



Australian Institute of Architects

ACT Chapter

August 2016

**Submission to the Mick
Gentleman MLA, Minister
for Planning and Land
Management**

**Proposal for
Design Quality
Outcomes on
Former Mr Fluffy
Sites**

SUBMISSION BY

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PURPOSE

- This submission is made by the ACT Chapter of the Australian Institute of Architects (Institute) to the ACT Government, Environment and Planning Directorate to provide comments on Draft Variation 346 Residential Solar Access Provisions
- Comments have been prepared with the assistance of the Act Chapter Planning Committee.
- At the time of this submission, the ACT Chapter President of the Institute is Rob Henry.
- The ACT Chapter Manager is Leanne Hardwicke.

INFORMATION

The Institute is the peak body for the architectural profession in Australia. It is an independent, national member organisation with around 12,000 members across Australia and overseas and represents around 350 individual architects representing small and large practices within the ACT

The Institute works to improve our built environment by promoting quality, responsible, sustainable design.

The Institute exists to enhance the cultural, environmental and economic well-being of the community by:

- advancing contemporary practice and the professional capability of members, and
- advocating the value of architecture and architects

1. INTRODUCTION

The following proposal is made by the Australian Institute of Architects, ACT Chapter, (the Institute) on behalf of its 350 members. The Institute's members are concerned to preserve the special significance of Canberra as a high quality urban environment, but also acknowledge the need for a rational and sustainable change to the City as it continues to grow and develop.

2. BACKGROUND

It is regretful that a small business plan to improve the energy performance of Canberra houses mistakenly used an insulating product that has proven to have such deadly health effects. The result now is that over 1,000 houses with residual loose asbestos (known as Mr Fluffys) in ACT are now being demolished and their blocks cleared.

The Institute proposes that out of this unfortunate result, a beneficially long-term outcome can be achieved. A growing concern for many Architects over the past years has been the failure of the ACT to fully address urban change and offer a range of alternative housing typologies for the diverse population. To constrain unsustainable urban sprawl, Canberra requires more than just the same limited housing choices. A housing choice of high quality design and construction is expected.

Planning policies for established areas in Canberra currently only offer a housing choice between the extremes of high-density apartments in and around the town centres and low-density of single houses on single blocks. The houses are either original, often with poor thermal performance and accessibility for aging residents, or new and very large replacements of the original. The important housing choices for meeting a broad range of demographic needs, increasing the usage of existing services and infrastructure in the suburbs, and providing more diverse and vital neighbourhoods that result from increase in density cannot be met by relying only on the existing town houses, garden flats, walk-up flats and a small number of dual occupancies and secondary residences. More of these medium density typologies need to be provided. Newer and more innovative medium density typologies, including the limitations of unit titling, should also be reviewed and explored.

3. MR FLUFFY BLOCKS

The Institute understands that of the 1021 identified Mr Fluffy dwellings, about 770 are on blocks larger than 700sqm and DV 343 will apply. Not only is this a large number in itself, but also reflecting Mr Fluffy's sales processes, many are clustered together, being on the same street or section, and some 10% share a common boundary.

As they are in established suburbs, they can be expected to have irregular boundary shapes; some have steeply sloping topography, possessing all possible solar orientations and many variable impacts from neighbouring blocks. This situation across some 56 suburbs requires sensitive, responsible and imaginative design.

The Institute also understands that many neighbours to Mr Fluffy blocks are not just concerned about the demolition process, but also about the resulting built outcome. The Institute is fully aware of the very possible negative response to new dual occupancies by many residents in Canberra. If the new dual occupancies are not of a high quality design, then future neighbour criticisms may be justified and thus further inhibit opportunities for increasing housing diversity.

There is a need to improve the acceptance and the support for dual occupancies of high quality and sensitive design. Such recognition of the benefits, for example, may even see some older neighbourhood residents deciding to buy and continue to age in place. The ability of this increasing large demographic cohort to remain and age in their existing neighbourhood, but in a new house with improved thermal performance and accessibility could be very attractive. The resulting churn of house ownership, with an enlarged and diverse residential profile, can result in a revitalisation of a suburb's facilities and services.

4. URBAN DESIGN OUTCOMES

As Canberra continues to grow, it does have an opportunity to be an outstanding centre of urban and regional development that meets the needs of all its current and future citizens. The Institute believes that any city that wants to meet the challenges of inevitable urban change and minimise the unremitting urge to sprawl, with long-term sustainable infill outcomes, needs a visionary, long-term and robust planning strategy.

There are many planning and design initiatives available to the City to demonstrate its response to this challenge. An innovative response to the opportunities provided by the vacant Mr Fluffy blocks is one of these.

The Institute believes that Canberra's current planning rules, based on the premise of one (tick-a-box) control that suits all situations are too inflexible and offer very little incentive for innovative design. This constrained system has failed to deliver both the necessary number and quality of infill redevelopments for the City that needs to substantially improve its environmental footprint.

DV 343, which allows for unit titled dual occupancies to be built on many Mr Fluffy blocks, recognises dual occupancies as a sensible and benign way of responding to the natural demographic changes in Canberra's suburbs while retaining a low to low-medium scale of building.

However, the history of dual occupancies in Canberra as an innovative policy since the policy's introduction in 1980s has unfortunately been of concern to a number of vociferous residents. Unfortunately, a number of the delivered projects have been of poor quality design and have also been insensitively presented to the neighbours. As a result, the provisions of dual occupancies have been regularly and regressively weakened, to a point of near extinction.

Therefore, to re-introduce such a controversially perceived impact on these parts of a neighbourhood without a sensitive and responsible design approach, could result in a very disappointing design outcome, undesirable and inappropriate streetscape character, a degraded urban environment, and again see political objections to further dual occupancy. The opportunity for a longer-term beneficial infill will be lost to neighbourhood complaints.

The Institute believes that more expansive planning policies, which recognise the need for developing demographic diversity and offering housing choice, will offer a more sustainable and liveable future for Canberra.

5 PROPOSALS FOR QUALITY DESIGN OUTCOMES

The Institute and its members have a proud and long-term record of promoting quality design and supporting residents to better understand and achieve quality design outcomes

The application of high quality design processes and outcomes can gain more community acceptance of urban change, so the Institute puts forward two proposals for consideration. The Institute envisages that the two suggestions are not an either/or, but could both be actioned.

A *Advisory Service*

In past years, the Institute has successfully delivered a number of community focused programmes, which have provided no-charge architectural advice to property owners by volunteer members. These broadly focused programmes have enabled the recipients to confidently proceed with their housing aspirations and to be better informed when selecting a designer and builder.

The programmes have included "Talk to an Architect", Bushfire Recovery advisory service and Schools Holiday Programs.

Architects with an experience and knowledge of small-scale infill housing are the most suitably qualified to deliver such an advisory service. Those being offered such advice could include either the owners of Mr Fluffy blocks or the neighbours to Mr Fluffy blocks.

There are a number of methods of providing the professional assistance. It could be via a meeting and lecture format to a number of concerned property owners, or a display and chat format at local centres. This more generalist approach could be supported by individual or small and specific neighbourhood conversations that can answer more particular location questions and deliver more unique advice.

It is expected that a number of the issues affecting property owners and neighbours would relate to the requirements of relevant planning policies. Therefore, members of E.P.D. would be invited to attend any such gatherings. To support innovative design outcomes, more performance based objectives and flexible interpretations of planning policies would be encouraged.

B Master Planning

High quality design responds to and reflects specific site and surrounding conditions. It involves the thorough analysis of the sites, addressing such opportunities and constraints as solar access, overshadowing from neighbouring properties, opinions of affected neighbours and topographical features. Concept and preliminary level sketch plans can be then confidently prepared. The process will then result in an acceptable master and/or precinct plan that can be applied as a development control to the amended lease for sale.

Architects with an experience and knowledge of small-scale infill housing are the most suitably qualified to deliver this initial planning stage. The Institute believes that the engagement of such qualified consultants by ACT Government would notably improve the value of the land sale, and thus further defray the cost of the Mr Fluffy buyback programme.

A design process that involves early neighbour consultation, could also allow the introduction of design concepts currently restricted by the Territory Plan.

In late 2014 the Institute, with support from ACT Government, ran a design housing competition, called New Experimental Architectural Typologies (NEAT). It was an opportunity for the many submitting Architects to successfully demonstrate a range of compact housing types suitable for infill sites that were not constrained by current planning controls. Many of the highly regarded proposals challenged car parking numbers, setbacks, plot ratios and the number and definition of storeys.

Other issues that could be addressed include the following:

- a) Explore the opportunities available from the application and innovative interpretations of existing policies such as dual occupancies, secondary residences, and supportive housing

- b) Delivery of a discursive design process that involves early neighbour consultation, which could lead to support for the introduction of design concepts currently restricted or compromised by the Territory Plan.

This approach may be able to address block amalgamations, even including blocks not being surrendered. As a result, small neighbourhood redevelopments and community housing schemes maybe possible to arrange and deliver.

Alternative housing typologies and designs could also be considered. These may include duplex and courtyard forms.

- c) Plot ratio anomalies

Firstly, the application of a maximum 35% on the minimum 700sqm block where the two new dwellings cannot face the public road will result in a total production of only 245sqm of building area. Applying only single car accommodation and some secure storage space (say 22.5sqm) for each of the dwelling, the habitable living space for each dwelling will be reduced to a maximum of only 100.0 sqm. In the Australian suburban environment, the average new house size is in the order of 250 sqm. This is a very large contrast to the size produced by the 35% plot ratio.

The application of a 50% plot ratio to blocks where the two new dwellings can face the public road will be restricted to corner block and blocks sufficiently wide enough to comfortably allow two dwellings and their car provisions to be accommodated.

This small dwelling size cannot be regarded to meet all current market expectations. Besides, it is already available with the recently introduced Second Residence policy that allows a maximum 90 sqm habitable area for a new dwelling on an established block.

DV343 is to be applied to only suburban RZ1 areas in the middle ring suburbs of Canberra, not the more varied and cosmopolitan inner suburbs of higher value, where demand for smaller dwellings is more likely. Such a large number of “micro” dwellings entering the suburban market are unlikely to address the varied range of alternative dwelling types sought for and required. The Institute believes that DV343 should offer to support and encourage a diversity of demographic cohorts to live in small- scale infill redevelopments. The application of this restricted choice in the market is also likely to adversely affect the expected return to Government.

Secondly, the mandatory rule is discriminatory. On a non-Mr Fluffy block in an established RZ1 area, as an immediate neighbour to a surrendered block, a knocked down and rebuilt residence or an alteration and addition to the existing residence could both be built to a 50% plot ratio.

A new stand-alone block of 350 to 400 sqm in a greenfield development can have a dwelling designed to a maximum 50% plot ratio. The principle of ensuring a best return on land values should equally apply to both greenfield and established areas.

d) Solar Fence

The Government has been made well aware of the adverse impacts of the solar fence provisions in the residential planning code. The Institute believes that the application of these provisions to any dual occupancy developments on existing suburban blocks in the established areas of Canberra will very likely result in new housing of low amenity and in extremely unattractive streetscapes. Therefore, the application of such provisions could be reconsidered.

d) Basements and Attics

To broaden the household typologies allowable with these new houses, the restriction on basements and attics should be deleted. The Institute believes that the greatest impact on the existing neighbourhood will not come from the additional car traffic and parking requirements, which will be minor, but will be in the scale and bulk of the new dwellings. With the application of a maximum plot ratio, minimum setbacks and maximum height controls to address the bulk and scale issues, the restriction on basements and attics is completely unnecessary. The application of such restrictive rules only detracts from housing choice. Contemporary and innovative designs should be encouraged as part of a refreshing policy reversal.

e) Single storey

This control may be reasonable in a neighbourhood of predominantly single storey houses on “flat” blocks, but where neighbours on steeply sloping blocks are double storey, the single storey new dual occupancy will be readily identified and stigmatised.

The Institute believes that this discriminatory and restrictive control should be deleted.

e) Appeal rights

The successful deletion of appeal rights for single residence redevelopments demonstrates that they are also unnecessary for such low scale redevelopments as dual occupancies. If Mr Fluffy blocks are approached with sound precinct and master planning that involves the immediate neighbours in an early consultative design process, the need for costly, uncertain and delaying appeal rights is unnecessary.

6 CONCLUSION

The Institute supports the reintroduction of dual occupancy polices, via DV343, for Mr Fluffy single residential blocks, but believes that there is an opportunity to reinvigorate infill, urban change, and offer Canberra a more sustainable future with quality design outcomes.

Dual occupancy, where it is of high quality design, is a very benign method for achieving small scale and low-density infill. By allowing a range of housing typologies, and encouraging innovative design, it is a policy eminently suitable to many of Canberra's established suburban areas, where quality infill is required to alleviate the unsustainable sprawl of the City.

High quality design from the very beginning of the Mr Fluffy redevelopment program, which is delivered by experienced and knowledgeable architects, can give a better financial return to Government on the Mr Fluffy buybacks, as well as set a better standard for the long-term and sustainable development of Canberra.
