

Australian Capital Territory

# **Planning and Development (Technical Amendment—miscellaneous amendment) Plan Variation 2014 (No 3)\***

**Notifiable Instrument NI2014—276**

**Technical Amendment No 2014—13**

made under the

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

---

**This technical amendment commences on 20 June 2014.**

**Variation No 2014—13 to the Territory Plan has been approved by the planning and land authority.**

Jim Corrigan  
Delegate of the Planning and Land Authority  
17 June 2014

\*Name amended under Legislation Act, s 60

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)



**ACT**

Government

Environment and  
Sustainable Development

Planning & Development Act 2007

# **Technical Amendment to the Territory Plan Variation 2014-13**

Miscellaneous general technical amendment,  
including corrections to the Crace and Weston  
precinct maps and codes, and the single dwelling  
housing development code

June 2014

*This page is left intentionally blank*

# Table of Contents

1.	INTRODUCTION.....	1
1.1	Purpose.....	1
1.2	Public consultation .....	1
1.3	Process .....	1
1.4	Types of technical amendments under the Act .....	1
2.	EXPLANATION .....	3
2.1	Single dwelling housing development code .....	3
2.2	Weston precinct map and code.....	3
2.3	Crace precinct map and code .....	4
3.	TECHNICAL AMENDMENT.....	5
3.1	Single dwelling housing development code .....	5
3.2	Weston precinct map and code.....	7
3.3	Crace precinct map and code .....	9

*This page is left intentionally blank*

# 1. INTRODUCTION

## 1.1 Purpose

This technical amendment makes the following changes to the Territory Plan:

*Single dwelling housing development code*

Correct typographical errors.

*Crace precinct map and code*

Rectify erroneous numbering and figures of ongoing provisions made by technical amendment TA2013-11.

*Weston precinct map and code*

Rectify inadvertent omissions made by technical amendment TA2014-08.

## 1.2 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.

## 1.3 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.

## 1.4 Types of technical amendments under the Act

The following categories of technical amendments are provided under section 87 of the Act:

- (a) a variation (an **error variation**) 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
  - (iii)
- (b) a variation (a **code variation**) that –
  - (i) would only change a code; and
  - (ii) is consistent with the policy purpose and policy framework of the code; and
  - (iii) is not an error variation
- (c) a variation in relation to a future urban area under section 95 (Technical amendments – future urban areas);

- (d) a variation in relation to an estate development plan under section 96 (Effect of approval of estate development plan);
- (e) a variation to change the boundary of a zone or overlay under section 96A (Rezoning – boundary changes);
- (f) a variation required to bring the territory plan into line with the national capital plan;
- (g) a variation to omit something that is obsolete or redundant in the territory plan;
- (h) a variation to clarify the language in the territory plan if it does not change the substance of the plan;
- (i) a variation to relocate a provision within the territory plan if the substance of the provision is not changed.

Following each item in Part 2 Explanation of this technical amendment is a statement of compliance against the specific criteria for the relevant category of technical amendment.

TA2014-13 has been prepared in accordance with section 87(a) of the Act.

## 2. EXPLANATION

This part of the technical amendment document explains the changes to be made to the Territory Plan, the reasons for the change, and a statement of compliance against the relevant section of the Act.

### 2.1 Single dwelling housing development code

Certain provisions in the code contains typographical errors - under R25 (f) and R26 (f) the words 'site lines' should be spelt as 'sight lines'. This amendment corrects the errors.

Section	Statement
s87(a) would not adversely affect anyone's rights if approved; and has as its only object the correction of a formal error in the plan	Compliant.

### 2.2 Weston precinct map and code

The ongoing provisions for Weston residential area 2 as indicated on Figure 3 of the Weston Precinct Map and Code inadvertently omitted a specific size provision for enlarged water tanks identified on the approved EDP. This has been rectified in this technical amendment. The amendment also corrects the heading for OP2 and updates the contents page.

Section	Statement
s87(a) would not adversely affect anyone's rights if approved; and has as its only object the correction of a formal error in the plan	Compliant.



## 2.3 Crace precinct map and code

The Crace precinct map erroneously indicated the areas and numbering of the ongoing provision areas. This has been rectified in this technical amendment. Minor corrections are also made to figure 5.

Section	Statement
s87(a) would not adversely affect anyone's rights if approved; and has as its only object the correction of a formal error in the plan	Compliant.

### 3. TECHNICAL AMENDMENT

This section of the technical amendment document provides the actual instructions for implementing the changes to the Territory Plan.

#### 3.1 Single dwelling housing development code

<b>1. Element 2: Lease and development conditions; section 3.3 Courtyard walls – large blocks, Rule R25 (f)</b>
---

*Replace crossed out text with underlined text*

Rules	Criteria
<b>3.3 Courtyard walls – large blocks</b>	
<p>R25</p> <p>This rule applies to <i>large blocks</i>.</p> <p>Courtyard walls forward of the <i>building line</i> comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) total length complies with one of the following <ul style="list-style-type: none"> <li>i) not more than 50% of the width of the <i>block</i></li> <li>ii) not more than 70% where the width of the <i>block</i> at the line of the wall is less than 12m</li> </ul> </li> <li>b) setback from the front boundary not less than 50% of the minimum front setback applying to the <i>block</i></li> <li>c) height does not exceed 1.8m</li> <li>d) constructed only of brick, block or stonework, any of which may be combined with feature panels</li> <li>e) incorporate shrub planting between the wall and the front boundary</li> <li>f) do not obstruct <del>site</del> <u>sight</u> lines for vehicles and pedestrians on public paths on driveways in accordance with Australian Standard AS2890.1- <i>Off-Street Parking</i>.</li> </ul>	<p>C25</p> <p>Courtyard walls achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) consistent with the <i>desired character</i></li> <li>b) the dominance of the building's facade in the <i>streetscape</i> taking all of the following aspects of the proposed courtyard wall into account <ul style="list-style-type: none"> <li>i) height</li> <li>ii) relationship to verge footpath</li> <li>iii) total proportion relative to the building width</li> <li>iv) colour and design features</li> <li>v) transparency</li> <li>vi) articulation</li> <li>vii) protection of existing desirable landscape features</li> <li>viii) tree and shrub planting forward of the wall</li> </ul> </li> <li>c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1- <i>Off-Street Parking</i>.</li> </ul>

## 2. Element 2: Lease and development conditions; section 3.4 Courtyard walls – mid sized blocks, Rule R26(f)

*Replace crossed-out text with underlined text*

3.4 Courtyard walls – mid sized blocks	
<p><b>R26</b></p> <p>This rule applies to <i>mid-sized blocks</i>.</p> <p>Courtyard walls forward of the <i>building line</i> comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) have a maximum total length of <ul style="list-style-type: none"> <li>i) where the width of the <i>block</i> at the line of the wall is less than 12m – 70% of the width of the <i>block</i></li> <li>ii) in all other cases - 50% of the width of the <i>block</i></li> </ul> </li> <li>b) have a minimum <i>setback</i> from the <i>front boundary</i> of not less than - <ul style="list-style-type: none"> <li>i) where the total length of the courtyard wall measured parallel to the front street boundary does not exceed 6.5m and the courtyard wall does not exceed 1.5m in height - 1m</li> <li>ii) in all other cases – 50% of the minimum front setback applying to the <i>block</i></li> </ul> </li> <li>c) do not exceed 1.8m in height</li> <li>d) are constructed of one of the following - <ul style="list-style-type: none"> <li>i) only of brick, block or stonework, any of which may be combined with feature panels</li> <li>ii) finished to match or complement the dwelling house</li> </ul> </li> <li>e) incorporate shrub planting between the wall and the front boundary</li> <li>f) do not obstruct <del>site</del> <u>sight</u> lines for vehicles and pedestrians on public paths on driveways in accordance with A2890.1-<i>The Australian Standard for Off-Street Parking</i>.</li> </ul>	<p><b>C26</b></p> <p>Courtyard walls achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) consistent with the <i>desired character</i></li> <li>b) the dominance of the building's facade in the <i>streetscape</i> taking all of the following aspects of the proposed courtyard wall into account <ul style="list-style-type: none"> <li>i) height</li> <li>ii) relationship to verge footpath</li> <li>iii) total proportion relative to the building width</li> <li>iv) colour and design features</li> <li>v) transparency</li> <li>vi) articulation</li> <li>vii) protection of existing desirable landscape features</li> <li>viii) tree and shrub planting forward of the wall</li> </ul> </li> <li>c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1- <i>Parking facilities, part 1 off-street parking</i>.</li> </ul>

### 3.2 Weston precinct map and code

#### 3. Other ongoing provisions

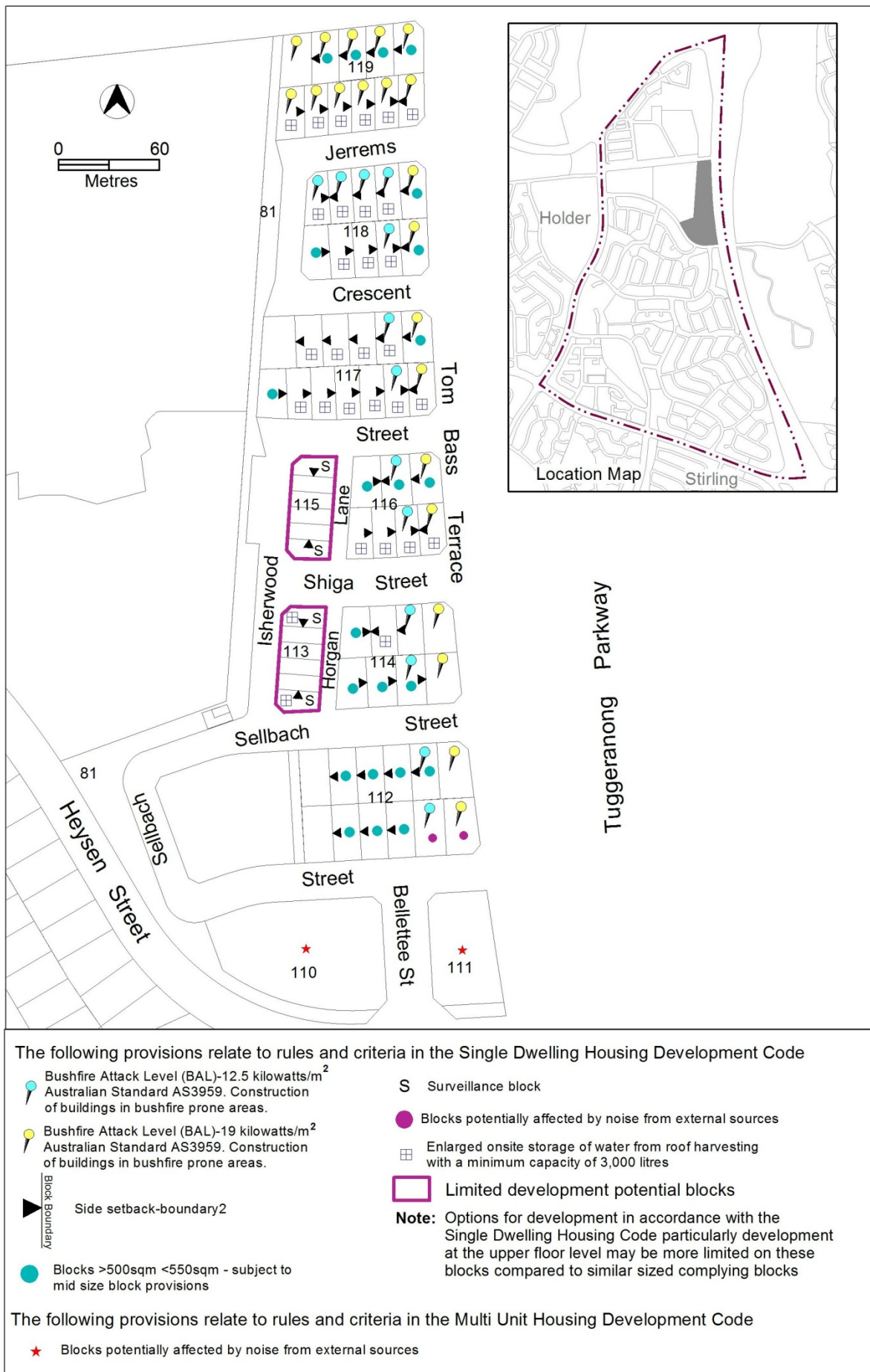
*Insert above Figure 3*

### OP2 - Weston residential area 2

This part applies to blocks and parcels identified in area OP2 shown on the Weston Precinct Map.

#### 4. Other ongoing provisions, OP2 – Weston residential area 2, Figure 3

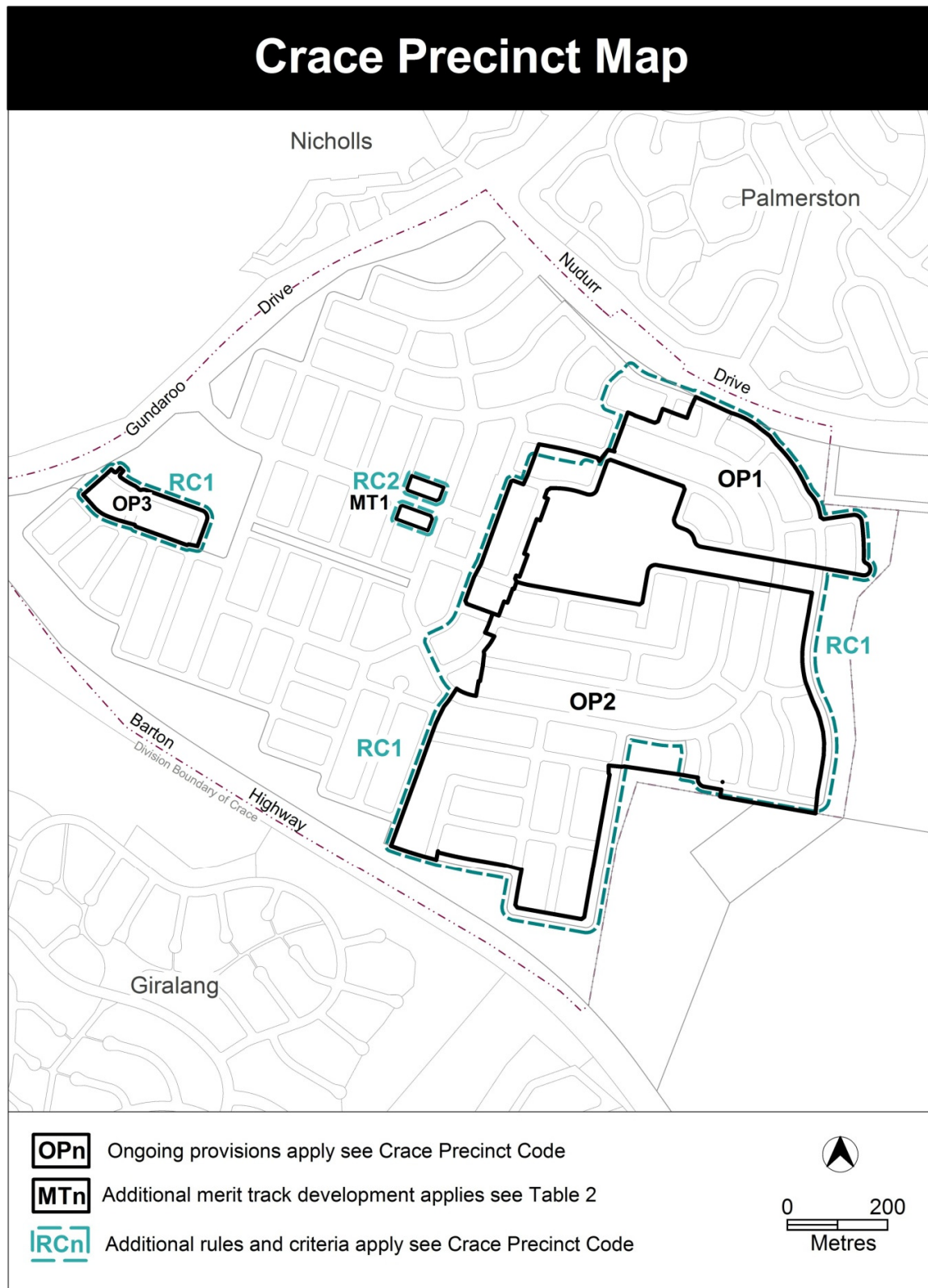
*Substitute*



### 3.3 Crace precinct map and code

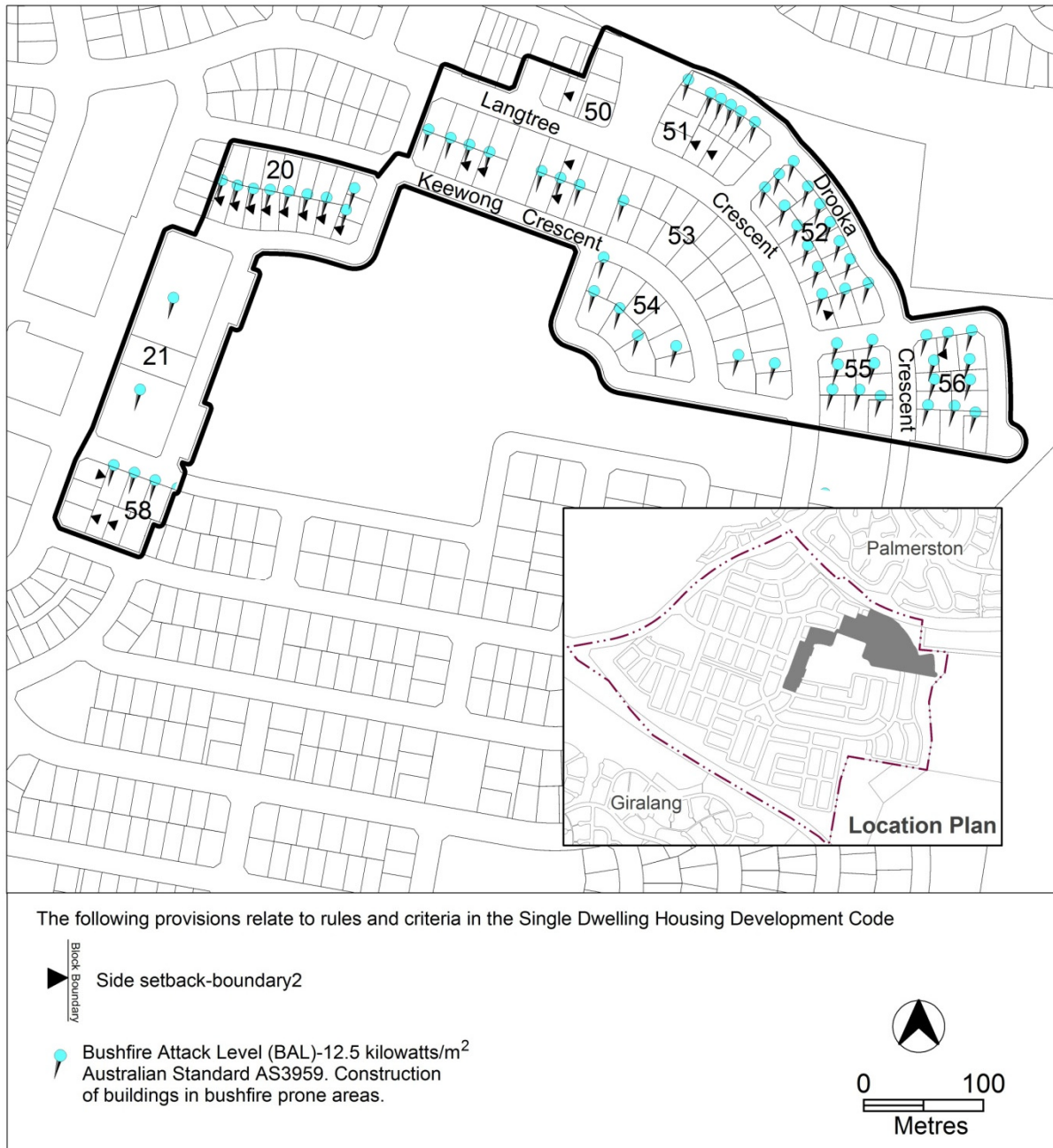
#### 5. Crace precinct map

*Substitute*



**6. Crace precinct map and code, Other ongoing provisions, OP1 – Crace residential area 1, Figure 5**

*Substitute*



## 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 τηλεφωνήστε 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