

**2025**

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**ELEVENTH ASSEMBLY**

**Building and construction industry – Regulatory burden reduction – Assembly Resolution of  
18 March 2025**

**Government Response**

**Presented by  
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On 18 March 2025, the ACT Legislative Assembly passed a resolution which called on the government to strengthen its engagement with the building and construction sector and the community to identify ways to reduce regulatory burden, streamline approval processes and rebuild trust in the system.

The resolution also required the government to table a ministerial statement reviewing the documentation for the new pool fencing standards, including the role of authorised persons and certifiers, and to ensure the system is operating effectively.

In addition, the resolution directed the government to conduct internal reviews of development application assessment processes, exemption declarations and staffing requirements, as well as the performance of referral entities, with a view to addressing delays and reporting back to the Assembly by the end of the calendar year.

I am pleased to provide this statement which addresses each of the matters raised in the resolution.

The ACT Government has long recognised the importance of ensuring that our planning and building systems are efficient, harmonious, and trusted. A strong and responsive construction sector is central to the prosperity of our city and is recognised as a significant contributor to our economy and workforce.

Confidence in the regulatory system is critical, not just for industry participants, but for homeowners, investors, and the broader community who rely on high standards of safety, amenity, and sustainability.

Over recent years, the ACT Government has driven significant reforms in the areas of planning and sustainable development, including the passage of the new *Planning Act 2023*, and reforms to our building regulatory system to strengthen outcomes for our community.

Each of these initiatives has been shaped by extensive consultation with industry and the community, and reflects broader strategic objectives, including design excellence, sustainability, community amenity, environmental protection, and connectivity. These changes demonstrate our ongoing commitment to both productivity and quality outcomes.

The resolution nonetheless provides a timely opportunity to outline progress in four specific areas, and to reaffirm the Government's commitment to delivering 30,000 new homes by 2030, supported by a construction productivity agenda.

### **(a) Consultation with the building and construction sector**

Following the release of the National Competition Policy, which recognises the critical role of housing and construction in driving economic growth, lifting living standards and meeting the needs of a growing population, I announced a housing and construction productivity agenda (the Productivity Agenda) for the Territory that supports industry capability, streamlines regulatory processes and fosters innovation across the sector.

Construction is not only a driver of housing supply, but also a key contributor to the ACT economy. By streamlining processes and cutting duplication, we allow builders, certifiers and developers to focus on industry growth and delivery, while government focuses on setting and enforcing the standards that make our city safe and liveable.

The Government's consultation with the building and construction sector is well established and ongoing. In developing the *Planning Act 2023* and related reforms, we conducted both broad public consultation and targeted engagement with peak bodies such as the Housing Industry Association, Property Council, and Master Builders Association.

While stakeholders recognise the need for robust safety, quality and compliance standards, they urge reduced duplication and removal of unnecessary steps so resources can focus on delivery and operate with greater certainty.

The ACT Government has proactively explored opportunities to consult and partner with the sector on forward-looking solutions, including engaging through the Planning and Construction Industry Chief Executive Reference Group (PACICERG). Through the Productivity Agenda, the ACT Government is working with industry to identify and progress reforms that reduce unnecessary burden while maintaining standards that support Canberra remaining a liveable city and an attractive place to live.

Officials from what was then the Environment, Planning and Sustainable Development Directorate, and now the City and Environment Directorate (CED) following machinery of government changes, continue to meet regularly with industry to identify opportunities for improvement.

The Productivity Agenda is considering reform opportunities from a range of sources, including industry and government submissions, legislative reviews and intergovernmental initiatives such as the National Competition Policy.

My colleague, Minister Cheyne, in her role as the Minister for City and Government Services, has also been holding construction industry roundtables to progress conversations about reform proposals in her portfolio, including review and reform of the *Urban Forest Act 2023* and the *Public Unleased Land Act 2013*.

By improving efficiency, reducing red tape, and strengthening collaboration with industry and community stakeholders, we can deliver a planning, building and construction system that is both robust and fit-for-purpose. Consultation is not a one-off task but an ongoing partnership, and the Government is committed to ensuring that partnership remains strong.

### **(b) Swimming Pool Reform Documentation Review**

The Assembly resolution requested the Government table a ministerial statement on a review of the documentation supporting the new swimming pool fencing standards by the end of 2025.

The CED has now completed this review with the purpose to ensure that the available documentation is accurate, accessible, and supports pool owners, certifiers, and authorised persons in understanding their obligations under these new safety reforms.

The review considered ten publicly available documents and related web content, supported by feedback from industry stakeholders, authorised persons, certifiers, and representatives of the Swimming Pool and Spa Association (SPASA).

The review confirmed that while the reform documentation is comprehensive, improvements are needed to ensure guidance is easy to follow and can be tailored to provide key information to the different users who may be seeking information. Some documents were found to be overly technical at times and using inconsistent terminology.

The review also highlighted a level of confusion persists around obligations during the transition period, with some pool owners incorrectly assuming no personal responsibilities are in place until 2028.

To address these findings, the Government will simplify language and reduce technical jargon; add diagrams, flowcharts, and scenario-based examples; restructure online content to align with user journeys for homeowners, certifiers, and real estate agents; introduce online lodgement for compliance certificates; and establish a clear central point of contact for advice. These actions are designed to make compliance easier and strengthen confidence in the reforms.

The review's findings reflect key learnings from the implementation of technically complex reforms and a commitment to continuous improvement of customer information and experiences.

What is clear, the government's home swimming pool safety reforms rest on a clear, principled objective, to reduce the risk of drownings and serious pool-related injuries through more consistent, modern, and enforceable safety standards.

### **(c) Report to Assembly on review of development applications**

As part of the Resolution, the Assembly requested an internal review of the assessment of development applications (DAs), exemption declarations, and staffing requirements. This work, led by the Statutory Planning Division within CED is well underway.

In the early stages, the review has observed that while around three-quarters of all development applications continue to be determined within statutory timeframes, the growing complexity of larger, multi-entity proposals is contributing to pressure points in the system.

Other factors such as staffing changes, variations in interpretation of requirements, and the need to clarify information in some exemption requests, have also been noted as areas that place additional demand on assessment processes.

To address this, the Government is undertaking projects to streamline development assessment and planning processes to effectively deliver shovel-ready decisions which will enable delivery of 30,000 homes by 2030.

Work has already been completed to document the City and Environment Directorates existing end-to-end planning and development system process map, capturing everything from pre-development application, to sale, or use-of a new development. This has facilitated key observations around opportunities to establish a high-level system to track and manage the decision processes while ensuring that statutory decision makers maintain their independence. Work is also progressing to improve coordination of tasks across teams.

A first tranche of building reforms and streamlining initiatives is being considered through this process and as part of the Productivity Agenda. Included in this work is consideration of increasing existing arrangements for exempt development pathways for minor residential building works and exploring additional proposals which may be able to benefit from a codified pathway and therefore be exempt from requiring development approval.

As part of this work, options are being explored for streamlined asset acceptance, unit titling and approvals for environmental management on building sites. A risk-based approach is under consideration for these initiatives to drive simpler approvals for low-risk proposals, while increasing internal coordination and redirecting resources away from low-risk assessments to the more complex assessment proposals. This priority work will continue to be progressed in 2025 and into 2026.

The creation of CED further demonstrates our commitment to lasting reform. By bringing together planning, environment, and city services functions, the Government is better positioned to coordinate approvals, manage referrals, and provide clearer pathways for applicants. This is a structural reform that strengthens service provision for both industry and the community.

#### **(d) Report to Assembly on review of referral entities**

A review of referral entities is also underway, with a focus on CED entities, and is examining statutory requirements, resourcing, and performance of development assessment referral entities such as the Tree Protection Unit, Heritage Council, and Transport Canberra and City Services, and utility providers. This has included documenting end-to-end planning and development processes, from pre-development application to post building or development completion.

Early findings confirm what industry has raised, referral processes can add unnecessary time and complexity. While some entities consistently meet expectations, others are constrained by resourcing. Applicants have also told us they have faced duplication of information and feel there is limited visibility over referral progression.

A first tranche of streamlining initiatives and proposed policy changes is anticipated to be announced and tested with the development industry before the end of the year. As these changes are put in place and processes streamlined, further initiatives and policy changes will be investigated and implemented.

As noted above, the Government has taken the opportunity through the recent merging of directorates to commence a program of reform, one that balances efficiency with safety, quality, and community confidence.