

Australian Capital Territory

Land (Planning and Environment) Act 1991

Draft Variation No.192 to the Territory Plan - Residential Land Use Policies – Dual and Triple Occupancy Housing

Notifiable instrument NI2001— 58

made under the

***Land (Planning and Environment) Act 1991, Section 19(1) (Public
Consultation)***

Draft Variation to the Territory Plan No.192, has been prepared by the Planning and Land Management Group (PALM) of Urban Services (incorporating the functions of the ACT Planning Authority).

This draft Variation proposes to amend the Residential Policies in the Territory Plan Written Statement to introduce a new control to limit dual or triple occupancy housing.

On land included within the Residential Land Use Policy Area, dual or triple occupancy housing would be limited to 5% of the total number of blocks in any one section, as defined under the *Districts Act 1966* and identified on the ACT's cadastral data base. The 5% restriction would mean that sections with less than 20 blocks could not be considered for such development and a threshold of 40 blocks would need to be reached

before a second dual or triple occupancy development could be considered in a section.

The policy only relates to blocks used, or originally intended to be used, for single dwelling housing and not to blocks specifically released, or designed, for multi-unit development.

Development applications lodged by 20 December 2001 would be exempt from the restriction, along with current pre-applications where an acceptable ‘High Quality Sustainable Design Response Report’ has already been submitted.

Under the *Land (Planning and Environment) Act 1991* (the Land Act) s9, draft Variation No.192 has interim effect until 5 December 2002, or for the “defined period”, whichever is the shorter. The “defined period” commenced on 6 December 2001 and continues until the proposals in the draft Variation, or the corresponding Plan Variation:

- come into effect;
- or are rejected by the Legislative Assembly;
- or are withdrawn.

During the period these provisions have interim effect the Territory, the Executive, a Minister or a Territory Authority shall not do, or approve the doing of, any act which would be inconsistent with the Territory Plan, or the Plan if it was varied in accordance with the provisions of the draft Variation.

Section 11 of the Land Act, concerning the Heritage Places Register, does not apply to this proposal.

From Monday 10 December 2001 until Monday 18 February 2002, copies of **draft Variation No.192 to the Territory Plan**, may be:

- inspected at ACT Government Libraries at Belconnen, Civic, Dickson, Erindale, Griffith, Gungahlin, Kippax, Tuggeranong and Woden during normal opening hours;
- inspected at, or obtained from, ACT Government Shopfronts at Civic, Tuggeranong, Woden and Belconnen;

- inspected at, or obtained from, the PALM Shopfront at Dame Pattie Menzies House, 16 Challis Street, Dickson, during normal office hours; and
- inspected on the PALM Website at: **www.palm.act.gov.au/tplan**

Comments on draft Variation No.192 should be submitted, by **Monday 18 February 2002**, to:

**Planning and Land Management Group
Urban Services Department
GPO Box 1908
CANBERRA ACT 2601
Attention: Mr Phil Harris.**

Comments can also be sent via Email to: **terrplan@act.gov.au**
or by Facsimile to: **62071710.**

Copies of all written comments received in response to the draft Variation, including those from the National Capital Authority (NCA), will be made available for public inspection during normal office hours, from Tuesday 19 February 2002 until Tuesday 12 March 2002, at the PALM Shopfront in Dame Pattie Menzies House, 16 Challis Street, Dickson. Any comments received from the NCA after Monday 18 February 2002 will be available for perusal for 15 business days from the date of receipt.

Simon Corbell
Minister for Planning
December 2001