



## Inner South Canberra Community Council

Chris Steel MLA  
Minister for Planning  
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Dear Minister Steel

### New Planning System: two concerning developments.

You are aware of the Inner South Canberra Community Council (ISCCC)'s concerns over the new ACT Planning System. These concerns are heightened by two recent announcements.

The first issue arises from the 'Territory Plan Update 7/08/2024' issued by the Territory Plan & Coordination Team.

Most of this "update" refers to 'minor amendments' to the Territory Plan and subsidiary documents that have now taken effect. Our concern is over the extent of the changes being made without community consultation. The last item in the update directly impacts our area: "Change to the Inner South District Technical Specification". This says: "Transfer building heights for the Deakin office precinct from the Inner South District Policy into the Inner South District Specifications." This change may appear inconsequential, but it in fact substantially alters the status of the building height controls. It moves them out of the Territory Plan into a non-statutory document which can be changed at will by the Chief Planner or the Minister.

While it will no doubt be argued by your officers that such a process is consistent with the Government's new 'outcomes-focussed' approach, we are concerned at the resulting lack of transparency and accountability. It is important to community representatives, especially in any potential appeal proceedings, that there are statutorily enforceable 'rules' for significant aspects of development such as building heights, and that these are agreed

though open, consultative processes, even if the Plan provides opportunities for departure from the 'rules' where well justified.

We remind you that the Legislative Assembly Committee's March 2024 report on its Inquiry into the Territory Plan and other associated documents (Report 16) recommended that the TPA clarify how the Plan works and relates to the Technical Specifications. The government response of 8 July 2024, that you provided, stated that the "EPSDD is committed to improving public availability of information, including where mandatory and non- mandatory requirements apply".

The second matter of concern to the ISCCC relates to the recent Territory Plan 'Amendment A', setting out policies for the first stage of the East Lake project (The Causeway Housing Area).

The ISCCC and the Kingston & Barton Residents Group Inc (KBRG), which has the most direct interest in this area, wrote to the Assembly's Planning, Transport & Community Services Committee asking that it conduct a public inquiry into this Plan Amendment. KBRG pointed out that this was the first proposed Amendment of the new Territory Plan, and there were significant unresolved planning issues with the proposal. Indeed the 'final draft', as presented to the Assembly, was worse in some respects than the original draft subject to community consultation. The Committee's response however was that it had been (privately) briefed by the planning authority that the issues raised by KBRG could be resolved in "subsequent planning processes" and so an Inquiry was not necessary.

We ask: what are these "subsequent planning processes"? The Territory Plan is avowedly the repository of planning policies for the development of an area. Such policies are quite properly subject to community consultation and oversight by the Legislative Assembly. It does not bode well for the public acceptability of the new planning system if this is how the planning authority and the relevant Assembly committee conduct their business.

As you know, we have argued, and continue to believe, that any further changes to the Territory Plan, associated documents, and planning processes, which were the subject of an Assembly Inquiry (to which the Government has not yet fully responded, should only be made after a thorough evaluation of recent changes.

We ask that you give these matters careful and rapid consideration.

A copy of this letter will be placed on our website and our Facebook page. We look forward to your reply, to which we will give similar publicity.

Yours sincerely

A handwritten signature in black ink, appearing to be 'CW', with a horizontal line extending to the left and a small dot at the end.

Colin Walters,  
Chair ISCCC

17 August 2024