

Australian Capital Territory

## **Territory Plan (Adoption of Planning Guidelines) 2004 (No 6)\***

**Notifiable instrument NI2004—381**

made under the

**Territory Plan, Part A3 Clause 8.3 (Planning Guidelines)**

I hereby adopt the *Interim Guideline for the Exemption of Remediation for Bush Fire Affected Urban Landscapes from Requiring Development Approval* and give notice that it has been entered in the register of planning guidelines.

Copies of the planning guideline are available for inspection at:

- the ACT Planning and Land Authority Customer Service Centre, Dame Pattie Menzies House, 16 Challis Street, Dickson, during normal office hours; and
- the ACT Planning and Land Authority Website at:  
[www.actpla.act.gov.au/plandev/planning\\_register/index.htm](http://www.actpla.act.gov.au/plandev/planning_register/index.htm)

Neil Savery  
Chief Planning Executive  
ACT Planning and Land Authority  
29 September 2004

\*Name amended under Legislation Act, s 60

## ACT PLANNING AND LAND AUTHORITY

### INTERIM GUIDELINE FOR THE EXEMPTION OF REMEDIATION OF BUSH FIRE AFFECTED URBAN LANDSCAPES FROM REQUIRING DEVELOPMENT APPROVAL

#### INTRODUCTION

I, Neil Savery, the person for the time being performing the duties of the Chief Planning Executive established under Section 19 of the *Planning and Land Act 2002*, adopt the following guideline for the purposes of the Regulation 40 (2) item 4 Schedule 2: Land (Planning and Environment) Regulations 1992.

This guideline is to apply to tree and shrub planting or removal and minor landscape works to restore the safety and amenity of the landscape following a bushfire event to unleased Territory Land on behalf of the Territory for the purpose of exempting those activities from requiring development approval under Part 6 of the *Land (Planning and Environment) Act 1991* (the Land Act).

The exemptions under this guideline do not apply where the development is:

1. part of or carried out in association with, other development to which Part 6 of the Land Act applies; or
2. inconsistent with the requirements for the heritage conservation of an area as included in the heritage places register or the interim heritage places register; or
3. inconsistent with a condition of approval or a lease provision or an agreement collateral to the grant of a lease on a lease adjacent to the works on unleased Territory Land; or
4. inconsistent with the requirements of the Tree Protection (Interim Scheme) Act 2001 or its replacement Act or any other tree protection Act in force at the time of the works; or
5. likely to result in a significantly different landscape character to the affected area; or
6. minor landscape works within Civic Centre area, a town Centre area or a Group Centre area.

## **DEFINITIONS**

For the purposes of this guideline, the following definition applies:

“**bushfire affected area**” means that part of any area within the Territory that has suffered damage to infrastructure, facilities or landscape as the result of a bushfire.

## **EXEMPTION CRITERIA**

Development of the type described in this guideline is exempt from requiring development approval if it is consistent with the following requirements:

1. That any rectification/demolition/ removal and replanting work be carried out in consultation with any infrastructure service providers affected by the works prior to commencement of activities; and
2. That any rectification/demolition/ removal and replanting work be carried out in consultation with any adjacent leaseholders prior to commencement of the works.

Neil Savery  
ACT Planning and Land Authority

29 September 2004