



Legislative Assembly for the
Australian Capital Territory

Standing Committee on Environment
and Planning

Submission Cover Sheet

Inquiry into Planning (Missing Middle Housing) Amendment Bill 2026

Submission number: 005

Submitter: Property Council of Australia (ACT & Capital Region)

Date authorised for publication: 14 May 2026



Inquiry into Planning (Missing Middle) Amendment Bill 2026

May 2026



Thank you for the opportunity to respond to the *Planning (Missing Middle Housing) Amendment Bill 2026* (the Bill).

The Property Council of Australia (ACT and Capital Region) has consistently supported the ACT Government's Missing Middle Housing reforms as a necessary evolution of Canberra's planning system to deliver greater housing choice, better utilisation of serviced land, and more diverse housing outcomes in established suburbs. We support this Bill and consider it to be a practical, and important step, in ensuring the Missing Middle reforms operate effectively once passed.

About the Property Council

The Property Council of Australia is the leading advocate and biggest employer for the nation's largest industry. In the ACT, the property sector continues to account directly for more than \$4.5 billion in economic activity, a further \$2.1 billion indirectly, and one in seven jobs.

Property is the beating heart of the ACT's success across all measures – with almost 45 per cent of tax and royalty revenue being contributed by the sector. The continued success of Canberra depends on the success of property, development, and the built environment.

Members of the ACT & Capital Region Division of the Property Council include the people and companies who plan, design, invest, own, manage, support, and build, the homes for Canberrans. We are committed to great cities, strong economies, and sustainable communities. Our members include the owners, managers, and developers of office, retail, industrial, residential and mixed-use property across Canberra and the Capital Region, as well as small, medium, and large building companies, architects, designers, planners, and other consultants who are pivotal to the delivery of housing and infrastructure across the Territory.

Objectives

We strongly support the intent of the Bill to streamline planning and lease-related processes for lower-risk, small-scale residential development that is already anticipated by the Territory Plan, and the Missing Middle policy framework. We have outlined many of the challenges with successfully delivering the Missing Middle here in the ACT, even after the legislation passing. We note that we have made previous submissions to this Committee on the topic of the Missing Middle Housing Reform.

In particular, the Bill appropriately responds to concerns that we have been repeatedly raising during the initial implementation of Missing Middle reforms around cost, delay, and duplication. Without procedural reform, there is a real risk that well-intentioned planning changes could be undermined by excessive complexity, reducing feasibility and limiting delivery.

While we do not consider these reforms address all the outstanding problems, we do welcome the recent recommendations from this Committee for the ACT Government to undertake a review of the Lease Variation Charge, which is one of the single biggest barriers to development here in the ACT.

Planning Pathways

We support the Bill's approach to make planning pathways more proportionate to the development risk and scale. Incremental infill projects, such as duplexes, townhouses, or even gentle subdivision within existing suburbs, should not be assessed through the same processes as large, complex or city-shaping developments.

By removing unnecessary approvals steps for matters such as minor subdivision arrangements that do not alter road networks, the Bill will reduce holding and financing costs, improve certainty for both proponents and homeowners, and ultimately allow planning resources to be focused on higher-risk proposals (which benefits the entire industry). This aligns with our long-standing advocacy for a planning system that is predictable, efficient, and outcomes focused.

Lease and Secondary Residence Reforms

Simplified pathways for secondary residences and nominal rent lease variations are supported by the Property Council, particularly around changes to the number of dwellings, secondary dwellings, and easements.

Secondary residence and similar dwelling types are an important component of housing choice in established suburbs, supporting ageing in place, smaller households, and multigenerational living. Requiring additional lease variations when land use outcomes are already supported by planning policy adds delay and cost without delivering any corresponding public benefit. The proposed timeframes for straightforward lease variations are particularly welcome and reflect the need for planning and land administration processes to move at a pace consistent with smaller-scale residential development.

Deliverability and Supply

A key test of housing reform is whether it actually delivers homes. We consider this Bill to be an essential part of ensuring the Missing Middle reforms translate into real projects on the ground.

Missing Middle housing is typically delivered by smaller developers, builders, and individual property owners. These proponents are essentially sensitive to uncertainty, duplication and

delay. The Bill will improve feasibility, support housing supply, and encourage participation from a broader range of market participants.

Ongoing Reporting

Consistent with our previous submissions on Missing Middle Reforms, we encourage the ACT Government to continue monitoring implementation and remain open to further refinement if unintended barriers emerge.

Conclusion and Further Recommendations

We support the Bill and consider it to be a sensible, targeted reform that strengthens the overall Missing Middle framework.

The Bill will help ensure Canberra's planning system can deliver more diverse housing outcomes efficiently, without compromising appropriate safeguards. We encourage the Committee to support the Bill.

In addition to implementing the Bill, the following barriers remain in the way of the Missing Middle Housing Reform being a success:

- The Lease Variation Charge. We note the Chief Minister announced reform to the Lease Variation Charge at the Property Council Capital Region Housing Summit in November 2026. We note the Standing Committee on Environment and Planning in their report dated 30 April 2026 on DPA-04, recommended that the ACT Government establish an independent review of the LVC. We support this. However, reviews take some time and therefore in the meantime, it is crucial that significant remissions are implemented to stimulate the missing middle development.
- ACAT Third-party appeals. The existing process remains a source of frustration and tension for both the industry and the community. A review of the existing process is required; ensuring certainty is paramount and like the rationale implemented in the Bill, it remains peculiar that appeals can be lodged against development applications that are only doing what the landowner is entitled to do on that block of land.
- The existing threshold for developer licensing will impact the uptake of the missing middle development, noting that a person is required to hold a licence when undertaking three or more projects. Our previous submissions have highlighted this issue and recommended that the Committee examine whether it is appropriate to lift this threshold.



Property Council of Australia ABN 13 00847 4422

A Level 4, 10 Moore Street, Canberra ACT 2601

E info@propertycouncil.com.au

W propertycouncil.com.au

T [@propertycouncil](https://twitter.com/propertycouncil)

- Consider exempt developments and a framework for standard or approved designs, noting the difficulty that brings with a varied and complex array of blocks of land available here in Canberra, particularly in existing suburbs.

We thank you for the opportunity to continue to engage on this important housing reform.

Regards,

Ashlee Berry
ACT & Capital Region Executive Director
Property Council of Australia

May 2026