

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

Notifiable instrument NI2018—724

Technical Amendment No 2018-22

made under the

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

1 Name of instrument

This instrument is the *Planning and Development (Technical Amendment—Casey) 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 Casey plan variation is a technical amendment to the Territory Plan.

4 Meaning of *Casey plan variation*

For this instrument:

Casey plan variation means the technical amendment to the Territory Plan, variation 2018-22, in the schedule.

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

Kathy Cusack
Delegate of the planning and land authority
18 December 2018



ACT
Government

Environment, Planning and
Sustainable Development

Planning & Development Act 2007

Technical Amendment to the Territory Plan Variation 2018-22

Future urban area variation and changes to
the Casey Precinct Map and Code

December 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 land in the Division of Casey, as identified in Part 2 of this document.

Casey Precinct Map and Code

- The Casey Precinct Map and Code is amended to include ongoing provisions, as described in Part 2 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.

TA2018-22 has been prepared in accordance with section 87 (1) (c).

2. EXPLANATION

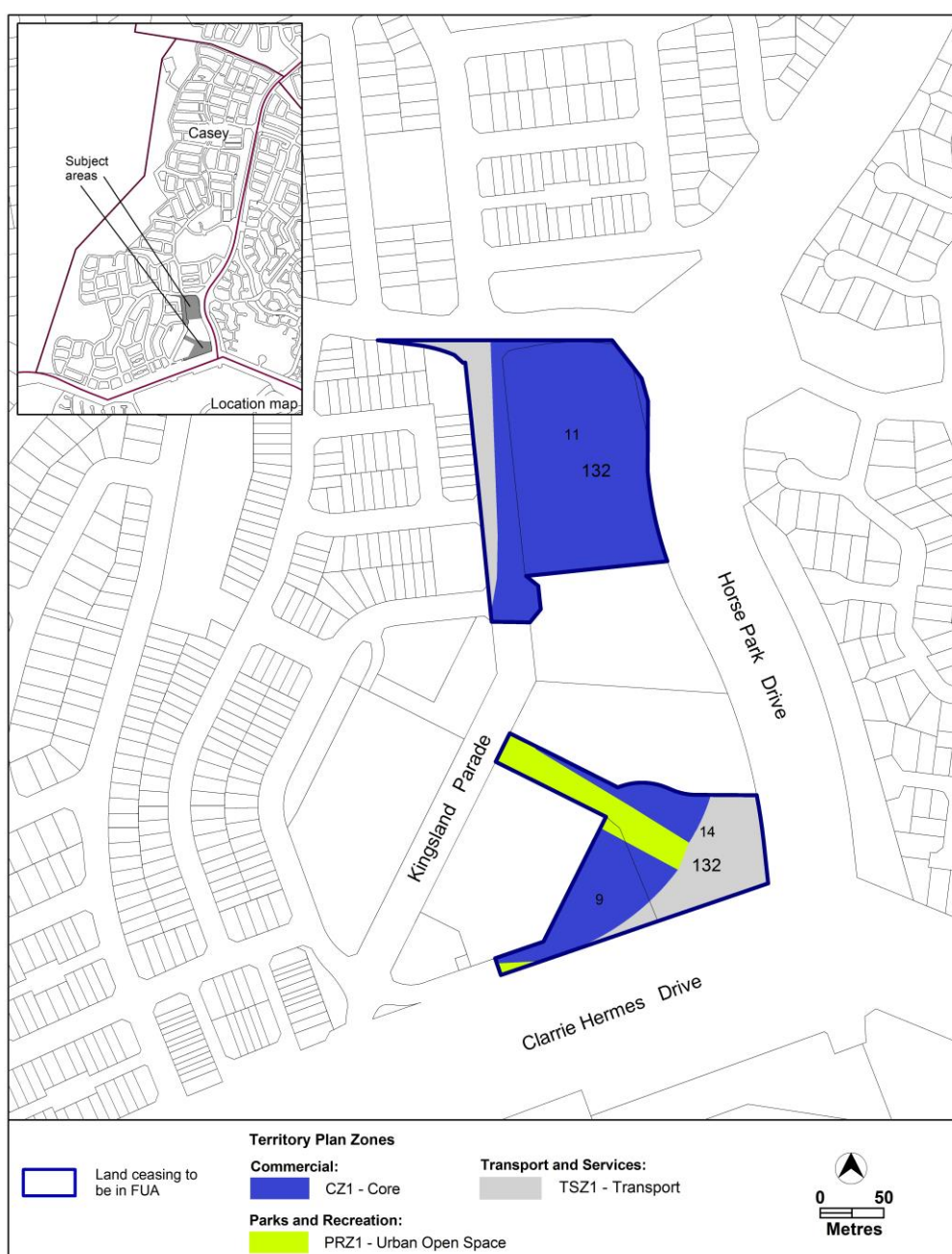
This part of the technical amendment document explains the changes to be made to the Territory Plan.

2.1 Territory Plan Map

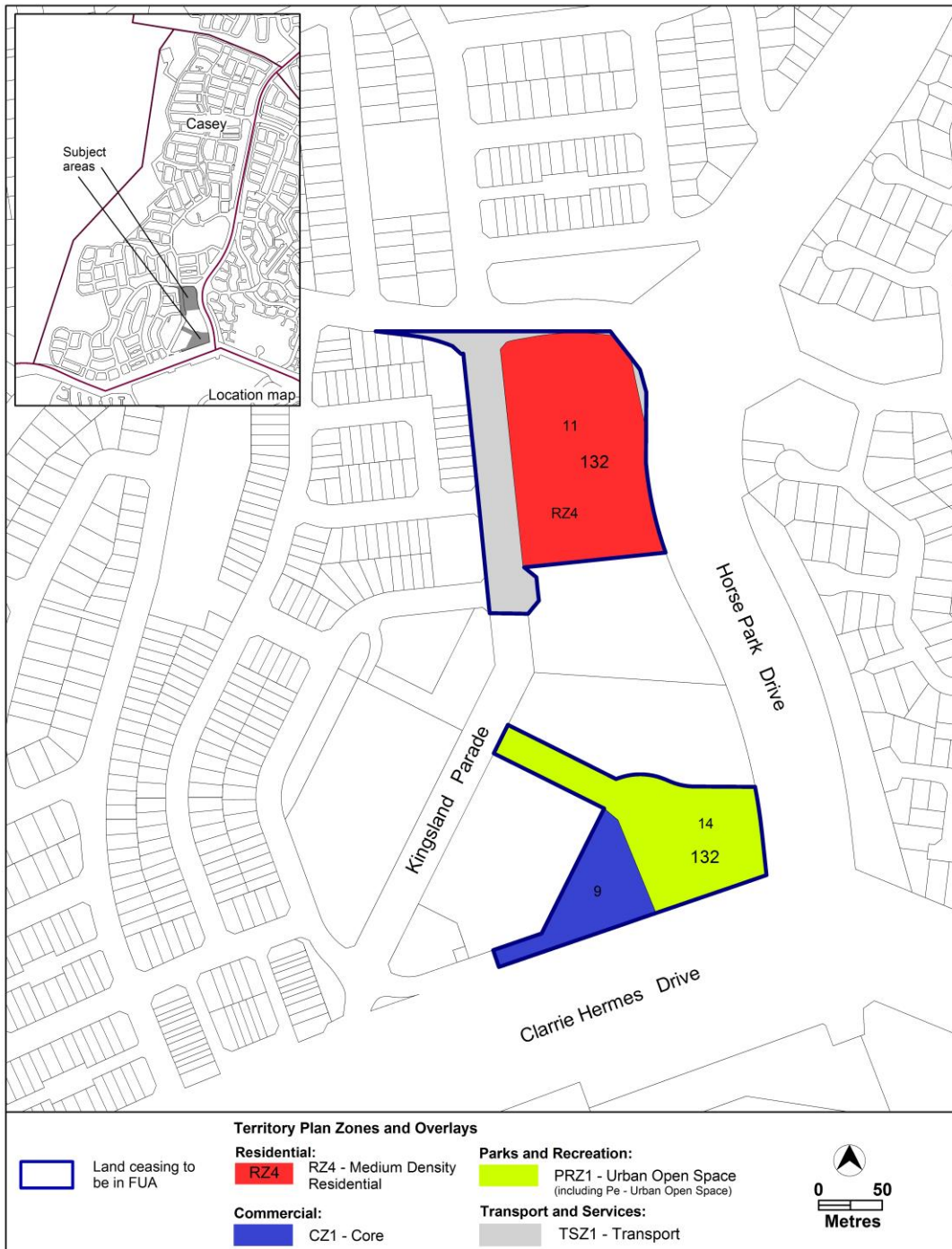
Variation to the Territory Plan

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

Existing Territory Plan Map



Proposed Territory Plan Map



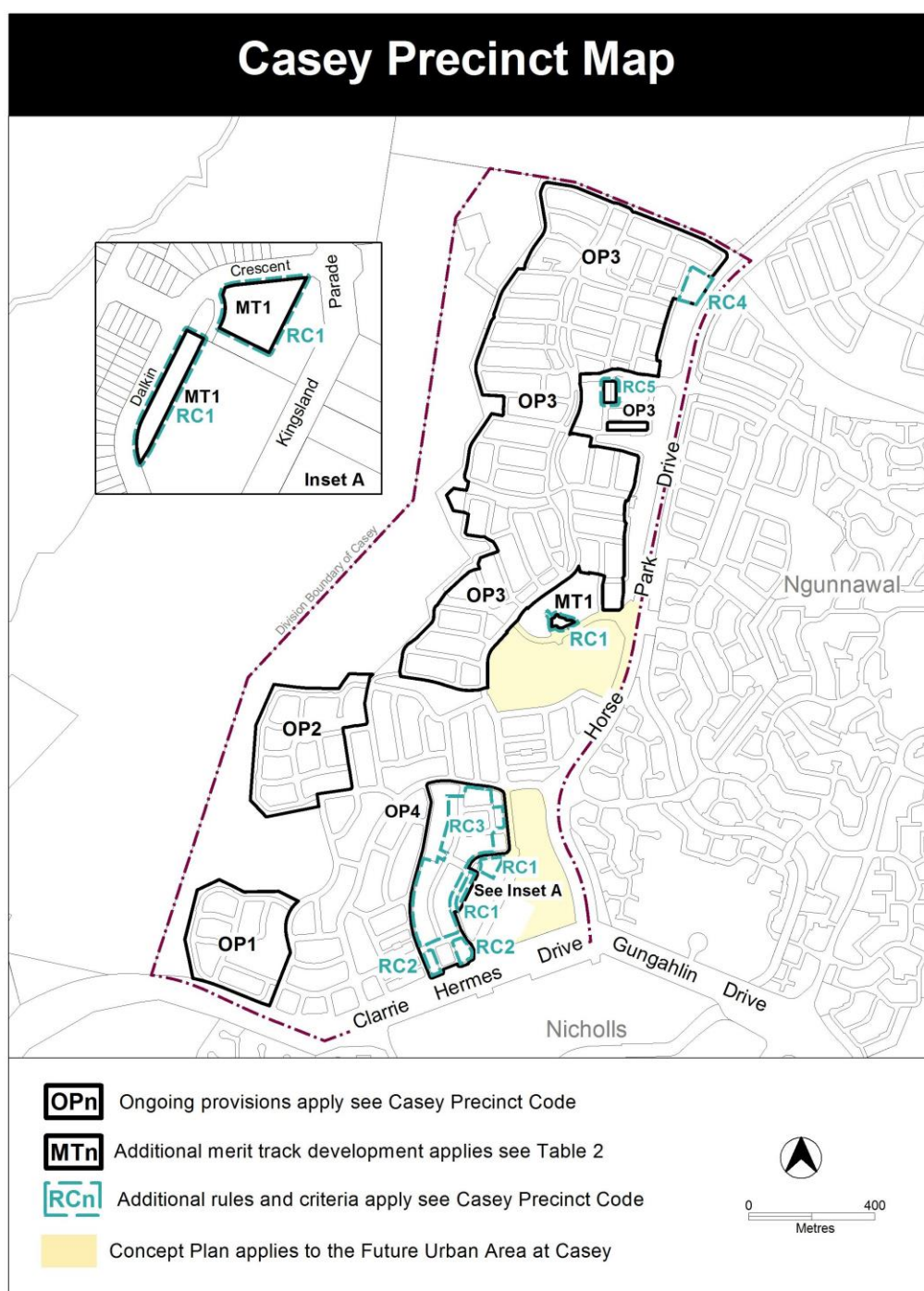
2.2 Casey Precinct Map and Code

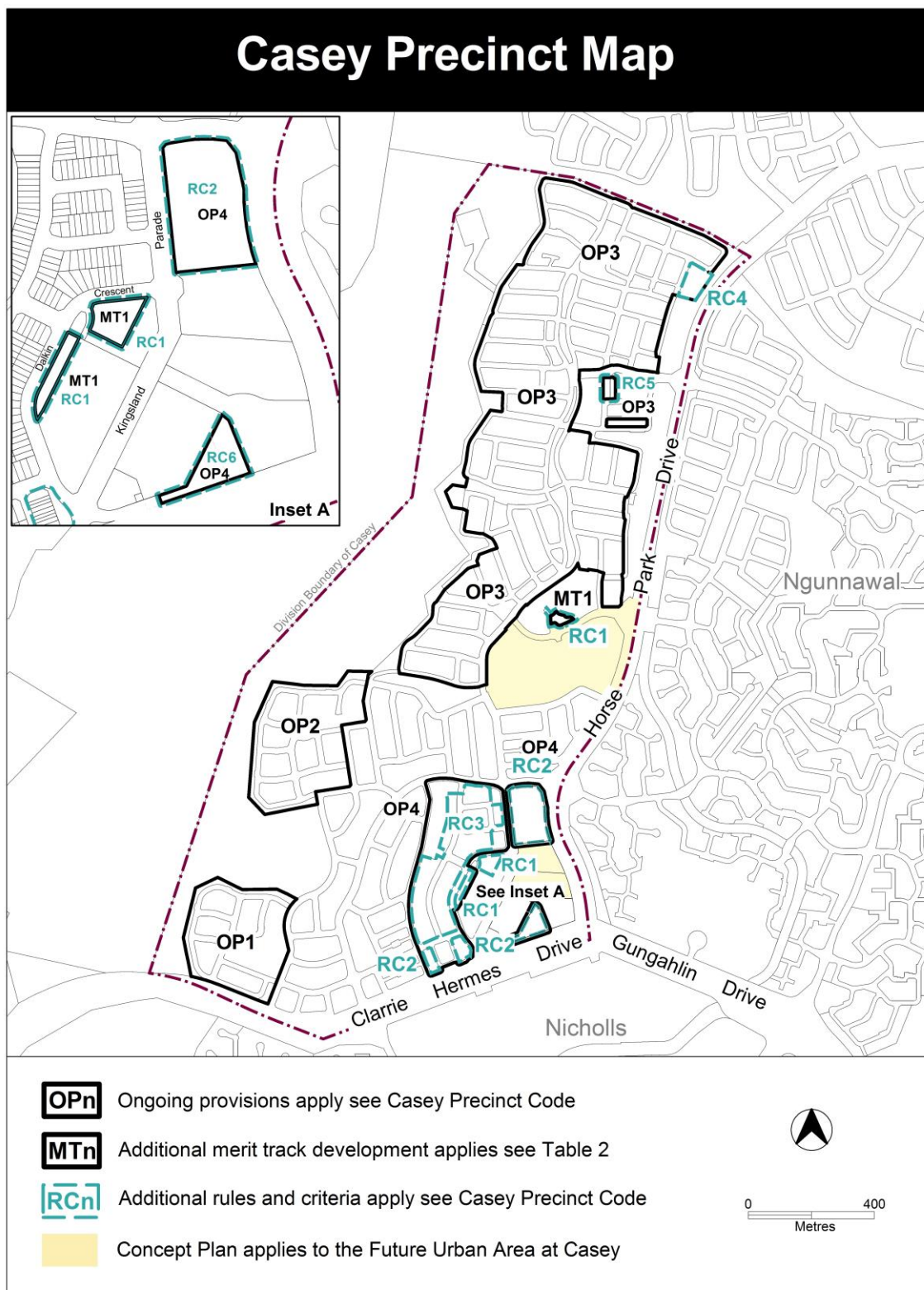
Variation to the Casey Precinct Map and Code

The Casey 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.

2.2.1 Casey Precinct Map

Existing Casey Precinct Map





2.2.2 Casey Precinct Code

The provisions to be included are detailed in Part 3 of this document.

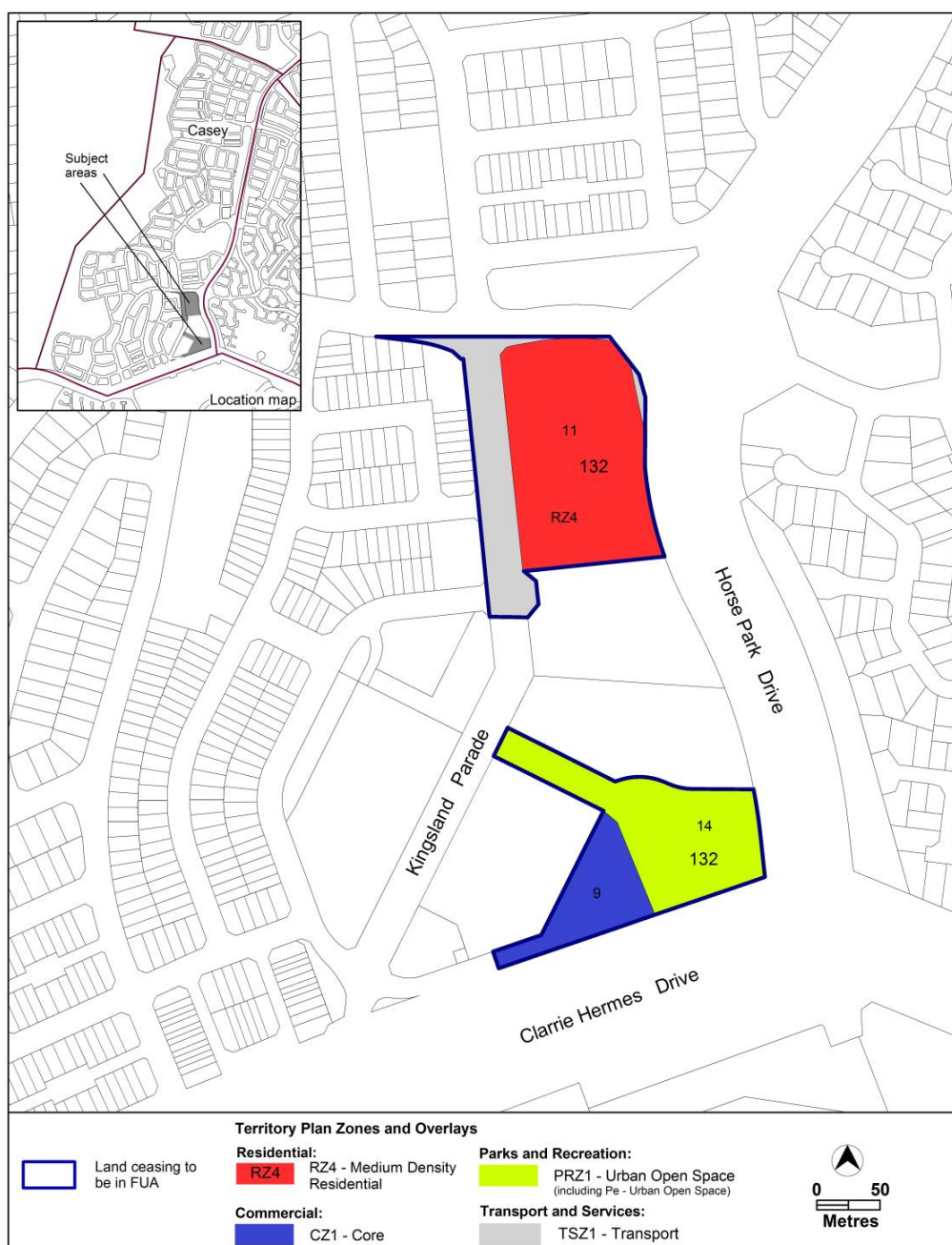
3. TECHNICAL AMENDMENT

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

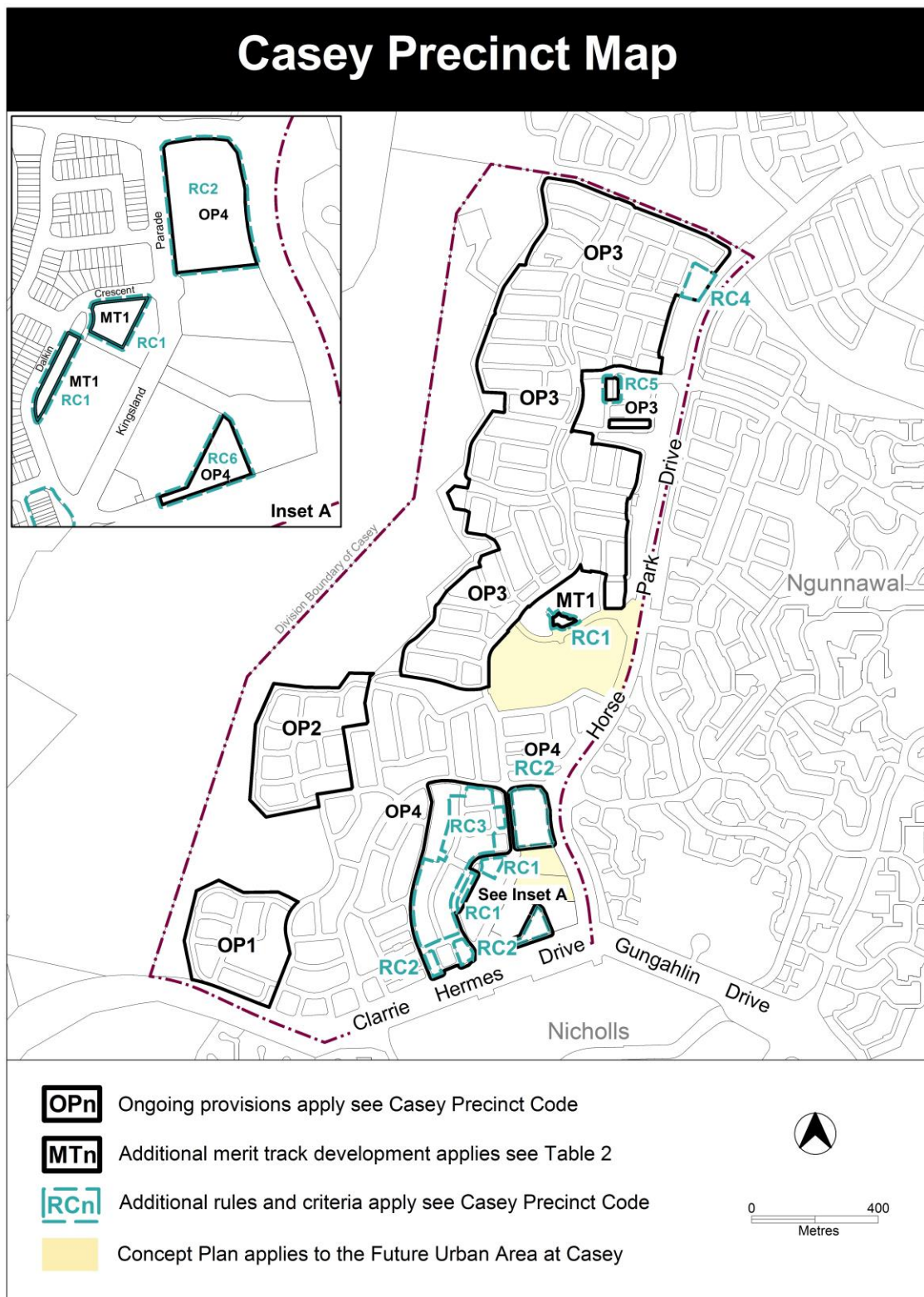
The Territory Plan map is varied as indicated below to identify the zones and overlays that apply to the land ceasing to be in a future urban area.



3.2 Casey Precinct Map and Code

2. Casey Precinct Map

Substitute



3. Casey Precinct Code, RC2 – Residential, Element 1: Building and site controls

Insert after Rule R10

Rules	Criteria
1.3 Subdivision	
<p>R10A</p> <p>This rule applies to blocks or parcels in locations identified in Figure 1a.</p> <p>Subdivision of block into single dwelling blocks not permitted.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
1.4 Waste	
<p>R10B</p> <p>This rule applies to blocks or parcels in locations identified in Figure 1a.</p> <p>Waste storage and collection to be provided on site. Waste vehicles must enter and exit the site in a forward manner.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
1.5 Vehicular access	
<p>R10C</p> <p>This rule applies to blocks or parcels in locations identified in Figure 1a.</p> <p>Vehicular access not permitted along this boundary.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

4. Casey Precinct Code, RC2 – Residential, Element 1: Building and site controls

Insert after 'Figure 1 Building Controls'



Figure 1a Building Controls

5. Casey Precinct Code, RC5 – Commercial Local Centre, Element 1: Building and site controls

Insert after 'Figure 4 Building and site controls – RC5 Commercial local centre'

RC6 – Commercial Group Centre

This part applies to blocks and parcels identified in area RC6 shown on the Casey Precinct Map.

Element 1: Building and site controls

Rules	Criteria
1.1 Waste	
<p>R22</p> <p>This rule applies to blocks or parcels in locations identified in Figure 4a.</p> <p>Waste storage and collection to be provided on site. Waste vehicles must enter and exit the site in a forward manner.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
1.2 Direct and level access	
<p>R23</p> <p>This rule applies to blocks or parcels in locations identified in Figure 4a.</p> <p>Commercial ground floor FFL to enable direct and level access to block 10 section 132 Casey.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

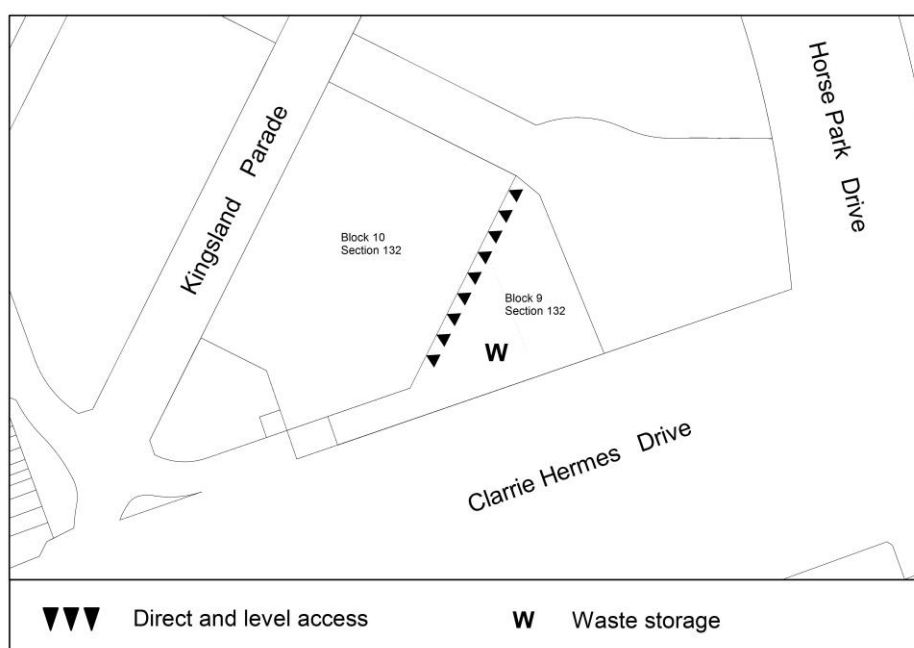
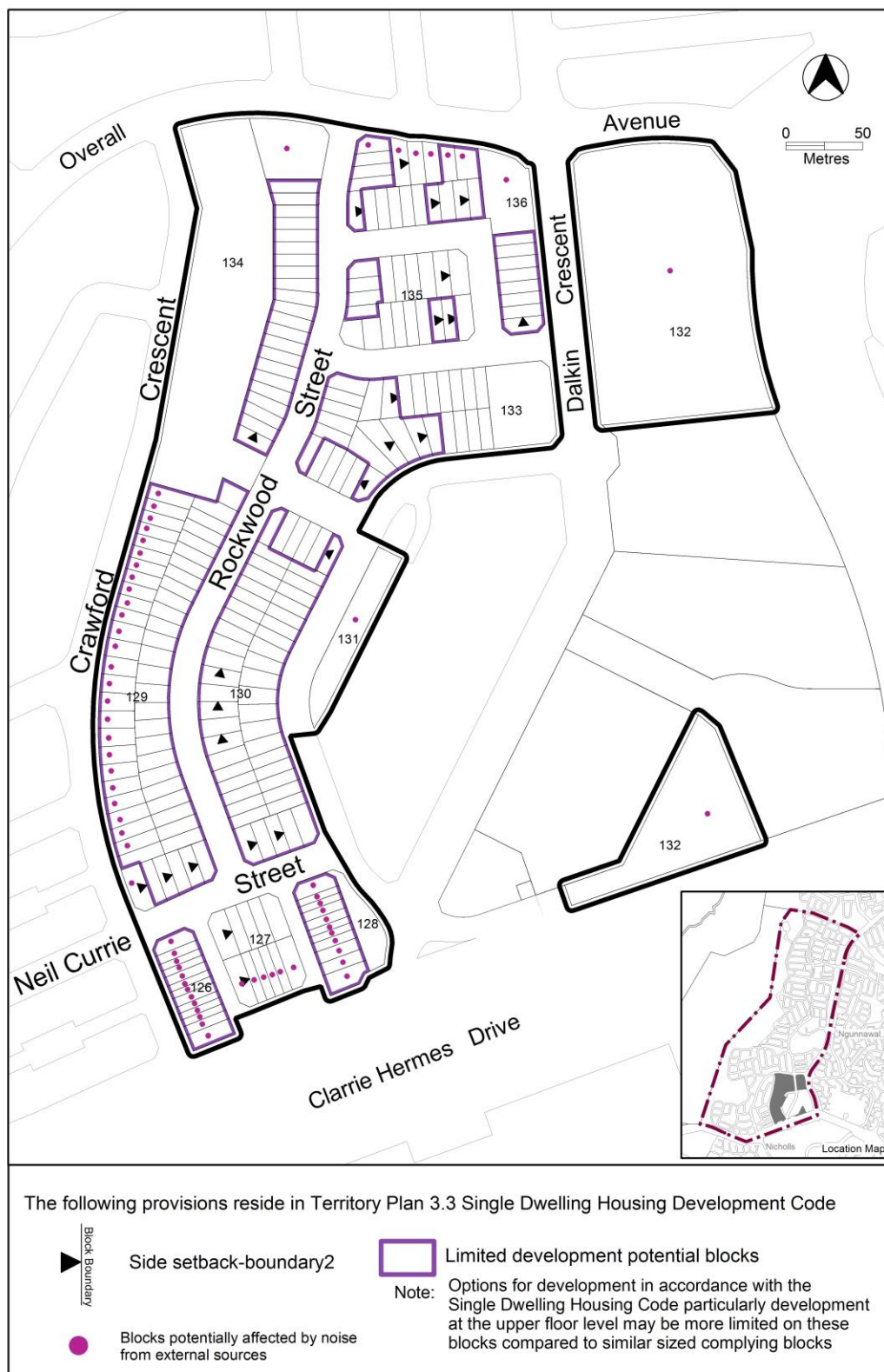


Figure 4a Building controls

6. Casey Precinct Code, Other ongoing provisions, OP4 – Casey residential area 4

Substitute existing Figure 8 with



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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-għajjuna 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	Ako vam je potrebna pomoć prevodioca telefoniрајте:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacımız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

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131 450

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