

Chris Steel MLA

Treasurer

Minister for Planning and Sustainable Development

Minister for Heritage

Minister for Transport

Member for Murrumbidgee

RESPONSE TO QUESTION ON NOTICE**Questions on Notice Paper No 4****21 March 2025****Question No. 225****MR CAIN MLA** - To ask the Minister for Planning and Sustainable Development:

- (1) What is the ACT Government's current policy on building entitlements on non-urban land.
- (2) Did the ACT Government previously maintain a policy on building entitlements on non-urban land which required 100 hectares for one building entitlement; if so, (a) when was this policy discontinued and (b) why was this policy discontinued.
- (3) How many building entitlements have been issued or are available to be issued on non-urban land in 2024-2025.
- (4) How many building entitlements have been issued on non-urban land between 2014-2015 and 2024-2025.

MINISTER STEEL MLA - The answer to the Member's question is as follows:

- (1) The ability to build on non-urban Territory land, is outlined under the *Planning Act 2023*, and relevant regulations. The allowable uses are dependent on the zoning and development proposed on Territory land which will require development approval, unless exempted under the Planning (Exempt Development) Regulation 2023. Development applications (DAs) are assessed, independently, by the Territory Planning Authority (the Authority) under the requirements of the *Planning Act 2023* and Territory Plan 2023. A use on a site can also be authorised through a Crown lease for a particular site.

A rural lease is a term often used for when the purpose clause within the Crown lease includes an agricultural use. Given question 2 is referring to size limits for building entitlements, it has been taken that this is referring to rural properties (i.e. rural leases).



Like any other lease, rural leases are renewed in accordance with the *Planning Act 2023*. To renew a lease, a lessee would apply in writing (including email) to the Authority for a further lease.

However, unlike other leases, rural leases are also subject to a disallowable instrument made under the *Planning Act 2023* (see <https://www.legislation.act.gov.au/di/2025-35/>). This instrument prescribes the term and rental for rural leases identified in the schedule of the determination.

- (2) No version of the Territory Plan (since self-Government) has included any restriction for a rural lease to 100 hectares.
- (3) 1 further rural lease has been granted in 2024-25, noting that the ability to build on non-urban Territory land has been described in (1) above.
- (4) 17 further leases were granted between 2014-2015 and 2024-2025.

Approved for circulation to the Member and incorporation into Hansard.



Chris Steel MLA

Minister for Planning and Sustainable Development

Date:..... 16/4/25

This response required 1hr 35mins to complete, at an approximate cost of \$187.32.