

Planning and Development (Technical Amendment—Gungahlin) Plan Variation 2019 (No 1)

Notifiable instrument NI2019—203

Technical Amendment No 2019-03

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—Gungahlin) Plan Variation 2019 (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*

In this instrument:

Gungahlin plan variation means the technical amendment to the Territory Plan, variation 2019-03, in the schedule.

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

Kathy Cusack
Delegate of the planning and land authority
11 April 2019



ACT
Government

Environment, Planning and
Sustainable Development

Planning & Development Act 2007

**Technical
Amendment
to the Territory Plan
Variation 2019-03**

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

April 2019

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Table of Contents

1.	INTRODUCTION	3
1.1	Purpose	3
1.2	Public consultation	3
1.3	National Capital Authority	3
1.4	Process	3
1.5	Types of technical amendments under the Act	4
2.	EXPLANATION.....	5
2.1	Territory Plan Map	5
2.2	Gungahlin Precinct Map and Code	7
2.2.1	Gungahlin Precinct Code	7
3.	TECHNICAL AMENDMENT	8
3.1	Territory Plan Map	8
3.2	Gungahlin Precinct Map and Code	9

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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 Gungahlin, as identified in Part 2 of this document.

Gungahlin Precinct Map and Code

- The Gungahlin 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 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.

TA2019-03 has been prepared in accordance with section 87 (1) (c).

2. EXPLANATION

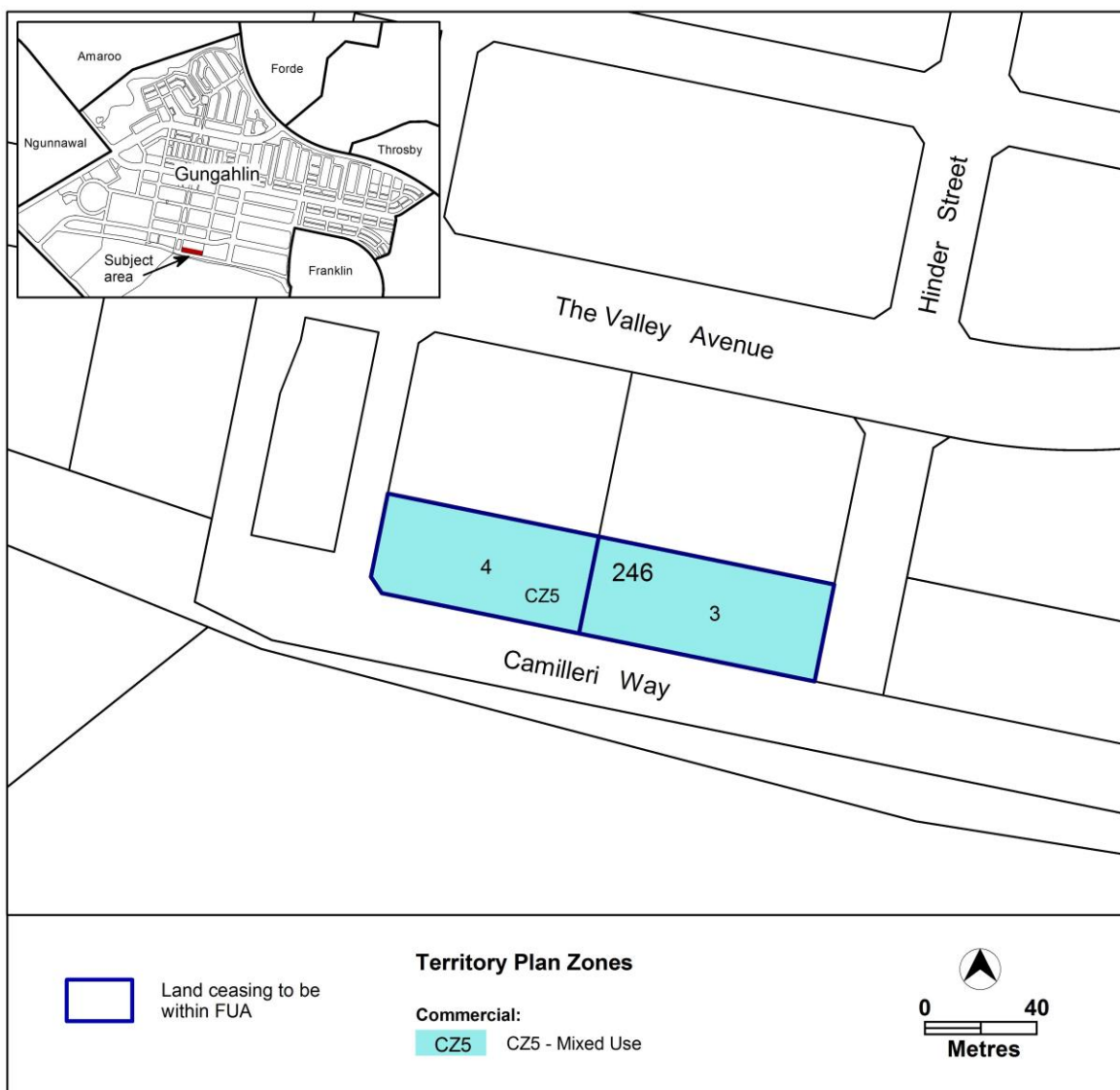
This part of the technical amendment document explains the changes to be made to the Territory Plan.

2.1 Territory Plan Map

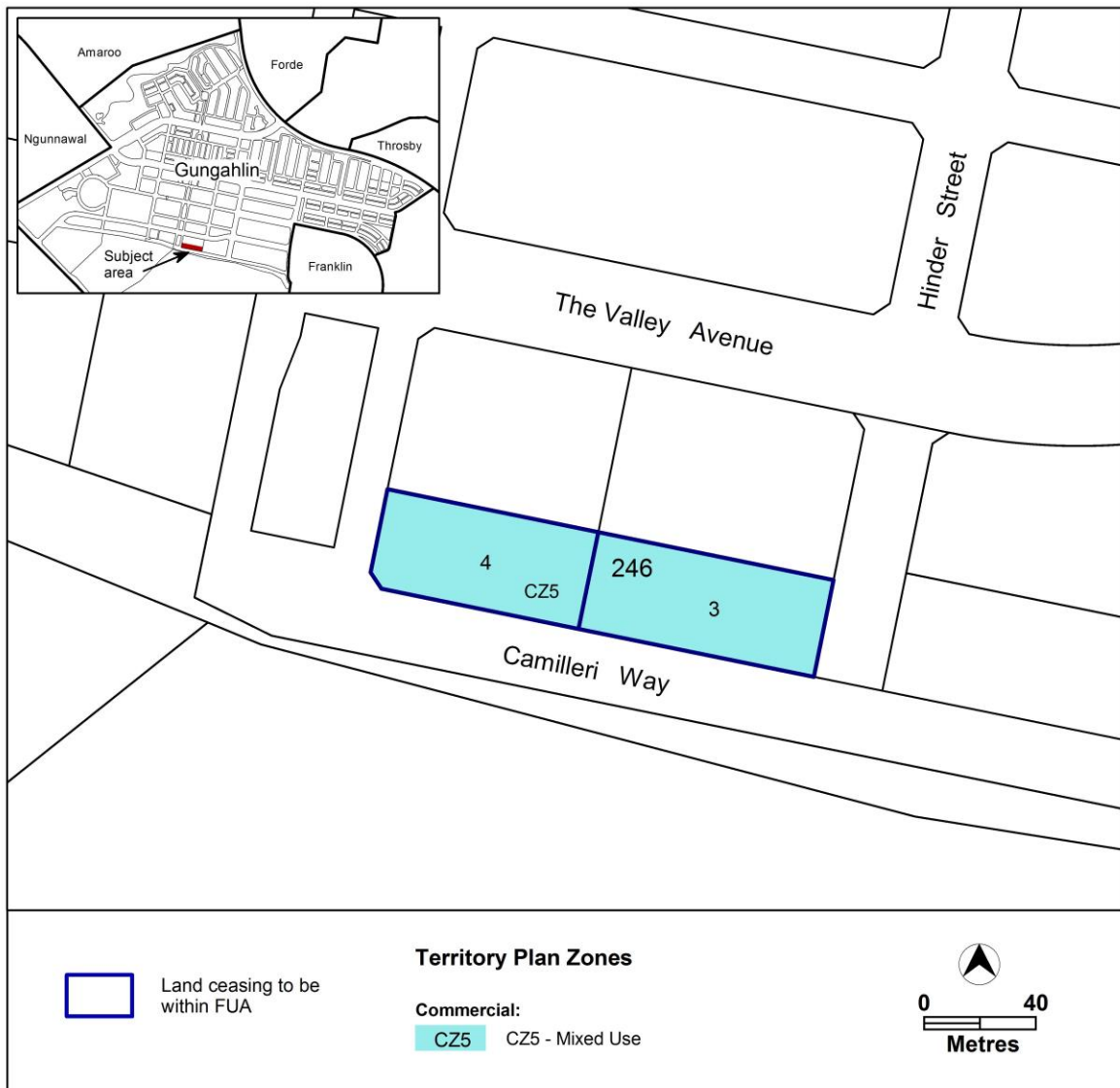
Variation to the Territory Plan

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



Note that both existing and proposed zones are the same.

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.

2.2.1 Gungahlin 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 zone that applies to the land ceasing to be in a future urban area.



3.2 Gungahlin Precinct Map and Code

2. Gungahlin Precinct Code, Area specific controls, Precinct 4a – Southern transition, Element 25 Buildings

Insert after Rule R60

Rules	Criteria
25.3 Bushfire	
<p>R60a</p> <p>This rule applies to blocks or parcels in locations identified in Figure 20a.</p> <p>Buildings are constructed in accordance with Australian Standard AS 3959 – Construction of buildings in bushfire-prone areas.</p> <p>Compliance with this rule is demonstrated by a report by a suitably qualified person.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

3. Gungahlin Precinct Code, Area specific controls, Precinct 4a – Southern transition, Figure 20 Building envelopes in Precinct 4a and Precinct 4b

Insert after Figure 20 Building envelopes in Precinct 4a and Precinct 4b

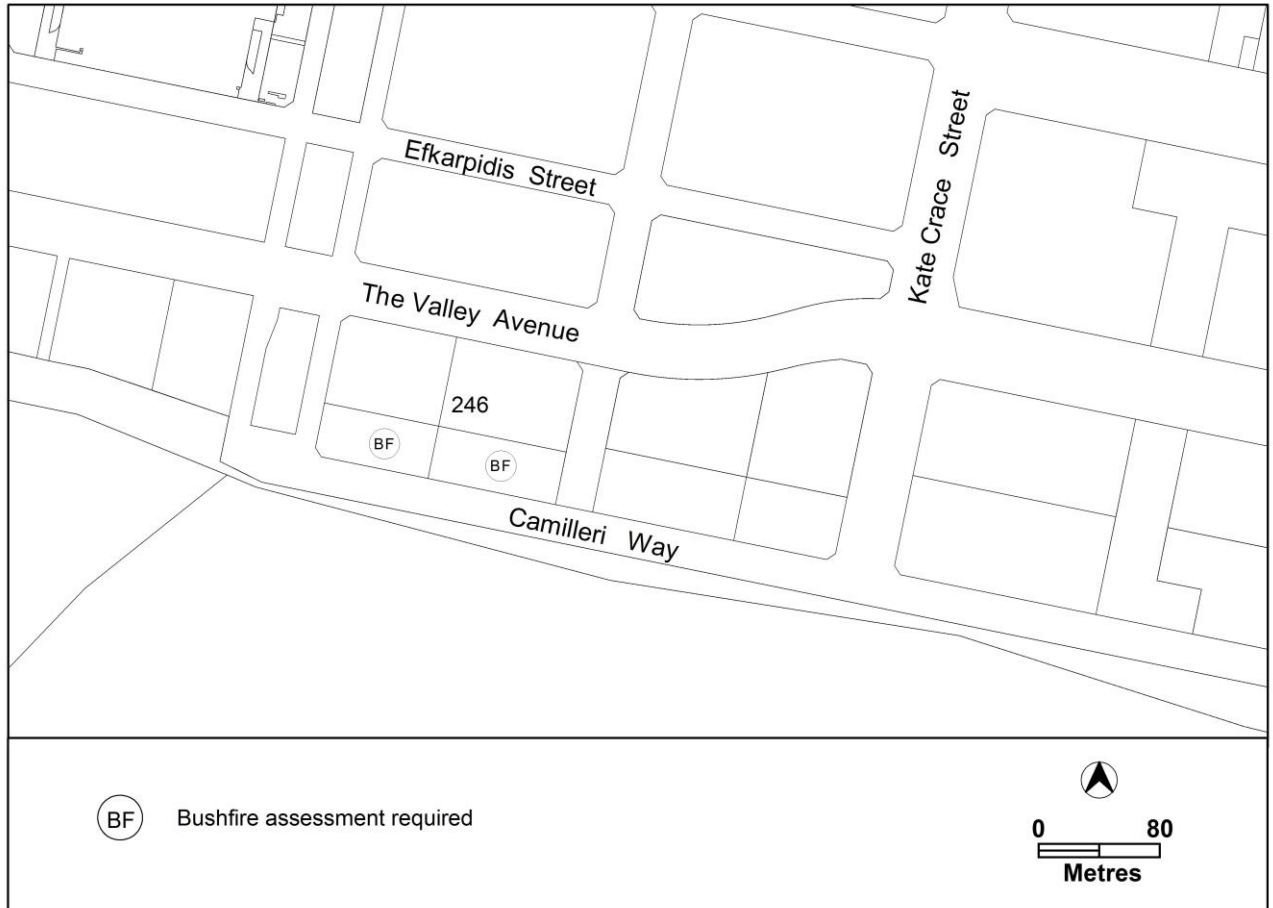


Figure 20a Bushfire controls

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-għajjuna t'interpretu, çempel:
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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