

Planning and Development (Technical Amendment—Various) Plan Variation 2018

Notifiable Instrument NI2018—256

Technical Amendment No 2018-07

made under the

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

1 Name of instrument

This instrument is the *Planning and Development (Technical Amendment—Various) Plan Variation 2018*.

2 Commencement

This instrument commences on the day after its notification day.

3 Technical amendment

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

4 Meaning of *Various plan variation*

For this instrument:

Various plan variation means the technical amendment to the Territory Plan, variation 2018-07, in the schedule.

Note Consultation was required in relation to the Various plan variation under section 90 of the Act.

Fleur Flanery
Delegate of the planning and land authority
14 May 2018

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ACT
Government

Environment, Planning and
Sustainable Development

Planning & Development Act 2007

Technical Amendment to the Territory Plan

2018-07

Various code, clarification and miscellaneous amendments and a public land overlay boundary adjustment for Jarramlee Nature Reserve, Belconnen

May 2018

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1. INTRODUCTION

1.1 Purpose

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

Territory Plan Map

- Public land overlay boundary adjustment for part of Jarramlee Nature Reserve to align the nature reserve boundary with the land management offset area.

Single Dwelling Housing Development Code

- Add a note to rules R5-R9 to clarify that all building envelope, solar envelope and height measurements are taken from datum ground level.

Multi Unit Housing Development Code

- Add a note to rules R23-26 to clarify that all building envelope, solar envelope and height measurements are taken from datum ground level
- Amend the wording of rule R16a)i) to clarify that both dwellings in dual occupancies on surrendered residential blocks in the Residential RZ1 Suburban zone each must be one storey only for blocks to which the 35% plot ratio applies.
- Amend the wording of the note associated with rule R16 to clarify the requirements around plot ratio and number of storeys permitted for dual occupancy dwellings in the RZ1 zone.

Amaroo Precinct Map and Code

- Rectify missing text for Criterion C8 to confirm that R8 is a mandatory rule.

Coombs Precinct Map and Code

- Adjust item 3.1 under Element 3 Building Height to clarify that the provision refers to minimum building height requirements

O'Connor Precinct Map and Code

- Rectify omission on the O'Connor precinct map to include sections 40, 41 and 42 in O'Connor that are subject to the Inner North Precinct Code

Throsby Precinct Map and Code

- Revise Rule R1 (under item 1.1 Safety management study) to refer to residential development above 2 storeys to which the rule applies
- Substitute 'suitably qualified person' with 'gas pipeline engineer'.

Throsby Concept Plan

- Revise Rule R9 (under item 5 Safety management study) to refer to residential development above 2 storeys to which the rule applies
- Substitute 'suitably qualified person' with 'gas pipeline engineer'.

1.2 Public consultation

Under section 87 of the *Planning and Development Act 2007* (the Act) this type of technical amendment is subject to limited public consultation under section 90 of the Act.

TA2018-07 was released for limited public consultation on 23 March 2018 and concluded on 27 April 2018.

No public submissions were received during the consultation period.

1.3 National Capital Authority

The National Capital Authority was advised of TA2018-07 on 21 March 2018. The NCA replied on 24 April 2018 with no comments to add.

1.4 Process

This technical amendment has been prepared in accordance with section 87 of the *Planning and Development Act 2007* (the Act).

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.

TA2018-07 has been prepared in accordance with sections 87(1)(a), 87(1)(b), 87(2)(a) and 87(2)(e) of the Act.

2. EXPLANATORY STATEMENT

Background

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

2.1 Variation to the Territory Plan Map

Jarramlee Nature Reserve – adjustment to public land overlay boundaries

Jarramlee, west of Macgregor in the district of Belconnen, was declared nature reserve via Variation 351 (V351) which commenced in July 2016. V351 included among other changes the addition of the public land overlay for nature reserve (denoted 'Pc' on the Territory Plan map) for Jarramlee. The nature reserve provides an offset area to offset the impact from the Lawson South residential estate on the Golden Sun Moth and natural temperate grassland. This was required for the approval of the estate under the provisions of the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

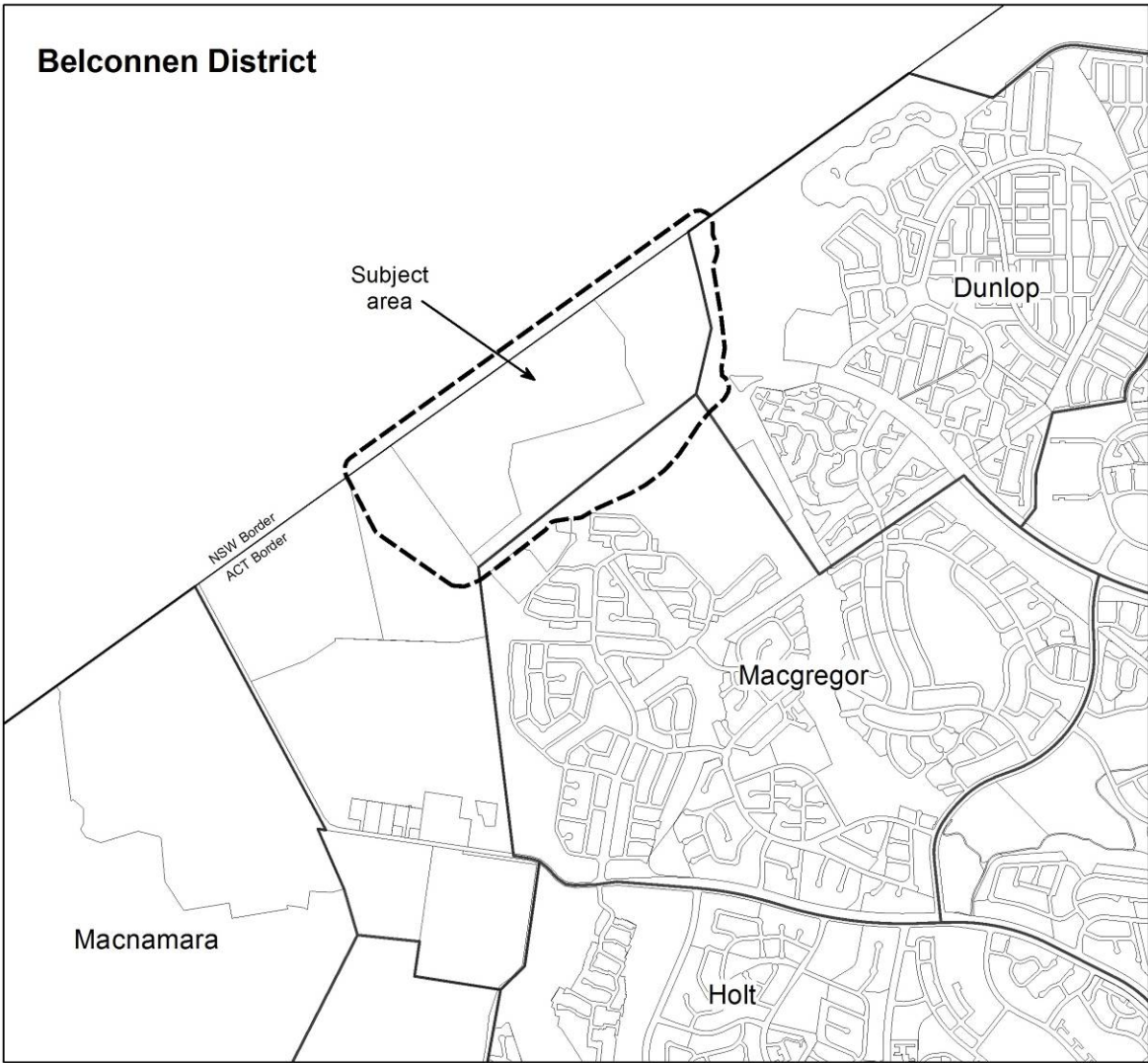
It was intended that the boundaries of the offset site were to align with management boundaries on the ground. This was to ensure that the reserve had easily defined legal boundaries to assist rangers in determining the correct piece of legislation to use for regulation should irregular activities occur within the limits of the nature reserve.

A recent review of the public land nature reserve (Pc) overlay boundaries on the Territory Plan Map show that the north eastern corner of the reserve does not align with the clearly delineated hard boundary making it difficult to determine on the ground what is in or out of the reserve area. It is proposed to adjust the public land 'Pc – a nature reserve' overlay boundary on the Territory Plan Map to align with the western edge of Gooromon Ponds Creek and the ACT/NSW border.

The area in question has been managed by the ACT Parks and Conservation Service as part of the offset area since the offset was agreed and contains an area of Golden Sun Moth habitat. The Golden Sun Moth is listed as endangered under the *Nature Conservation Act 1980* and critically endangered under the EPBC Act).

There is no change to the underlying zone which is non-urban zone NUZ3 Hills Ridges and Buffer.

The following diagrams show the existing and proposed extent of the public land 'Pc a nature reserve' overlay and the location of the subject area in west Belconnen.



Location plan of subject area



Existing and proposed Jarramlee Nature Reserve boundaries

Compliance with the Planning and Development Act 2007

Section	Statement
<p>s87(1)(b) a variation to change the boundary of a zone or overlay under section 90A (Rezoning – boundary changes)</p> <p>90A Rezoning—boundary changes</p> <p>(1) This section applies to a zone or overlay in relation to land if the land adjoins unleased territory land or land for which the Territory is the registered proprietor (the adjoining territory land).</p> <p>(2) The planning and land authority may vary the territory plan under section 89 (Making technical amendments) to change the boundary of the zone or overlay to encroach onto the adjoining territory land if the change is consistent with—</p> <p>(a) the apparent intent of the original boundary line; and</p> <p>(b) the objective for the zone.</p> <p>(3) The planning and land authority may vary the territory plan under section 89 to change the boundary of an overlay to encroach onto the adjoining territory land if—</p> <p>(a) the authority is advised to do so by—</p> <p>(i) the conservator of flora and fauna; or</p> <p>(ii) the custodian of the land for the overlay; and</p> <p>(b) the conditions in subsection (2) (a) and (b) are satisfied.</p> <p>(4) In this section: overlay means an overlay identified in the territory plan.</p> <p>Note An overlay is a map that identifies particular land, such as public land, to which certain rules apply.</p>	<p>Compliant.</p> <p>The proposal complies with section 90A of the <i>Planning and Development Act 2007</i> regarding boundary changes for a zone or overlay.</p> <p>(1) The custodian of the land is the ACT Government and managed by the ACT Parks and Conservation Service.</p> <p>(2) The overlay boundary will be changed to encroach onto the adjoining territory land and is consistent with the apparent intent of the original boundary line for nature reserve management purposes. The proposal is consistent with Objective c) of the NUZ3 Hills Ridges and Buffer zone which is to conserve the significant cultural and natural heritage resources and a diversity of natural habitats and wildlife corridors.</p> <p>(3) The Conservator of Flora and Fauna requested the change.</p>

2.2 Variation to the Single Dwelling Housing Development Code

Rules R5-R9 – clarify measurements taken from datum ground level

Add a note to rules R5, R6, R7, R7A, R8 and R9 to clarify that all building envelope, solar envelope and height measurements are taken from datum ground level. This is currently not clearly articulated in the provisions.

The proposed note reads as follows:

'Note: For the purposes of this rule all height measurements are taken from datum ground level.'

Compliance with the Planning and Development Act 2007

Section	Statement
s87(2)(e) a variation to clarify the language in the territory plan if it does not change the substance of the plan.	Compliant. This amendment clarifies and confirms the intent of the requirements in the rules that all building envelope, solar envelope and height measurements are taken from datum ground level.

2.3 Variation to the Multi-Unit Housing Development Code

2.3.1 Clarification of Rule R16a)i) and associated 'Note'

Paragraph a(i) of rule 16 in the Multi Unit Housing Development code relates to the number of storeys permitted for dual occupancies on surrendered residential blocks (more commonly referred to as 'Mr Fluffy blocks' - that is, residential blocks surrendered under the loose fill asbestos insulation eradication scheme) in the RZ1 suburban zones. This is currently not clearly articulated in the provision.

It is also proposed to adjust the wording of the 'Note' associated with R16 to make the intent of the requirements for dual occupancy dwellings on surrendered residential blocks clearer and reduce the potential for confusion or misinterpretation of the provision.

Existing rule R16:

Rules	Criteria
3.12 Number of storeys – single dwelling blocks – RZ1	
<p>R16</p> <p>In RZ1 on <i>single dwelling blocks</i> buildings comply with all of the following:</p> <p>a) The number of <i>storeys</i> does not exceed:</p> <p>i) 1 storey for dual occupancies on <i>surrendered residential blocks</i> 700m² and larger to which the 35% plot ratio applies to one storey</p> <p>ii) 2 storeys for all other single dwelling blocks.</p> <p>b) attics or basement car parking are not permitted where they are located directly above or below any 2 storey element of the dwelling.</p> <p>Note: Where 50% plot ratio is permitted, two storey dwellings are also permitted. The single storey rule for dual occupancies applies to blocks where a dwelling does not directly front a public road from which vehicular access is permitted.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Proposed rule R16 (see underlined)

Rules	Criteria
3.12 Number of storeys – single dwelling blocks – RZ1	
<p>R16</p> <p>In RZ1 on <i>single dwelling blocks</i> buildings comply with all of the following:</p> <p>a) The number of <i>storeys</i> does not exceed:</p> <p>i) 1 storey for dual occupancies (<u>both dwellings</u>) on <i>surrendered residential blocks</i> 700m² and larger to which the</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>35% plot ratio applies to one storey (refer to Rule R7)</p> <p>ii) 2 storeys for all other single dwelling blocks.</p> <p>b) attics or basement car parking are not permitted where they are located directly above or below any 2 storey element of the dwelling.</p> <p>Note: Where 50% plot ratio is permitted, two storey dwellings are also permitted. The single storey rule for dual occupancies on surrendered residential blocks applies to blocks where one or both of the dwellings does not directly front a public road from which vehicular access is permitted.</p>	

Compliance with the Planning and Development Act 2007

Section	Statement
s87(2)(e) a variation to clarify the language in the territory plan if it does not change the substance of the plan.	Compliant. This adjustment clarifies the wording of the provision to make the intent for <i>surrendered residential blocks</i> and the related restrictions on building height clearer to proponents and development application assessors.

2.3.2 Rules R23-R26 – clarify measurements taken from datum ground level

A note is added to rules R23, R24, R25 and R26 to clarify that all building envelope, solar envelope and height measurements are taken from datum ground level. This is currently not clearly articulated in the provisions.

The new note reads as follows:

‘Note: For the purposes of this rule all height measurements are taken from datum ground level.’

Compliance with the Planning and Development Act 2007

Section	Statement
s87(2)(e) a variation to clarify the language in the territory plan if it does not change the substance of the plan.	Compliant. This amendment clarifies and confirms the intent of the requirements in the rules that all building envelope, solar envelope and height measurements are taken from datum ground level.

2.4 Variation to the Amaroo Precinct Map and Code

Missing text has been added to the provision to confirm that Rule R8 is a mandatory rule, by including in the corresponding column for criteria the statement:

“This is a mandatory requirement. There is no applicable criterion.”

Compliance with the Planning and Development Act 2007

Section	Statement
s87(1)(a) (a) a variation (an <i>error variation</i>) 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.	Compliant. This amendment rectifies an omission in the Amaroo precinct code to confirm that rule R8 is a mandatory requirement.

2.5 Variation to the Coombs Precinct Map and Code

Rule R3 of the Coombs precinct code refers to mandatory minimum building heights for buildings within the RC2 – RZ5 residential area as delineated on the Coombs precinct map. In order to avoid any confusion with item 3.19 and the corresponding Rule R24 in the Multi-Unit Housing Development Code regarding mandatory maximum building heights in the RZ3, RZ4 and RZ5 zones, item 3.1 has been clarified in the Coombs precinct code (Building height – residential buildings with three storeys or fewer) to refer to minimum building heights as follows:

Existing provision:

‘RC2 – RZ5 residential area, Element 3: Building height; Item 3.1 Building height – residential buildings with three storeys or fewer’

New provision (see underlined text):

Change to:

‘RC2 – RZ5 residential area, Element 3: Building height, Item 3.1 Minimum building height – residential buildings with three storeys or fewer’

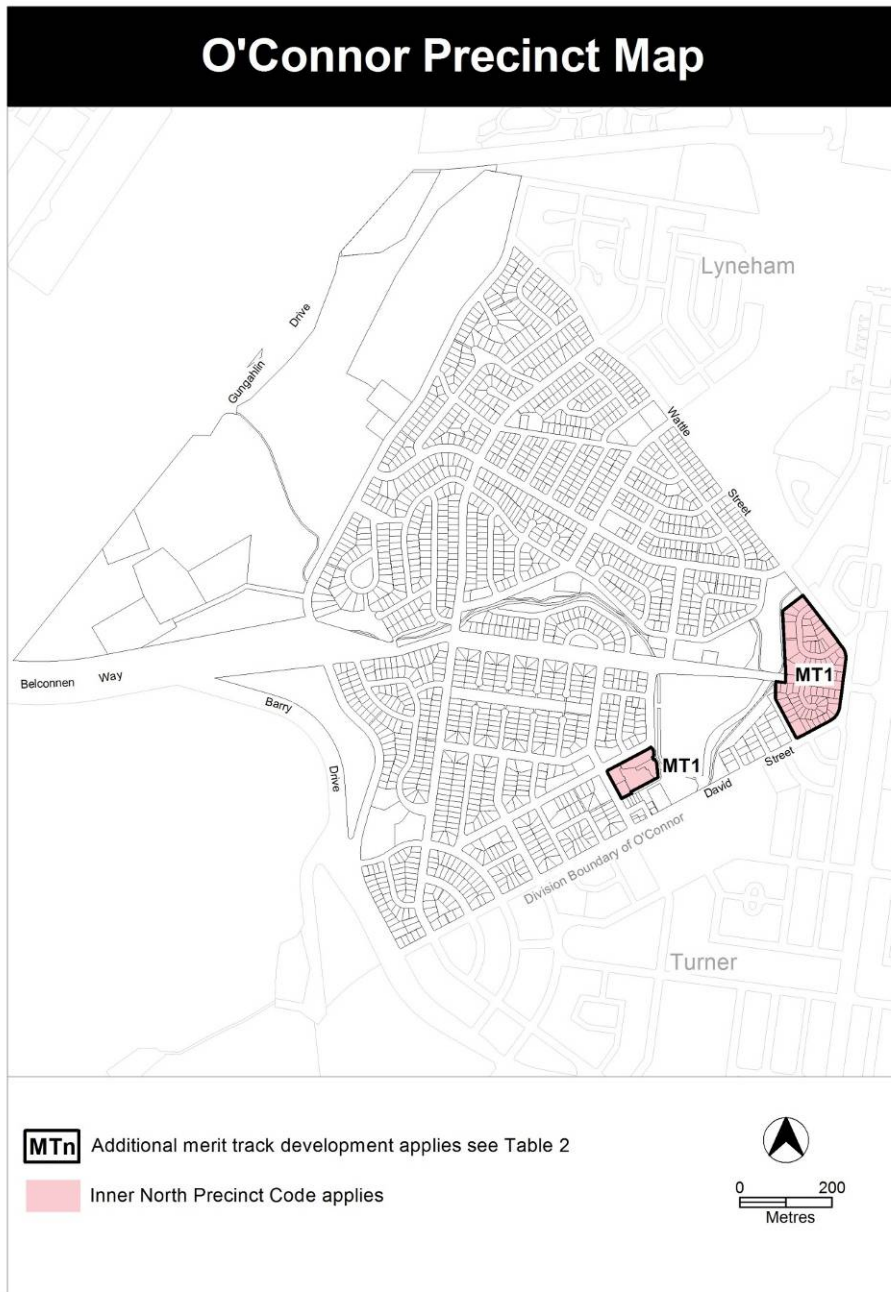
Compliance with the Planning and Development Act 2007

Section	Statement
s87(2)(e) a variation to clarify the language in the territory plan if it does not change the substance of the plan.	Compliant. This adjustment to the subject line for item 3.1 clarifies that provision refers to mandatory <u>minimum</u> building heights in line with the content of Rule R3.

2.6 Variation to the O'Connor Precinct Map and Code

The O'Connor precinct map delineates areas in the suburb of O'Connor to which the Inner North Precinct Code applies. However, due to a historical error, the existing precinct map inadvertently excludes sections 40, 41 and 42 along David Street which are within the areas of O'Connor subject to the Inner North Precinct Code. This technical amendment rectifies this situation.

Existing O'Connor Precinct Map:



Proposed O'Connor Precinct Map:



Compliance with the Planning and Development Act 2007

Section	Statement
<p>s87(1)(a) (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.</p>	<p>Compliant. This amendment rectifies an omission on the O'Connor precinct map for the sections covered by the Inner North Precinct Code.</p>

2.7 Variation the Throsby Concept Plan

The intent of the Throsby concept plan's 'medium to high density residential' requirement contained in Rule R9 (under Additional Rules and Criteria - RC1 – Throsby residential estate) is to apply only to residential development above two storeys in height. This is consistent with the T2 (high density residential) Residential Primary Location Classification under Australian Standard AS2885.1 (Pipelines – Gas and Liquid Petroleum). On this basis, residential development up to two storeys in height does not need to meet the requirements of T2 under AS2885.1 for the purposes of this provision, and therefore R9 does not apply to these developments. For any residential development greater than two storeys, and the other types of development listed in R9, a safety management study is required.

The original intent of the provision has been clarified by adjusting R9 (under item 5 Safety management study in the concept plan) to refer to residential development above two storeys to which the rule applies.

A 'suitably qualified person' has been substituted with 'gas pipeline engineer' to better identify the specific expertise necessary to prepare the plan (safety management study).

Existing provision:

Rules	Criteria
5. Safety management study	
<p>R9</p> <p>Where development includes one or more of the following uses.</p> <ul style="list-style-type: none"> a) <i>child care centre</i> b) <i>community activity centre</i> c) <i>COMMUNITY USE</i> d) <i>educational establishment</i> e) <i>retirement village</i> or aged care facilities f) <i>medium to high density residential</i> <p>Development complies with a plan prepared by a suitably qualified person and endorsed by the Territory agency responsible for regulation and safety of utilities.</p> <p>The plan will detail an assessment against the safety management study process and location classifications in accordance with <i>Australian Standard AS2885.1 Pipelines – gas and liquid petroleum</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Proposed provision (see underlined text):

Rules	Criteria
5. Safety management study	
<p>R9</p> <p>Where development includes one or more of the following uses.</p> <ul style="list-style-type: none"> a) <i>child care centre</i> b) <i>community activity centre</i> c) <i>COMMUNITY USE</i> d) <i>educational establishment</i> e) <i>retirement village</i> or aged care facilities f) <i>medium to high density residential <u>above 2 storeys in height</u></i> <p>Development complies with a plan prepared by a suitably qualified person <u>gas pipeline engineer</u> and endorsed by the Territory agency responsible for regulation and safety of utilities.</p> <p>The plan will detail an assessment against the safety management study process and location classifications in accordance with <i>Australian Standard AS2885.1 Pipelines – gas and liquid petroleum</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Compliance with the Planning and Development Act 2007

Section	Statement
<p>s87(2)(a) (a) a variation (an code variation) that— (i) would only change a code (ii) is consistent with the policy purpose and policy framework of the code; and (iii) is not an error variation</p>	<p>Compliant.</p> <p>This adjustment provides greater clarity regarding the original intent of the requirements for a safety management study for certain uses – specifically for residential development which is greater than 2 storeys in line with the relevant Australian Standard (AS2885.1 Pipelines – gas and liquid petroleum.)</p> <p>The amendment to refer to a gas pipeline engineer to prepare the study also better identifies the specific expertise necessary to undertake the specialist nature of the plan (safety management study)</p>

2.8 Variation to the Throsby Precinct Map and Code

Simultaneously with the changes to the Throsby concept plan the corresponding mandatory rule (R1) has been clarified in the Throsby precinct map and code for 'medium to high density residential' within the 200 metre high pressure gas pipeline buffer zone along Horse Park Drive. This is in line with the same changes to the concept plan (see section 2.7 above).

Existing provision:

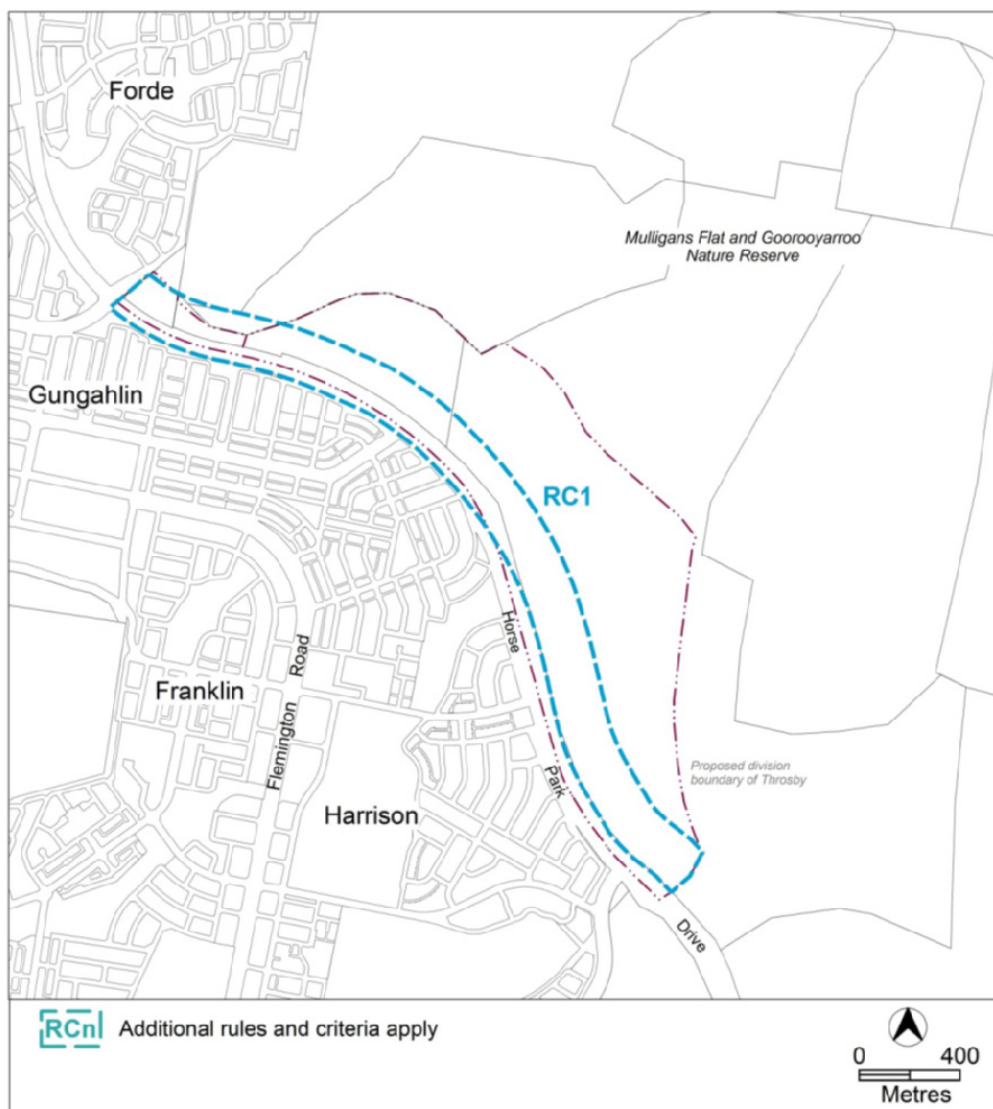
Rules	Criteria
1.1 Safety management study	
<p>R1</p> <p>Where development includes one or more of the following uses.</p> <ul style="list-style-type: none"> a) <i>child care centre</i> b) <i>community activity centre</i> c) <i>COMMUNITY USE</i> d) <i>educational establishment</i> e) <i>retirement village</i> or aged care facilities f) <i>medium to high density residential</i> <p>Development complies with a plan prepared by a suitably qualified person and endorsed by the Territory agency responsible for regulation and safety of utilities.</p> <p>The plan will detail an assessment against the safety management study process and location classifications in accordance with <i>Australian Standard AS2885.1 Pipelines – gas and liquid petroleum</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Proposed provision (see underlined text):

Rules	Criteria
1.1 Safety management study	
<p>R1</p> <p>Where development includes one or more of the following uses.</p> <ul style="list-style-type: none"> a) <i>child care centre</i> b) <i>community activity centre</i> c) <i>COMMUNITY USE</i> d) <i>educational establishment</i> e) <i>retirement village</i> or aged care facilities 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>f) <u>medium to high density residential above 2 storeys in height</u></p> <p>Development complies with a plan prepared by a suitably qualified person <u>gas pipeline engineer</u> and endorsed by the Territory agency responsible for regulation and safety of utilities.</p> <p>The plan will detail an assessment against the safety management study process and location classifications in accordance with <i>Australian Standard AS2885.1 Pipelines – gas and liquid petroleum</i>.</p>	

Area RC1 on the diagram below which is included in the concept plan and precinct code for Throsby shows a buffer area of 200 metres from the gas line in the Horse Park Drive road reserve to which Rule R1 and Rule R9 applies respectively.



Compliance with the Planning and Development Act 2007

Section	Statement
<p>s87(2)(a) (a) a variation (an code variation) that— (i) would only change a code (ii) is consistent with the policy purpose and policy framework of the code; and (iii) is not an error variation</p>	<p>Compliant.</p> <p>This adjustment provides greater clarity regarding the original intent of the requirements for a safety management study for certain uses – specifically for residential development which is greater than 2 storeys in line with the relevant Australian Standard (<i>AS2885.1 Pipelines – gas and liquid petroleum.</i>)</p> <p>The amendment to refer to a gas pipeline engineer to prepare the study also better identifies the specific expertise necessary to undertake the specialist nature of the plan (safety management study)</p>

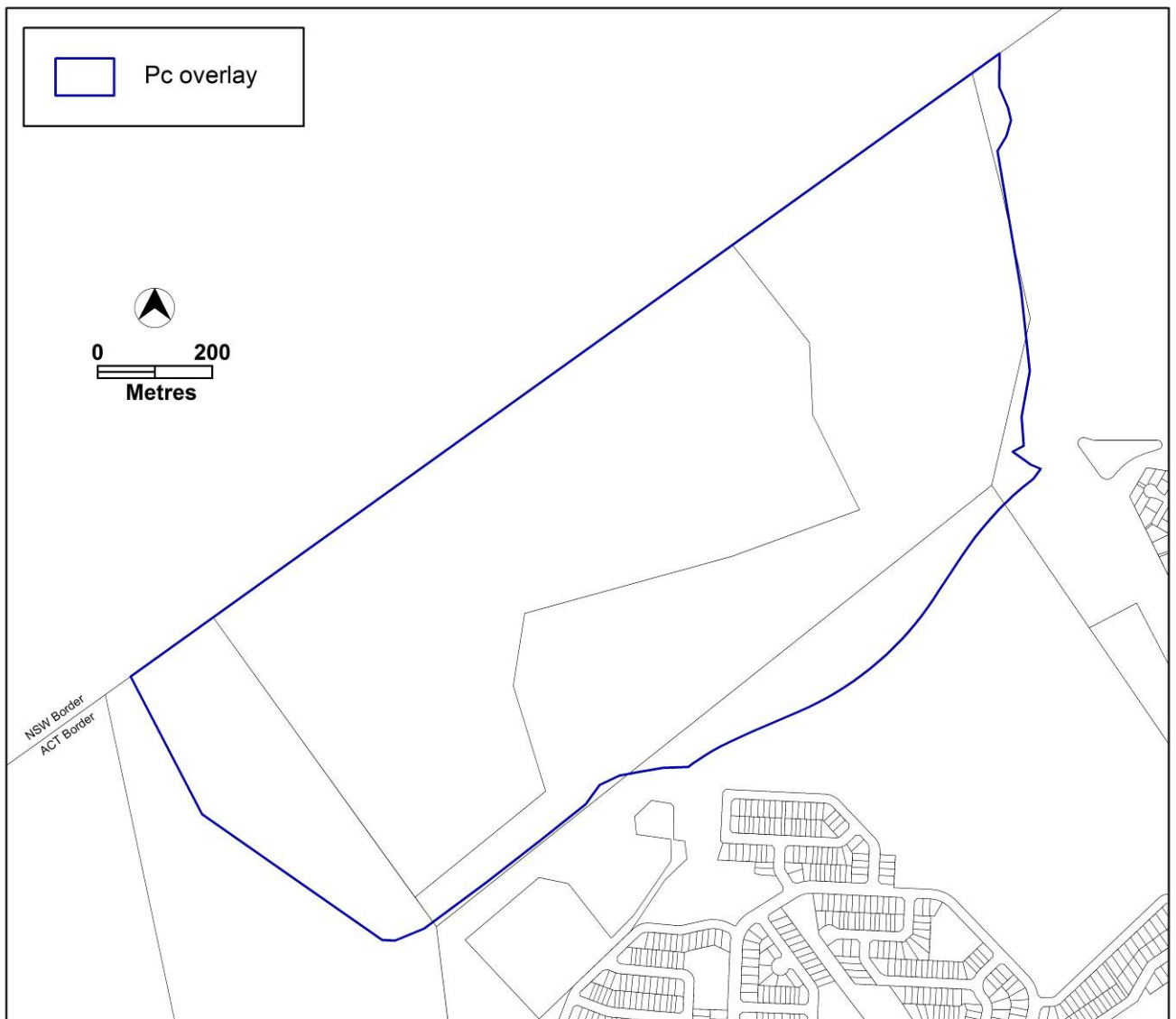
3. TECHNICAL AMENDMENT

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

3.1 Variation to the Territory Plan Map

1. Belconnen District – Jarramlee Nature Reserve

Substitute



3.2 Variation to the Single Dwelling Housing Development Code

2. Element 1: Building and Site Controls; Rules R5-R9

Add to the end of Rules R5, R6, R7, R7A, R8 and R9 the following note:

‘Note: For the purposes of this rule all height measurements are taken from datum ground level.’

3.3 Variation to the Multi-Unit Housing Development Code

3. Part A – General Controls; Element 3: Building and Site Controls, R16

Substitute

Rules	Criteria
3.12 Number of storeys – single dwelling blocks – RZ1	
<p>R16</p> <p>In RZ1 on <i>single dwelling blocks</i> buildings comply with all of the following:</p> <p>a) The number of <i>storeys</i> does not exceed:</p> <p>i) 1 storey for dual occupancies (both dwellings) on <i>surrendered residential blocks</i> 700m² and larger to which the 35% plot ratio applies (refer to Rule R7)</p> <p>ii) 2 storeys for all other single dwelling blocks.</p> <p>b) attics or basement car parking are not permitted where they are located directly above or below any 2 storey element of the dwelling.</p> <p>Note: Where 50% plot ratio is permitted, two storey dwellings are also permitted. The single storey rule for dual occupancies on surrendered residential blocks applies to blocks where one or both of the dwellings does not directly front a public road from which vehicular access is permitted.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

4. Part A – General Controls; Element 3: Building and Site Controls; R23-R26

Add to end of Rules R23, R24, R25 and R26 the following note:

‘Note: For the purposes of this rule all height measurements are taken from datum ground level.’

3.4 Variation to the Amaroo precinct map and code

5. Element 1: Building and site controls; Item 1.3 Setbacks; Rule R8

Add into 'Criteria' column corresponding to Rule R8:

'This is a mandatory requirement. There is no applicable criterion.'

3.5 Variation to the Coombs precinct map and code

6. RC2 – RZ5 residential area; Element 3: Building height

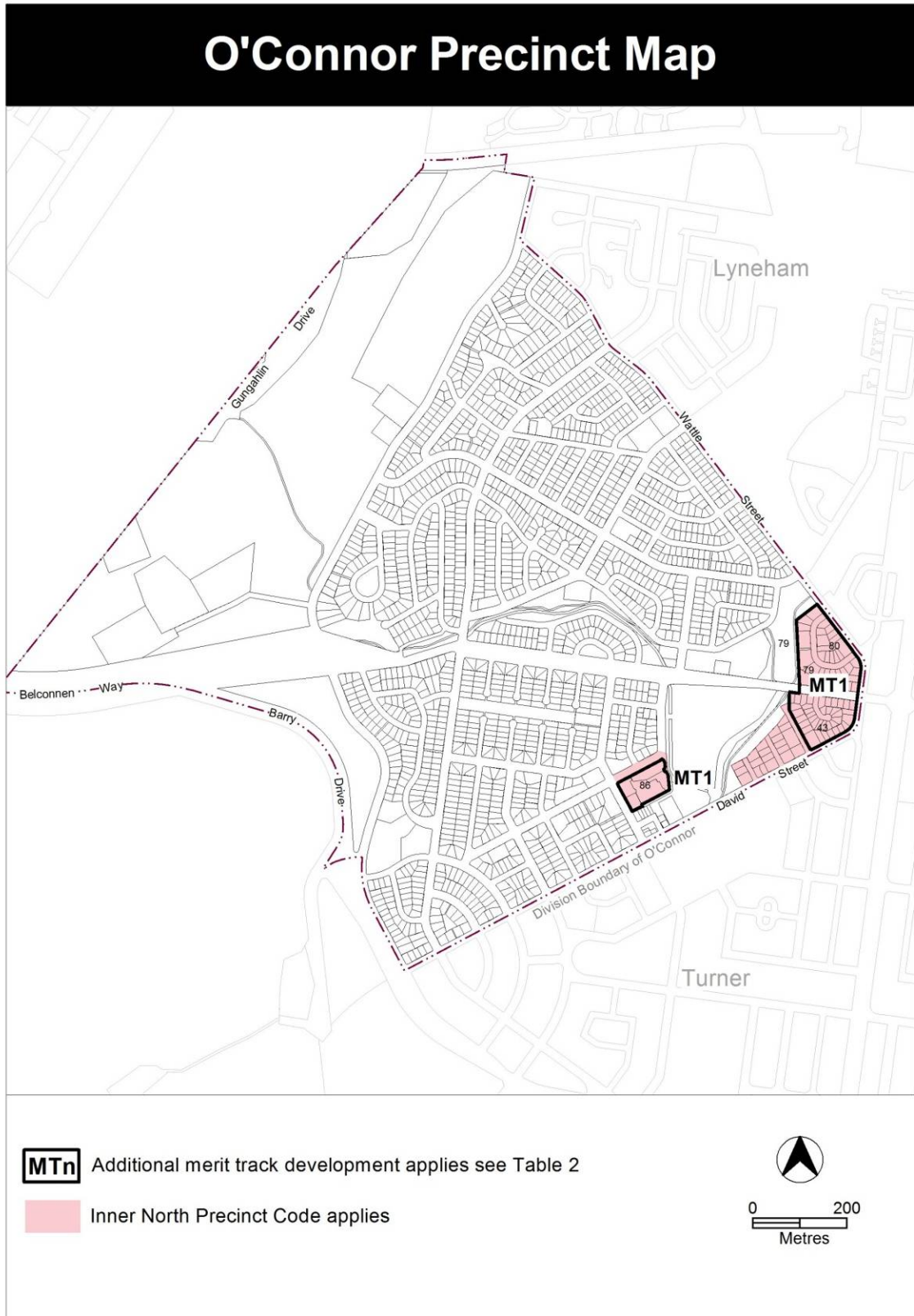
Substitute

'3.1 Minimum building height – residential buildings with three storeys or fewer'

3.6 Variation to the O'Connor precinct map and code

7. O'Connor precinct map

Substitute



3.7 Variation to the Throsby precinct map and code

8. Element 1: Use; Item 1.1 Safety management study, Rule R1

Substitute

Rules	Criteria
1.2 Safety management study	
<p>R1</p> <p>Where development includes one or more of the following uses.</p> <ul style="list-style-type: none"> a) <i>child care centre</i> b) <i>community activity centre</i> c) COMMUNITY USE d) <i>educational establishment</i> e) <i>retirement village</i> or aged care facilities f) <i>medium to high density residential above 2 storeys in height</i> <p>Development complies with a plan prepared by a gas pipeline engineer and endorsed by the Territory agency responsible for regulation and safety of utilities.</p> <p>The plan will detail an assessment against the safety management study process and location classifications in accordance with <i>Australian Standard AS2885.1 Pipelines – gas and liquid petroleum</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

3.8 Variation to the Throsby concept plan

9. Additional Rules and Criteria; RC1 Throsby residential estate; Element 1: Use; Item 5 Safety management study; Rule R9
--

Substitute

Rules	Criteria
5. Safety management study	
<p>R9</p> <p>Where development includes one or more of the following uses.</p> <ul style="list-style-type: none"> a) <i>child care centre</i> b) <i>community activity centre</i> c) <i>COMMUNITY USE</i> d) <i>educational establishment</i> e) <i>retirement village</i> or aged care facilities f) <i>medium to high density residential above 2 storeys in height</i> <p>Development complies with a plan prepared by a gas pipeline engineer and endorsed by the Territory agency responsible for regulation and safety of utilities.</p> <p>The plan will detail an assessment against the safety management study process and location classifications in accordance with <i>Australian Standard AS2885.1 Pipelines – gas and liquid petroleum</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

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