

Planning and Development (Technical Amendment—Moncrieff) Plan Variation 2015 (No. 1)

Notifiable Instrument NI2015—148

Technical Amendment No 2015—02

made under the

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

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

Variation No 2015—02 to the Territory Plan has been approved by the Planning and Land Authority.

Variation to the Territory Plan

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

Introduction of the Precinct Map and Code

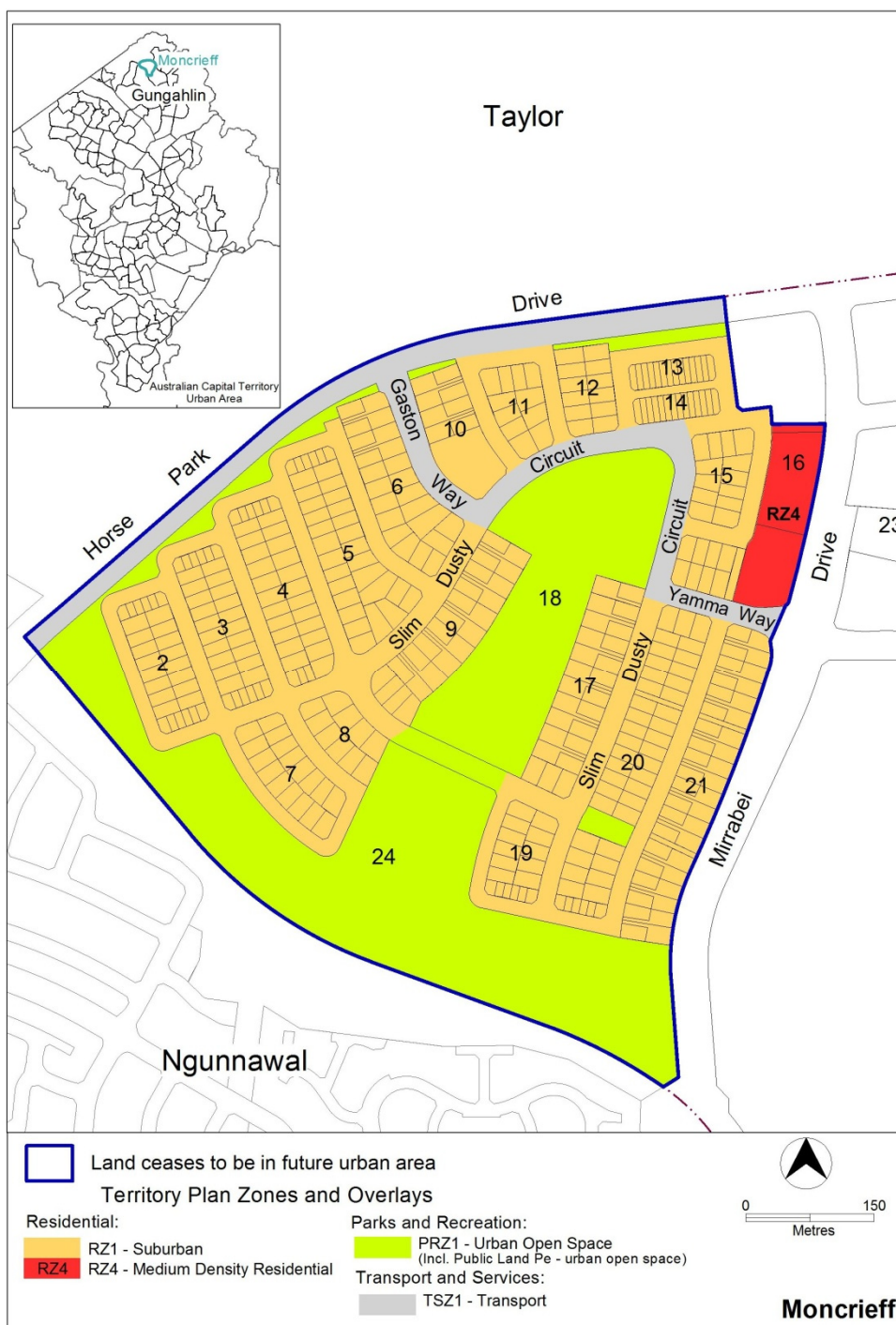
Annexure B proposes to introduce the Moncrieff Precinct Map and Code for ongoing block specific provisions for this area.

Jim Corrigan

Delegate of the Planning and Land Authority

Date **17.04.15**

**THIS IS PAGE ONE OF ANNEXURE A
TO NOTIFIABLE INSTRUMENT NI2015 – 148**



Jim Corrigan
Delegate of the Planning and Land Authority
Date 17.04.15

**THIS IS ANNEXURE B
TO NOTIFIABLE INSTRUMENT NI2015 – 148**

Jim Corrigan
Delegate of the Planning and Land Authority
Date 17.04.15

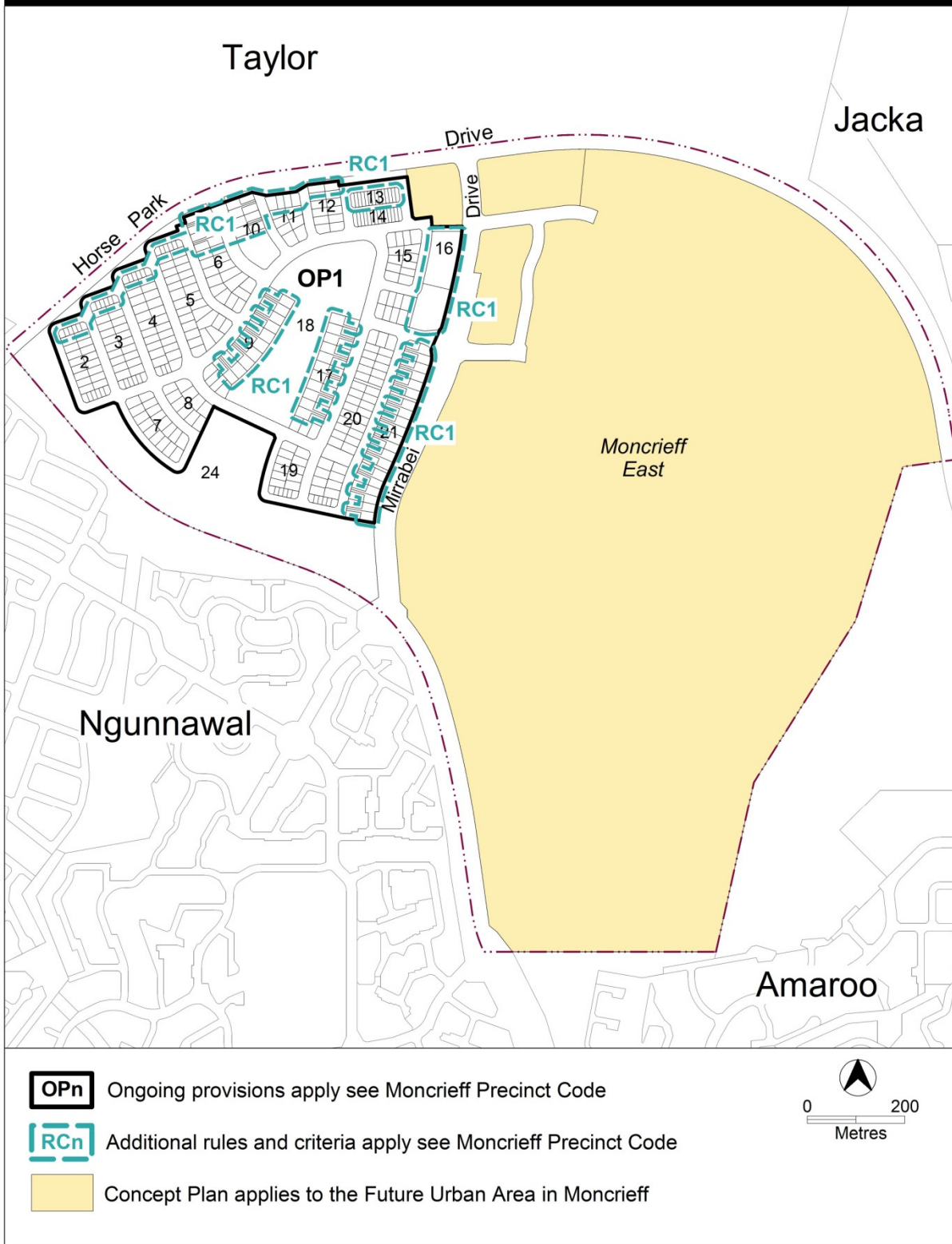


ACT
Government
Environment and Planning

Moncrieff Precinct Map and Code

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Moncrieff Precinct Map



Assessment Tracks

No additional provisions apply.

Moncrieff Precinct Code

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Introduction

Name

The name of this code is the **Moncrieff Precinct Code**.

Application

The code applies to the Division of Moncrieff.

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

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 Moncrieff Precinct Map (RCn). It should be read in conjunction with the relevant zone development code and related codes.

RC1 – Residential

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

Element 1: Building and site controls

Rules	Criteria
1.1 Setbacks	
R1 This rule applies to blocks identified in Figure 1. Additional zero boundary setback to permit garage construction.	This is a mandatory requirement. There is no applicable criterion.
R2 This rule applies to blocks or parcels in locations identified in Figure 3. Transparent type fencing to be provided on boundary to open space in accordance with Residential Boundary Fences General Code – part 2.5 Battle Axe Blocks and Blocks with frontages to Open Space.	This is a mandatory requirement. There is no applicable criterion.
R3 This rule applies to blocks or parcels in locations identified in Figures 2 and 3. Access is not permitted to Mirrabei Drive from adjacent blocks.	This is a mandatory requirement. There is no applicable criterion.

Element 2: Amenity

Rules	Criteria
2.1 Acoustic mitigation measures	
R4 This rule applies to blocks or parcels in locations identified in Figures 1 and 2. Acoustic insulation to be provided to the upper floor level of the dwelling in accordance with AS/NZS 2107:2000 <i>Acoustics – Recommended design sound levels and reverberation times for building interiors</i> .	This is a mandatory requirement. There is no applicable criterion.
R5 This rule applies to blocks or parcels in locations	This is a mandatory requirement. There is no

Rules	Criteria
<p>identified in Figure 3.</p> <p>Acoustic insulation to be provided to all floors of the dwelling in accordance with AS/NZS 2107:2000 <i>Acoustics – Recommended design sound levels and reverberation times for building interiors</i>.</p>	<p>applicable criterion.</p>
<p>R6</p> <p>This rule applies to blocks or parcels in locations identified in Figure 2.</p> <p>Multi unit site along Horse Park Drive and Mirrabai Drive to be assessed for acoustic requirements on an individual basis.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R7</p> <p>This rule applies to blocks or parcels in locations identified in Figures 1 and 2.</p> <p>Acoustic privacy fencing to be provided by the lessee.</p> <p>See Diagram 1 for an elevation of a typical acoustic privacy fence</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

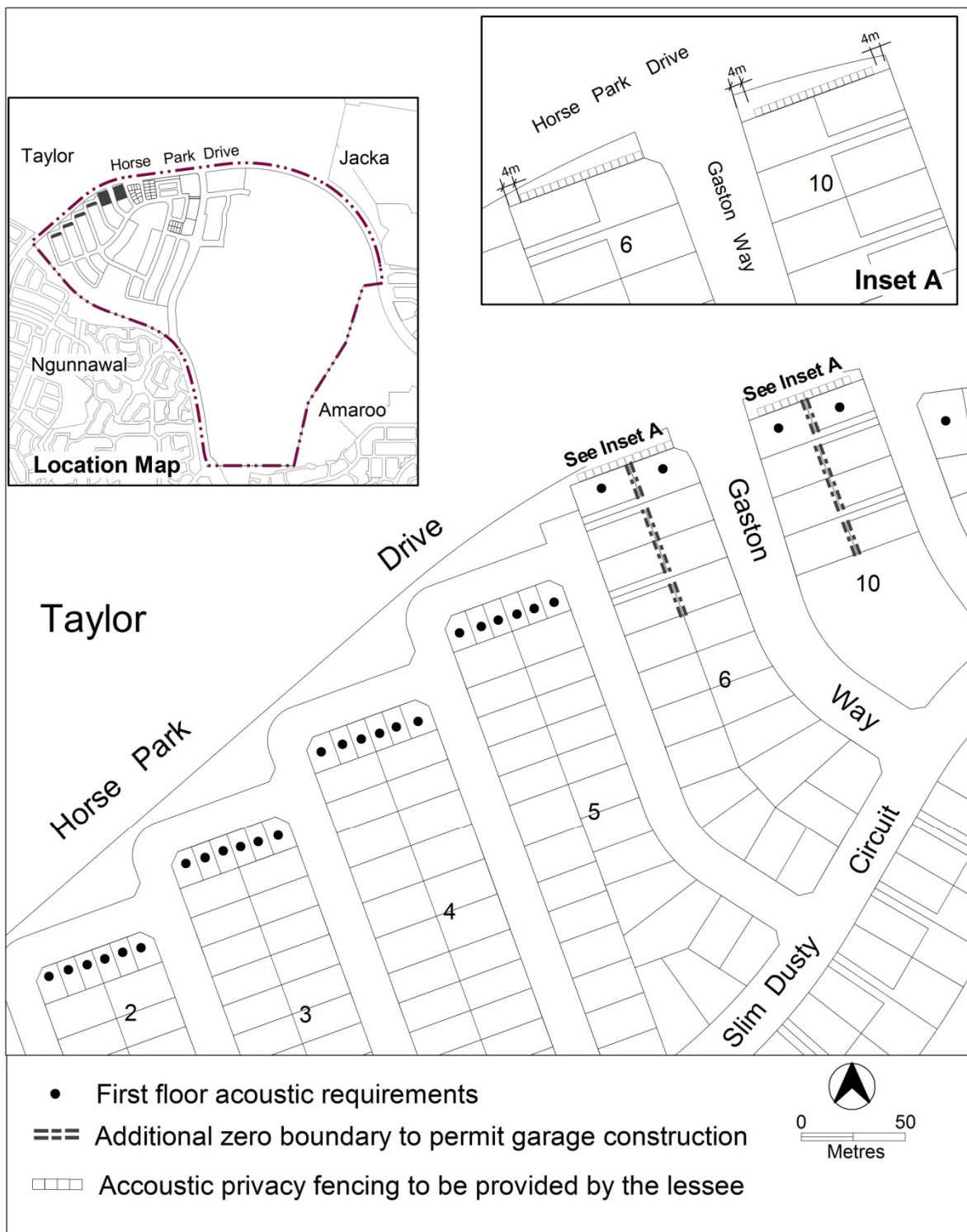


Figure 1 Moncrieff residential area 1

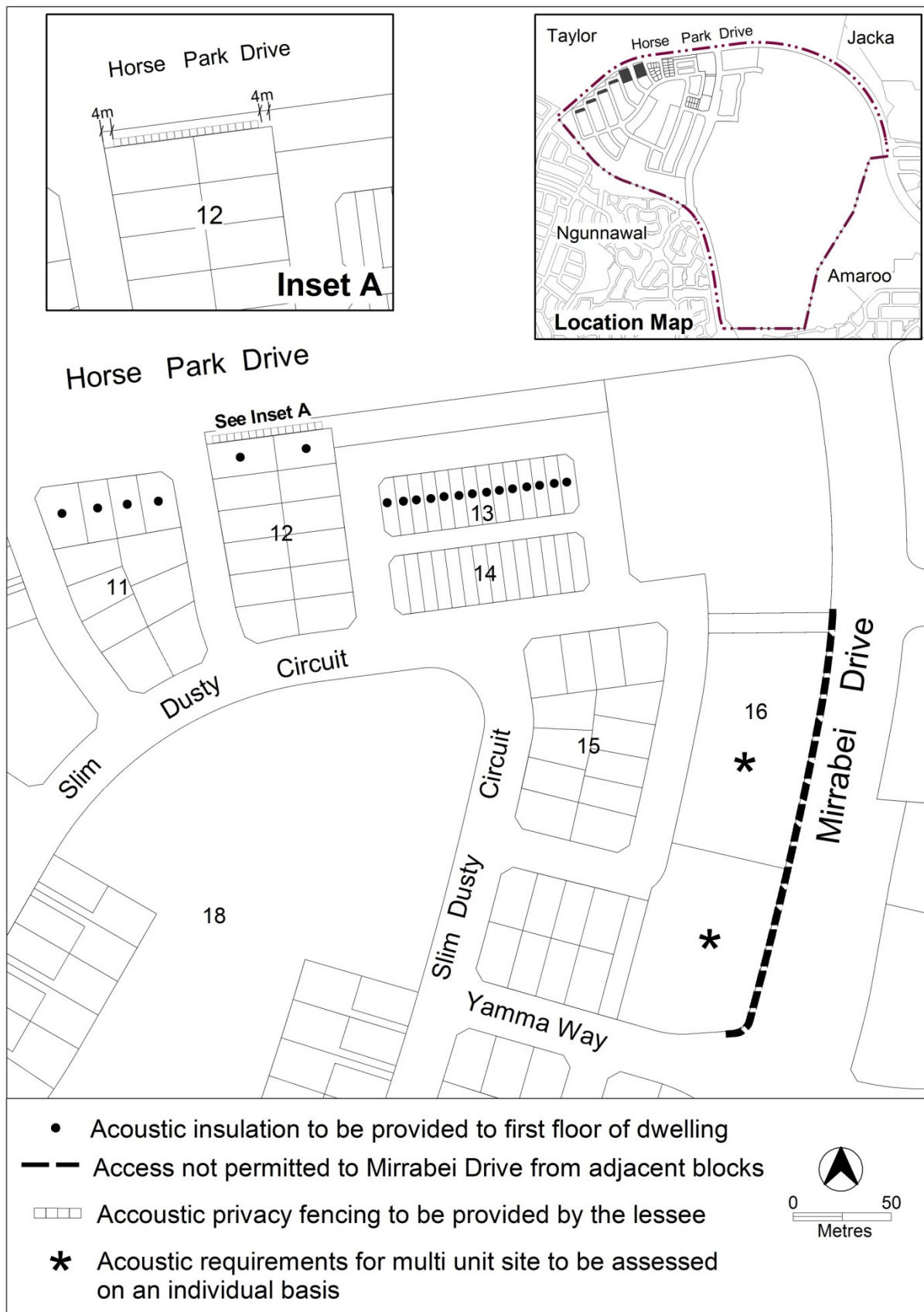


Figure 2 Moncrieff residential area 2

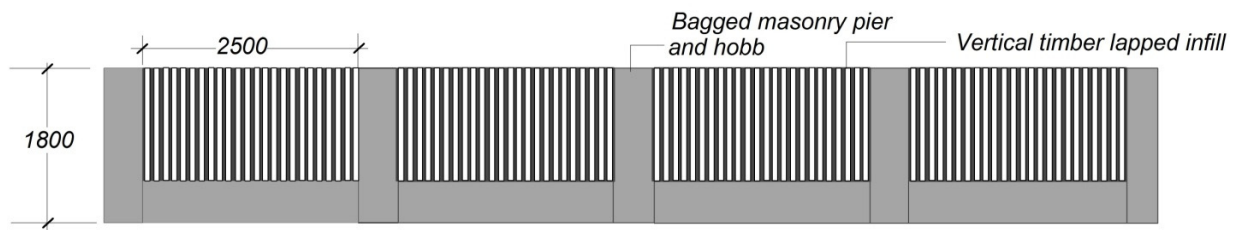


Diagram 1 Elevation of acoustic privacy fence

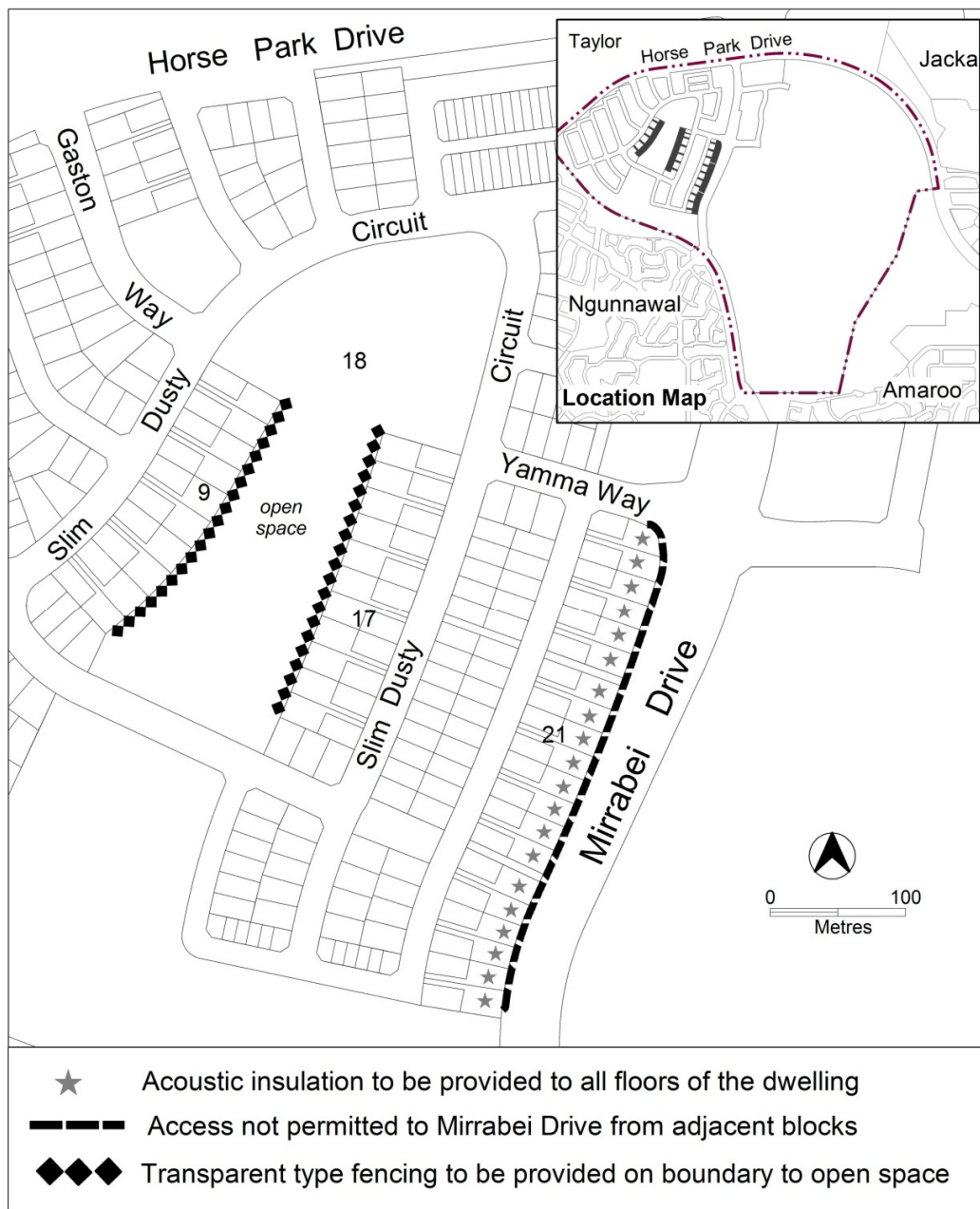


Figure 3 Moncrieff residential area 3

