

Dear Sir or Ms

SUBMISSION ON THE EFFECTIVENESS OF THE ENVIRONMENTAL ASSESSMENT AND PROTECTION ACT 1979 FOR REVIEW CONSIDERATION

Thirty years active service on the battlefield of multi-residential Design within the provisions of the Act lead me to conclude it is largely responsible for the present housing affordability crisis by convincing housing providers (particularly the small scale developers once found within the building industry itself) that it is just too hard and too fraught with risk. Most builders will now attempt nothing more than the odd speculative detached house. The traditional bottom rung of the real estate ladder, the three storey walk-up apartment on an un-amalgamated block, has ceased to exist. The problem lies within a Town Planning culture fostered by the Act and a punitive and excessive application of Controls characterising that culture.

A creature of its time, the act assumes a hostile and confrontational relationship between developers and environmentalists. It is largely a legislative Green-Ban. The late Harry Seidler, who worked in both Australia and Europe, always remarked on the different attitudes of the respective town planners he engaged with. The Europeans accepted they were engaged in a collegiate relationship with developers and designers to achieve the best possible design solution. Australian planners, guided by the Act, see themselves as environmental police engaging applicants in a "you set'em up and we'll knock'em down" process. This process is expensive, discouraging and often futile. It has inevitably brought us the lowest level of housing starts since the war.

All the L.E.P.s and D.C.P.s produced under the Act predicate a set of objectives and prescriptive controls to help obtain those objectives. The rigour of application of those controls lies within the gift of the Planner. A carefully phrased introductory clause generally acknowledges the supremacy of the "objective" over the "controls" but the controls are contested at the peril of the application. The controls are regarded (and often referred to) as "rules" rather than "guidelines". Despite calls for the process to become more "performance" than "prescription" based (refer AMCORD), plans have become larded with more and more complex and detailed controls as an outgrowth of this culture. Their very density and prolixity serves to reinforce their importance as design determinants.

A revised Act should encourage a cultural change to facilitation rather than obstruction. Design objectives should be clearly expressed, design controls should be as simple as possible and the supremacy of the objective over the controls should be clearly stated. To foster a more mature, European style attitude of collegiality among planners it should be required that all multi residential proposals be allocated a "project planner" at initial contact with council to provide ongoing advice and liaison throughout the design process. For the Consent Authority's planner to feel some ownership of a project would be no bad thing. The present arm's length arrangement of an expensively prepared submission being dealt with on a cab-rank basis by a planner coming to the project completely cold wastes time, energy and opportunities.

Thank you for the opportunity to comment on this matter. Its successful resolution is vital to the future of the community of the state.

Yours faithfully

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