



YWCA CANBERRA

**Inquiry into the Planning (Territory Priority Project) Amendment Bill
2025**

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Acknowledgement of Country

YWCA Canberra proudly recognises the rights of Aboriginal and Torres Strait Islander peoples to own and control their cultures and pays our respect to these rights. YWCA Canberra acknowledges the need to respect and encourage the diversity of Indigenous cultures and to respect Indigenous worldviews, lifestyles and customary laws. We extend our respect to the Aboriginal and Torres Strait Islander women who for thousands of years have preserved the culture and practices of their communities on country. This land was never surrendered, and we acknowledge that it always was and will continue to always be Aboriginal land.

About YWCA Canberra

YWCA Canberra is a feminist not-for-profit organisation that has provided community services and represented women's issues in Canberra since 1929.

Our mission is 'We strengthen communities by supporting girls and women through our services and advocacy' and our vision is 'Girls and women thriving'.

We provide essential, quality services for women, girls and families in the ACT and surrounding regions. We work in the areas of children's services, community development, homelessness and affordable housing, youth services, personal and professional training, women's leadership and advocacy.

We are externally accredited against the [Quality Improvement Council \(QIC\) Health and Community Service Standards \(7th Edition\)](#). Accreditation against the QIC standards support us to improve client and community engagement, diversity and cultural appropriateness, management systems, governance and service delivery, while committing to a cycle of continuous quality improvement. In addition to the QIC standards, we are accredited against the following external client related service standards for our key areas of work:

- [Australian Charities and Not for Profit Commission](#)
- [National Quality Standard for Early Childhood Education and Care and School Aged Care](#)
- [National Regulatory System for Community Housing](#)
- [Registered Training Organisations Standards](#)

Through our national Affiliate Association with YWCA Australia, we are part of the World YWCA network, which connects 120 countries across the globe.

Introduction

YWCA Canberra welcomes the opportunity to contribute to the *Inquiry into the Planning (Territory Priority Project) Amendment Bill 2025*. We previously contributed to the ACT Planning System Review and Reform Project in 2022. The suggested amendments in this submission reflect those which were shared in 2022. As a registered community housing provider and a previous developer of a small housing development for women at risk of homelessness, we have seen firsthand how the appeals process can be weaponised and how these appeals are often organised against both public and social housing at great expense to the community, the ACT Government and community housing providers.

In our 2022 submission we noted how reviews of planning and development decisions, heard by the ACT Civil and Administrative Appeals Tribunal constitute the most significant portion of Administrative Reviews undertaken. The number of planning and development related reviews have continued to increase and in 2022-2023 peaked at 42 cases¹, up from 37 in 2019-2020 and from 19 in 2014-2015.^{2,3} In 2022-2023 the planning and development related appeals constituted more than one-third of all administrative appeals; the largest single category of appeals. It is clear that reform must take place to mitigate against spurious litigation against development proposals and achieve the ACT's housing targets. We support the amendment to exempt public housing proposals from third-party appeals **but call for this reform to be extended to proposals that will be owned and operated by registered community housing organisations.**

1) Exemptions to third party appeals.

Third party appeal rights are variable across Australia.⁴ The ACT is unique in that appeals against development applications is a low-cost activity and that the ACT is a no-cost jurisdiction. Further, there is no restriction on appeals from individuals who are not *directly* impacted by a development. The potential for vexatious appeals to proceed to a tribunal hearing with limited if any financial consequence on appellant parties is significant.

Responding to third-party appeals, for projects that have already been approved by the planning authority is costly, cumbersome and carries significant delays to the pipeline of new housing. Like the ACT Government, community housing organisations also face significant

¹ https://www.acat.act.gov.au/_data/assets/pdf_file/0012/2799435/ACAT-Annual-Review-2022-2023.pdf, pg. 40.

² https://www.acat.act.gov.au/_data/assets/pdf_file/0005/1887404/ACAT-Annual-Review-2020-21_FINAL.pdf, page 29.

³ https://www.acat.act.gov.au/_data/assets/pdf_file/0003/1450299/10548-ACAT-Annual-Review-201819_FA_tagged-update.pdf page 28.

⁴ <https://www.sjshire.wa.gov.au/profiles/sj/assets/clientdata/documents/uploads/ocm/ocm-2017/scm006.1.07.17.pdf>

costs in responding to appeals. As noted in our 2022 submission, in order to respond to an appeal against our previously approved housing proposal, YWCA Canberra had to engage external counsel, as well as experts across a range of relevant fields including arborists and architects. The cost and administrative burden placed on a charity was significant and the project, which provided housing to vulnerable women, was delayed by over 12 months.

Community housing organisations contribute significantly to affordable supply in Canberra. Satisfaction ratings by our clients often outperform those of clients in public housing.⁵ The proposal foreshadows that while our housing proposals are subjected to the same complex planning requirements as the ACT Government, they will still be subjected to costly spurious appeals, jeopardising the sector's willingness to contribute to new supply.

Recommendations:

- 1) The *Planning (Territory Priority Project) Amendment Bill 2025* be extended to proposals that will be owned and operated by registered community housing organisations, where social or affordable housing is the key development deliverable.**

⁵ Productivity Commission (2025) Report on Government Services – Housing. Table 18.A44