



Inquiry into Annual and Financial Reports 2023–24

Answer to question taken on notice

Asked by: Clay, Jo MLA

Addressed to: Chris Steel MLA, Minister for Planning and Sustainable Development

In relation to: What design elements have been issued in relation to the ACT Planning System Evaluation Framework.

Hearing: **18 February 2025**

Uncorrected Proof Transcript: **UPT 18/02/2025, p 26-27.**

Transcript provided: 21 February 2025

Answer Due: 28 February 2025

Chris Steel MLA, Minister for Planning and Sustainable Development took on notice the following question(s):

Mr Cilliers: I might just quickly supplement that, in terms of the actual DA process. What we are doing, is we have started up a development application decision register since the new system came in. That register records a range of things, things like decisions that deals with – who they deal with entity advise, things like essential design elements, things like how to respond to design guides. There is a whole list of things that is being recorded, even things like any NCDRP advice on those large and significant applications.

I just want to pause a moment on essential design elements. That is a new feature of the new system.

THE CHAIR: Yes.

Mr Cilliers: So we also record everything out of decisions. These are kept in the register, and they form a basis, a very strong basis, for actual what is of value in our determinations that we can draw from in future closing that loop, that we then feed back to the policy area for any their consideration. We will continue maintaining this register as long as it is needed.

Mr Green: The other—

THE CHAIR: Sure, it does sound like there is a lot of work in chain, which is good to hear. Is there any direct consultation with HIA, MBA, or the Australian Institute of Architect and the Planning Institute of Australia, as part of this evaluation?

Mr Green: I would say that there is ongoing engagement with all of those entities in relation to the planning system and possible future changes. I think—

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THE CHAIR: Yes. Through the EPF or through some other mechanism?

Mr Cilliers: I also have a bi-monthly meeting with MBA, HIA.

THE CHAIR: Yes. Okay.

Mr Cilliers: And we occasionally discuss these matters as well.

THE CHAIR: Okay.

Mr Green: So yes, EPF is certainly a channel, particularly the views obviously ...(indistinct)... [10.10.28] and other entities that are part of the environment and planning forum. As George has mentioned, the bi-lateral, but we do have regular engagement with associations and others.

The important point is also, we got to report on this clearly. And in our intention is to report through our annual reporting cycle on this work.

THE CHAIR: Great. That was going to be my next question. You have answered it. Thank you. And how many design elements have been issued?

Mr Cilliers: I cannot provide that answer because we have to go through each NOD to get it. I need to consult the register for that.

THE CHAIR: Okay.

Mr Cilliers: So I not – I cannot provide you with it.

THE CHAIR: Okay.

Mr Cilliers: Because it could be anything. It could be a particular fenestration or building height or elements that is important from – identified from the NCDRP advice as well.

THE CHAIR: Okay. All right. Thank you.

Mr Green: And Ms Clay, the other important thing to note, and just reflecting on EPF, we did have some significant engagement with the Environment Planning Forum in forming up the evaluation framework before it was finalised. It has gone back to EPF, and we will continue to engage with EPF.

THE CHAIR: Excellent. Thank you. Mr Cillies, if you can take it on notice and then provide whatever information can be provided? And you will come back on notice if there is a reason that, you know, that is none, you will explain why that is.

Chris Steel MLA, Minister for Planning and Sustainable Development: The answer to the Member's question is as follows:

The term *essential design elements* was a term introduced with the new planning system. These are elements that are specifically identified in a notice of decision as being crucial to providing a better overall design outcome. Once an *essential design element* is identified, there are limitations that restrict when these elements can be changed.

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The Territory Planning Authority (the TPA) has established a register for when *essential design elements* are identified in a notice of decision. The TPA currently has four development approvals listed on the register where *essential design elements* have been identified. A fifth development approval also identified *essential design elements* but has not been entered into the register to date as it is pending final determination and dispatch by end February 2025.

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

Signature: 

Date: 29/2/25

By Chris Steel MLA, Minister for Planning and Sustainable Development