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Subject: Standing Committee Inquiry into Planning Act 2023

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Dear Mr Parton

At the Standing Committee hearings yesterday (6 December 2022) you invited a response to the question - *If there were only one provision of the new Act you could change, what would it be?* I responded that I would change S47 of the ACT which currently states that the Territory Plan -

- (a). must promote the principles of good planning; and
- (b). must give effect to the planning strategy and district strategies; and
- (c). **may** give effect to relevant outcomes related to planning contained in other government strategies and policies.

Why are other government policies related to planning discretionary? In practice s47(c) is interpreted as " may give effect to relevant outcomes related to planning in other government strategies and policies (provided that this does not conflict with sectional interests of other agencies)." I feel that it may be useful to illustrate the point.

By way of example, the ACT Climate Change Strategy 2019 -25 and the related Moving Canberra Integrated Transport Strategy emphasise a higher uptake of public transport and active travel options to reduce reliance on private car use. However, the recently released Draft Territory Plan (Draft Technical Specifications TS2 Commercial Schedule 1) identifies a parking provision in City Centre and the Town Centres of 1.5 spaces/100sqm. This is an increase from the previous 1space/100sqm.


Half a space does not sound much. But consider the typical 20,000 - 40,000 sqm government tenanted office buildings in Civic. Previously, such developments required the provision of 200-400 spaces. They would now require 300 - 600 spaces to be provided. An additional 100 - 200 vehicles accessing the city centre. That is the antithesis of reducing reliance on private car use and is certainly not the strategic policy outcome that is sought. Why is such an increase proposed?

The development sector and their consultants can identify many such anomalies that arise from the disconnect between government strategies and policies and the various agencies' regulatory standards -the latter unquestioned and embedded in the Territory Plan- and apply at the development application stage. It is the cumulative effect of these anomalies that cause much of the discord and conflict in planning and development in Canberra.

However, the focus should not be on retrospective blame but on seizing the unique opportunity now afforded to give all relevant government policies status in the planning process, remove such anomalies and move forward to address the challenges of the 21st century .

Best regards

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GORDON LOWE

Head of planning


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Ngunnawal Country

Terrestrial Urbanism – a month-long program and exhibition exploring the future vision for Dairy Road.

Marble in Metamorphosis – contemplating the physical and cultural life of marble. Rachel Cusk. Chris Kontos. Order now.

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