



The Secretary  
Standing Committee on Planning, Transport and City Services

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### **GNCA Comments on Governance and Compliance for Committee hearing on 6 December 2023**

Over the last four years community groups and members of the Planning Directorate have been working with dedication and commitment to develop a better planning system for the ACT.

From a community viewpoint the main problems with the previous system were that governance and compliance were inadequate and under resourced.

The 2023 Act provides as an Object “ (c) a scheme for public participation.”

Unfortunately, there is still no scheme for public participation.

The government awarded a contract for an Independent Review of the ACT Planning System Governance and there are no options for community engagement; despite governance being the single most important complaint by residents in the previous system. This is disappointing and unsatisfactory.

Essentially, all the planning power will now be vested in ACTPLA and will be controlled by Notifiable Instruments, which can be changed without consideration by the Assembly. The approval process to assess DAs appears to be undertaken in secret and will be difficult to challenge if required.

In the last 18 months the GNCA has asked ACAT to review five decisions by ACTPLA that approved HACT supportive housing on blocks that were too small for three dwellings. In each case, ACAT withdrew approval or surrendered the DA. This suggests that ACTPLA has lost the ability to determine if a rule has been breached. It should have done better for both HACT and the community. It does not bode well for our planning system when all the decisions are made in secret.

ACAT is not a barrier to anything. An ACAT administrative review merely determines if a public service administrator has made the correct decision according to law.

Since the 2018 Strategic Plan, the need for more green space in our urban areas has become more evident. Yet there are no mandatory rules in place to tackle this issue and the Greens policy of 30% tree cover is unlikely to be achievable.

**The entire system should be reviewed to incorporate mandatory controls.**

*President GNCA 5 December 2023*