

Australian Capital Territory

Planning and Development (Plan Variation No 352) Approval 2018

Notifiable Instrument NI2018-53

made under the

Planning and Development Act 2007, section 76(2)(a) (Minister's powers in relation to draft plan variations)

1 Name of instrument

This instrument is the *Planning and Development (Plan Variation No 352) Approval 2018*.

2 Approval of draft plan variation

(1) I approve under section 76(2)(a) of the *Planning and Development Act 2007* the draft plan variation No 352 to the Territory Plan.

(2) In this section:

Draft plan variation No 352 to the Territory Plan means the draft plan variation in the schedule.

Mick Gentleman MLA
Minister for Planning and Land Management
2 February 2018

This page is intentionally blank.

Schedule

(See section 2(2))



ACT
Government

Environment, Planning and
Sustainable Development

Planning and Development Act 2007

Variation to the Territory Plan No 352

Changes to various development tables, codes and definitions

Changes include:

- introduction of animal care facility in industrial zones
- removal of Public Land Reserve overlay on part block 510 Stromlo
- change zoning from PRZ1 to CFZ for Block 9 Section 12 Hackett
- revisions to provisions in some development codes and
- clarification and refinement of some definitions

Final variation prepared under s76 of the
Planning and Development Act 2007

This page is intentionally blank.

Contents

- 1. EXPLANATORY STATEMENT 1**
 - 1.1 Background..... 1
 - 1.2 Summary of the Proposal 1
 - 1.3 The National Capital Plan2
 - 1.4 Consultation on the Draft Variation2
 - 1.5 Revisions to the Draft Variation Recommended to the Minister..... 3

- 2. VARIATION..... 4**
 - 2.1 Variation to the Territory Plan4

This page is intentionally blank.

1. EXPLANATORY STATEMENT

1.1 Background

As part of the continued monitoring and updating of the Territory Plan, a number of matters were identified across different parts of the Plan that required changes in order to better meet the needs of government, industry and the community. These included:

- changes to the types of development permitted in certain zones or in site specific instances;
- improving the understanding and functionality of some development code provisions; and
- clarification of and refinement to some definitions.

1.2 Summary of the Proposal

The matters that are dealt with are in the following categories:

1. Territory Plan Map changes

Changes to the Territory Plan map to remove a public land overlay from part of rural Block 510 Stromlo and to rezone Block 9 Section 12 Hackett from PRZ1 urban open space zone to CFZ community facility zone

2. Zone development tables

Changes to zone development tables in the industrial zones where a new use is permitted

3. Development codes

Revisions to individual rules and criteria in certain development codes

4. Precinct map and code

Changes to the Hackett precinct map to include site-specific prohibited uses for Block 9 Section 12 Hackett.

5. Definitions of Development

Amendments to certain definitions of development used in the Territory Plan.

6. Definitions of Terms

Changes to and clarification of certain technical terms used in the Territory Plan.

1.3 The National Capital Plan

The *Australian Capital Territory (Planning and Land Management) Act 1988* established the National Capital Authority (NCA) with two of its functions being to prepare and administer a National Capital Plan (NCP) and to keep the NCP under constant review and to propose amendments to it when necessary.

The NCP, which was published in the Commonwealth Gazette on 21 January 1990 is required to ensure that Canberra and the Territory are planned and developed in accordance with their national significance. The Planning and Land Management Act 1988 also required that the Territory Plan is not inconsistent with the NCP.

In accordance with section 10 of the *Australian Capital Territory (Planning and Land Management) Act 1988*, the National Capital Plan defines the planning principles and policies for Canberra and the Territory, for giving effect to the object of the NCP and sets out the general policies to be implemented throughout the Territory, including the range and nature of permitted land uses.

It also sets out the detailed conditions of planning, design and development for areas that have special significance to the National Capital known as designated areas and identifies special requirements for the development of some other areas.

1.4 Consultation on the Draft Variation

Draft Variation No 352 (DV352) was released for public comment between 9 June 2017 and 24 July 2017, with extensions of time granted until 7 August 2017 upon request. A consultation notice under section 63 of the *Planning and Development Act 2007* (P&D Act) was published on the ACT Legislation Register on 9 June 2017 and on the Public Noticeboard on 9 June 2017.

A total of 13 written submissions were received, which included three submissions from industry bodies/organisations, three submissions from industry professionals, four submissions from community organisations, one from a developer, one individual submission and one submission from a sporting club.

Main concerns raised by submitters included:

- The consequences of the removal of references to Neighbourhood Plans in the commercial zones development code and the parks and recreation zone development code;
- The consequences on lessees and workers from the prohibition of child care centres in industrial zones, and assertions that centres can be provided in industrial areas based on suitable design, siting and pollution mitigation measures,

- permitting animal care facilities in industrial zones only in conjunction with an associated approved code of practice under the *Animal Welfare Act 1992*;
- suitability of the addition of 'place of worship' to the Hackett precinct map and code for Block 9 Section 12 Hackett and suggested alternatives including changing zone to community facility zone to accommodate use
- robustness of criteria for boarding houses in the residential zones development code;
- onerous requirements for pumps and tanks relating to water sensitive urban design provisions in the single dwelling housing development code;
- onerous requirements for adapted housing in the multi unit housing development code (MUHDC);
- lack of provision for stormwater runoff for blocks smaller than 2000m² in the MUHDC;
- concerns regarding interpreting the privacy and overlooking provisions in the MUHDC;
- problems with proposed definition of datum ground level and concerns with integrity of surveyors taking measurements.

The above issues were considered and are detailed in a report on consultation. Changes were informed by the issues raised. The outcomes of consultation were considered by the Minister responsible for planning prior to approval of this variation.

1.5 Revisions to the Draft Variation Recommended to the Minister

No changes were made to the draft variation recommended to the Minister.

2. VARIATION

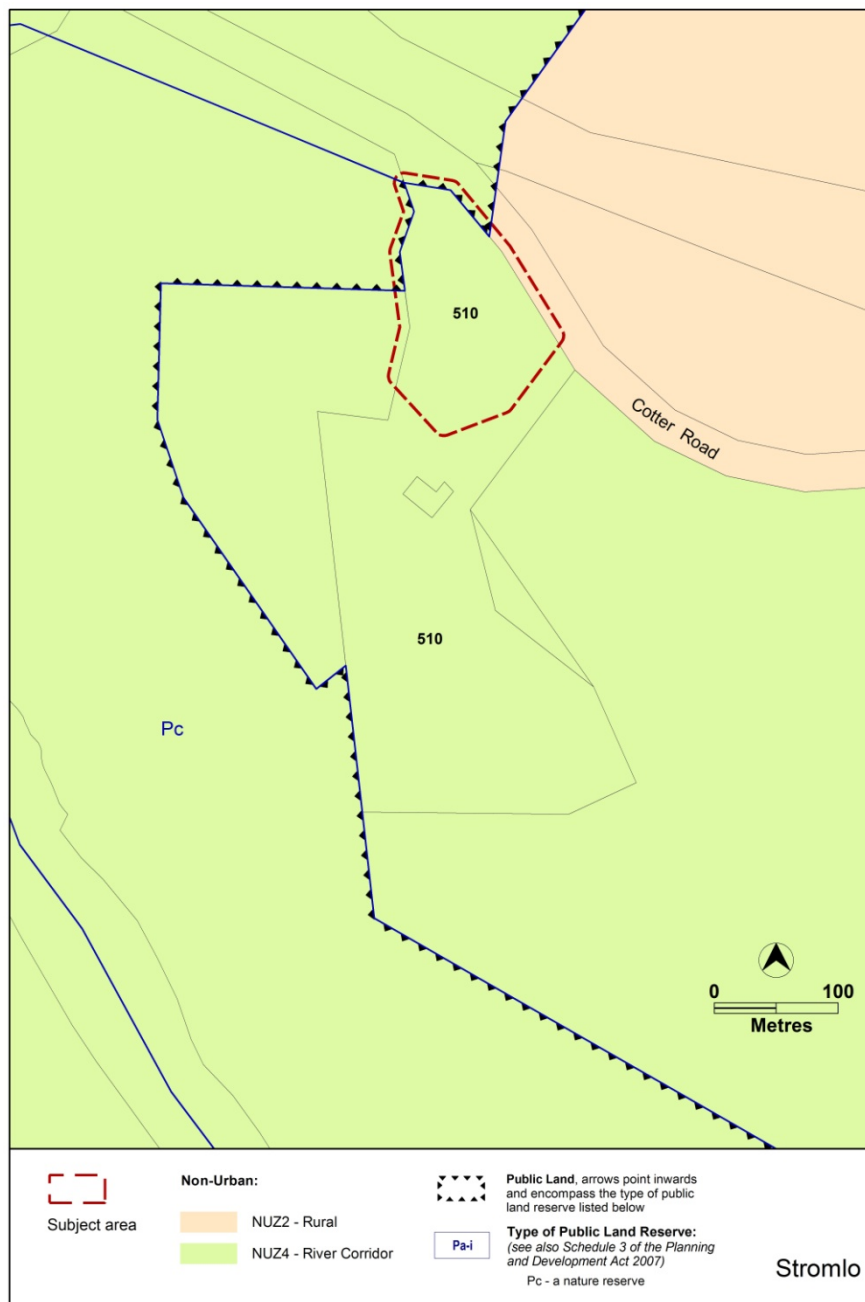
2.1 Variation to the Territory Plan

The Territory Plan is varied in all of the following ways:

2.1.1 Variation to the Territory Plan Map

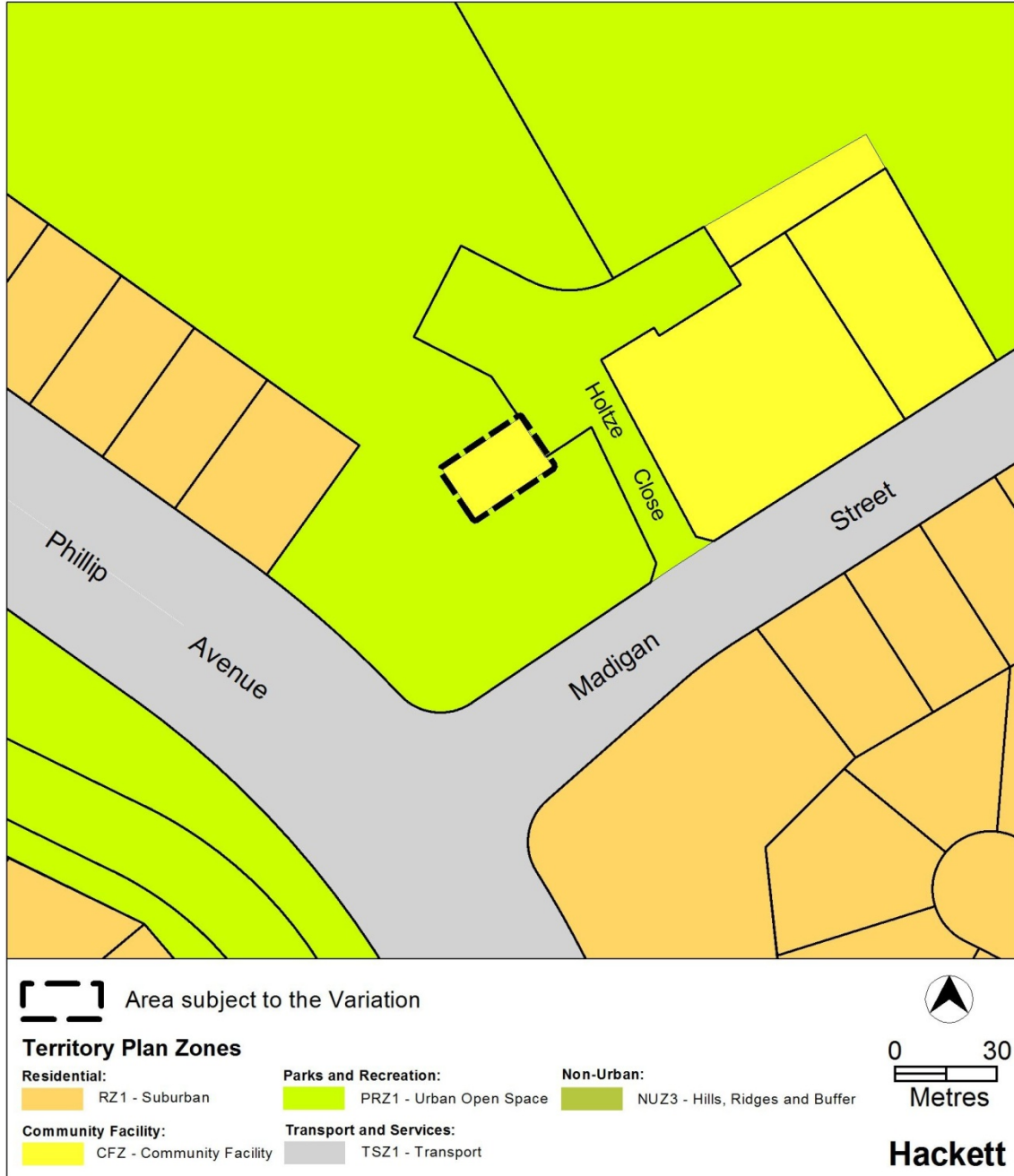
1. Part rural block 510 Stromlo

Substitute



2. Block 9 Section 12 Hackett

Substitute



2.1.2 Variation to the Industrial Zones development tables

3. IZ1 – General Industrial Zone Development Table – MINIMUM ASSESSMENT TRACK MERIT

Insert

animal care facility

4. IZ1 – General Industrial Zone Development Table – PROHIBITED DEVELOPMENT

Omit

animal care facility

5. IZ2 – Mixed Use Industrial Zone Development Table – MINIMUM ASSESSMENT TRACK MERIT

Insert

animal care facility

6. IZ2 – Mixed Use Industrial Zone Development Table - PROHIBITED DEVELOPMENT

Omit

animal care facility

2.1.3 Variation to the Residential Zones Development Code

7. Part B – Other forms of residential development; element 6: Boarding houses; Item 6.1 Design and siting; new criteria C25 and C26

Substitute

Rules	Criteria
6.1 Design and siting	
<p>R25</p> <p>The minimum <i>gross floor area</i> of a boarding room is:</p> <p>a) for a single occupant - 12m²</p> <p>b) for 2 or more occupants - 16m²</p>	<p>C25</p> <p>It can be demonstrated that:</p> <p>A boarding room is of a size sufficient to accommodate the needs of a <i>boarding house</i> resident. This includes space for the provision of essential items such as a bed, desk and robe. Adequate circulation space within the boarding room is also provided.</p>
<p>R26</p> <p>If a <i>boarding house</i> is to be occupied by five or more adults, at least one communal living room of at least 16m² with a minimum dimension of 3 metres is to be provided.</p>	<p>C26</p> <p>It can be demonstrated that:</p> <p>Communal living space is of a size sufficient to meet the needs of the residents of the <i>boarding house</i>, including provision of communal facilities and adequate circulation space.</p>

2.1.4 Variation to the Single Dwelling Housing Development Code

8. Element 1: Building and site controls, Item 1.14 Allowable encroachments – setbacks; Rules R16 and R17

Substitute

1.14 Allowable encroachments – setbacks	
<p>R16</p> <p>Encroachments into the minimum side and/or rear boundary setback are permitted for any of the following building elements:</p> <ul style="list-style-type: none">a) an eave or roof overhang with a horizontal width of not more than 600mmb) fascias, gutters, downpipes, rainwater tanks, chimneys, flues, domestic fuel tanks, cooling or heating appliances, light fittings, electricity and gas meters, aerials, antennae, unroofed pergolas, sun blindsc) unroofed terraces, landings, steps or ramps, none of which are more than 1m above finished ground level.	<p>C16</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none">a) consistency with the <i>desired character</i>b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i>dwellings</i> and their associated <i>private open space</i>c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.

9. Element 5: Amenity; Item 5.4 Noise attenuation – external sources, Rule R42 and Criterion C42

Substitute

5.4 Noise attenuation – external sources	
<p>R42</p> <p>This rule applies to all new dwellings (including in established areas), as well as extensions and alterations that add a habitable room exposed directly to the source of noise.</p> <p>Where a block has one or more of the following characteristics:</p> <ul style="list-style-type: none"> i) identified in a precinct code as being potentially affected by noise from external sources ii) <i>adjacent</i> to a road carrying or forecast to carry traffic volumes greater than 12000 vehicles per day iii) is otherwise identified to be noise affected <p>dwellings shall be constructed to comply with the following:</p> <ol style="list-style-type: none"> 1. road carrying traffic volumes between 12,000 and 25,000 vpd – <ol style="list-style-type: none"> a. <i>dwelling</i> located less than 20m from the nearside edge of the road: <ol style="list-style-type: none"> i. AS/NZS 2107:2000 - Acoustics – Recommended design sound levels and reverberation times for building interiors (the relevant satisfactory recommended interior design sound level) ii. AS/NZS 3671 - Acoustics – Road Traffic Noise Intrusion Building Siting and Design. b. dwelling located more than 20m from the nearside edge of the road: <ol style="list-style-type: none"> i. glazing is 6.38mm laminated glass or equivalent and fitted with acoustic seals other than brush seals ii. any external doors are solid core and fitted with acoustic seals other than 	<p>C42</p> <p>This criterion applies to all new <i>dwellings</i> (including in established areas), as well as extensions and alterations that add a <i>habitable room</i> exposed directly to the source of noise.</p> <p>A noise management plan must be provided where:</p> <ul style="list-style-type: none"> i) A <i>block</i> is identified in a precinct code as being potentially affected by noise from external sources; or ii) A <i>dwelling</i> is located in the first row of housing near a road carrying or forecast to carry traffic volumes greater than 12000 vehicles per day; or iii) A <i>block</i> is otherwise identified to be noise affected <p>Noise management plan requirements:</p> <ol style="list-style-type: none"> a) For other than road traffic noise - a noise management plan prepared by a member of the Australian Acoustical Society with experience in the assessment of noise, and endorsed by the EPA. The noise level immediately adjacent to the dwelling is assumed to be the relevant noise zone standard specified in the ACT Environment Protection Regulation 2005. The plan must indicate compliance with the relevant Australian standard. b) For road traffic noise - an acoustic assessment and noise management plan, prepared by a member of the Australian Acoustical Society with experience in the assessment of road traffic noise, and endorsed by the ACT Government entity responsible for transport planning. The plan must indicate compliance with the relevant Australian standard. <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed noise management plan.</p>

<p style="text-align: center;">brush seals</p> <p>2. road carrying traffic volumes greater than 25,000 vpd –</p> <p>a) dwelling located less than 40m from the nearside edge of the road:</p> <p>i. AS/NZS 2107:2000 - Acoustics – Recommended design sound levels and reverberation times for building interiors (the relevant satisfactory recommended interior design sound level)</p> <p>ii. AS/NZS 3671 - Acoustics – Road Traffic Noise Intrusion Building Siting and Design.</p> <p>b) dwelling located more than 40m from the nearside edge of the road:</p> <p>i. glazing is 10.38mm laminated glass or equivalent and fitted with acoustic seals other than brush seals</p> <p>ii. any external doors are solid core and fitted with acoustic seals other than brush seals</p> <p>3. in all other cases where a dwelling is affected by noise from external sources-</p> <p>i. AS/NZS 2107:2000 - Acoustics – Recommended design sound levels and reverberation times for building interiors (the relevant satisfactory recommended interior design sound level)</p> <p>ii. AS/NZS 3671 - Acoustics – Road Traffic Noise Intrusion Building Siting and Design.</p>	
--	--

10. Element 6: Environment; Item 6.1 Water sensitive urban design, Rule R43

Substitute

Rules	Criteria
6.1 Water sensitive urban design	
<p>R43</p> <p>This rule applies to</p> <ul style="list-style-type: none"> a) all new single <i> dwellings</i> b) <i> secondary residences</i> and c) extensions and alterations but does not apply to: <ul style="list-style-type: none"> i) <i> extensions</i> of a size 50% or less of existing floor area ii) development where no new plumbing is proposed <p>The development complies with one of the following:</p> <ul style="list-style-type: none"> i) Option A ii) Option B <p>For this rule</p> <p>Option A is:</p> <ul style="list-style-type: none"> a) on compact blocks - <ul style="list-style-type: none"> i) no minimum water storage requirement ii) minimum ★★★ WELS rated plumbing fixtures b) on <i> mid-sized blocks</i> - <ul style="list-style-type: none"> i) minimum on site water storage of water from roof harvesting is 2,000 litres ii) 50% or 75m² of roof plan area, whichever is the lesser, is connected to the tank iii) the tank is connected to at least a toilet, laundry cold water and all external taps. The connection will require a pump where it cannot be elevated sufficiently to give adequate pressure. c) on <i> large blocks</i> up to 800m² - <ul style="list-style-type: none"> i) minimum on site water storage of water from roof harvesting is 4,000 litres ii) 50% or 100m² of roof plan area, whichever is the lesser, is connected to the tank iii) the tank is connected to at least a toilet, 	<p>C43</p> <p>Evidence is provided that the development achieves a minimum 40% reduction in mains water consumption compared to an equivalent development constructed in 2003, using the ACTPLA on-line assessment tool or another tool. The 40% target is met without any reliance on landscaping measures to reduce consumption.</p>

Rules	Criteria
<p>laundry cold water and all external taps. The connection will require a pump where it cannot be elevated sufficiently to give adequate pressure.</p> <p>d) on <i>large blocks</i> 800m² or greater -</p> <ul style="list-style-type: none"> i) minimum on site water storage of water from roof harvesting is 5,000 litres ii) 50% or 125m² of roof plan area, whichever is the lesser, is connected to the tank iii) the tank is connected to at least a toilet, laundry cold water and all external taps. The connection will require a pump where it cannot be elevated sufficiently to give adequate pressure. <p>Option B is: A greywater system captures all bathroom and laundry greywater and treats it to Class A standard. The treated greywater is connected to all laundry cold water, toilet flushing and all external taps.</p>	

2.1.5 Variation to the Multi Unit Housing Development Code

11. Part A – General controls; Element 3: Building and site controls, Item 3.10; Rule R14

Substitute

Rules	Criteria
3.10 Residential density – adaptable housing – single dwelling blocks – RZ2	
<p>R14</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ2:</p> <p>All <i>dwellings</i> are to be shown as capable of being adapted. The additional <i>dwelling/s</i> permitted for adaptable housing above those shown in Table A2 shall be built to an adapted standard in compliance with Australian Standard AS4299 <i>Adaptable Housing (Class C)</i>.</p> <p>Despite R2 and R12, the maximum number of <i>dwellings</i> is shown in table A3.</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>

12. Part A – General controls; Element 4: Site design; Item 4.2 Site open space – RZ1 and RZ2; C38

Substitute

Rules	Criteria
4.2 Site open space – RZ1 and RZ2	
<p>R38</p> <p>This rule applies to RZ1 and RZ2.</p> <p>Not less than 40% of the total site area is allocated to one or more of the following:</p> <ul style="list-style-type: none"> a) <i>communal open space</i> with a minimum dimension of 2.5m b) private open space that complies with all of the following - <ul style="list-style-type: none"> i) a minimum dimension of 2.5m ii) is associated with dwellings at the <i>lower floor level</i>. <p>Not less than 20% of the total site area is <i>planting area</i>.</p>	<p>C38</p> <p>Open space on the site achieves all of the following:</p> <ul style="list-style-type: none"> a) sufficient space for the recreation and relaxation of residents b) sufficient space for planting, particularly trees with deep root systems, to accommodate on-site infiltration of stormwater run-off c) provision of outdoor areas that are readily accessible by residents for a range of uses and activities. <p>One or more of the following matters may be considered when determining compliance with this criterion:</p> <ul style="list-style-type: none"> i) whether the total area of <i>upper floor level private open space</i> contributes to the function of other open space on the site ii) whether any adjoining or adjacent public open space is readily available for the use of residents.

13. Part A – General controls; Element 4: Site design; Item 4.6 Courtyard walls

Substitute

4.6 Courtyard walls – RZ1 and RZ2	
<p>R42</p> <p>Courtyard walls are permitted forward of the <i>building line</i> where they comply with all of the following:</p> <ul style="list-style-type: none"> a) a total length not exceeding 60% of the width of the block at the line of the wall b) a minimum setback from the front boundary of not less than 2m c) trees and/or shrubs between the wall and the front boundary, in accordance with an approved landscape plan d) a maximum height not exceeding 1.8m above datum ground level e) constructed of brick, block or stonework, any of which may be combined with timber or metal panels that include openings not less than 25% of the surface area of the panel f) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with <i>Australian Standard AS2890.1- Off-Street Parking</i>. 	<p>C42</p> <p>Courtyard walls achieve all of the following:</p> <ul style="list-style-type: none"> a) consistent with the desired character b) the dominance of the building's facade in the streetscape taking all of the following aspects of the proposed courtyard wall into account: <ul style="list-style-type: none"> i) height ii) relationship to verge footpath iii) total proportion relative to the building iv) width v) colour and design features vi) transparency vii) articulation viii) protection of existing desirable landscape features ix) tree and shrub planting forward of the wall c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with <i>Australian Standard AS2890.1- Off-Street Parking</i>.

14. Part A – General controls; Element 4 Site design; Item 4.6 Courtyard walls

Insert

4.7 Courtyard walls – other than RZ1 and RZ2	
<p>R42A</p> <p>Courtyard walls are permitted forward of the <i>building line</i> where they comply with all of the following:</p> <ul style="list-style-type: none"> a) maximum height of 1.8m above <i>datum ground level</i> b) a minimum setback to the front boundary complying with the following: <ul style="list-style-type: none"> i) where the wall encloses the <i>principal private open space</i> at ground floor level that is located to the west, north-west, north, north-east or east of the <i>dwelling</i> – 0.7m ii) in all other cases - half the front boundary setback nominated elsewhere in this code c) trees and/or shrubs between the wall and the front boundary, in accordance with an approved landscape plan d) a variety of materials or indentations not less than 15m apart where the indents are not less than 1m in depth and 4m in length e) constructed of brick, block or stonework, any of which may be combined with timber or metal panels that include openings not less than 25% of the surface area of the panel f) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with <i>Australian Standard AS2890.1- Off-Street Parking</i>. 	<p>C42A</p> <p>Courtyard walls achieve all of the following:</p> <ul style="list-style-type: none"> a) consistent with the desired character b) the dominance of the building’s facade in the streetscape taking all of the following aspects of the proposed courtyard wall into account: <ul style="list-style-type: none"> i) height ii) relationship to verge footpath iii) total proportion relative to the building iv) width v) colour and design features vi) transparency vii) articulation viii) protection of existing desirable landscape features ix) tree and shrub planting forward of the wall c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with <i>Australian Standard AS2890.1- Off-Street Parking</i>.

15. Part A – General controls; Element 6: Amenity; Item 6.3 Privacy; Rules R59 and R60 and Criteria R59 and R60

Substitute

6.3 Privacy	
<p>R59</p> <p>This rule applies to <i> dwellings </i> on the same <i> block </i>. A person with an eye height of 1.5m standing at any point on the extremity of an <i> unscreened element </i> of one <i> dwelling </i> shall not have a direct line of sight into the <i> primary window </i> of any other <i> dwelling </i>. The direct line of sight is a minimum distance of 12m.</p>	<p>C59</p> <p>Evidence is provided demonstrating that reasonable privacy between <i> dwellings </i> on the same <i> block </i> is achieved through design solution. Note: this does not include installing high sill windows, obscured glass, and/or angled louvres</p>
<p>R60</p> <p>This rule applies to <i> principal private open space </i> on the same <i> block </i> and on adjacent <i> blocks </i>. A person with an eye height of 1.5m standing at any point on the extremity of an <i> unscreened element </i> of one <i> dwelling </i> shall not have a direct line of sight to more than 50% of the minimum <i> principal private open space </i> of any other <i> dwelling </i>. The direct line of sight is a minimum distance of 12m.</p>	<p>C60</p> <p>Evidence is provided demonstrating that reasonable privacy of <i> principal private open space </i> of each <i> dwelling </i> is achieved through design solution. Note: this does not include installing high sill windows, obscured glass, and/or angled louvres</p>

16. Part A – General controls; Element 6: Amenity; Item 6.9 Noise attenuation – external sources

6.9 Noise attenuation – external sources	
<p>R67</p> <p>Where a <i>block</i> has one or more of the following characteristics:</p> <ul style="list-style-type: none"> iii) identified in a precinct code as being potentially affected by noise from external sources iv) adjacent to a road carrying or forecast to carry traffic volumes greater than 12,000 vehicles per day v) located in a commercial zone vi) adjacent to a commercial or industrial zone <p>dwellings shall be constructed to comply with the relevant sections of all of the following:</p> <ul style="list-style-type: none"> a) AS/NZS 2107:2000 - <i>Acoustics – Recommended design sound levels and reverberation times for building interiors</i> (the relevant satisfactory recommended interior design sound level) b) AS/NZS 3671 - <i>Acoustics – Road Traffic Noise Intrusion Building Siting and Design</i>. <p>For other than road traffic noise, compliance with this rule is demonstrated by a noise management plan prepared by a member of the Australian Acoustical Society with experience in the assessment of noise, and endorsed by the EPA. For other than road traffic noise, the noise level immediately adjacent to the dwelling is assumed to be the relevant noise zone standard specified in the ACT Environment Protection Regulation 2005.</p> <p>For road traffic noise, compliance with this rule is demonstrated by an acoustic assessment and noise management plan, prepared by a member of the Australian Acoustical Society with experience in the assessment of road traffic noise, and endorsed by the ACT Government entity responsible for Transport Planning.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed noise management plan.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

2.1.6 Variation to the Industrial Zones Development Code

17. Part B – General Development Controls, Element 5: Amenity'; Item 5.2 Noise, Rule R34

Add

Rules	Criteria
5.2 Noise	
<p>R34A</p> <p>A Noise Management Plan, prepared by an accredited acoustic specialist who is a member of the Australian Acoustic Society, is provided for <i>an animal care facility</i></p> <p>The Noise Management Plan details the design, siting and construction methods, which will be used to minimise the impact of noise on neighbouring uses, and reduce the intrusion of noise from industrial uses into the facility.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

18. Part B – General Development Controls; Element 5: Amenity

Add

Rules	Criteria
5.5. Emergency management plan	
<p>R37A</p> <p>An Emergency Management Plan is provided for an <i>animal care facility</i>, prepared by a suitably qualified professional, and includes details of a risk assessment and evacuation plan for the facility, and is endorsed by the Emergency Services Authority (ESA).</p>	<p>C37A</p> <p>If an endorsed Emergency Management Plan is not provided, the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>

2.1.7 Variation to the Lease Variation General Code

19. Part A – Lease variations in the merit or impact track’; Element 4: variations to add particular uses

Add

Rules	Criteria
4.4 Emergency management plan	
<p>R6A</p> <p>A variation to a <i>lease</i> to authorise an <i>animal care facility</i> in the industrial zones is approved only where an emergency management plan is provided and has been endorsed by the Emergency Services Authority (ESA).</p>	<p>C6A</p> <p>If an endorsed Emergency Management Plan is not provided, the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
4.5 Noise	
<p>R6B</p> <p>A Noise Management Plan, prepared by an accredited acoustic specialist who is a member of the Australian Acoustic Society, is provided for an <i>animal care facility</i></p> <p>The Noise Management Plan details the design, siting and construction methods, which will be used to minimise the impact of noise on neighbouring uses, and reduce the intrusion of noise from industrial uses into the facility.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

2.1.8 Variation to Parking and Vehicular Access General Code

20.3.5 Industrial zones – Schedule 5 – Industrial zones

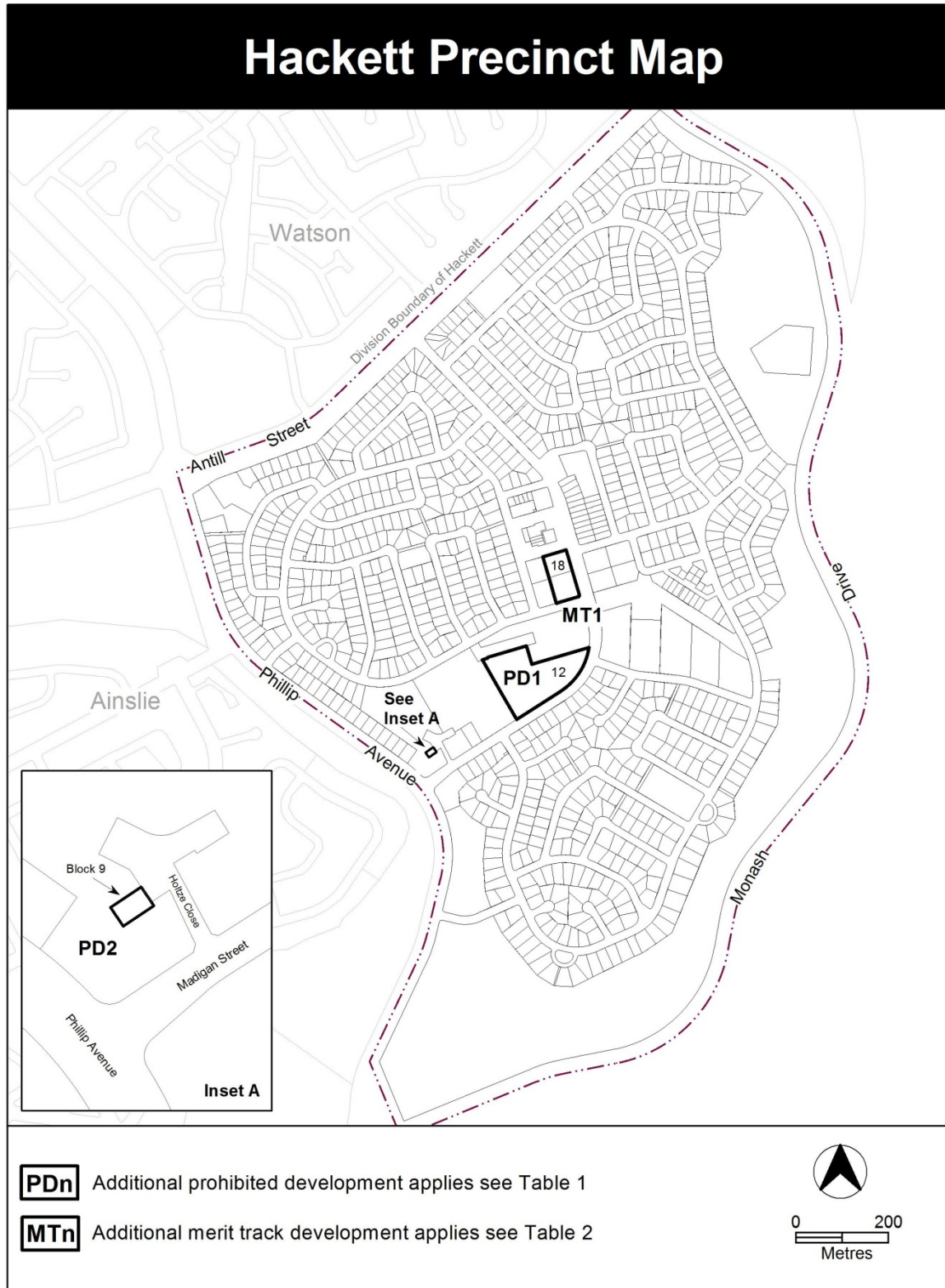
Add

Development	Parking provisions rates for industrial zones
Animal care facility	1 space/facility plus 2 spaces per 15 animals for employee parking plus visitor parking as follows: 2 spaces: <30 animals per facility 3 spaces: 30-59 animals per facility 4 spaces: 60-90 animals per facility plus 1 pick-up/set-down bay per 10 animals

2.1.9 Variation to the Hackett Precinct Map

21. Hackett precinct map

Substitute



22. Table 1 – Additional prohibited development

Substitute

Additional prohibited development		
Suburb precinct map label	Zone	Development
PD1	CFZ	<i>retirement village</i> <i>supportive housing</i>
PD2	CFZ	<i>child care centre</i> <i>community theatre</i> <i>educational establishment</i> <i>emergency services facility</i> <i>hospital</i> <i>minor road</i> <i>outdoor recreation facility</i> <i>residential care accommodation</i> <i>retirement village</i> <i>subdivision</i> <i>supportive housing</i>

2.1.10 Variation to the Territory Plan Definitions – Part A

23. Detached house

Relocate

'Attached house' as a sub-category of *Multi unit housing* to Territory Plan Definitions – Part B Definition of Terms

24. Attached house

Relocate

'Detached house' as a sub category of *Single dwelling housing* to Territory Plan Definitions – Part B Definition of Terms

25. Minor use

Substitute

Minor use means the use of land for a purpose that is incidental to the use and development of land in the zone and includes but is not limited to open space; public car parking; community path systems; shared circulation spaces (such as lift wells, stair wells); minor service reticulation; other utility services that do not exclude other uses from the land; street furniture and the like

2.1.11 Variation to the Territory Plan Definitions – Part B

26. Building line

Substitute

Building line means a line drawn parallel to any *front boundary* along the front face of a *building* or through the point on a *building* closest to the *front boundary*. A terrace, landing, porch, *balcony*, deck or verandah that is more than 1.5 metres above *finished ground level* or is covered by a roof is deemed to be part of the *building*. A fence, courtyard wall or retaining wall is not deemed to be part of the *building*.

27. Natural Ground Level and Datum Ground Level

Substitute

Natural ground level (NGL) has the same meaning as **datum ground level**

Datum ground level means the surface ground level as determined in a field survey authorised by a registered surveyor:

- a) at the time of Operational Acceptance for subdivision; or
 - b) if a) is not available, provided no new earthworks have occurred; or
 - c) at the date of grant of the lease of the block;
- whichever is the earliest.

Where a), b) or c) is not available, **datum ground level** is the best estimate of the surface ground level determined in a field survey considering the levels of the immediate surrounding area and authorised by a registered surveyor.

28. Side boundary

Substitute

Side boundary means a *block* boundary extending from a *front boundary* along a single bearing.

29. Rear boundary

Insert new definition

Rear boundary means a *block* boundary other than a *front boundary* or a *side boundary*.

30. Habitable room

Substitute

Habitable (including **habitable room**) means a room within a *dwelling* capable of being lawfully used for the normal domestic activities of living, sleeping, cooking or eating, and—

- a) includes a bedroom, study, living room, family room, kitchen, dining room, home theatre, rumpus room; but
- b) does not include a bathroom, laundry, utility room, hallway, garage or other spaces of a specialised nature occupied neither frequently or for extended periods.

31. Setback

Substitute

Setback means the horizontal distance between a *block* boundary and the outside face of any *building* or structure on the block including:

- a) a *building* wall,
- b) a post that supports a roof,
- c) a *balcony*, deck or verandah.

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 τηλεφωνήσετε 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

Canberra and District - 24 hours a day, seven days a week