduced the minimum block size for dual occupancy development within the RZ1 zone from 800m² to 700m². It also introduced appropriate plot ratios for dual occupancy development on these blocks as well as the ability to unit title. These measures are intended to provide the option for dual occupancy development as a means of contributing to housing choice in established areas.

In order to protect residential amenity of surrounding properties V343 also imposed a strict one storey building height for all dual occupancy dwellings subject to the 35% plot ratio. This will mostly apply to dual occupancy developments where both dwellings do not front the street. A design criterion was also introduced to ensure dual occupancy dwellings protect the existing character of the streetscape. This means that proposals for dual occupancy development are required to comply with the full suite of provisions of the RZ1 suburban zone as well as the additional provisions introduced through V343.

I would like to point out that community consultation does not end with the commencement of V343. Dual occupancy redevelopment proposals under these provisions are also required to submit a development application which will be made available for public comment.

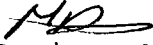
In Hackett, there are some 22 loose fill asbestos affected blocks within the residential RZ1 zone that are 700m² or larger. Of these blocks only 8 are between 700m² and 800m². Blocks over 800m² were able to be redeveloped for dual occupancy before V343 came into effect. The difference is that dual occupancy development on these blocks can now be unit-titled.

The actual number of proposals for dual occupancy development on these 22 blocks is not known. Not all the blocks will necessarily be surrendered under the Loose Fill Asbestos Insulation Eradication Buyback Scheme. In addition, from information obtained as part of the Buyback Scheme, it is anticipated that many of the blocks will be redeveloped for single dwellings under a 'knock down and rebuild' scenario. This is already permitted within the residential RZ1 zone.

I appreciate the concerns raised through this petition. I acknowledge that the redevelopment of the loose fill asbestos blocks will bring change to many streets across the ACT and particularly where there are clusters of blocks. However, I also consider that there are significant safeguards to ensure the outcomes do not result in loss of residential amenity or adversely impact on the character of the residential streets of established suburbs like Hackett.

I am confident the existing provisions of the Territory Plan as well as those introduced by V343 will minimise the impact on residents of the ACT.

Yours sincerely



Mick Gentleman MLA
Minister for Planning and Land Management

10/8/16