Obj # 19/05102

Mrs Giulia Jones MLA

Chair

Standing Committee on Justice and Community Safety (Legislative Scrutiny Role)

ACT Legislative Assembly

London Circuit

CANBERRA ACT 2601

Dear Mrs Jones

**Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) (the Committee) Scrutiny Report No. 31.**

I write in response to the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) Scrutiny Report 31, which was released on 28 May 2019. Specifically, this letter addresses comments made by the Committee on the Planning and Development (Design Review Panel) Amendment Bill 2019 (the Bill) about the justification for the displacement of Section 47(6) of the *Legislation Act 2001.*

The Bill establishes a pre-development application process to refer significant development proposals to the design review panel. The Design Review Panel is a non-statutory body with panel members appointed under contract, providing advice to development proponents prior to development applications being finalised, in order to protect and enhance design quality.

The Bill establishes both the process through which development proposals will be brought before the Panel and assessed, and also the design principles the Panel and its members will assess projects against.

The Bill provides for the Minister to make rules and planning principles which will be publicly available on an approved website (planning and land authority website). This is considered the most appropriate approach as it will allow for minor refinements to be made to the administrative processes and procedures of the non-statutory body efficiently and in response to anticipated ongoing feedback from industry and community. This approach is consistent with a change to the definition of the term ‘public notification’ within the *Red Tape Reduction Legislation Amendment Act 2015* to allow ACT Government agencies to put notifications on a public website, as opposed to the Legislation Register.

As a new process in the ACT, having the flexibility to respond to feedback from industry, government and other major stakeholders on process and procedural matters will assist in building trust in the process for those who engage with the design review panel. As demonstrated in other jurisdictions nationally, building industry and community trust in the first years of operation of the design review panel process is important to its on-going and lasting success.

It is also proposed that if more significant administrative changes to the rules and/or design principles are required, the ACT Government would undertake industry and community engagement activities prior to commencement of any changes.

I trust this information is of assistance and I thank the Committee for its comments on the Bill.

Yours sincerely

Mick Gentleman MLA

Minister for Planning and Land Management