



# The New Planning Bill – overview

(Draft Planning Bill)

The Planning Bill sets the foundation for our reformed, outcomes-focussed planning system.



The Planning System Review and Reform Project presents many opportunities for reform that can enable the best planning system for the future of the ACT and Canberrans.

The Bill contains fundamental improvements to elements of the planning system and how it works, while keeping many existing processes and features that remain effective and are essential components of our planning system.

## Draft legislation

The Planning Bill consultation package consists of the:

- Planning Bill
- Planning (General) Regulation
- Planning (Exempt Development) Regulation.

### Planning Bill (see key elements below)

#### 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

## Why does this matter?

Through the Planning Bill, we want to create a planning system which delivers for the people of the ACT. We want to be focussed on understanding the needs of our residents, planning for those needs, and then making sure that these needs are met.

This is about planning for the future – where people will live, how they will move around, how the natural environment will be protected and how our city will be resilient to the impacts of climate change.

The Planning Bill is important as it sets up the planning framework and processes which are needed when planning for the future and for new communities, for how we consider new buildings and how we can manage change in established areas. For example, this framework allows us to consider important matters like:

- how environment and traditional knowledge and culture are considered when we are planning for new communities

- how we inform people and get people involved in planning processes to be part of the decision-making
- how we set out what is expected for different types of housing
- how we consider what schools and other services are needed for new areas and existing areas undergoing change.



## Key elements of the new Planning Bill include:

- an expanded object of the Act, setting up an outcomes-focussed system (Chapter 2)
- new ‘principles of good planning’ (Chapter 2)
- expanded functions of the Territory Planning Authority (Chapter 3)
- expanded strategic planning provisions, including the introduction of district planning through district strategies (Chapter 4)
- provisions establishing a new, outcomes-focussed Territory Plan (Chapter 5)
- efficient Territory Plan amendment process for government policy (where consultation has previously occurred) (Chapter 5)
- a clear process for proponents to propose amendments to the Territory Plan (Chapter 5)
- retention of design review (Chapter 6)
- simplified Environmental Impact Statement (EIS) process, with removal of EIS exemptions (Chapter 6)
- a streamlined development assessment system (Chapter 7)
- introduction of pre-decision advice on development applications (Chapter 7)
- broadened decision-making considerations for development applications (Chapter 7)
- introduction of processes for ‘Territory Priority Projects’ (Chapter 8)
- splitting the existing regulation into a standalone exempt development regulation and a general regulation (Exempt Development Regulation and General Regulation)
- greater use of the planning website to provide improved transparency and access to information on planning processes and decisions (throughout the Bill and Chapter 14)

## Key principles

The Planning Bill has several key principles which have guided its development:

### Easy to use

Easy to use – less layers, clear processes, simple language and better digital experience

### Certainty

Certainty – of processes and requirements, and how applications will be assessed

### Flexibility

Flexibility – for design approaches to meet planning provisions, flexibility for appropriate land use. \* This does not mean a system with no rules, or the removal of key provisions such as building height limits in residential areas

### Transparency

Transparency – more information available on processes and decisions, community participation in the planning system, website access to public register information

### Outcomes-focussed

Outcomes-focussed – how the development works as a whole, rather than meeting minimum rules



## Where to from here?

The Planning Bill is being released for a public consultation period of 3 months. The Government will consider the feedback received during the consultation period, before making any necessary changes and finalising the Bill. The Bill will then be presented to the Legislative Assembly later in 2022. The Bill will then be considered and debated by the Assembly, and if passed, commence in early 2023.



## Where can I see the Bill and how can I comment?

The public consultation is now live on <https://yoursayconversations.act.gov.au/act-planning-system-review-and-reform>.

The consultation page contains the draft legislation, a policy overview paper, information factsheets and several options for providing written comments.