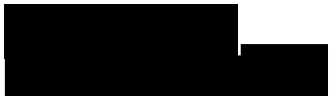


Mr Thomas Keen



The Committee Secretary,  
Standing Committee on Planning, Environment and Territory and Municipal  
Services,  
Legislative Assembly for the ACT,  
GPO Box 1020, CANBERRA ACT 2601.

**Re: Comment on the Planning and Development (Facilitation) Bill**

I wish provide comment on the proposal to facilitate the Planning and Development powers of the ACT Government.

I do not support the amendment on the grounds that if a project is 'significant', in the terms defined, then it should not by pass Heritage or Tree Conservator oversight, or avoid detailed examination by a bipartisan committee inquiry. Any project deemed significant would clearly impact the public and or the public space, and therefore should receive wide consideration, take place over a time frame to allow this, and proceed on the basis of a balance of community views. In addition, Canberra does have a planning basis and planning vision, and these should not be put aside at the discretion of the Government of the day.

The elected Government of the day is always beholding to special interest groups whose aim it is to make money and not enhance the public space or public life. Some certainly show scant regard for any vision of the city's future unless its suits their commercial aims. They would not be doing their project if there was not money to be made. This results in a conflict between what might be good for the cohort of Government and business, versus what might be good for the public, the public space and the future. The intangibles are left out of such decisions, as most recent developments show, resulting in much asphalt and concrete but not much soul.

Having been part of a number of public consultations, I might note they are just that, consultations. They take place after the major decisions have been made and developers have their plans and costings. No one is obliged to act on the public's feedback and they don't. Community views are watered down and misrepresented. In the end, the developers make a nice earner and the public are left with the costs.

For this reason there must be time for proposals to be considered by stakeholders so the issues can be uncovered. One would hope that some impartial consideration of the pros and cons of any significant project would occur. If a

project is 'significant' then its worth the time to get it right, and time should be allowed for the proposal to fight the various battles.

A clear example of heritage abuse was the Queensland Government of Joh Bjelke Petersen. I think there is general agreement now that the ability of that government to ignore heritage considerations has been to Brisbane's and Queensland's detriment. Also, few people regard the Green Bans in Sydney used to protect heritage sites in the 1970s from the ravages of government and developers as unjustified. Heritage is for the future and in retrospect we appreciate what was saved.

Australia is a young country with little heritage of any significance, and it will not have any in the future if short term government decisions can ignore such considerations when it suits them.

Canberra has already lost some buildings which would have been of interest in this day and age. As a city that relies substantially on tourism, Canberra needs to keep its unique character, both built and grown. Otherwise why will anyone bother traveling here if its just like the other small rural cities? Governments have a short time frame (election cycle) and therefore if significant decisions take time, all the better for community consideration.

For example, I do not like the City to the Lake concept, but I do acknowledge the socialisation the Government has provided for the idea and the chance this has provided for community consultation. If it comes into being no one can complain that they were not warned.

Canberra has its own character which is becoming more highly valued as time passes and the larger cities become more sterile and congested. The careful management of the city's trees should be a fundamental part of managing the city's landscape and character. They take decades to grow to size, and with the rise of vandalism and water restrictions, are becoming increasingly difficult to replace in many areas. For us older citizens (eg. in their 50s and 60s), tree removal means we are unlikely to see any replacement of what is lost.

Even under the present planning system trees are gratuitously removed because they might cause builders or developers some bother. The ASIO site along Parkes way is a good example. All those trees could have been left with no determinate to the final development - there was room for them. Their destruction was a waste of some 30 years of public investment and can never be replaced in my remaining life. There are numerous examples of tree conservation being ignored when a little care could have preserved them. If anything, more care needs to be exercised not less. After all, a modern building's economic life is usually around 25 years, which is the time it takes most trees to grow to a reasonable size. They have barely grown and then they are removed for the next build, so the site rarely matches the green vision used to sell the idea initially.

I would hope that Canberra would have a planning system that was more European in its respect for history and the context of significant developments. Paris is beautiful because they not only plan the buildings but their surrounding context, and as necessary, preserve that context from inappropriate development.

The basis of my concern is that few if any Ministers show concern for developing Canberra with regard to imagination, quality or context. The Canberra development process seems to be driven by developers seeking to minimise their costs and cajoling Government into providing them with the means to do just that. And the result looks just like that. The ugliness, lack of quality and disregard for context is amply apparent in many new developments (eg. Kingston foreshore). As a result, I am loathe to grant the Minister or the ACT Government any further discretion to side step issues of heritage, tree consultation, inquiry or public consultation.

One must plan on a worst case, and if a truly bad minister came to power, the powers of the proposed Bill could result in significant long term damage to Canberra. The risk is not worth it.

No case has been made for why this amendment is required. There are general advantages suggested, but nothing specific - it's all very vague and thus suspicious. If there are problems what are they? How will this proposal seek to address those problems, and what are the pros and cons of the amendments? There are problems in the ACT Planning process, so why not fix those first before attending to this undefined problem?

Finally, the proposal for the Project Facilitation Bill is basically a contradiction. If proposals do have significant value to the community then the proponents (government or commercial) should be able to sell its worth to the community after it is first floated in the public space. If the proposals have significant value to the community, why would they need protection from objections, scrutiny or planning guidance? Why would they need to be railroaded over the usual planning process?

signed

*Tom Keen*