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Dear Minister

CHANGES IN VARIATION 306 TO THE SETBACK REQUIREMENTS FOR COURTYARD WALLS IN THE RZ2 ZONE

It has recently come to the Griffith Narrabundah Community Association's (GNCA's) attention that the setback requirements in relation to courtyard walls in front of houses in the RZ2 zone was altered by the introduction of Territory Plan Variation 306.

It is our understanding that prior to Variation 306 taking effect the rules relating to allowable setbacks for courtyard walls located at the front of a multi-unit development were specified in Rules R64 and R66 and Criteria C64, C65 and C66 of the then Multi Unit Housing Development Code. The most important elements of these rules were that the total length of the wall was not to exceed "*50% of the width of the block, or 70% in the case of blocks less than 12 m wide, at the line of the wall*" and that the setback from the front boundary must be "*not less than 50% of the minimum front street setback*" (see Attachment A). The effect of these were such that for a typical RZ2 development, such a courtyard wall could only extend across half the width of the block, and had to be 3 m back from the footpath at the front of the block. These provisions successfully preserved some of the Garden City aspects of the inner suburbs and did not unduly intrude upon the streetscape.

The GNCA was therefore somewhat surprised to recently discover that these rules had been replaced in the now applicable Multi Unit Housing Development Code with a new R42, which specifies that in the case of walls which are "*located to the west, north-west, north, north-east or east of the dwelling*" the minimum setback to the front boundary need only be 700 mm (see Attachment B). These changes make a very significant difference to the building outcome, the streetscape and the neighbourhood character.

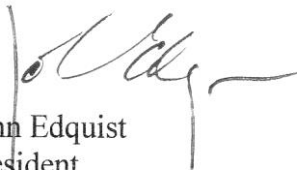
As advised above these new rules come as a surprise to members of the GNCA. Investigations soon confirmed that these changes had been introduced as part of Variation 306. However, there was no recollection that these changes had been canvassed in the

materials circulated during public discussion of Draft Variation 306. Despite an examination of the documents prepared and circulated by ACTPLA outlining the proposed changes introduced by DV306 we have not been able to identify any indication that this change was proposed.

The GNCA regards the possibility that this change was introduced without being flagged to the public, and possibly not to the Minister, as a matter of profound concern. However, we are also very aware that very many documents relating to the proposed changes were in circulation during the DV 306 consultation period, and in fact the large amount of documentation that had to be mastered was a frequent complaint by community groups and other stakeholders during the DV306 process. Consequently it is possible that this change may have been flagged but slipped in under the radar while community groups' attentions were directed at other issues. If this is the case the GNCA would appreciate your advice as to just where the possibility of this change was canvassed in the plethora of documents issued by ACTPLA during the DV306 public discussion process.

The GNCA would also welcome your advice as what policy objectives this change was intended to achieve, and what other alternatives (if any) to achieve the same objective were considered.

Yours sincerely



John Edquist
President

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