



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 Planning Bill 2022

Submission Number: 2

Date Authorised for Publication: 17 November
2022

26 October 2022

Committee Secretary
ACT Standing Committee on Planning, Transport and City Services

Via Email: LCommitteePTCS@parliament.act.gov.au

Dear Committee Secretary,

Master Builders ACT Submission to Inquiry into the Planning Bill 2022

Thank you for the opportunity to make this submission to the inquiry into the Planning Bill 2022 (**the Bill**).

The ACT Planning System Review and Reform Project is arguably the most important reform impacting the local building and construction industry proposed in this term of the Legislative Assembly. All members of the Master Builders Association are impacted by the Bill; the upcoming new Territory Plan; and their implementation.

The operation of the ACT planning system directly impacts approximately 20,000 people working in the local industry and helps deliver \$4.5 billion worth of building and construction work completed each year. In turn, this helps generate approximately \$1 billion in taxes paid to the ACT Government alone.

I **attach** for the Committee's reference a copy of the MBA's submission to the Environment, Planning and Sustainable Development Directorate which outlines the MBA's position in relation to the Bill.

We note that since our submission, the Government has announced a number of changes to the draft Bill. We would like to highlight our support for the following changes:

- The addition of 'achievement of economic growth and prosperity' in the definition of *ecologically sustainable development* in s2.1 Objects of the Act.
- The incorporation of the Principles of good consultation in the Act.
- The incorporation of a 5 year review process for district strategies.
- The expansion of criteria for determining a Territory Priority Project
- Maintaining the regulation covering exempt development in the Act.
- Other general changes in the Strategic and spatial planning, Territory Plan, and Development assessment.

We note that the ACT Planning System review includes a new Planning Act and Territory Plan. To date the ACT Government has only released a draft Planning Bill for public comment. It is difficult to fully review the effectiveness and functioning of the draft Planning Bill without also being able to review the draft Territory Plan.

We are also unaware of any operational improvements intended to be made to the Directorates responsible for implementing the planning system, for example, additional resources to be provided, staff or stakeholder training to be provided, or changes to administrative arrangements between the Planning Authority and referral agencies, utility providers, the National Capital Authority or the Design Review Panel.

We believe it is important that all aspects of the planning review (the Bill, the Territory Plan, and the operational arrangements) be considered in a wholistic way before the planning review is finalised.

We also note that the draft Territory Plan will be released in early November with a proposed consultation period of three months. This means that stakeholders will be expected to review the draft Territory Plan and make written submissions over the Christmas period, presumably when many Directorate staff will be on annual leave.

We expect the time required to review the draft Territory Plan will be much greater than the draft Bill.

We request consideration be given to extending the consultation period for the draft Territory Plan so that stakeholders have sufficient time and ability to speak with Directorate staff and prepare written submissions.

Recommendations

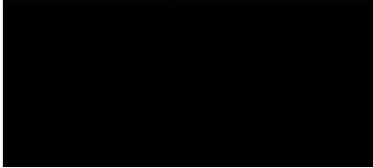
We recommend the Committee make the following recommendations:

1. That a Regulatory Impact Statement be prepared for the Planning Bill.
2. That Government review the operational requirements to implement the new planning system, including:
 - a. The administrative and operational arrangements between the Planning Authority, referral agencies, the National Capital Authority and Design Review panel be reviewed.
 - b. That sufficient resources be provided within the Planning Authority and all agencies responsible for implementing the planning system.
 - c. That government funded training be provided for ACT Government staff, industry and community members on the new planning system.
3. That Government commit to review the Bill after submissions to the draft Territory Plan are reviewed in case submissions identify issues which require addressing in the Bill.
4. That consultation on the draft Territory Plan be conducted for 6 months.

Conclusion

If you would like to discuss any element of our submission, or to arrange our attendance at the Committee hearings, please contact our office on [REDACTED].

Yours sincerely,

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Michael Hopkins
Chief Executive Officer
Master Builders ACT

Enc – MBA ACT Submission to the draft Planning Bill 2022