



Standing Committee on Planning, Transport and City Services

Inquiry into Planning Bill 2022 **ANSWER TO QUESTION TAKEN ON NOTICE**

Asked by Jo Clay MLA on 6 December 2022: Mr Ben Ponton took on notice the following question(s):

Reference: Hansard [uncorrected] proof transcript 6 December 2022, PAGE 10

In relation to: Sections of the Bill where the Chief Planner must consider NCDRP advice

THE CHAIR: I think you were going to check the sections of the Bill where the Chief Planner must consider NCDRP advice?

Ben Ponton: The answer to the Member's question is as follows:–

Section 183(k) of the Planning Bill 2022 (the Bill) requires that the decision-maker, when deciding a development application, must consider the advice of the design review panel (and the applicant's response), if advice was provided by the design review panel.

Section 186(6)(b) of the Bill provides that the decision-maker may refuse to approve a development application, that is required to be referred to the design review panel under Section 99, if the proponent has not responded to the design advice or if the decision maker considers that the proponent's response to the design advice is unsatisfactory.

The meaning of decision-maker is set out in section 142 of the Bill and for a development application, other than for the removal of the concessional status of a lease or for a Territory Priority Project, is the Territory Planning Authority.

Section 16 of the Bill states that the Chief Planner is the Territory Planning Authority.

Approved for circulation to the Standing Committee on Planning, Transport and City Services

Signature: 

Date: 13 December 2022

By the Director-General, Environment, Planning and Sustainable Development Directorate, Ben Ponton