



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING, TRANSPORT, AND CITY SERVICES
Ms Jo Clay MLA (Chair), Ms Suzanne Orr MLA (Deputy Chair),
Mr Mark Parton MLA

Submission Cover Sheet

Inquiry into Property Developers Bill 2023

Submission Number: 24

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Standing Committee on Planning, Transport and City Services
ACT Legislative Assembly
GPO Box 1020
Canberra ACT 2601
Sent via email: LACommitteePTCS@parliament.act.gov.au

Dear Committee Members,

Inquiry into the Property Developers Bill 2023

1. Canberra Business Chamber (CBC) is the ACT's peak business organisation. Our membership consists of over 600 leading businesses, as well as most of the Territory's industry and professional associations, who in turn represent thousands of other businesses and employees.
2. CBC is pleased to provide a submission to the inquiry into the Property Developers Bill 2023 (Bill), providing a regulatory regime for 'developer licensing'.
3. Canberra currently has a problem with housing supply and affordability. Our housing problem makes it difficult for businesses to recruit and retaining staff and is a handbrake on businesses looking to expand into ACT.
4. We are pleased that the ACT Government has recognised this issue and has committed to delivering 30,000 new homes over five years to improve supply, however we are concerned that this Bill will make this much more difficult to achieve.
5. The Bill creates another level of compliance that will make property development more difficult, at a time when we need to accelerate freeing up land for property development and building more houses.
6. Increasing the compliance requirements and complexity for property developers could incentivise development outside the ACT boundaries, in border suburbs such as Queanbeyan which do not have developer licensing requirements.
7. We are also concerned that the Bill as drafted has a very broad definition of property developer and that it could capture individual homeowners that might subdivide their properties. This would have the effect of reducing the supply of new land for housing in the city.
8. We support the amendments to the Bill that have been proposed by the Property Council of Australia, summarised below:
 - Remove the personal liability for directors of residential development – this creates an extreme consequence for developing in the ACT and will see major local and interstate development and investment diverting from Canberra to other jurisdictions.
 - Remove the retrospectivity element that will see directors being made personally liable for developments that occurred before they were appointed as directors.

- Amend the rectification orders liability period to align with the Building Act statutory warranty period by decreasing any liability from 10 years to up to 6.
 - Create consistency with other jurisdictions that bring everyone involved in the development cycle accountable including subcontractors such as water proofers.
 - Allow for a developer to hold to account subcontractors and suppliers whom they currently do not have a contractual relationship with.
9. The ACT Government must remain focussed on providing the housing we need in Canberra. We need to be removing barriers to land development and the building of residential housing, rather than adding to them as this Bill will do.
10. Thank you for the opportunity to submit our views on the Bill. Please let me know if we can be of any further assistance to the Inquiry.

Sincerely,



Greg Harford



Chief Executive
Canberra Business Chamber