

In this regard we commend for your consideration the attached paper evaluating *Performance Based Planning in Queensland*, which concludes that the outcomes-focused system, in place in Queensland since 1997, has not resulted in *unleashing innovation and rewarding best practice*. To the contrary:

In addition to complaints of complexity and lack of efficiency, there are increasing signals from communities (and elected representatives) that there is confusion, a lack of confidence and, possibly, a sense of injustice. These issues arise from a lack of certainty, inconsistent decision making and (at least perceived) lack of transparency.

All these problems plague the current ACT system. The changes proposed to produce a more flexible and outcome-focused system are, we believe, likely to make the current system worse.

We offer the following initial suggestions for improvements to the ACT planning system:

Planning priorities:

The Government must work hard to improve the trust between the three main planning stakeholders: the community, the developers and the government. We should all be working towards a better city. The planners should be involved in discussing proposals with the community rather than leaving pre-DA consultation up to developers. The current developer-led Pre-DA Consultation process is failing (eg the 8-storey redevelopment proposal by Geocon in Giles Street Kingston).

Changes to the Territory Plan:

1. Planning documentation should be easy for the layperson to understand.

One-click on the block of interest and all the planning rules for that block should be readily available.

2. The Territory Plan should provide certainty to residents.

People need to know what can be built nearby and there needs to be trust between the community, the government, and developers. No more *ad hoc* spot re-zoning like Mr Fluffy or the 'Manor House' proposal in Griffith.

3. Green spaces and the urban forest must be maintained in residential areas.

Mandatory site coverage and planting-area rules are required. The previous government committed to a 30% canopy cover and 30% planting area in Canberra's urban footprint, by 2045. The Government should commit to develop and implement a plan to meet these targets, and to ensure better maintenance of parks, street trees and verges. There should also be a budgetary commitment sufficient to achieve these targets.

4. All the criteria in the codes should be made subservient to the rules which are simplified and made mandatory wherever possible.

The current situation, in which subjective and vaguely worded criteria can be used to override rules, lacks clarity and common sense. We need simple rules for key parameters such as height, setbacks, appropriate solar access, number of dwellings on the block and permeable/planting areas.

5. Knock-down rebuild DA-exempt developments should be progressed through standard Development Applications.

The situation regarding DA-exempt knock-down re-builds is completely unacceptable. Neighbours must resort to the Freedom of Information process to obtain copies of the plans, even though a knockdown re-build could affect the whole character of the street. All those living nearby should be

able to access the plans and receive a formal response to their concerns, before any demolition is approved. This process must be overseen by the planning authority.

6. Compliance must be improved.

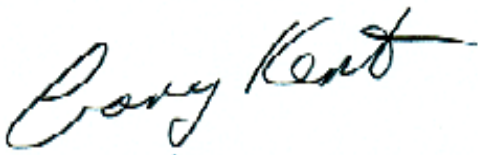
At present the government does not observe its own rules. Significant changes after DA approval should also not be permitted without full consultation.

7. Meaningful consultation before zoning changes.

Before making any zoning changes, the government must undertake meaningful community engagement with inner south residents about housing choice and diversity to ensure a reasonable balance between low, medium and high-density residential stock. Currently, the inner south has amongst the lowest proportions of detached dwellings of any Canberra District, and has the highest proportion of high-density residential development (only 42% of dwellings are detached, while 45% are high density, and the remaining 13% are medium density).

The ISCCC planning sub-committee would be willing to work with officials involved with this project and to discuss our concerns in detail, including local examples illustrating the issues we have raised. I can be contacted on president@isccc.org.au or mobile 0419 854 211.

Yours sincerely

A handwritten signature in black ink that reads "Gary Kent". The signature is written in a cursive, flowing style.

Gary Kent
Chair
2 May 2021