



**ACT**  
Government



# PLANNING SYSTEM REVIEW AND REFORM PROJECT

Planning Bill – Consultation Draft  
March 2022

[www.planning.act.gov.au](http://www.planning.act.gov.au)





**ACT**  
Government



## **Public consultation**

### **Planning System Review and Reform Project**

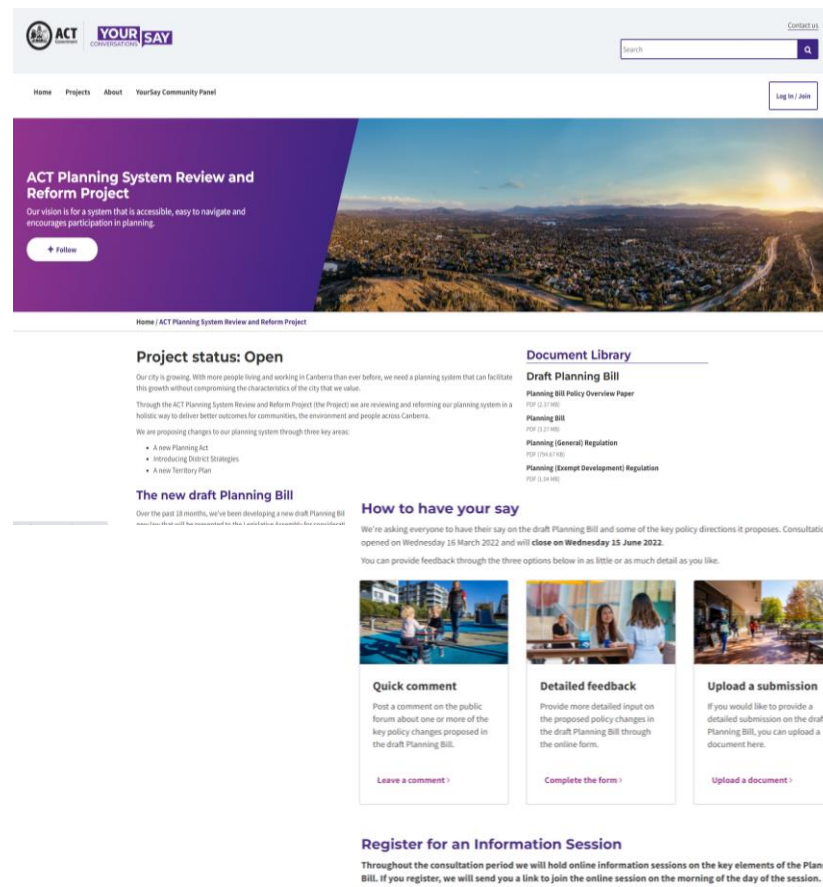
#### **Features of the Planning Bill**

- Broader objects of the Act
- Principles of good planning
- Principles of good consultation
- District Strategies
- Changes to DA assessment
- Territory Plan amendments
- Territory Priority Projects

#### **Next Steps**

# Public Consultation

- Where: ACT Government's Yoursay page
- When: 16 March to 15 June 2022
- How: 3 ways to provide feedback
- Consultation package:
  - draft legislation
  - fact sheets, policy overview, FAQs
- 5 public information sessions
- Separate stakeholder and industry sessions



The screenshot shows the 'ACT Planning System Review and Reform Project' website. The header includes the ACT Government logo, 'YOUR SAY' branding, a search bar, and navigation links for Home, Projects, About, and YourSay Community Panel. A 'Log In / Join' button is also present.

The main content area features a large banner image of a cityscape at sunset. Below the banner, the 'Project status: Open' section explains the need for a new planning system and lists key areas of change: a new Planning Act, introducing District Strategies, and a new Territory Plan. The 'Document Library' section lists available documents: Draft Planning Bill, Planning Bill Policy Overview Paper, Planning Bill, Planning (General) Regulation, and Planning (Exempt Development) Regulation.

The 'How to have your say' section provides three options for feedback: Quick comment, Detailed feedback, and Upload a submission. Each option includes a brief description and a link to the respective form.

A 'Timeline' section on the right side of the page lists key events from 2019 to 2023, including community engagement, focus group workshops, ongoing engagement with industry stakeholders, project update paper release, public consultation on the draft Planning Bill, public consultation on the new draft Territory Plan and draft District Strategies, and the proposed introduction of the Planning Bill to the Legislative Assembly.

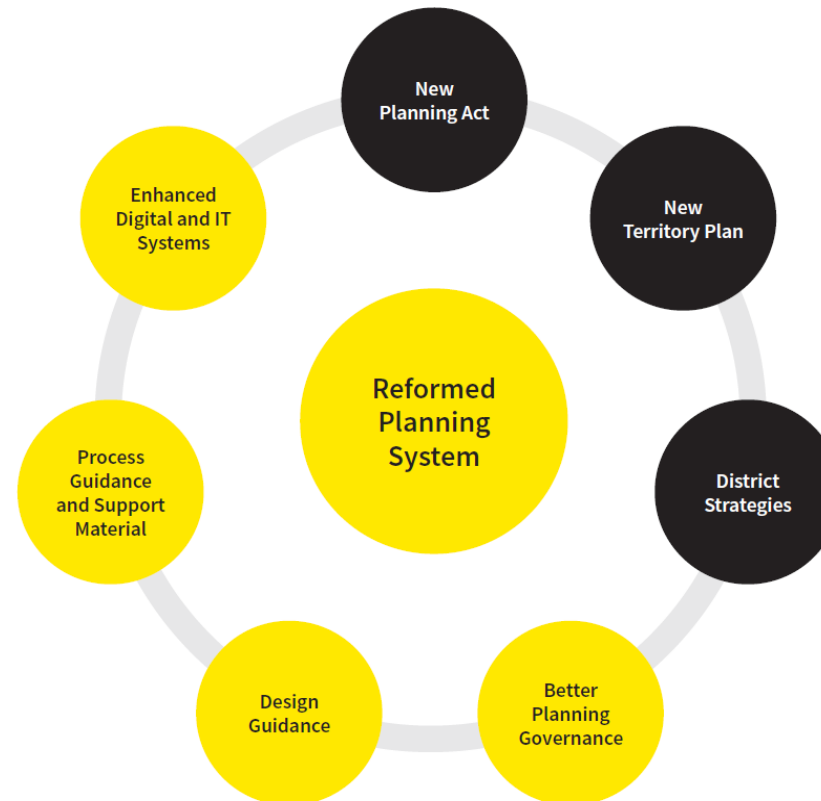
The 'Register for an Information Session' section at the bottom states that online information sessions will be held throughout the consultation period, and users will receive a link to join the session on the morning of the day of the session.



**ACT**  
Government



# Planning System Review and Reform Project







**ACT**  
Government



# Planning Bill - Summary

## Planning Bill

### Planning (General) Regulation

- proposals requiring design review
- proposals requiring an EIS
- construction tolerances
- Provisions to support:
  - EIS and inquiry panel processes
  - development assessment process
  - leasing system processes

### Planning (Exempt Development) Regulation

- types of exempt development
- Provisions to support:
  - exemption assessment process



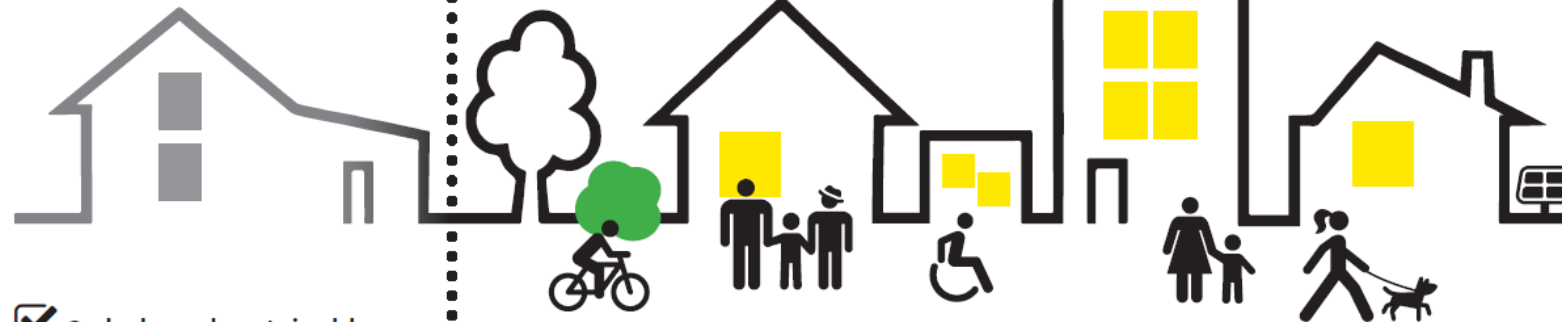
**ACT**  
Government



# Object

Object of Planning  
and Development  
Act 2007

Object  
of new  
Planning Bill



☒ Orderly and sustainable  
development

☒ Social, environmental and  
economic aspirations

☒ Sound financial principles

☒ Liveability and prosperity

☒ Ecologically sustainable

☒ Well-being of residents

☒ Effective, efficient, accessible and enabling

☒ Outcomes focussed

☒ Community participation



# Further matters for Object

In achieving the object, the following matters are important:

- the knowledge, culture and tradition of the Traditional Custodians
- planning for population growth
- Canberra's biodiversity and landscape setting
- high-quality, people-focussed and design-led built outcomes
- a sustainable and resilient environment

- For the first time, the Bill also recognises the importance to the planning system of the knowledge, culture, and traditions of the Traditional Custodians of the land, the Ngunnawal people.

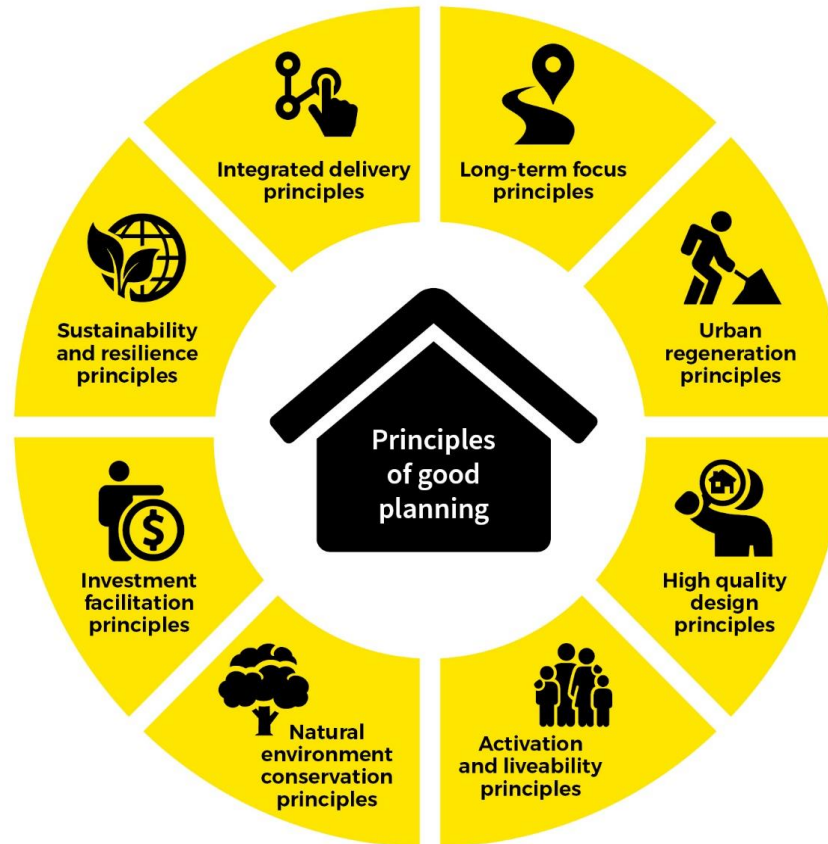




**ACT**  
Government



# Principles of good planning



Supported by  
principles of  
good  
consultation





**ACT**  
Government



# Principles of good consultation

## What does the Bill say?

### 10. Principles of good consultation

- (1) The Minister may make guidelines about principles of good consultation and how the principles are to be implemented.
- (2) A person required to carry out consultation under this Act must take the guidelines into consideration when carrying out the consultation.
- (3) A guideline is a notifiable instrument.

What principles would you like to see?

Some ideas:

- Clarity of subject
- Clarity of purpose
- Transparency
- Accessibility
- Respect
- Inclusivity
- Timeliness
- Proportionality

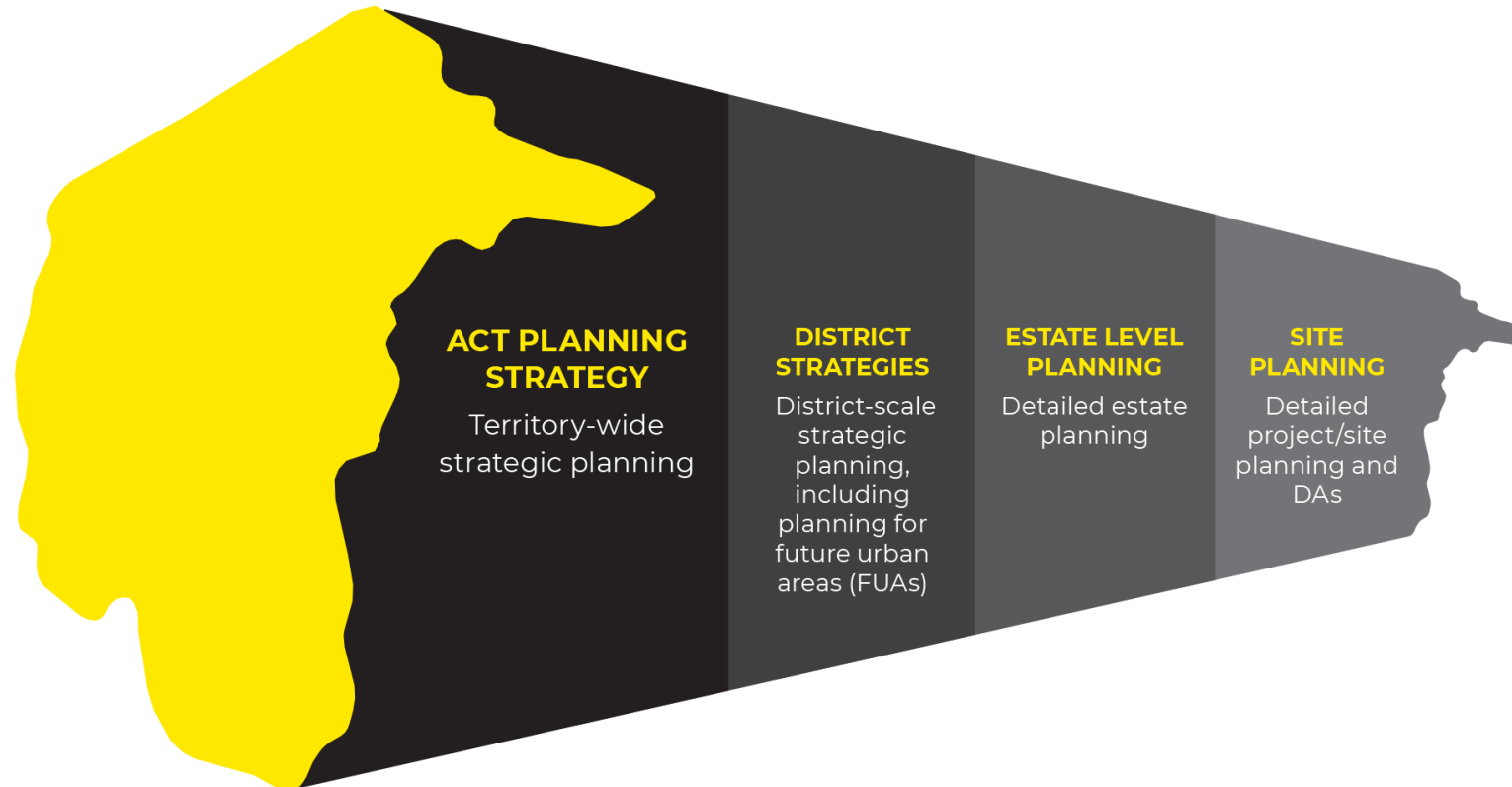




**ACT**  
Government



# District Strategies





# A new Territory Plan

## The Planning Bill includes:

- the process for making the initial Territory Plan
- content of the new Territory Plan
- processes for amending the Territory Plan

## What's next?

- Community members and industry experts will help us develop the new Territory Plan
- Broader community engagement on draft Territory Plan later in 2022





# Development Assessment

Changes to DA processes:

- Single application pathway
- Additional requirements for significant development (EIS, Design Review, EDPs)
  - Extra 10 working days notification and time to decide DA
- Simplified timeframes for making decisions
- Pre-decision advice
- Expanded decision-making criteria
- EIS process – EIS exemptions removed
  - Recent studies still used







# Exempt development

- Standalone exempt development regulation for ease of access
- New exemptions – murals and minor utility works
- Bolstered transparency and requirements for exemption declarations





# Territory Priority Projects



The Minister's power is available only where all the following criteria are met:

1. The proposal will provide critical infrastructure or facilities.
2. The proposal is likely to provide a significant benefit to the people of the Territory.
3. The project is time-critical.
4. There has been sufficient public consultation on the proposal.

- Public comment period on proposed declaration – 15 working days
- Once declared:
  - Chief Planner must decide DA
  - DA still requires public notification
  - No merits review and time-limited judicial review
- Removed Minister call-in powers



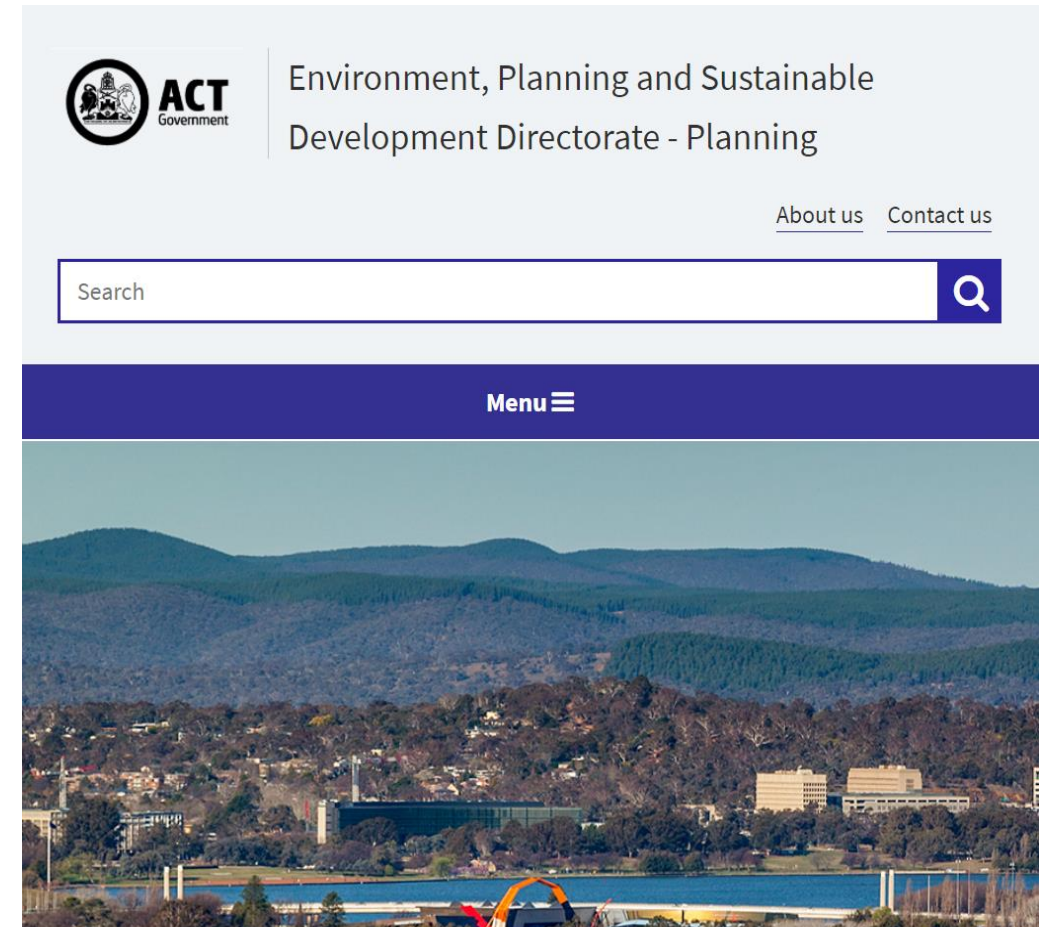




# Increased transparency

The planning website will be an information hub:

- Strategic planning documents
- Territory Plan amendments
- Development applications
- Further information
- Applications to amend
- Pre decision advice
- Notices of decision





**ACT**  
Government



# Review of decisions

- The Planning Bill outlines which decisions are reviewable by the ACT Civil and Administrative Tribunal
- Relevant decisions listed in schedules in the Bill
- Simplified categories of decisions exempt from review
- ACAT review is proposed to be full merits review





**ACT**  
Government



# Where to from here?

