

Australian Capital Territory

# Planning and Development (Technical Amendment—Coombs and Wright) Plan Variation 2017 (No 1)

Notifiable Instrument NI2017—21

Technical Amendment No 2016-10

made under the

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

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## 1 Name of instrument

This instrument is the *Planning and Development (Technical Amendment—Coombs and Wright) Plan Variation 2017 (No 1)*.

## 2 Technical amendment

I am satisfied under section 89(1)(a) of the *Planning and Development Act 2007* (the Act) that the Coombs and Wright plan variation is a technical amendment to the Territory Plan.

## 3 Commencement

This instrument commences on the day after its notification day.

## 4 Meaning of *City plan variation*

For this instrument:

***Coombs and Wright plan variation*** means the technical amendment to the Territory plan, variation 2016-10, in the schedule.

Brett Phillips  
Delegate of the planning and land authority  
16 January 2017



**ACT**  
Government

Environment, Planning and  
Sustainable Development

Planning & Development Act 2007

# **Technical Amendment to the Territory Plan Variation 2016-10**

Rezoning of land within the future urban areas  
of north Coombs and north Wright and changes  
to the Coombs and Wright Concept Plan

January 2017

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# 1. INTRODUCTION

## 1.1 Purpose

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

### *Territory Plan Map*

- Change the Future Urban Area zones to reflect revised land uses for north Coombs and north Wright

### *Coombs and Wright Concept Plan*

- Amend **Precinct M** to reduce the area of required Residential RZ5 High Density Zone
- Amend **Precinct S** to include Community Facility Zone (non-education related community facility uses) and Residential RZ1 Low Density Zone
- Amend **Precinct U** to include Community Facility Zone (school site) and Residential RZ5 High Density Zone
- Amend **Figures 2, 3 and 4** to reflect revised land uses and zones.

## 1.2 Public consultation

Under section 87 of the *Planning and Development Act 2007* (the Act) this type of technical amendment requires limited public consultation. The public was notified through an online public notice. At the conclusion of the limited consultation period, representations were considered by the planning and land authority (the Authority) within the Environment, Planning and Sustainable Development Directorate. The Authority then determines a day when the technical amendment is to commence by way of a commencement notice.

## 1.3 National Capital Authority

The National Capital Authority has been advised of this technical amendment.

## 1.4 Process

This technical amendment has been prepared in accordance with section 87 of the Act. Comments received from the public and the National Capital Authority were taken into account before the planning and land authority “made” the technical amendment under section 89 of the Act. The planning and land authority must now notify the public of its decision.

No changes were made to the technical amendment following public consultation, apart from a few minor spelling edits.

## 1.5 Types of technical amendments under the Act

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

- (1) Each of the following territory plan variations is a **technical amendment** for which no consultation is needed before it is made under section 89:
  - (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;
  - (b) a variation to change the boundary of a zone or overlay under section 90A (Rezoning – boundary changes);
  - (c) a variation, other than one to which subsection (2) (d) applies, in relation to an estate development plan under section 96 (Effect of approval of estate development plan);
  - (d) a variation required to bring the territory plan into line with the national capital plan;
  - (e) a variation to omit something that is obsolete or redundant in the territory plan.
  
- (2) Each of the following territory plan variations is a **technical amendment** for which only limited public consultation is needed under section 90:
  - (a) 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;
  - (b) a variation to change the boundary of a zone under section 90B (Rezoning – development encroaching on adjoining territory land);
  - (c) a variation in relation to a future urban area under section 90C (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) if it incorporates an ongoing provision that was not included in the plan under section 94 (3) (g);
  - (e) a variation to clarify the language in the territory plan if it does not change the substance of the plan;
  - (f) 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.

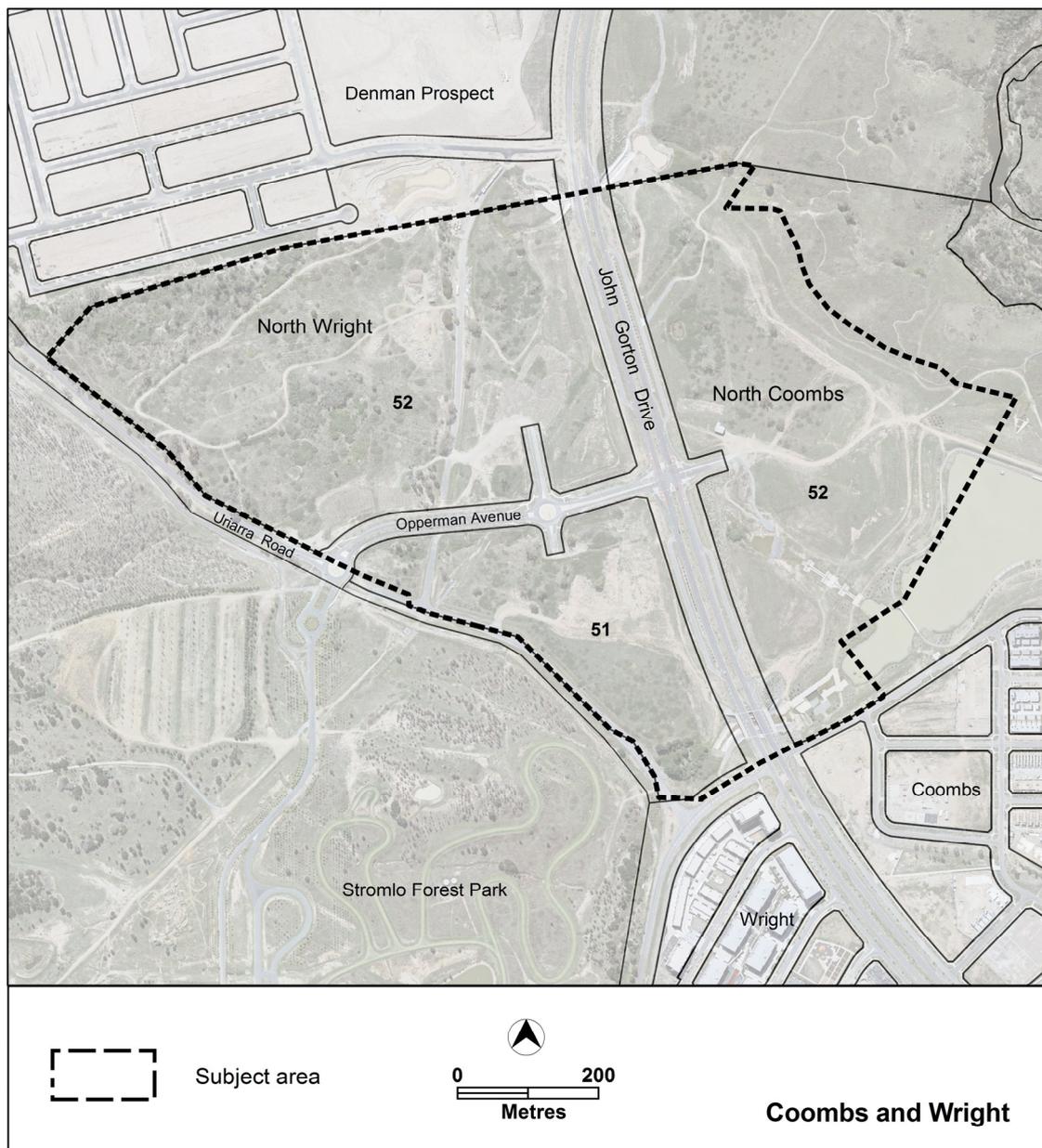
TA2016-10 has been prepared in accordance with sections 87(2)(a) and (c) of the Act.

## 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 Background

The area subject to this technical amendment consists of Sections 51 and 52 Wright and Section 52 Coombs with a site area of approximately 49 hectares, all with a Future Urban Area (FUA) overlay.



Locality plan

The site is bounded by the emerging Molonglo suburb of Denman Prospect to the north, Holden's Creek watercourse to the south, Stromlo Forest Park to the west and the Molonglo River Corridor to the east. John Gorton Drive, the main north-south arterial road, provides the north-south division boundary for north Coombs and north Wright.

FUA zones provide an indication of proposed land uses for future development intentions, and also allow for some flexibility in the refining of specific land use locations during the estate planning process. Changes can be made to future urban area zones via technical amendment provided the rezoning is consistent with the principles and policies of the overarching structure plan.

The Structure Plan for Molonglo and North Weston (the Structure Plan) completed in 2008 sets out the principles and policies that apply to the Molonglo and North Weston future urban area. The Structure Plan includes the suburbs of Coombs and Wright.

A concept plan for Coombs and Wright commenced in the Territory Plan in 2010. Concept plans apply the principles and policies found in a structure plan and are used to guide the preparation and assessment of development in the area to which the concept plan applies. However, at the time it was acknowledged that further detailed planning was required for areas within north Coombs and north Wright.

The planning and land authority commenced a review of the north Coombs and north Wright precinct in 2011, in consultation with relevant government agencies and stakeholders. The purpose of the review was to establish a design and land use framework for the precinct to ensure that optimal community benefits are made from the precinct, while also considering the wider context.

In May 2016, the ACT Government announced its commitment and funding for the proposed leisure centre including a swimming pool to be located in the Stromlo Forest Park sport and recreation precinct. The site for the leisure centre was originally proposed for Section 51 Wright. However the outcomes of a feasibility study investigation into possible sites concluded that the site at Stromlo Forest Park was the most suitable location for an aquatic facility to service the needs of Weston Creek, Molonglo and nearby areas.

Consequently the revisions to proposed land uses in north Wright were finalised, whilst still complying with the principles and policies of the Structure Plan. The relocation of the aquatic centre to Stromlo Forest Park allows for better co-location of sport and recreation uses and also for future co-location of tourist accommodation in the Stromlo Forest Park sport and recreation precinct.

The main future urban area zone overlay changes relate to the:

- replacement of the Commercial CZ6 Accommodation and Leisure Zone (CZ6) over Section 51 Wright with Community Facility Zone (CFZ) for the proposed school site to be relocated from Section 52 to Section 51 Wright;
- replacement of the CFZ over part of Section 52 Wright with Residential RZ1 Suburban Zone (RZ1)

- incorporation of a minimum 0.5ha small community facility site within Section 52 Wright
- adjustment to the Residential RZ5 High Density Zone (RZ5) for Section 52 Coombs.

These changes will affect the FUA zones on the Territory Plan map and will require changes to the Coombs and Wright Concept Plan (see section 2.2 of this document).

Changes to the Coombs and Wright Concept Plan include:

- Revising requirements for Precincts M, S and U by amending corresponding criteria C13, C19, C21 and C45
- Changes to Figures 2, 3 and 4 in the Coombs and Wright concept plan to reflect the revised layout.

## **2.2 Consistency with Structure Plan principles**

The changes to the areas of north Coombs and north Wright are considered to be consistent with the principles and policies of the Structure Plan.

In particular the Social, Economic and Environmental principles and the Environment Protection, Residential, Open Space and Recreation and Community Facilities policies of the Structure Plan are relevant.

### Principles

- Provision for a range of housing types, densities and affordability
- Higher density development close to public transport
- Provision of community facilities
- Preparation of bushfire risk assessment and management plans
- Provision of open space for sport and recreation, stormwater management and linkage purposes

### Policies

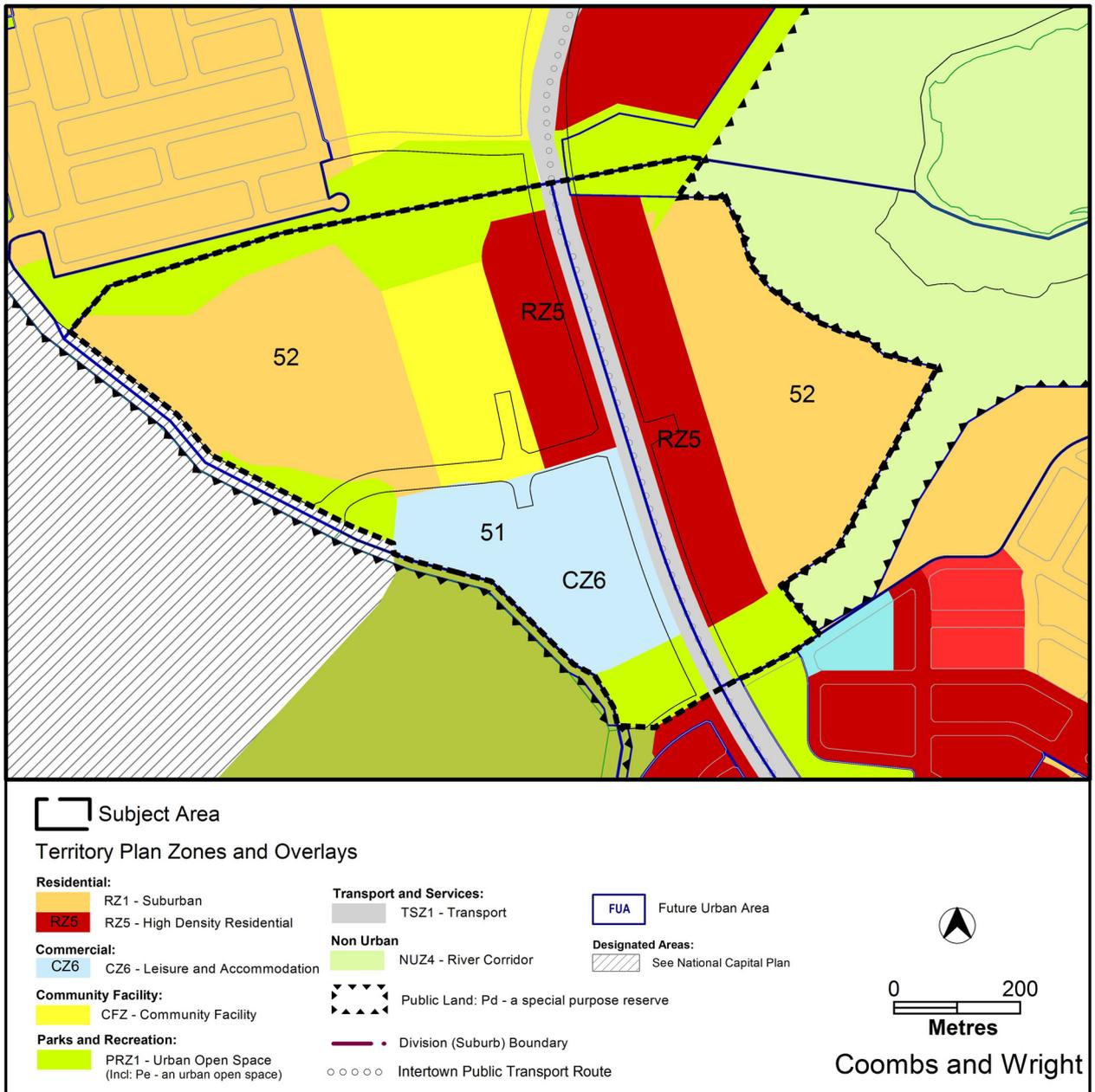
- Suburban scale housing the dominant housing type
- Small scale community uses within residential areas
- Medium density housing near major transport routes
- Provision of open space for active recreation
- Community facility sites for non-government schools, community centres etc located within or adjacent to residential land

## 2.3 Changes to the Territory Plan Map and Coombs and Wright Concept Plan

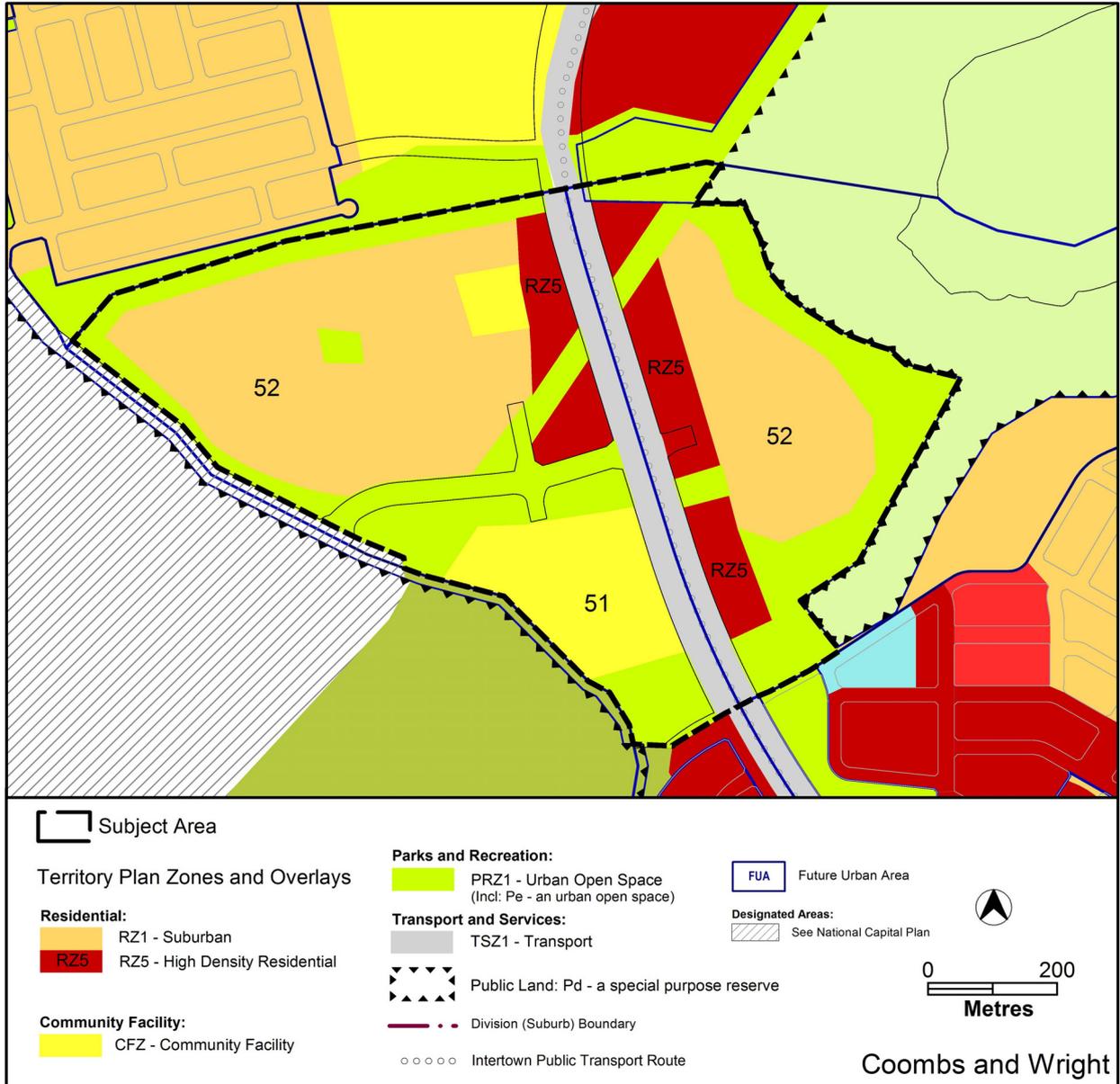
As the areas of north Coombs and north Wright are subject to a FUA overlay, a technical amendment is required to amend the zones and to change the Coombs and Wright concept plan to reflect the latest planning intentions for the suburbs.

### 2.3.1 Territory plan map changes

#### Existing Territory Plan map



# New Territory Plan map



### 2.3.2 Coombs and Wright Concept Plan changes

The changes to the concept plan are as follows:

- change requirements for Precinct M by amending criterion C13 to reflect reduction in minimum hectares required for RZ5 land from 4.2ha to 3.5ha
- change requirements for Precinct S by amending criterion C19 to reflect the revised zonings for the area from predominantly CFZ to predominantly RZ1, and to include the small 0.5ha community facility site (non-education site) and PRZ1 urban open space needs
- change requirements for Precinct U by amending criterion C21 to reflect the revised zonings for the area from CZ6 to CFZ for the proposed school and the inclusion of RZ5 uses adjacent to the Bulk Water Main easement :
- slight change to criterion C45 (under Element 7: Shared Paths) to remove reference to the school site in Precinct S as it is being relocated to Precinct U.
- changes to Figures 2, 3 and 4 in the Coombs and Wright Concept Plan to reflect the revised zoning and precinct boundaries layout

#### *Existing R13 and C13*

Rules	Criteria
R13 The land use plan submitted with an EDP is in accordance with figure 4.	C13 <b>Precinct M</b> Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct M: a) RZ5, not less than 4.1ha, consistent with desired planning outcome (b) b) PRZ1 and NUZ4, following the watercourse, consistent with desired planning outcome (h).

#### *New C13*

Rules	Criteria
R13 The land use plan submitted with an EDP is in accordance with figure 4.	C13 <b>Precinct M</b> Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and

	<p>to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct M:</p> <ul style="list-style-type: none"> <li>a) RZ5, not less than 3.5ha consistent with desired planning outcome (b)</li> <li>b) PRZ1 and NUZ4, following the watercourse, consistent with desired planning outcome (h).</li> </ul>
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### *Existing R19 and C19*

<b>Rules</b>	<b>Criteria</b>
<p>R19</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C19</p> <p><b>Precinct S</b></p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct S,</p> <ul style="list-style-type: none"> <li>a) CFZ, to accommodate, at a minimum, an educational establishment (not less than 9.5ha) and other community uses (not less than 0.7ha), consistent with desired planning outcome (b)</li> <li>b) PRZ1, over the balance.</li> </ul>

### *New C19*

<b>Rules</b>	<b>Criteria</b>
<p>R19</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C19</p> <p><b>Precinct S</b></p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct S,</p> <ul style="list-style-type: none"> <li>a) predominantly RZ1, consistent with desired planning outcome (a)</li> <li>b) CFZ, to accommodate non-educational community uses (not less than 0.5ha), located adjacent to RZ5 in Precinct T</li> <li>c) PRZ1, not less than 5ha, located adjacent to RZ1, with frontage to edge road, consistent with desired planning outcome (c).</li> </ul>

## Existing R21 and C21

Rules	Criteria
<p>R21</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C21</p> <p><b>Precinct U</b></p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct U,</p> <ul style="list-style-type: none"> <li>a) CZ6, not less than 4.7ha, consistent with desired planning outcome (b) to accommodate Stromlo Leisure Centre (4.1ha) and a hotel (0.6ha)</li> <li>b) PRZ1, with sufficient area and width to protect the associated water course, consistent with desired planning outcome (h)</li> <li>c) CZ5, not less than 1.1ha, for a gateway site</li> <li>d) RZ5, not less than 2.1ha, consistent with desired planning outcome b)</li> <li>e) CFZ, to accommodate community uses (not less than 0.2ha).</li> </ul>

## New C21

Rules	Criteria
<p>R21</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C21</p> <p><b>Precinct U</b></p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct U,</p> <ul style="list-style-type: none"> <li>a) RZ5, not less than 1ha, located adjacent to the Bulk Water Main easement, with frontage to John Gorton Drive and Opperman Avenue consistent with desired planning outcome (b)</li> <li>b) CFZ, to accommodate, at a minimum, an educational establishment (not less than 5ha), consistent with desired planning outcome (b)</li> <li>c) PRZ1, with sufficient area and width to protect the associated water course, consistent with desired planning outcome (h).</li> </ul>

## Existing R45 and C45

Rules	Criteria
<p>R45</p> <p>An off-road network of cycleways and pedestrian paths to link key community and urban open space destinations in the neighbourhood is provided in accordance with figure 4.</p>	<p>C45</p> <p>An off-road network of cycleways and pedestrian paths to link key community and urban open space destinations in the neighbourhood subject to element 1 is provided including:</p> <ul style="list-style-type: none"> <li>a) a trunk cycleway following Molonglo River corridor</li> <li>b) a trunk cycleway following road 8 from Molonglo River corridor trunk cycleway to the local centre adjoining precinct F</li> <li>c) links to parks and neighbourhood facilities including shops and schools</li> <li>d) an underpass under the north-south arterial road to provide access to Molonglo River corridor from: <ul style="list-style-type: none"> <li>i. the urban open space corridor north of the school in precinct S</li> <li>ii. Holdens Creek urban open space corridor, to provide trunk cycleway and equestrian access (for the Bicentennial National Trail) from Stromlo Forest Park through Holdens Creek urban open space corridor</li> <li>iii. Coombs urban open space corridor, to road 6 cycle path system network</li> <li>iv. Weston Creek urban open space corridor.</li> </ul> </li> <li>e) a continuous primary pedestrian path along both sides of the length of the north-south arterial road of: <ul style="list-style-type: none"> <li>i. a minimum 2 metres wide on the Coombs side of the road</li> <li>ii. a minimum 1.5 metres wide along the Wright side of the road.</li> </ul> </li> </ul>

## New C45

Rules	Criteria
<p>R45</p> <p>An off-road network of cycleways and pedestrian paths to link key community and urban open space destinations in the neighbourhood is provided in accordance with figure 4.</p>	<p>C45</p> <p>An off-road network of cycleways and pedestrian paths to link key community and urban open space destinations in the neighbourhood subject to element 1 is provided including:</p> <ul style="list-style-type: none"> <li>a) a trunk cycleway following Molonglo River corridor</li> <li>b) a trunk cycleway following road 8 from Molonglo River corridor trunk cycleway to the local centre adjoining precinct F</li> <li>c) links to parks and neighbourhood facilities including shops and schools</li> <li>d) an underpass under the north-south arterial road to provide access to Molonglo River corridor from: <ul style="list-style-type: none"> <li>i. the urban open space corridor north of precinct S</li> <li>ii. Holdens Creek urban open space corridor, to provide trunk cycleway and equestrian access (for the Bicentennial National Trail) from Stromlo Forest Park through Holdens Creek urban open space corridor</li> <li>iii. Coombs urban open space corridor, to road 6 cycle path system network</li> <li>iv. Weston Creek urban open space corridor.</li> </ul> </li> <li>e) a continuous primary pedestrian path along both sides of the length of the north-south arterial road of: <ul style="list-style-type: none"> <li>i. a minimum 2 metres wide on the Coombs side of the road</li> <li>ii. a minimum 1.5 metres wide along the Wright side of the road.</li> </ul> </li> </ul>

## Compliance with the *Planning and Development Act 2007*

Section	Statement
<p>s87(2)(a) a variation (a code variation) that –</p> <ul style="list-style-type: none"> <li>(i) would only change a code</li> <li>(ii) is consistent with the policy purpose and policy framework of the code; and</li> <li>(iii) is not an error variation.</li> </ul>	<p>Compliant. This technical amendment amends the requirements in criteria 13, 19, 21 and 45 to bring the provisions in the Coombs and Wright Concept Plan in line with changes to the future urban area for North Coombs and North Wright.</p>

Section	Statement
<p>Section 87(2)(c) - a variation in relation to a future urban area under section 90C (Technical amendments – future urban areas)</p> <p>Section 90C -</p>	
<p>(1) The planning and land authority may vary the territory plan under section 89 (Making technical amendments) to rezone land in a future urban area, and establish or vary a precinct code in relation to the land, unless the variation is inconsistent with the principles and policies in the structure plan for the area.</p>	<p>This technical amendment only proposes to rezone land that is within the future urban area of north Coombs and north Wright as shown on the Territory Plan Map.</p>
<p>(2) The planning and land authority may vary the territory plan under section 89 to change the boundary of a future urban area if the change is consistent with the structure plan for the area.</p>	<p>The proposed amendment is considered to be consistent with the purpose of the Structure Plan for Molonglo and North Weston as described in section 2.1 of this TA.</p>
<p>(3) However, the planning and land authority must not vary the territory plan under section 89 to change the boundary of a future urban area if part of the boundary proposed to be changed is aligned with the boundary of an existing leasehold.</p>	<p>The boundary of the future urban area is not aligned to the boundary of an existing leasehold.</p>

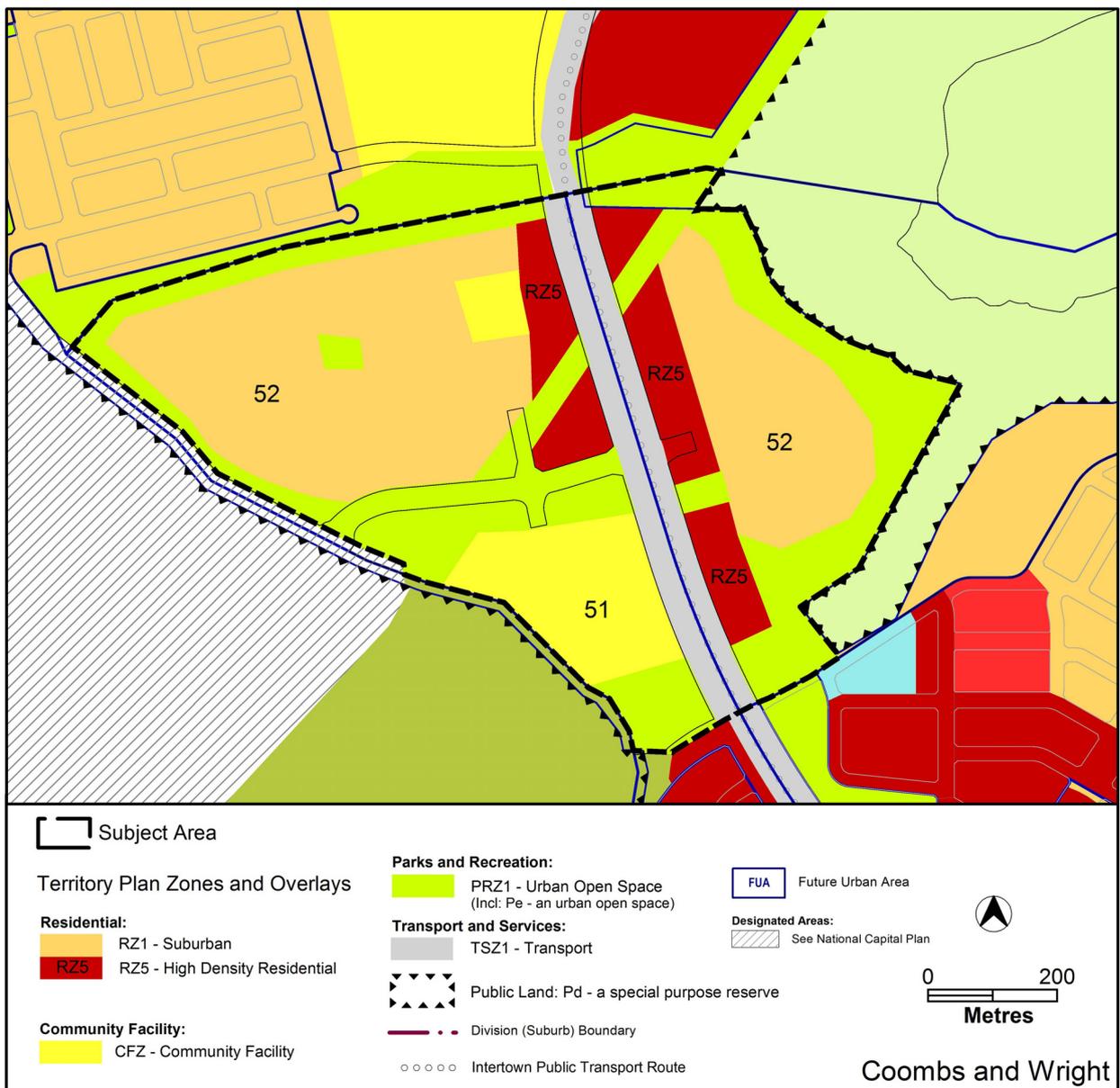
### 3. TECHNICAL AMENDMENT

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

#### 3.1 Future urban area changes to the Territory Plan map

**1. Territory Plan map – Coombs and Wright**

*Substitute the 'Subject Area' on the Territory Plan map:*



## 3.2 Changes to Coombs and Wright concept plan

### 1. Part A – Land use; Element 1: Land use plan Criterion C13

#### *Substitute*

Rules	Criteria
<p>R13</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C13</p> <p><b>Precinct M</b></p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct M:</p> <ul style="list-style-type: none"> <li>a) RZ5, not less than 3.5ha consistent with desired planning outcome (b)</li> <li>b) PRZ1 and NUZ4, following the watercourse, consistent with desired planning outcome (h).</li> </ul>

### 2. Part A – Land use; Element 1: Land use plan Criterion C19

#### *Substitute*

Rules	Criteria
<p>R19</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C19</p> <p><b>Precinct S</b></p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct S,</p> <ul style="list-style-type: none"> <li>a) predominantly RZ1, consistent with desired planning outcome (a)</li> <li>b) CFZ, to accommodate non-educational community uses (not less than 0.5ha), located adjacent to RZ5 in Precinct T</li> <li>c) PRZ1, not less than 5ha, located adjacent to RZ1, with frontage to edge road, consistent with desired planning outcome (c).</li> </ul>

### 3. Part A – Land use; Element 1: Land use plan Criterion C21

#### *Substitute*

Rules	Criteria
<p>R21</p> <p>The land use plan submitted with an EDP is in accordance with figure 4.</p>	<p>C21</p> <p><b>Precinct U</b></p> <p>Subject to the identification of precincts and key roads in accordance with elements 2 and 3, and to the zoning of land that is not in a future urban area, the land use plan submitted with an EDP shows in precinct U,</p> <ul style="list-style-type: none"> <li>a) RZ5, not less than 1ha, located adjacent to the Bulk Water Main easement, with frontage to John Gorton Drive and Opperman Avenue consistent with desired planning outcome (b)</li> <li>b) CFZ, to accommodate, at a minimum, an educational establishment (not less than 5ha), consistent with desired planning outcome (b)</li> <li>c) PRZ1, with sufficient area and width to protect the associated water course, consistent with desired planning outcome (h).</li> </ul>

### 4. Part B – Subdivision; Element 7: Shared Paths, Criterion C45

#### *Substitute*

Rules	Criteria
<p>R45</p> <p>An off-road network of cycleways and pedestrian paths to link key community and urban open space destinations in the neighbourhood is provided in accordance with figure 4.</p>	<p>C45</p> <p>An off-road network of cycleways and pedestrian paths to link key community and urban open space destinations in the neighbourhood subject to element 1 is provided including:</p> <ul style="list-style-type: none"> <li>a) a trunk cycleway following Molonglo River corridor</li> <li>b) a trunk cycleway following road 8 from Molonglo River corridor trunk cycleway to the local centre adjoining precinct F</li> <li>c) links to parks and neighbourhood facilities including shops and schools</li> </ul>

	<p>d) an underpass under the north-south arterial road to provide access to Molonglo River corridor from:</p> <ul style="list-style-type: none"> <li>i. the urban open space corridor north of precinct S</li> <li>ii. Holdens Creek urban open space corridor, to provide trunk cycleway and equestrian access (for the Bicentennial National Trail) from Stromlo Forest Park through Holdens Creek urban open space corridor</li> <li>iii. Coombs urban open space corridor, to road 6 cycle path system network</li> <li>iv. Weston Creek urban open space corridor.</li> </ul> <p>e) a continuous primary pedestrian path along both sides of the length of the north-south arterial road of:</p> <ul style="list-style-type: none"> <li>i. a minimum 2 metres wide on the Coombs side of the road</li> <li>ii. a minimum 1.5 metres wide along the Wright side of the road.</li> </ul>
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**5. Figure 2: Development precincts; Figure 3: Key roads and signalised intersections; Figure 4: Concept plan**

*Substitute with Figure 2: Development precincts, Figure 3: Key roads and signalised intersections and Figure 4: Concept plan*



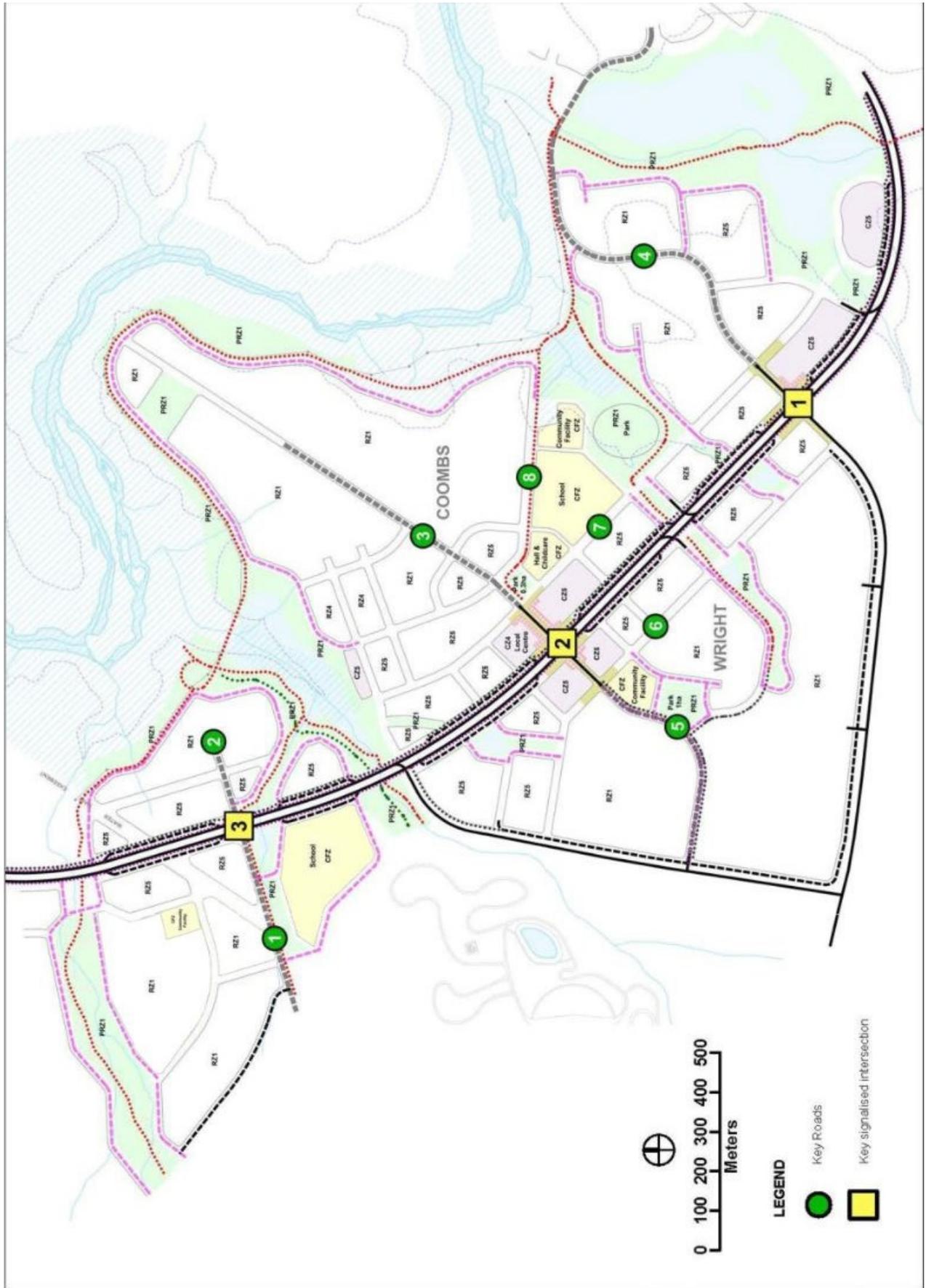


Figure 3: Key roads and signalised intersections

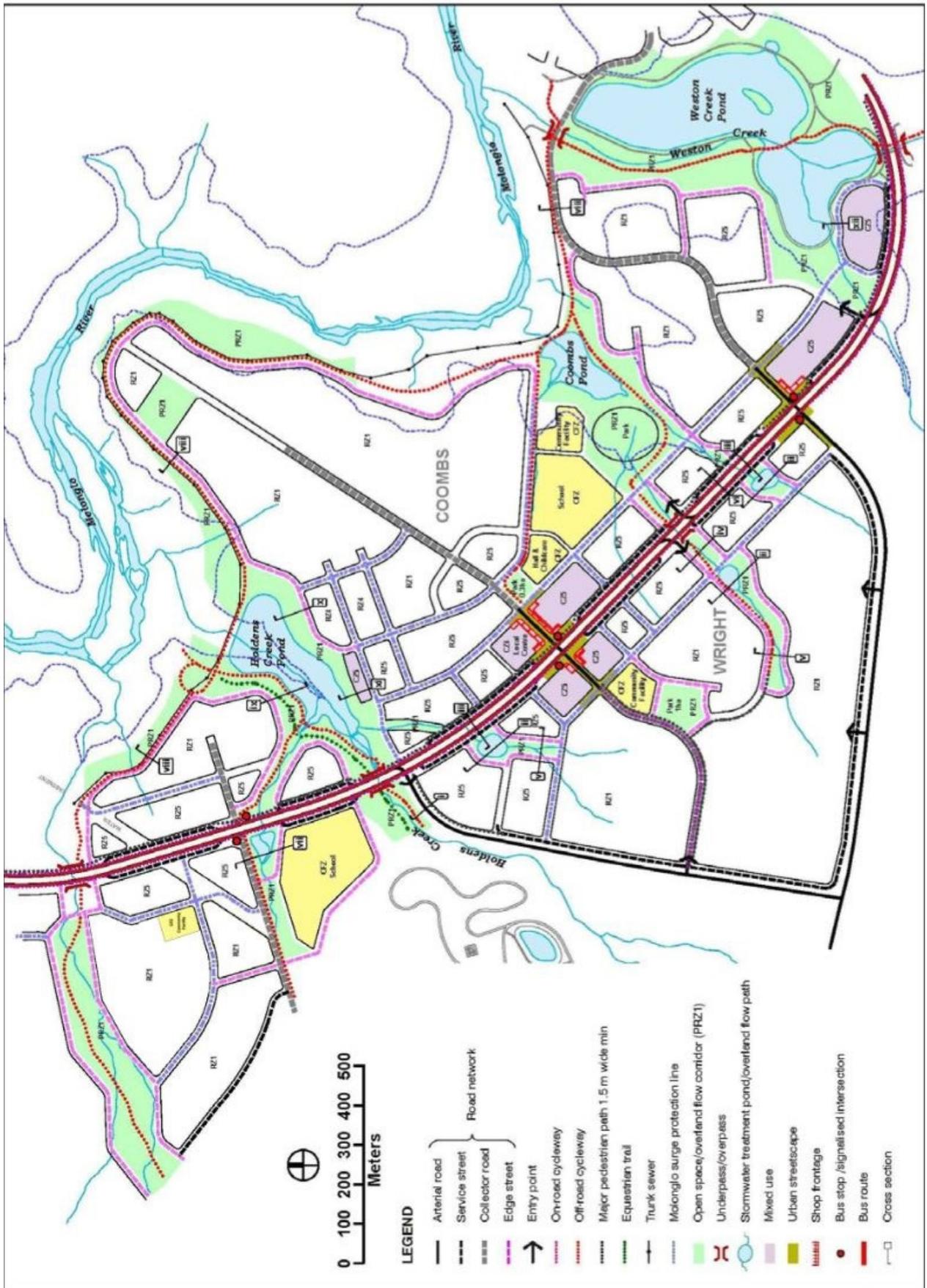


Figure 4: Concept Plan

## 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-għajjnuna 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	Ако вам је потребна помоћ преводиоца телефонирајте:
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**

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