

Planning and Development (Draft Variation No 306) Public Availability Notice 2012*

Draft Variation to the Territory Plan 306 – Residential Development, Estate Development and Leasing Codes

Notifiable instrument NI2012—124

made under the

***Planning and Development Act 2007*, section 70 (Public notice of documents given to Minister) and section 71 (Public availability notice – notice of interim effect etc)**

The ACT Planning and Land Authority is making available for public inspection draft variation 306 to the Territory Plan, including related documents listed below, which has been given to the Minister for approval:

- background papers
- a report on consultation, including:
 - a written report setting out the issues raised in any written comments (including consultation comments) about the variation
 - a written report about the Authority's consultation with the public, the National Capital Authority, the Conservator of Flora and Fauna, the Environment Protection Authority and the Heritage Council

The draft variation was prepared to implement a review of the ACT residential and subdivision policies.

Broad policy changes are proposed to relevant codes, which include:

- improvements to solar access for homes
- protection of amenity within the residential RZ2 suburban core zone
- changes to subdivision provisions for new estates
- provision for secondary residences (granny flats)

Draft variation 306 and related documents are available online at **www.actpla.act.gov.au**. Copies are also available for inspection at the Environment and Sustainable Development Customer Service Centre, 16 Challis Street, Dickson, Monday to Friday between 8.30am and 4.30pm.

*Name amended under Legislation Act, s 60

Effect of the draft variation 306

Section 72 of the *Planning and Development Act 2007* applies only to:

Estate Development Code

Element 8, item 8.1, rules 46, criterion 46, rule 47 and tables referred to in rule 46.

Interim effect will require all affected estate development plans to comply with block layout and orientation controls.

For the purpose of interim effect the code referred to in the criterion 46 is the residential zones Single Dwelling Housing Development Code.

Multi Unit Housing Development Code

Element 3 – items 3.8, 3.10, 3.11 and 3.27

Element 5 – item 5.4

Element 7 – item 7.6

For all affected proposals, compliance is required with new controls affecting the density of multi unit residential redevelopment in the RZ2.

Residential Zones Development Code

Element 10 – item 10.3

For all affected proposals, compliance is required with new controls affecting consolidation of blocks for multi unit residential redevelopment in RZ2.

Section 72 does not apply to the remainder of draft variation 306.

This means that, in addition to the Territory Plan, the provisions of draft variation 306 identified above apply to development applications lodged on or after 3 June 2011, excluding development applications where an application for a completeness check was submitted before 3 June 2011 or, in the case of estate development plans, where an application was submitted with ACTPLA for pre-application circulation before 3 June 2011.

The effect of section 72 during the defined period means that the ACT Government must not do or approve anything that would be inconsistent with the Territory Plan. Put simply, the provisions of the draft variation identified above are part of the Territory Plan for a period up to one year from the date of this notice, unless the draft variation commences, is withdrawn or rejected by the Legislative Assembly.

Fact sheets and further information on draft variations are available from **www.actpla.act.gov.au**

Ben Ponton
Delegate of the Planning and Land Authority
7 March 2012