

Australian Capital Territory

Planning and Development (Technical Amendment— Miscellaneous Amendments) Plan Variation 2012 (No 2)*

**Notifiable Instrument NI2012 — 632
Technical Amendment No 2012-31**

made under the

Planning and Development Act 2007, section 89 (Making technical amendments)

This Technical Amendment commences on 18 December 2012.

Technical Amendment Number 2012-31 to the Territory Plan has been approved by the planning and land authority.

Ben Ponton
Delegate of Planning and Land Authority

11 December 2012

*Name amended under Legislation Act, s 60



ACT

Government

Environment and
Sustainable Development

**ACT Planning and
Land Authority**

Planning and Development Act 2007

Technical Amendment to the Territory Plan Variation 2012 – 31

Miscellaneous amendments -
Governance

Industrial Mixed Use Zone Development Table
Crace Precinct Code
Community Facility Zone Development Code
Access and Mobility General Code
Definitions

November 2012

Contents

1.	INTRODUCTION.....	4
1.1	Purpose.....	4
1.2	Public consultation	4
1.3	Process	4
1.4	ACT Planning Strategy.....	4
1.5	Compliance with the Act.....	5
2.	EXPLANATION	6
2.1	Governance.....	6
2.2	Industrial Mixed Use Zone Development Table.....	6
2.3	Community Facility Zone Development Code	6
2.4	Crace Precinct Code	6
2.5	Access and Mobility General Code	7
2.6	Definitions	7
3.	TECHNICAL AMENDMENT	8
3.1	Governance.....	8
3.2	IZ2 Industrial Mixed Use Zone Development Table	10
3.3	Community Facility Zone Development Code	10
3.4	Crace Precinct Code	11
3.5	Access and Mobility General Code	12
3.6	Definitions	12

INTRODUCTION

Purpose

This technical amendment will make the following changes to the Territory Plan:

Governance

Correct typographical errors, incorrect wording and references to redundant documents.

Industrial Mixed Use Zone Development Table

Re-insert 'office' as an additional merit assessable development for several sites in Fyshwick.

Community Facility Zone Development Code

Correct a reference to AS4299 – Adaptable Housing.

Crace Precinct Code

Correct an error in Figure 1.

Access and Mobility General Code

Correct a reference to multi-unit housing in Table 1.

Definitions

Correct one word within the definition of 'animal husbandry'.

Public consultation

Under section 88 of the *Planning and Development Act 2007* (the Act) this type of technical amendment is not subject to public consultation.

Process

This technical amendment has been prepared in accordance with section 87 of the *Planning and Development Act 2007* (the Act). The planning and land authority must notify the public of the commencement of this technical amendment.

ACT Planning Strategy

This technical amendment is not inconsistent with the ACT Planning Strategy.

Compliance with the Act

This technical amendment is compliant with s87(a) of the *Planning and Development Act 2007* in that:

- i) would not adversely affect anyone's rights if approved; and
- ii) has as its only object the correction of a formal error in the plan.

EXPLANATION

Governance

Various references

The provisions contain some typographical errors, incorrect wording and references to redundant documents. The errors will be corrected and the correct references to documents will be inserted.

Industrial Mixed Use Zone Development Table

Reference to AS4299 – Adaptable Housing

The reference to ‘office’ as an additional merit track assessable development within the IZ2 mixed use industrial zone development table, was removed via technical amendment 2011-03 (Item D).

Whilst removal of ‘office’ as a redundant item was correct, the recent formulation of suburb precinct codes has meant that the following sites in Fyshwick have not been identified for the purpose of ongoing block specific provisions:

Section 6 blocks 6, 25 and 26

Section 7 blocks 6 and 7

Section 39 blocks 6 and 7

This matter will be corrected by re-inserting ‘office’ into the development table as an additional merit assessable development for the above sites.

Community Facility Zone Development Code

Reference to AS4299 – Adaptable Housing

Rules R1(c) and R2(c) incorrectly refer to Part C of Australian Standard AS4299 – Adaptable Housing. It should make reference to Class C.

Crace Precinct Code

Figure 1

The legend in Figure 1 indicates a side boundary fence height of 1.5m within 9m of the corner boundary, and 600 – 900mm after that. According to Rules R2 and R3, it should be the other way around. Therefore, Figure 1 will be amended accordingly.

Access and Mobility General Code

Application of the Code

In accordance with Table 1, multi-unit housing only needs to comply with the Access and Mobility General Code if the development is for more than 10 units. Whereas rule R129 of the Multi Unit Housing Development Code requires a development consisting of 10 or more dwellings, to comply with the Access and Mobility General Code.

This error will be corrected by amending Table 1 of the Access and Mobility General Code to refer to the Multi Unit Housing Development Code.

Definitions

Definition of animal husbandry

The definition contains an incorrect word, namely ‘...within the confines of a building of buildings...’ The correct word is ‘or’.

TECHNICAL AMENDMENT

Governance

1 Administrative Provisions, Commencement

Omit

(or date to be confirmed)

2 Administrative Provisions, Relationship with the Planning Strategy, third paragraph

Substitute

ACT Planning Strategy 2012 is the current planning strategy.

3 Administrative Provisions, Relationship with Other Plans

Substitute 'can' in the last sentence with

may

4 Map (refer s56 of the Act), Contents

Substitute 'do' in the Note with

does

5 Development Approval, Approvals

Substitute '133(a)' with

133(1)(a)

6 Development Approval, Zones and Zone Objectives, third paragraph, first sentence

Substitute

Each Zone has objectives that set out the policy outcomes intended to be achieved by applying the applicable development table and code.

7 Development Approval, Codes, final paragraph, fifth dot point

Omit

and therefore the intent of the element.

8 Development Approval, Determinations, third paragraph, eleventh dot point

Substitute

environmental impact statement (EIS) (s128)

9 Future Urban Areas, Identification of Future Urban Areas, second paragraph

Omit

10 Future Urban Areas, Structure Plans, first paragraph

Substitute 'development' with

preparation

11 Future Urban Areas, Concept Plans, first sentence

Substitute 'in' with

found in

12 Future Urban Areas, Development Codes, heading

Substitute

Estate development

13 Future Urban Areas, Development Codes, second sentence

Omit

the

before 'subdivision'.

IZ2 Industrial Mixed Use Zone Development Table

14 Minimum assessment track merit, specific areas have additional developments that may be approved subject to assessment

a) *Insert into* Site Identifier column:

Fyshwick Section 6 Blocks 6, 25, and 26

Fyshwick Section 7 Blocks 6 and 7

Fyshwick Section 39 Blocks 6 and 7

b) *Insert into* Additional Development column

Office

Community Facility Zone Development Code

15 Element 1: Restrictions on use, 1.1 Supportive housing, R1(c)

Substitute 'Part' with:

Class

16 Element 1: Restrictions on use, 1.2 Retirement village, R2(c)

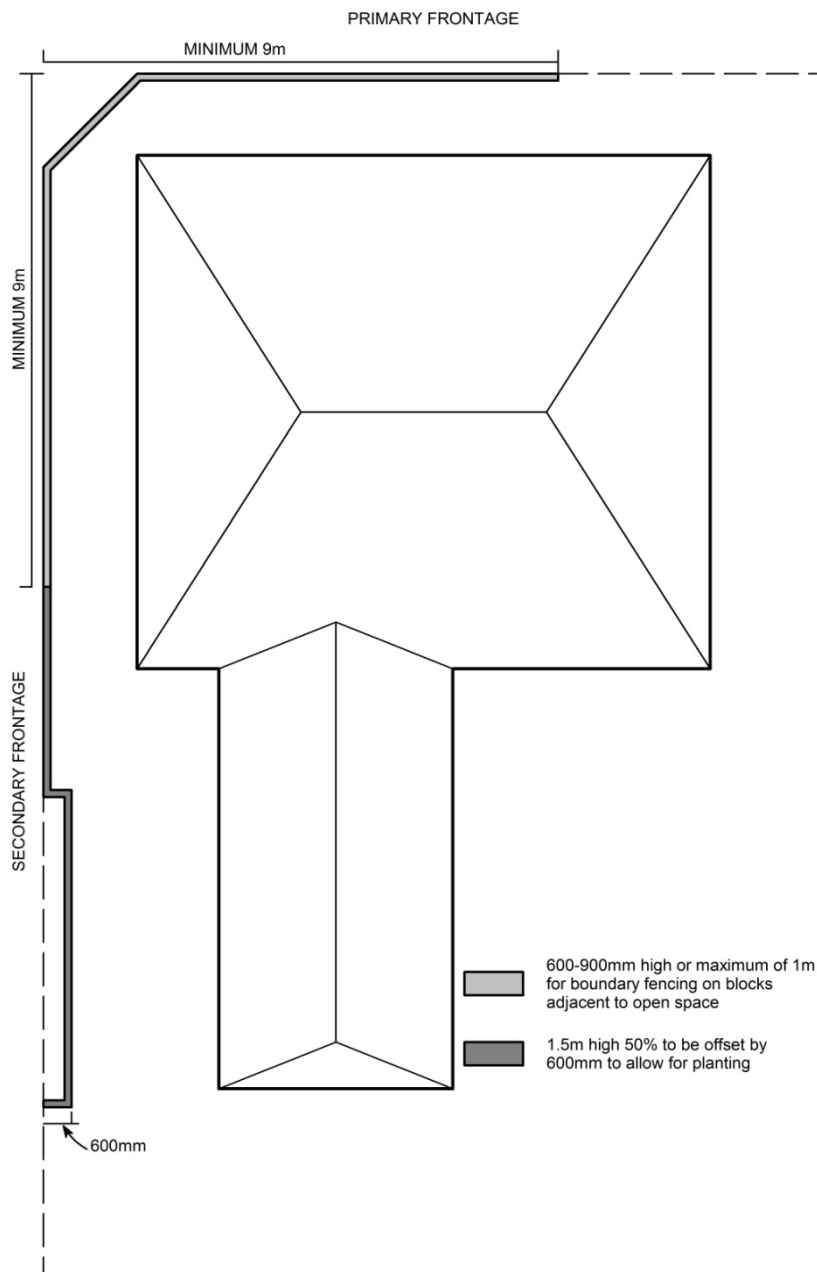
Substitute 'Part' with:

Class

Crace Precinct Code

17 Figure 1. Fence location for corner blocks and blocks adjacent to open space

Substitute Figure 1 with:



Access and Mobility General Code

18 Application of the Code, Table 1

Substitute Multi-unit housing (if greater than 10 units) *with*:

Multi-unit housing (refer to Residential Zones – Multi Unit Housing Development Code)

Definitions

19 Part A – Definitions of Development, Animal husbandry

Substitute with:

‘means any form of animal production that either takes place within the confines of a building or buildings where livestock are reared in confined areas excluding any husbandry carried out mainly for the personal enjoyment of, or consumption by, the owner(s) or occupier(s) of the land.’

Interpretation service

ENGLISH	If you need interpreting help, telephone:
ARABIC	: إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajnuna t'interpretu, ċempel:
PERSIAN	: اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
PORTUGUESE	Se você precisar da ajuda de um intérprete, telefone:
SERBIAN	Ako vam je potrebna pomoć prevodioca telefoniрајте:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacınız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

TRANSLATING AND INTERPRETING SERVICE

131 450

Canberra and District - 24 hours a day, seven days a week