



Standing Committee on Planning, Transport and City Services

Inquiry into Planning Bill 2022 **ANSWER TO QUESTION ON NOTICE**

Asked by Ms Jo Clay MLA:

Reference: Hearing on 7 December 2022]

In relation to: [Provisions requiring compliance with Variation 369 in the Bill](#)

THE CHAIR: Can just check, we have heard concern that things like Variation 369 will no longer be mandatory. Will Variation 369 be mandatory under this new system?

Mr Gentleman: It still takes that place under the Territory Plan.

Mr Ponton: Yes, so what—

THE CHAIR: Yes, so it will still be mandatory to comply with?

Mr Ponton: Yes, so what we have done, if I may, minister, Variation 369, in fact we have gone further than 369 in the various documents that have been produced, so in the Urban Design Guide, which is referenced in the Territory Plan, so we actually have a link from the Territory Plan to the design guide, and then there are provisions and I think it is in Housing as well. There are particular provisions, so the provisions are now included in the plan itself.

THE CHAIR: Could you take on notice for me the provisions that specify that?

Mick Gentleman MLA: The answer to the Member's question is as follows:—

The living infrastructure provisions that were introduced into the current Territory Plan with Variation 369 will continue to apply in the new Territory Plan.

The specific requirements set out in Variation 369 for tree planting and permeable areas will be located in the Residential Zones technical specifications.

Section 183(a) of the Planning Bill 2022 provides that when deciding a development application under section 182, the decision maker must consider any applicable desired outcomes in the Territory Plan.

The Residential Zones Policy requires development proposals to be assessed having regard to how living infrastructure and planting areas address the impacts of urban heat and water infiltration.

The associated documents (design guides and technical specifications) then provide more specific requirements to be considered.

Approved for circulation to the Standing Committee on Planning, Transport and City Services

Signature: 

Date: 15/12/2022

By the Minister for Planning and Land Management, Mick Gentleman MLA