

Australian Capital Territory

# Planning and Development (Technical Amendment—Gungahlin) Plan Variation 2018 (No 1)

Notifiable instrument NI2018—282

Technical Amendment No 2018-10

made under the

**Planning and Development Act 2007, section 89 (Making technical amendments) and section 96 (Effect of approval of estate development plan)**

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**1 Name of instrument**

This instrument is the *Planning and Development (Technical Amendment—Gungahlin) Plan Variation 2018 (No 1)*.

**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 Gungahlin plan variation is a technical amendment to the Territory Plan.

**4 Meaning of *Gungahlin plan variation***

For this instrument:

***Gungahlin plan variation*** means the technical amendment to the Territory Plan, variation 2018-10, in the schedule.

*Note:* No consultation was required in relation to the Gungahlin plan variation under section 87 of the Act.

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



Planning & Development Act 2007

**Technical Amendment  
to the Territory Plan  
Variation 2018-10**

Future urban area variation and amendments  
to the Gungahlin Precinct Map and Code

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*

- The Territory Plan map is varied to remove the Future Urban Area overlay from block 4 section 249 in the Division of Gungahlin.

### *Gungahlin Precinct Map and Code*

- The Gungahlin Precinct Map and Code is amended to include ongoing provisions, as described in Part 3 of this document.

## **1.2 Public consultation**

Under section 87 of the Planning and Development Act 2007 (the Act) this type of technical amendment is not subject to public consultation.

## **1.3 National Capital Authority**

The National Capital Authority does not need to be advised of this technical amendment as per 1.2.

## **1.4 Process**

This technical amendment has been prepared in accordance with section 87 and made in accordance with section 89 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.

TA2018-10 has been prepared in accordance with section 87 (1) (c).

## 2. EXPLANATION

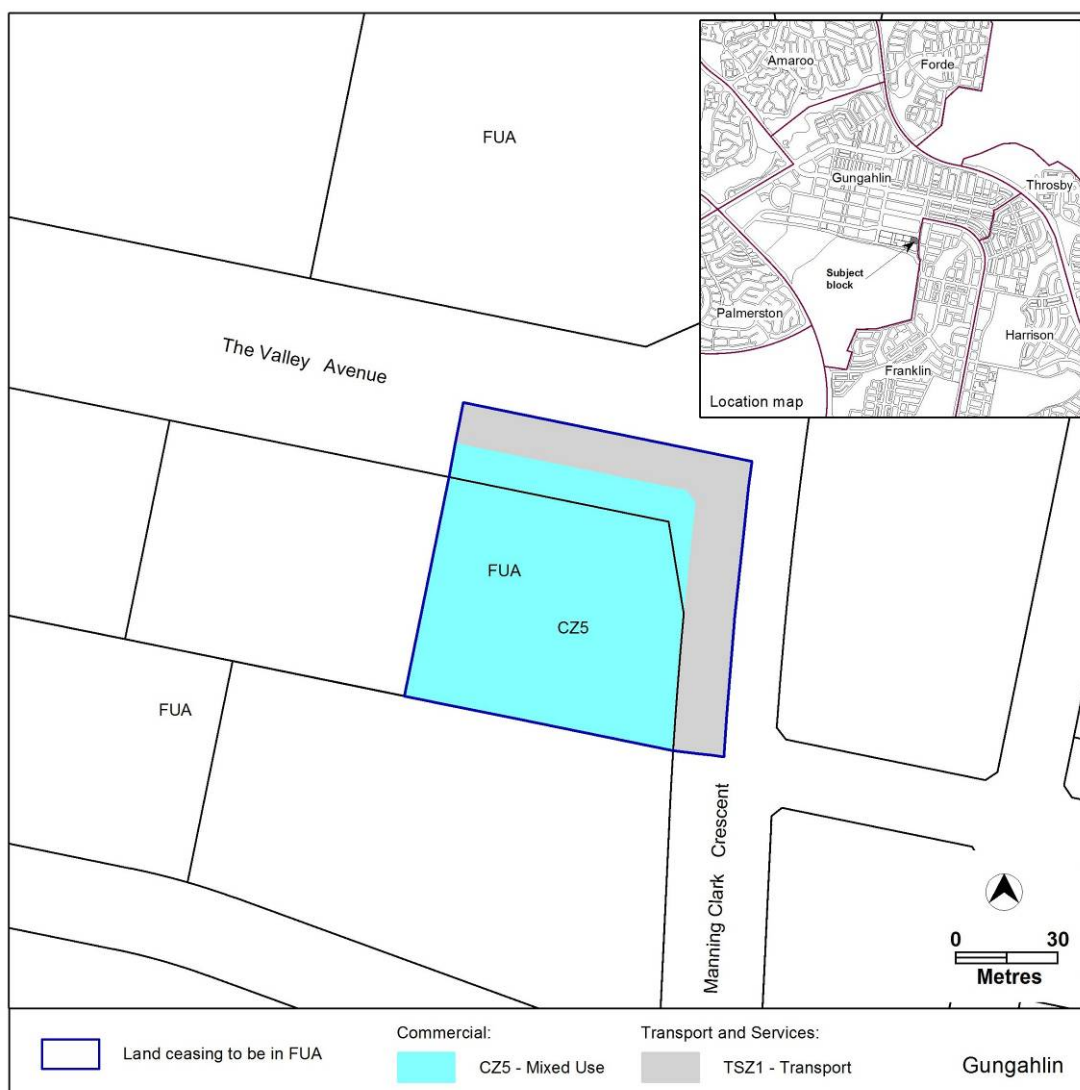
This part of the technical amendment document explains the changes to be made to the Territory Plan.

### 2.1 Territory Plan Map

#### Variation to the Territory Plan Map

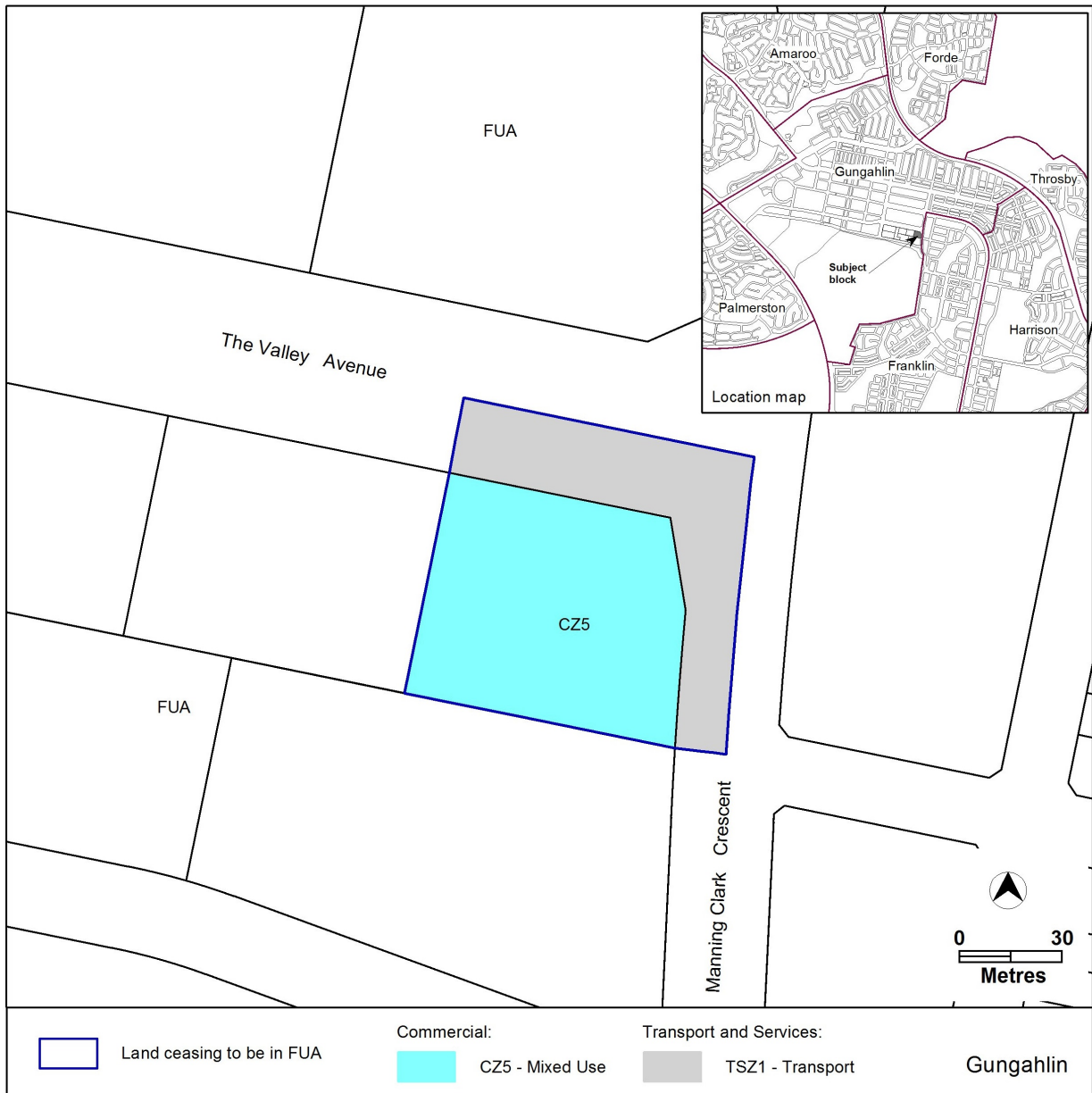
The Territory Plan map is varied to identify the zones that apply to land ceasing to be in a future urban area.

#### *Existing Territory Plan Map*





Proposed Territory Plan Map

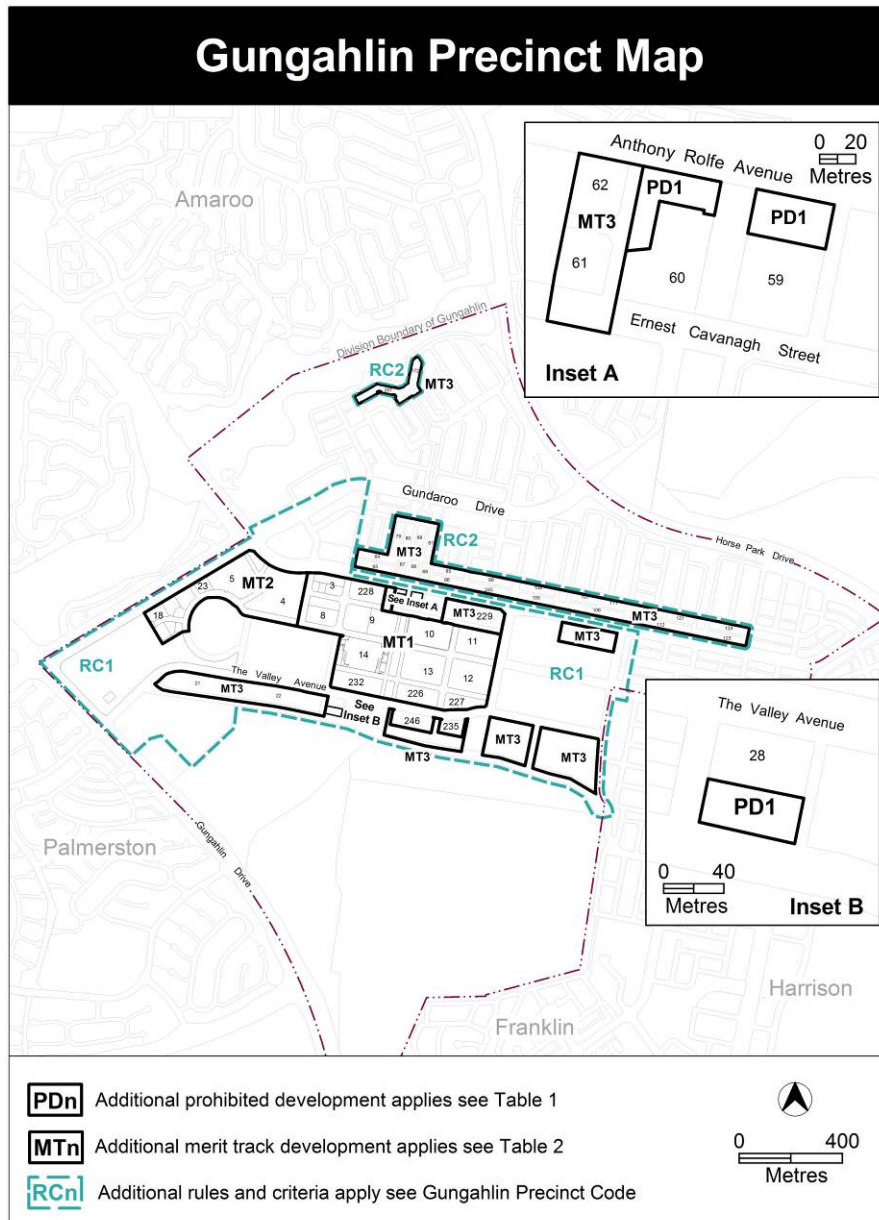


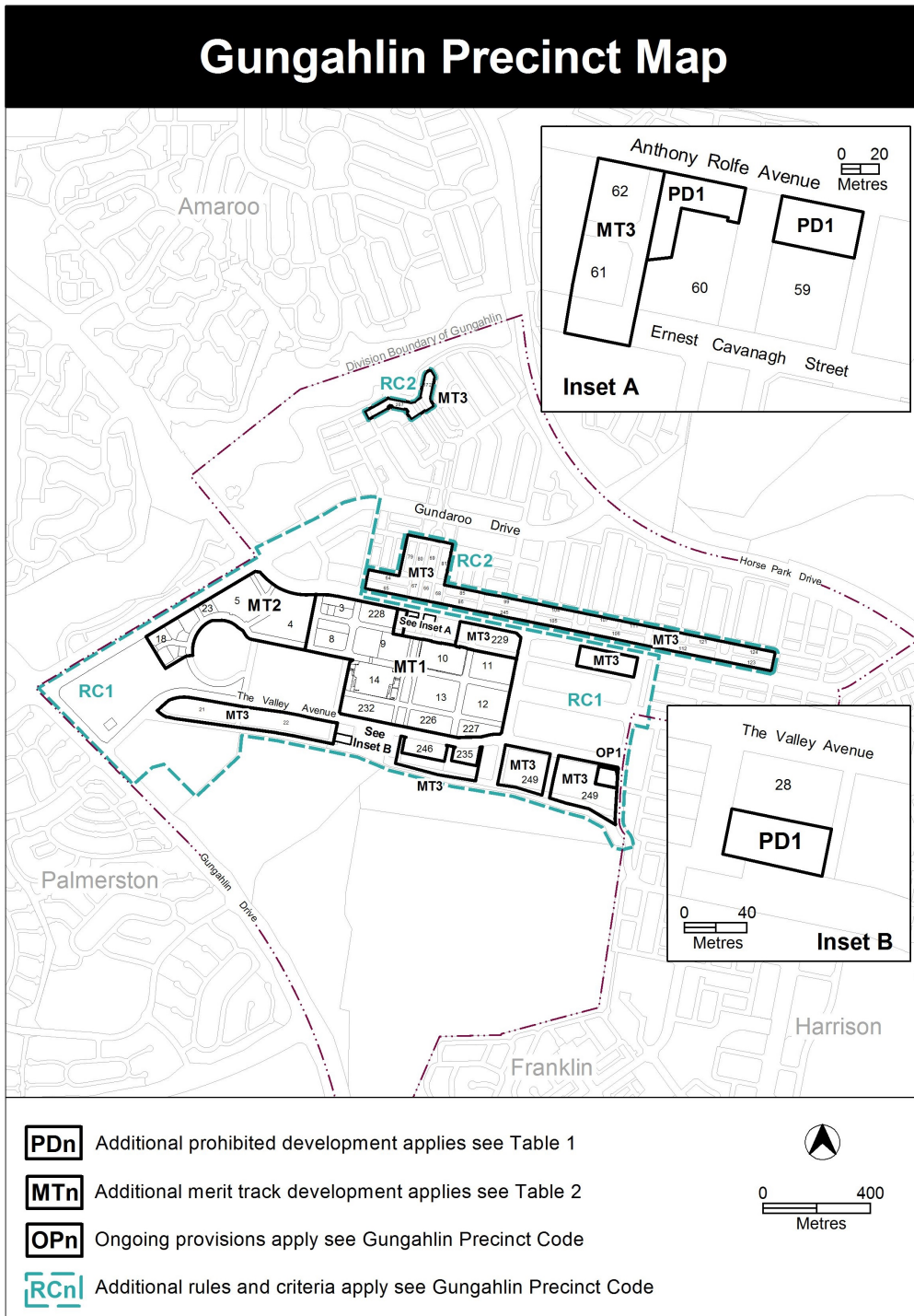
## 2.2 Gungahlin Precinct Map and Code

### Variation to the Gungahlin Precinct Map and Code

The Gungahlin Precinct Map and Code is varied to incorporate rules and criteria and ongoing block specific provisions that are consistent with the approved estate development plan. The changes include amending the Gungahlin Precinct Map to show area OP1 (ongoing provisions).

#### Existing Gungahlin Precinct Map





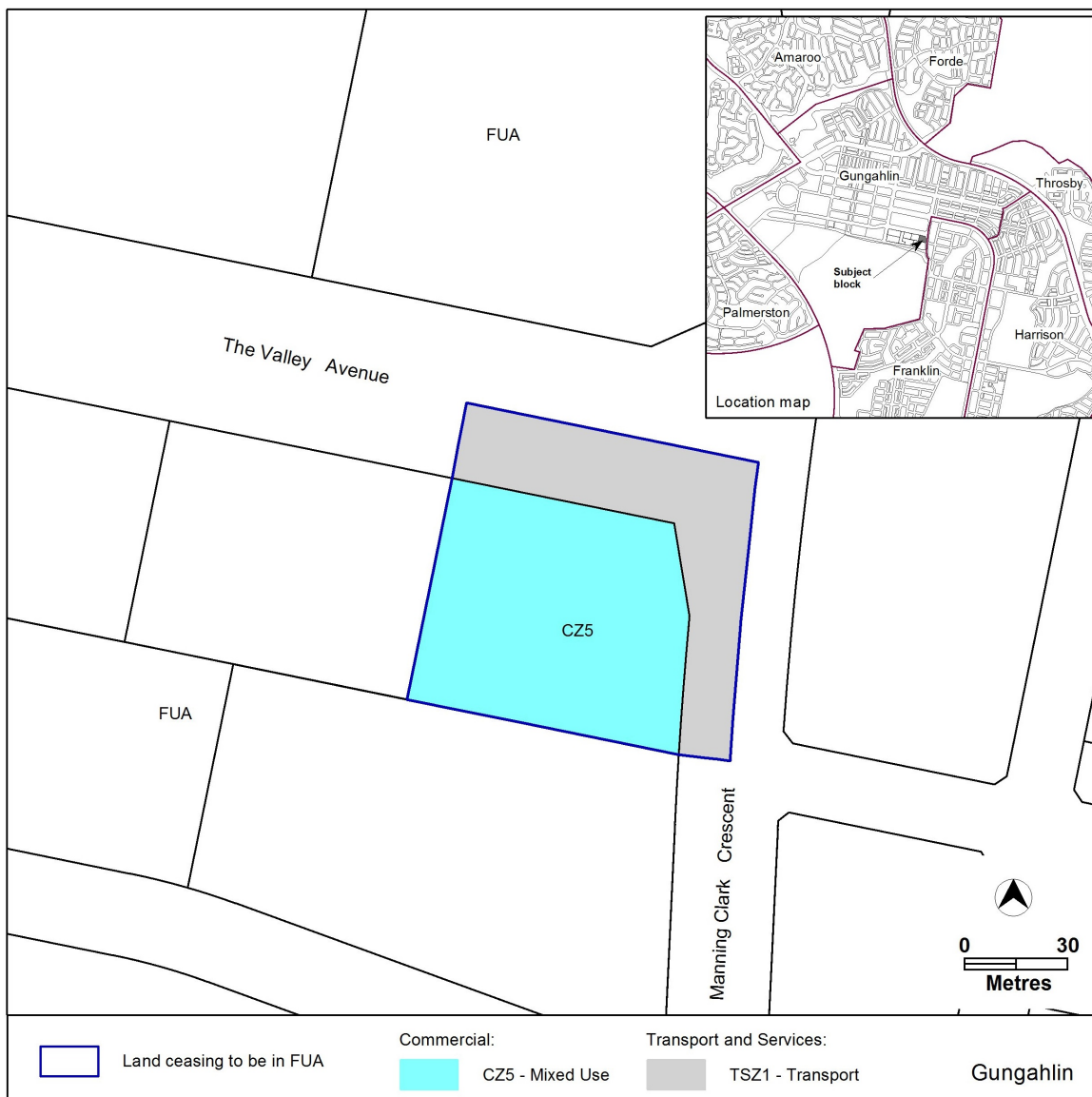
### 3. TECHNICAL AMENDMENT

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

#### 3.1 Territory Plan Map

##### 1. Territory Plan Map

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

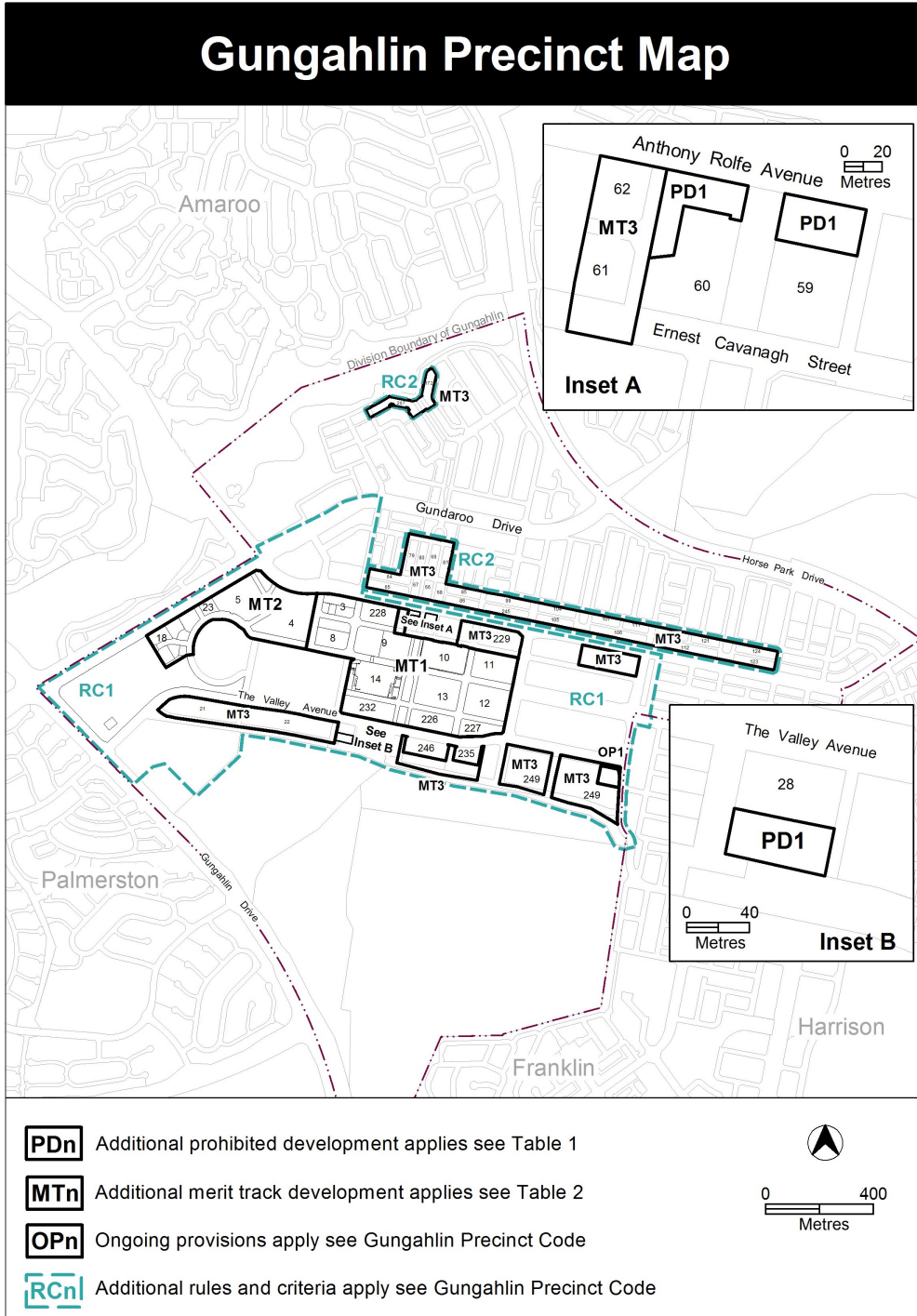




### 3.2 Gungahlin Precinct Map and Code

#### 2. Gungahlin Precinct Map

Substitute



**3. Gungahlin Precinct Code, RC2 – Mixed use commercial development area, Element 3: Buildings, Rule R68**

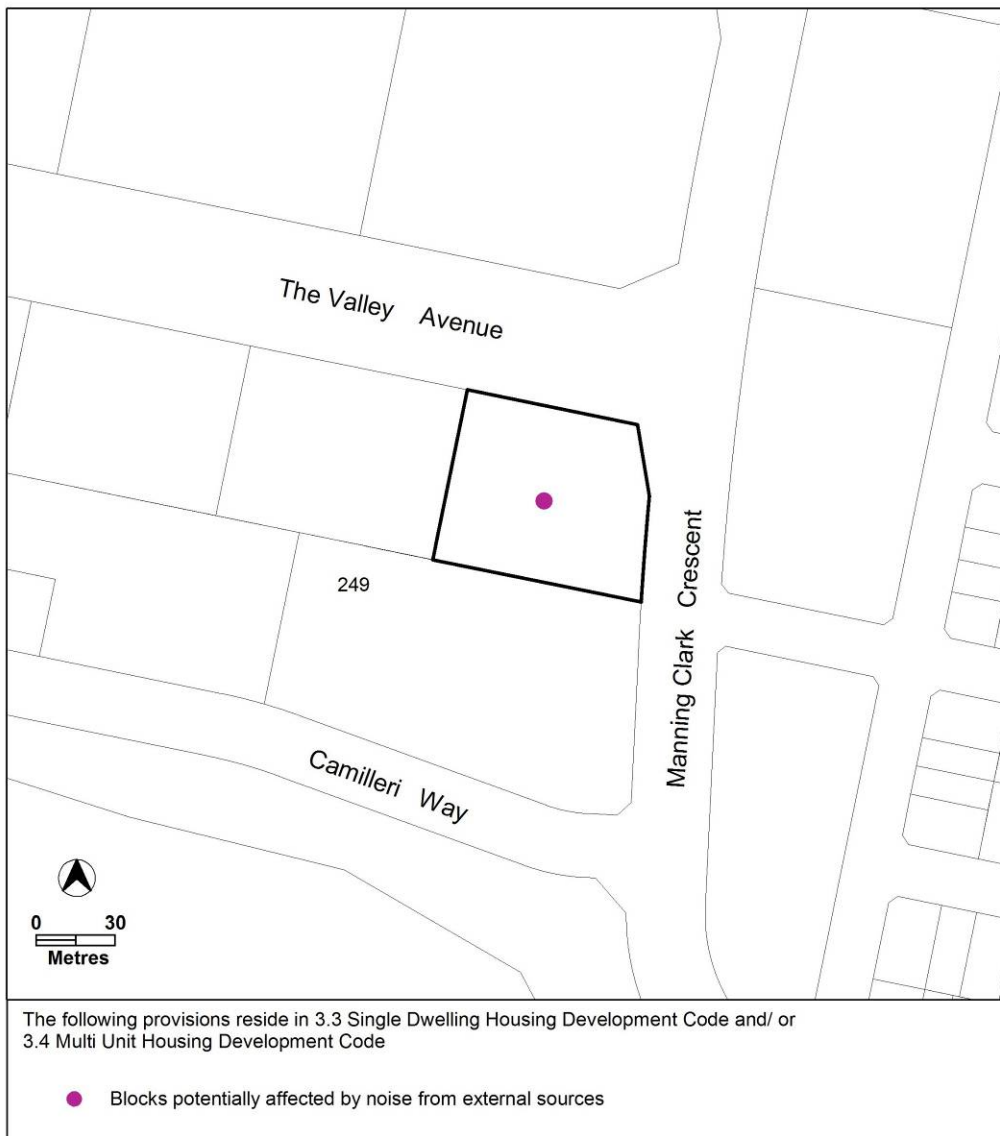
*Insert after Rule R68:*

**Other ongoing provisions**

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

**OP1 – Gungahlin residential area**

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



**Figure 7 Gungahlin residential area ongoing provisions**

## Interpretation service

ENGLISH	If you need interpreting help, telephone:
ARABIC	: إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
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CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήστε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
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SERBIAN	Ako vam je potrebna pomoć prevodioca telefoniрајте:
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