

# Planning and Development (Technical Amendment—Casey) Plan Variation 2014 (No 1)\*

**Notifiable Instrument NI2014—33**  
**Technical Amendment No 2013—23**

made under the

*Planning and Development Act 2007*, section 89 (Making technical amendments) s96 (land ceases to be in future urban area)

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This plan variation commences on the day after it is notified.

Variation No 2013—23 to the Territory Plan has been approved by the Planning and Land Authority.

## **Variation to the Territory Plan**

The Territory Plan map is proposed to be varied as indicated in **Annexure A** to identify the zones that apply to the land ceasing to be in a future urban area.

## **Variation to the Precinct Map and Code**

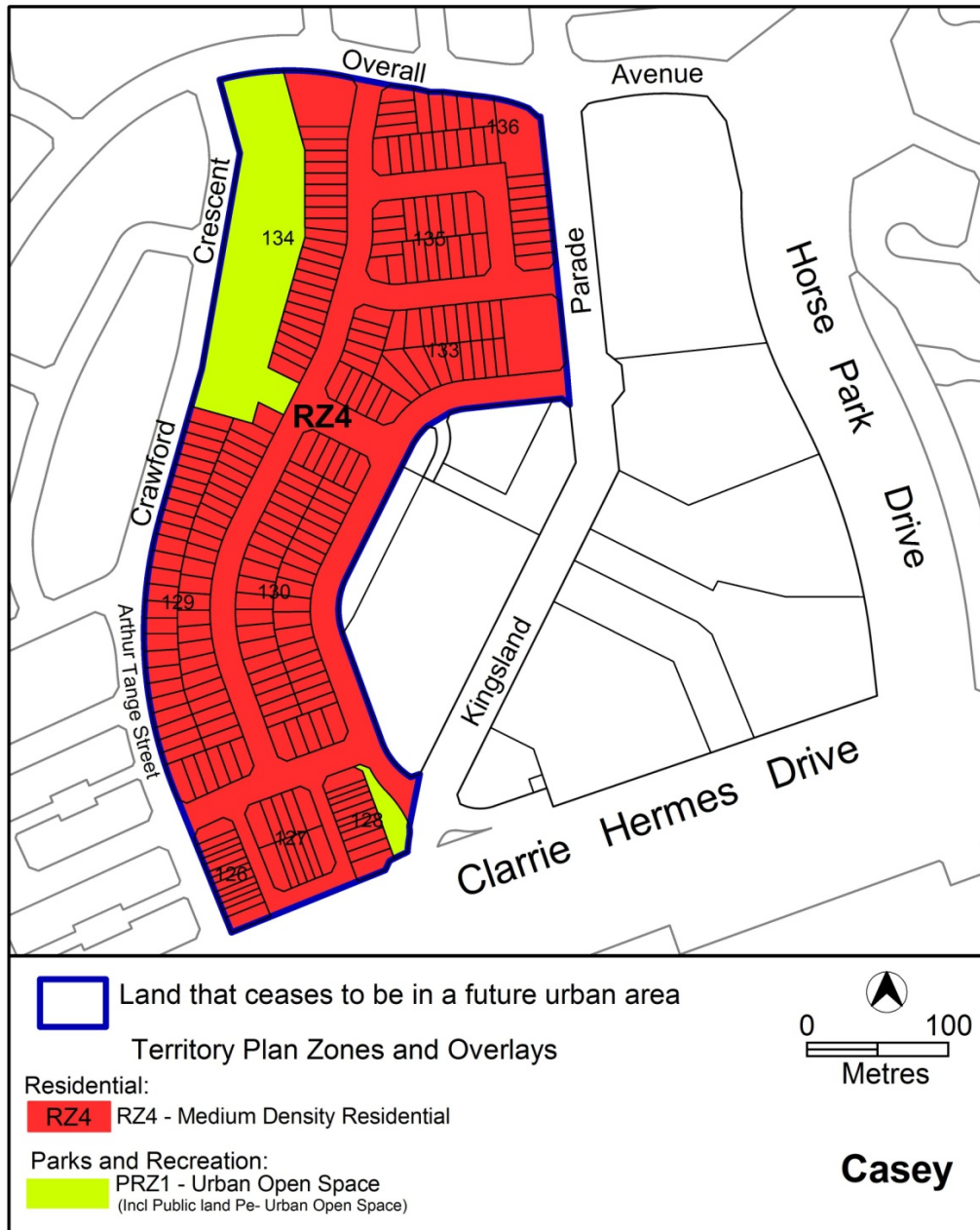
Replace Casey Precinct Map and Code at **Annexure B** to incorporate ongoing block specific provisions for the area.

Jim Corrigan  
Delegate of the Planning and Land Authority  
3 February 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)

**THIS IS PAGE ONE OF ANNEXURE A  
TO NOTIFIABLE INSTRUMENT NI2014-33**



Jim Corrigan  
Delegate of the Planning and Land Authority  
Date 3 February 2014

**THIS IS PAGE ONE OF ANNEXURE B  
TO NOTIFIABLE INSTRUMENT NI2014–33**

Jim Corrigan  
Delegate of the Planning and Land Authority  
Date: 3 February 2014



**ACT**

Government

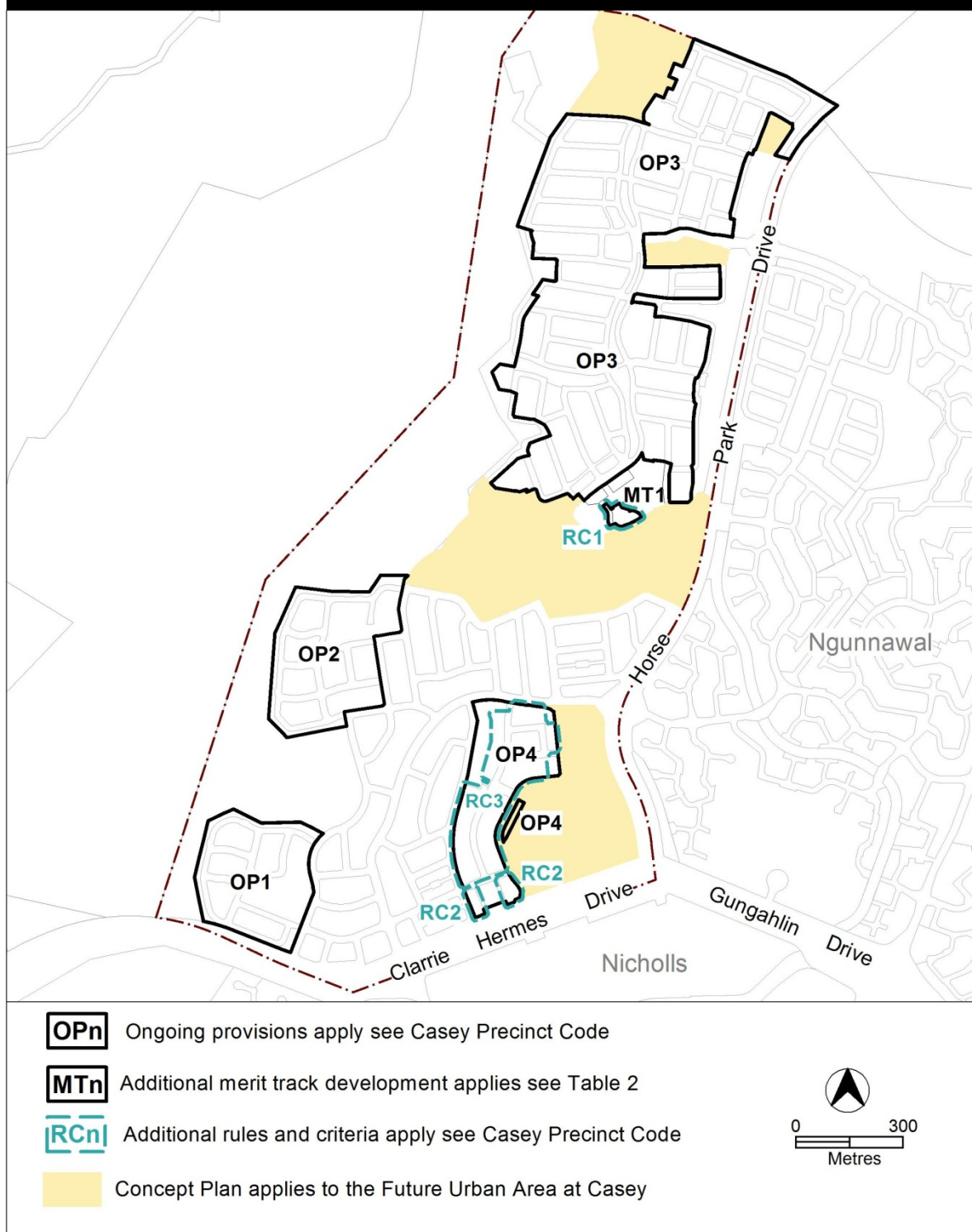
Environment and  
Sustainable Development

Annexure B

# Casey Precinct Map and Code

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# Casey Precinct Map



## Assessment Tracks

The following tables identify the additional prohibited development and additional merit track development for blocks and parcels shown in the Casey Precinct Map (identified as PDn or MTn). Development that is exempt from requiring development approval, other prohibited development and the minimum assessment track applicable to each development proposal is set out in the relevant zone development table.

The following table constitutes part of the relevant zone development table.

**Table 2 – Additional merit track development**

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	CZ5	<i>craft workshop</i> <i>drink establishment</i> <i>indoor entertainment facility</i> <b><i>tourist resort</i></b>

# Casey Precinct Code

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# Introduction

## Name

The name of this code is **Casey Precinct Code**.

## Application

The code applies to the Division of Casey.

## Purpose

This code provides additional planning, design and environmental controls for specific areas or blocks and may also contain references to provisions in other codes.

In conjunction with other relevant codes it will be used by the *Authority* to assess development applications and offer guidance to intending applicants in designing development proposals and preparing development applications.

## Structure

This code contains additional rules and/or criteria for particular blocks or parcels identified as areas RCn on the precinct map, to be read in conjunction with the relevant development code. It may also contain sub-parts.

Each element has one or more rules and, unless the respective rule is mandatory, each rule has an associated criterion. Rules provide quantitative, or definitive, controls. By contrast, criteria are chiefly qualitative in nature.

In some instances rules are mandatory. Such rules are accompanied by the words “This is a mandatory requirement. There is no applicable criterion.” Non-compliance with a mandatory rule will result in the refusal of the development application. Conversely, the words “There is no applicable rule” is found where a criterion only is applicable.

## Code hierarchy

Under the *Planning and Development Act 2007*, where more than one type of code applies to a development, the order of precedence if there is inconsistency of provisions between codes is: precinct code, development code and general code. If more than one precinct code applies to the site, the most recent precinct code takes precedence to the extent of any inconsistency.

## Definitions

Defined terms, references to legislation and other documents are italicised. Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, associated with the respective rule.

**Acronyms**

ACTPLA	Planning and Land Authority within the ACT Environment and Sustainable Development Directorate
EPA	ACT Environment Protection Authority
ESA	ACT Emergency Services Agency
ESDD	ACT Environment and Sustainable Development Directorate
NCA	National Capital Authority
P&D Act	Planning and Development Act 2007
TAMS	ACT Territory and Municipal Services Directorate

## Additional rules and criteria

This part applies to blocks and parcels identified in the Casey Precinct Map (RCn). It should be read in conjunction with the relevant zone development code and related codes.

### RC1 – Mixed Use Commercial Development

This part applies to blocks and parcels identified in area RC1 shown on the Casey Precinct Map.

#### Element 1: Use

Rules	Criteria
<b>1.1 Ground floor use</b>	
<p>R1</p> <p>One or more of the following uses are not permitted above the ground floor:</p> <ul style="list-style-type: none"> <li>a) <i>COMMUNITY USE</i></li> <li>b) <i>craft workshop</i></li> <li>c) <i>indoor entertainment facility</i></li> <li>d) <i>indoor recreation facility</i></li> <li>e) <i>NON RETAIL COMMERCIAL USE</i></li> <li>f) <i>restaurant</i></li> <li>g) <i>SHOP</i></li> </ul>	<p>C1</p> <p>Noise generating uses are located to minimise impacts on residential or commercial accommodation.</p>
<b>1.2 Ground floor use – floor area limit</b>	
<p>R2</p> <p>Where development includes one or more of the following:</p> <ul style="list-style-type: none"> <li>a) <i>COMMUNITY USE</i></li> <li>b) <i>craft workshop</i></li> <li>c) <i>indoor entertainment facility</i></li> <li>d) <i>indoor recreation facility</i></li> <li>e) <i>NON RETAIL COMMERCIAL USE</i></li> <li>f) <i>Restaurant</i></li> <li>g) <i>SHOP</i></li> </ul> <p>the maximum <i>gross floor area</i> per establishment or tenancy is 200 m<sup>2</sup></p>	<p>C2</p> <p>The scale of leisure, recreation, community and commercial activities included with multi unit housing development achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) ancillary to <i>RESIDENTIAL USE</i></li> <li>b) services the local residents only</li> </ul>

## Element 2: Buildings

Rules	Criteria
<b>2.1</b> <b>Number of storeys</b>	
R3 The maximum number of <i>storeys</i> is 3.	C3 Buildings achieve all of the following: a)    compatibility with the <i>desired character</i> b)    reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i> The maximum number of storeys is 4.

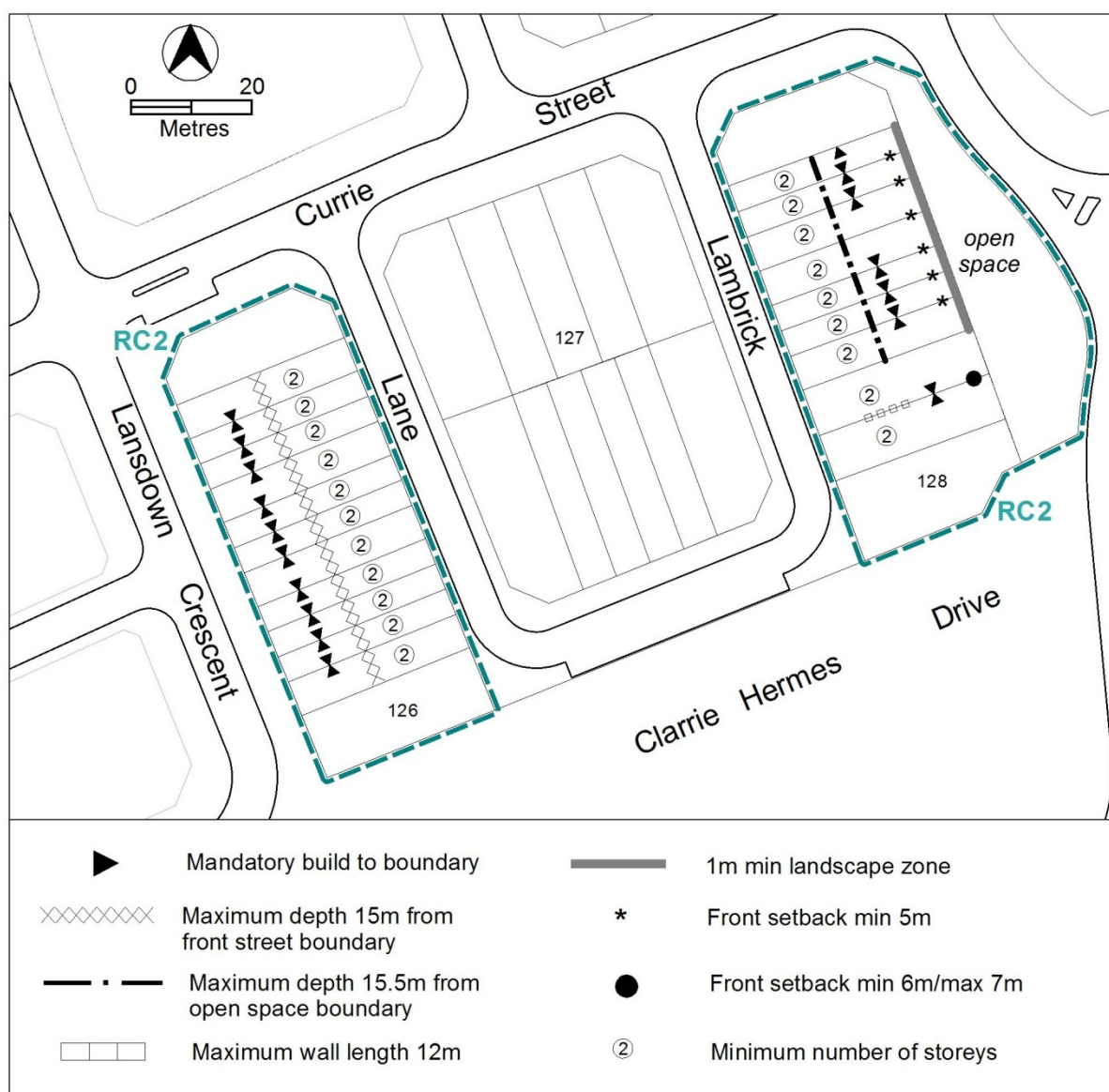
## RC2 – Residential

This part applies to blocks and parcels identified in area RC2 shown on the Casey Precinct Map.

### Element 1: Building and site controls

Rules	Criteria
<b>1.1 Number of storeys</b>	
<p>R4</p> <p>The minimum number of <i>storeys</i> is 2 for blocks as indicated in Figure 1.</p>	<p>C4</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) compatibility with the <i>desired character</i></li> <li>b) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i></li> </ul>
<b>1.2 Setbacks</b>	
<p>R5</p> <p>Mandatory build to boundary for blocks as indicated in Figure 1.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R6</p> <p>Maximum depth of 15m from front street boundary for blocks as indicated in Figure 1.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R7</p> <p>Maximum depth of 15.5m from adjoining open space boundary for blocks as indicated in Figure 1.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R8</p> <p>Maximum wall length of 12 metres for blocks as indicated in Figure 1.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>R9</p> <p>A front setback from the open space boundary of minimum 5m applies to blocks as indicated in Figure 1.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R10</p> <p>A front setback of minimum 6m and maximum 7m applies to blocks as indicated in Figure 1.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>



**Figure 1 Building Controls**

## Element 2: Environment

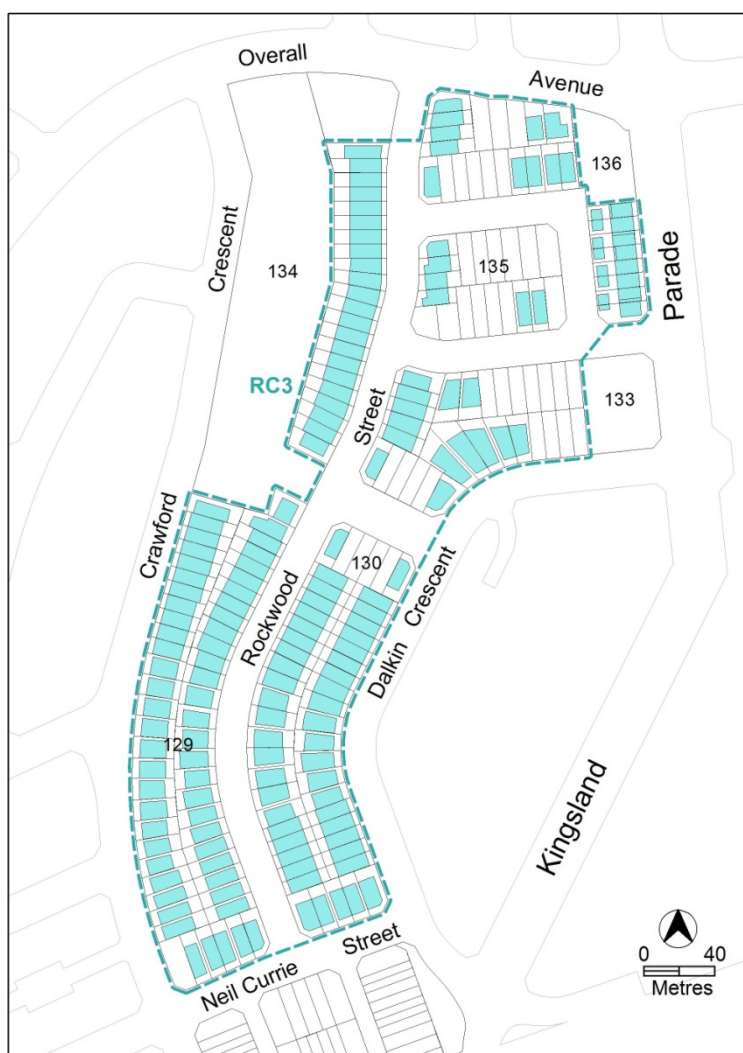
Rules	Criteria
<b>2.1      Planting zone</b>	
<p>R11</p> <p>1 metre minimum landscape zone for blocks indicated in Figure 1.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

## RC3 – Residential

This part applies to blocks and parcels identified in area RC3 shown on the Casey Precinct Map.

### Element 3: Maximum Building Zone

Rules	Criteria
<b>3.1 Integrated Dwelling Design</b>	
<p><b>R12</b></p> <p>Dwellings are designed and sited within the maximum building zone as shown in Figure 2 and any specified height limits as shown in Figure 1.</p> <p>Note: All dwellings are to be designed and sited in accordance with all relevant requirements of the Single Dwelling Housing Development Code.</p>	<p><b>C12</b></p> <p>Dwellings are designed and sited in an integrated manner to achieve passive solar efficiency and direct solar access to principal private open space of the subject and adjoining blocks.</p>



**Figure 2 Maximum Building Zone**



## Other ongoing provisions

This part applies to blocks and parcels identified as ongoing provisions (OPn) in the Casey Precinct Map. It should be read in conjunction with the relevant zone development code and related codes.

### OP1 – Casey residential area 1

This part applies to blocks and parcels identified in area OP1 shown on the Casey Precinct Map.

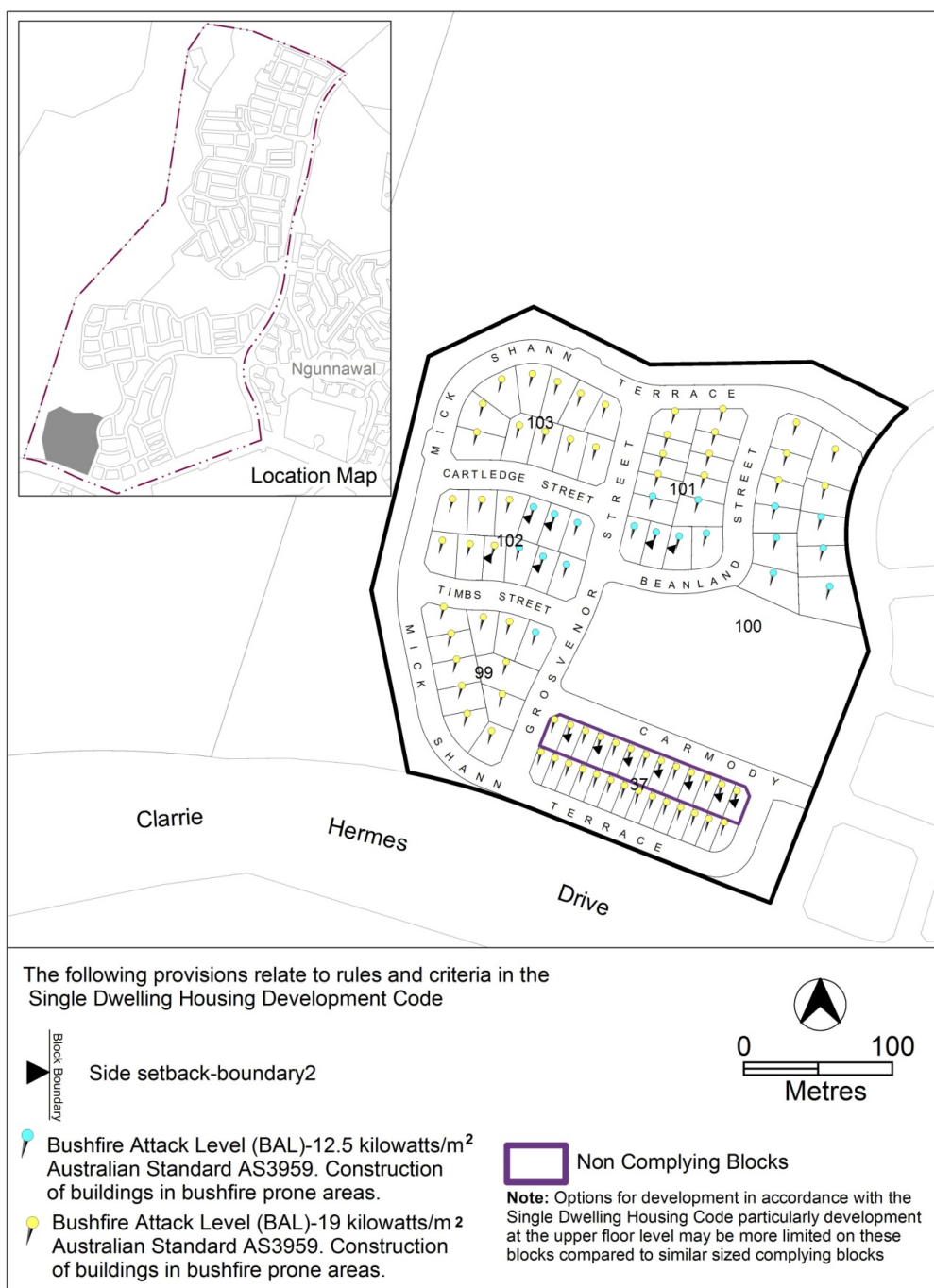
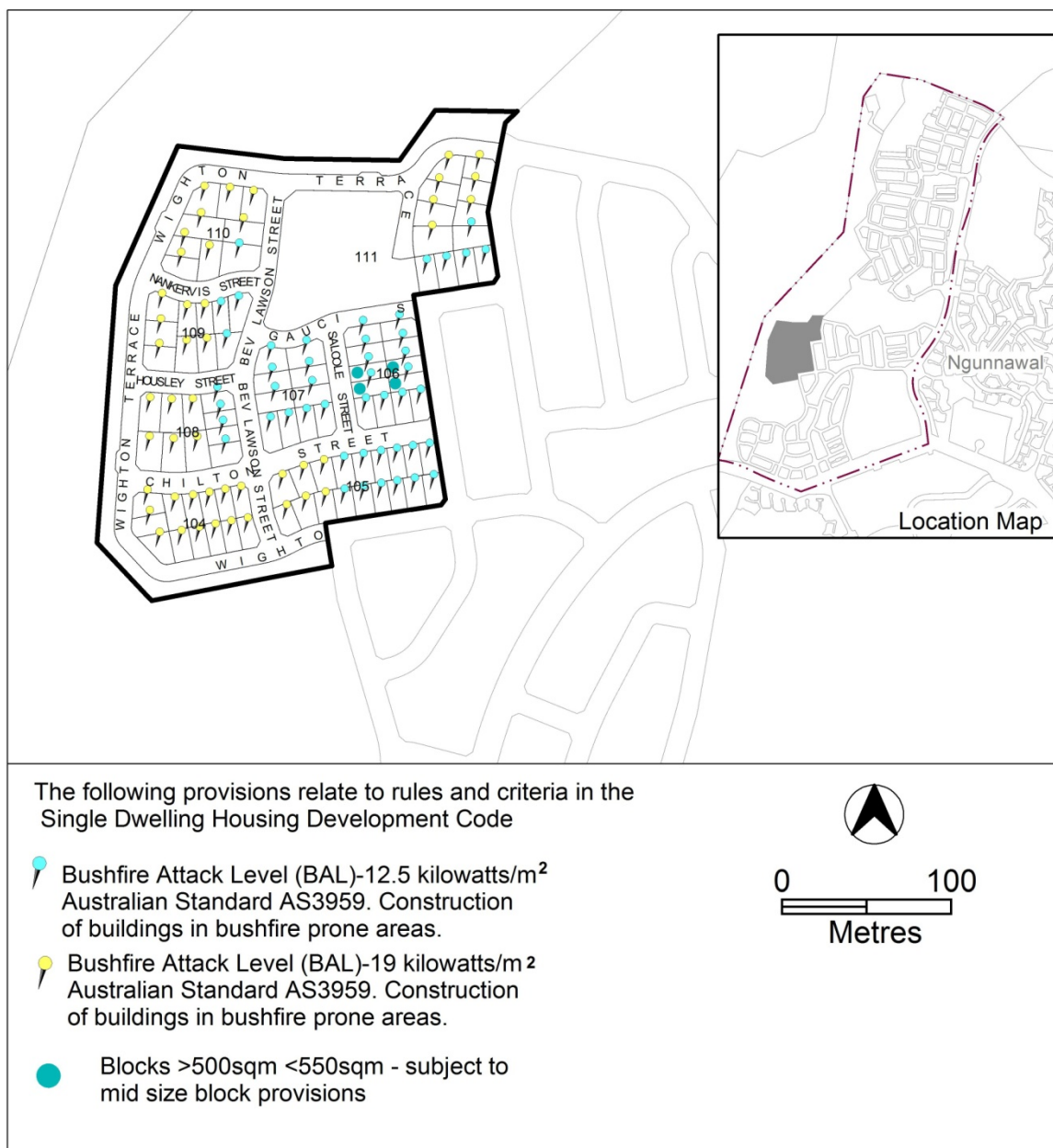


Figure 3 Casey residential area 1

## OP2 – Casey residential area 2

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



**Figure 4 Casey residential area 2**

## OP3 – Casey residential area 3

This part applies to blocks and parcels identified in area OP3 shown on the Casey Precinct Map.

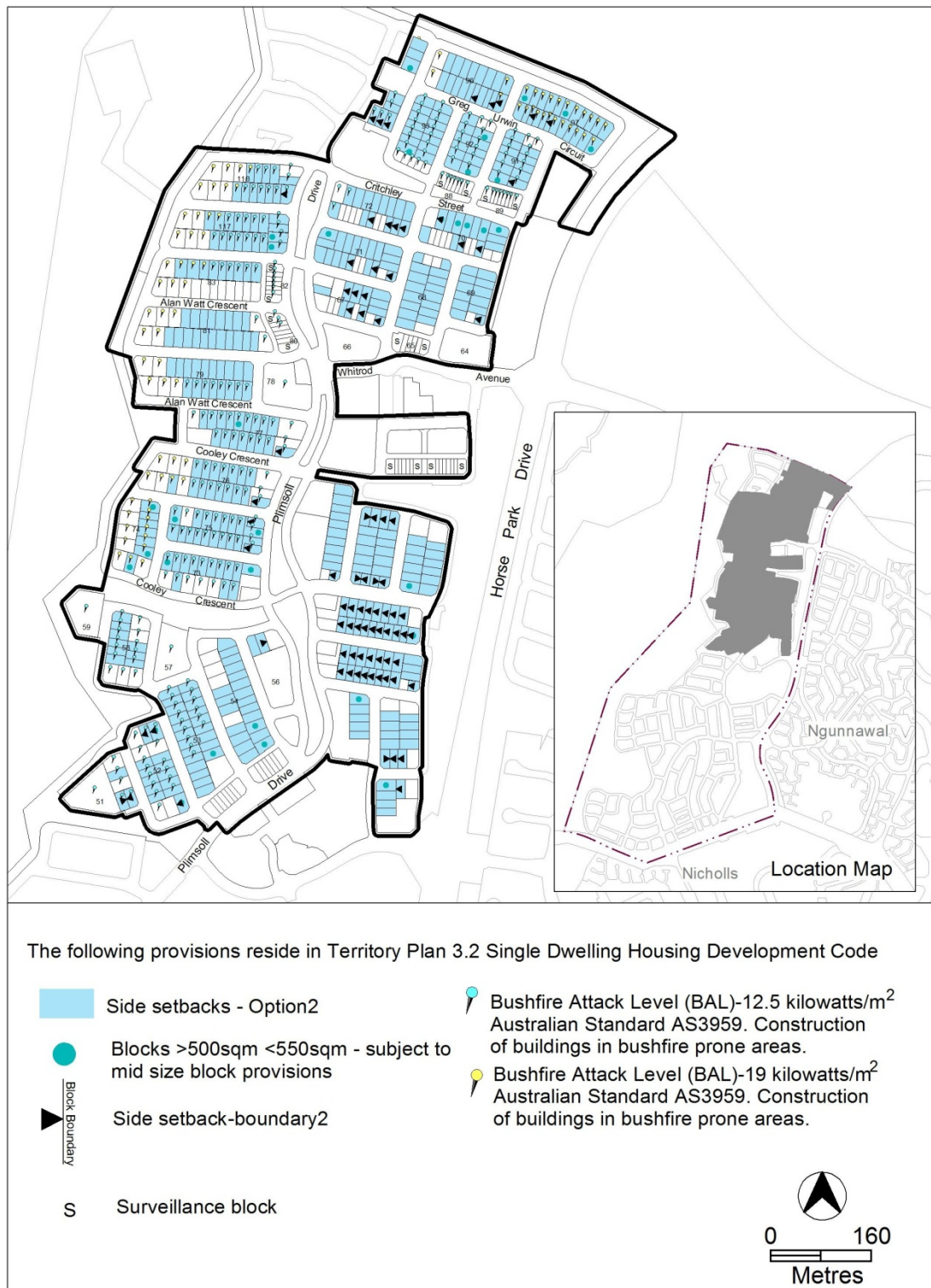


Figure 5 Casey residential area 3



## OP4 – Casey residential area 4

This part applies to blocks and parcels identified in area OP4 shown on the Casey Precinct Map.

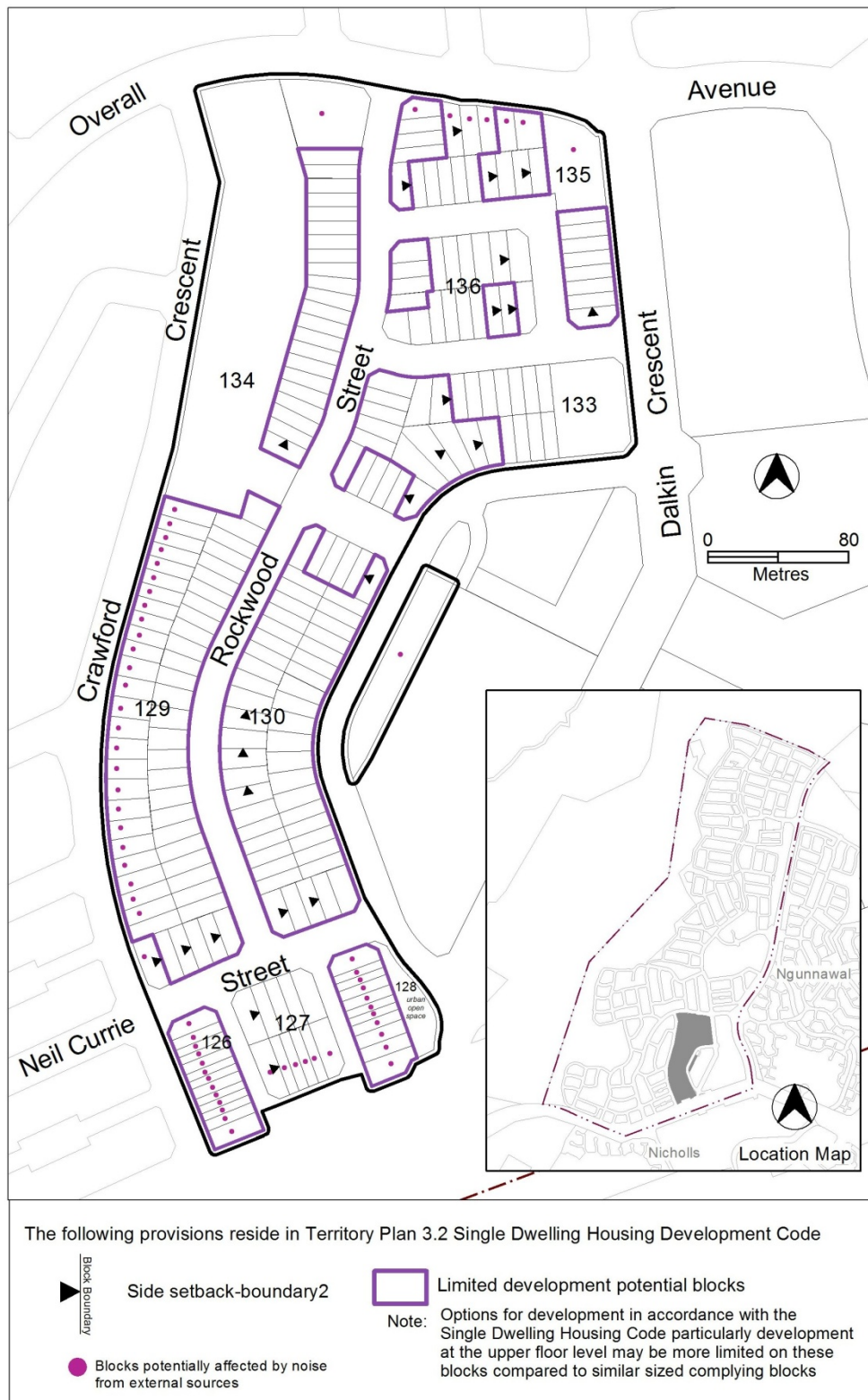


Figure 6 Casey residential area 4

