

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

Notifiable instrument NI2019—368

Technical Amendment No 2019-06

made under the

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

1 Name of instrument

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

4 Meaning of *Various plan variation*

In this instrument:

Various plan variation means the technical amendment to the Territory Plan, variation 2019-06, in the schedule.

Note Limited consultation was undertaken in relation to the Various plan variation in accordance with section 90 of the Act.

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



ACT
Government

Environment, Planning and
Sustainable Development

Planning & Development Act 2007

Technical Amendment to the Territory Plan

2019-06

Various code, clarification and miscellaneous
amendments No. 1 2019

June 2019

Commencement version

under section 89 of the *Planning and Development Act 2007*

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1. INTRODUCTION

1.1 Purpose

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

Territory Plan Map

- Rectify a zoning error in West Belconnen by amending the zoning of two sites from NUZ3 hills ridges and buffer zone to PRZ1 urban open space zone

RZ1 – Suburban zone development table

- Rectify text omission under heading: 'NOTE ABOUT ANCILLARY AND MINOR USE

Single Dwelling Housing Development Code

- Amend Rule R43 Water sensitive urban design provisions to clarify that the requirements for external tap connections only applies to external taps connected to a dwelling
- Move the provisions in Criterion C43 to Rule R43 as a mandatory alternative option for meeting water sensitive urban design requirements.
- Amend Rule R20 and Criterion C20 to address issues with the assessment of cut and fill on blocks.

Belconnen Precinct Map and Code

- Relocate the definitions applicable to this precinct code from under the Assessment Tracks heading to the Introduction part of the code.

Pialligo Precinct Map and Code

- Move descriptive information pertaining to Area A and Area B from Rule R1 to the legend for Figure 1
- Clarify the broader planning intent of the Pialligo Master Plan for Block 6 Section 2 Pialligo

Throsby Precinct Map

- Include Block 1 Section 41 Throsby in the RC2 area on the Throsby Precinct Map

Watson Precinct Map and Code

- Correction to Table 1 in the precinct code for glazing requirements

Northbourne Avenue Precinct Code

- Replace references to previous commercial codes with the current Commercial Zones Development Code in the Introduction

Territory Plan Definitions

- Clarify the definition of '*front boundary*' to address ambiguity in interpretation

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.

TA2019-06 was released for limited public consultation on 3 May 2019 and concluded on 3 June 2019. One public submission was received.

The key issue raised was as follows:

- Areas of Box Gum Woodland habitat identified in Commonwealth environmental approvals for West Belconnen that are not included in the Conservation Corridor should be included and done as part of this TA.

Further information on the submission received and response to the comments are contained in the Report on Consultation.

Comments received from the public and the National Capital Authority have been considered in the preparation of the final version of TA2019-06. No amendments were made to the technical amendment as a result of public consultation.

1.3 National Capital Authority

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 (the Plan) and to keep the NCP under constant review and to propose amendments to it when necessary.

The Plan, which was published in the Commonwealth Gazette on 21 January 1990, is required to ensure Canberra and the Territory are planned and developed in accordance with their national significance. The *Australian Capital Territory (Planning and Land Management) Act 1988* also requires the Territory Plan is not inconsistent with the Plan. The areas covered by this technical amendment are within urban areas identified in the Plan.

The National Capital Authority has been advised of this technical amendment.

1.4 Process

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

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.

TA2019-06 has been prepared in accordance with sections 87(1)(a) and 87(2)(a) and (e) of the Act.

2. EXPLANATORY STATEMENT

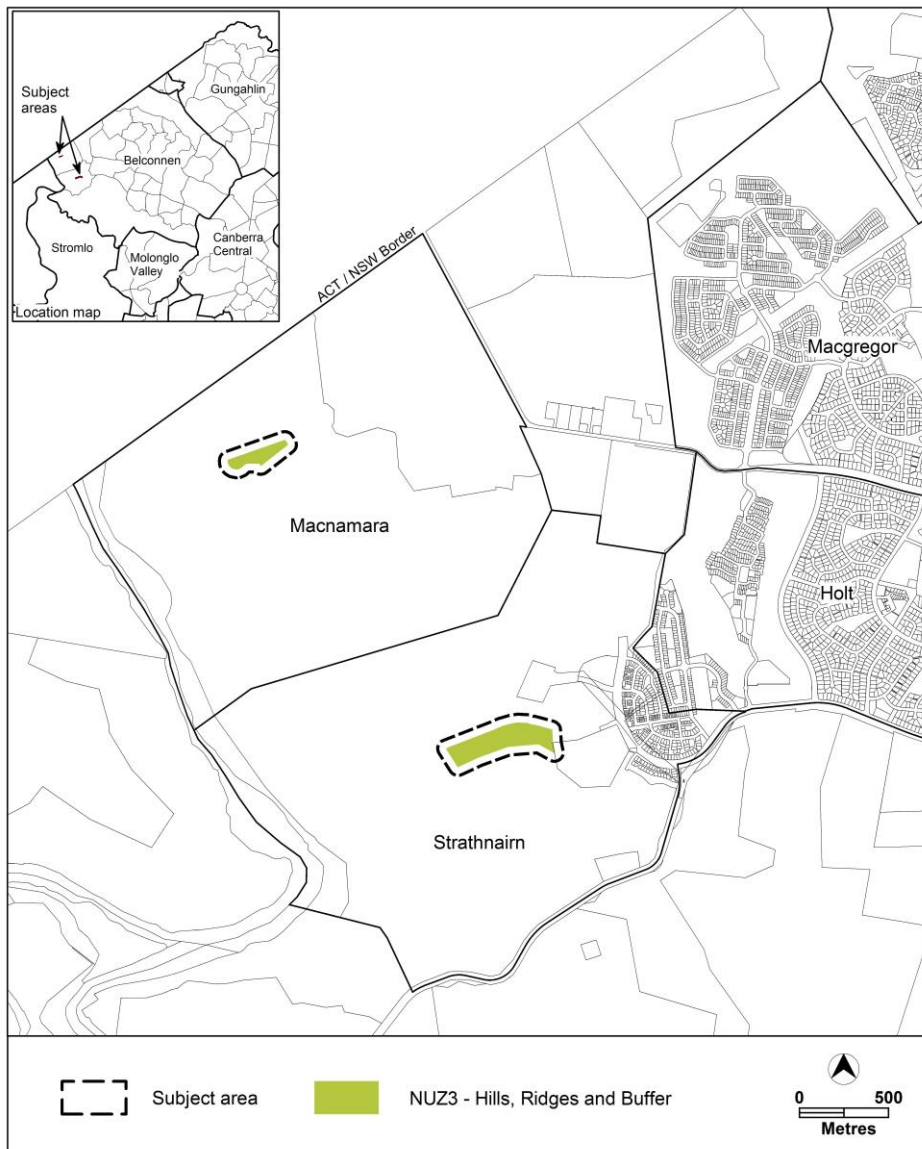
2.1 Background

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.

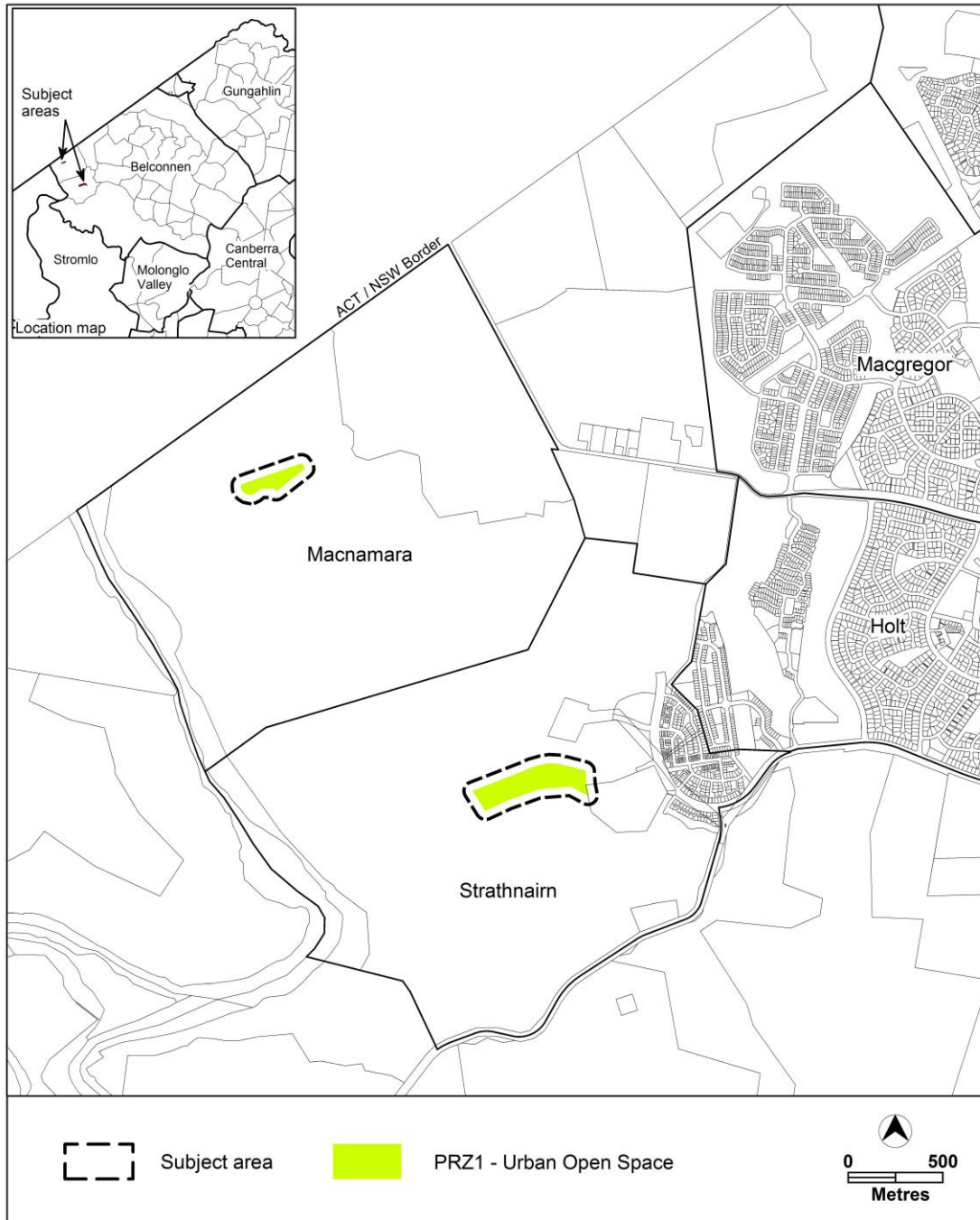
2.2 Variation to the Territory Plan Map

This amendment corrects a couple of zoning errors on the Territory Plan Map that occurred when Variation No 351 West Belconnen Urban Development (V351) took effect and the Territory Plan Map was amended to reflect the Territory Plan changes made via V351. Two parcels of land were inadvertently zoned non-urban NUZ3 hills ridges and buffer zone. This issue is rectified with the correct PRZ1 urban open space zoning applied to the subject parcels of land.

Existing zone



Revised zone



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 corrects a formal error in the plan when V351 took effect.</p>

2.3 RZ1 – Suburban zone development table

All development tables have a note at the end regarding ancillary and minor use but for RZ1 this section is blank. This note was added to development tables with Variation 306 in July 2013, including for RZ1. It appears to have been inadvertently deleted from the RZ1 development table with TA2014-01 when unrelated changes were made to various development codes that took effect in March 2014. This error is rectified as part of this technical amendment.

The text box under the heading 'NOTE ABOUT ANCILLARY AND MINOR USE' is revised to include the following text:

“Some development that would otherwise be prohibited may be assessed under the merit track if they can be defined as *ancillary* or *minor use*. For example, a *car park* alone is prohibited, but could be considered if it is ancillary to *child care centre* which is an assessable development under the merit track.”

Compliance with the *Planning and Development Act 2007*

Section	Statement
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;	Compliant. This amendment corrects a formal error in the plan when TA2014-01 took effect.

2.4 Variation to the Single Dwelling Housing Development Code

2.4.1 Rule R43 – Water sensitive urban design provisions

Changes to the provisions for water sensitive urban design (WSUD) in the Single Dwelling Housing Development Code (Rule R43) were made as part of Variation No. 352 to refine and clarify the requirements for when household plumbing needed to be connected to rainwater tanks. Further adjustments have been identified to assist industry in fulfilling the necessary requirements for meeting the WSUD provisions for single dwelling housing.

This technical amendment clarifies that the requirements for external tap connections to the rainwater tank only applies to external taps connected to a dwelling.

It has also been identified that it is not always possible or feasible to meet the requirements of option 'A' of the rule for aesthetic, practical or affordability reasons. For example, under current Building Code of Australia (BCA) provisions, gutters and downpipes are not mandatory, and only need to be designed in accordance with the relevant Australian Standards when a system is in place. It may be necessary to connect more than one down pipe to the water tank to achieve compliance with option 'A' in rule R43, which may need to run along the wall surface to reach the tank. This may not be an aesthetically pleasing or cost-effective option. Also, during a

severe storm event, it is possible to fill the tank with water from a roof area less than the area required in the rule, leading to uncontrolled water flow.

As a result, the requirements in criterion C43 have been moved to Rule R43 as an alternative option in the rule (option 'C') for meeting the WSUD requirements of the code. By making it part of the mandatory rule also eliminates the need to lodge a development application in the merit track to address a criterion when a rule cannot be met. This adjustment still meets the policy expectations of the provision to provide a satisfactory outcome to meet the WSUD requirements for a single dwelling.

Existing provision

Rules	Criteria
6.1 Water sensitive urban design	
<p>R43</p> <p>This rule applies to all new single <i>dwelling</i>s <i>secondary residences</i> and extensions and alterations but does not apply to:</p> <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 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 	<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>require a pump where it cannot be elevated sufficiently to give adequate pressure.</p> <p>c) on <i>large blocks</i> up to 800m² -</p> <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, laundry cold water and all external taps. The connection will require a pump where it cannot be elevated sufficiently to give adequate pressure. <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:</p> <p>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>	

Revised provision

Rules	Criteria
6.1 Water sensitive urban design	
<p>R43</p> <p>This rule applies to all new single <i> dwellings</i> <i> secondary residences</i> and extensions and alterations but does not apply to:</p> <ul style="list-style-type: none"> i) <i> extensions</i> of a size 50% or less of existing floor area or 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 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 that are attached to the house. 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, 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>whichever is the lesser, is connected to the tank</p> <p>iii) the tank is connected to at least a toilet, laundry cold water and all external taps <u>that are attached to the house</u>. 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> <p>i) minimum on site water storage of water from roof harvesting is 5,000 litres</p> <p>ii) 50% or 125m² of roof plan area, whichever is the lesser, is connected to the tank</p> <p>iii) the tank is connected to at least a toilet, laundry cold water and all external taps <u>that are attached to the house</u>. The connection will require a pump where it cannot be elevated sufficiently to give adequate pressure.</p> <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> <p><u>Option C is:</u> <u>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 on-line assessment tool or another tool. The 40% target is met without any reliance on landscaping measures to reduce consumption.</u></p> <p><u>Note: The online Single Residential Waterways Calculator can be found at:</u> https://www.planning.act.gov.au/topics/design_build/design-and-siting/water_efficiency/residential_calculator</p>	

Compliance with the *Planning and Development Act 2007*

Section	Statement
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	Compliant. The adjustments to the rule means that the intent of the WSUD measures in the SDHDC can still be reasonably met. This is consistent with the policy purpose of the code.

2.4.2 Cut and fill (R20 and C20)

Rule 20 of the Single Dwelling Housing Development Code (SDHDC) regarding cut and fill during construction can become an issue where a cut and/or fill extends beyond the 1.5m limit of the rule temporarily during construction (for instance, to accommodate a footing). It is also unclear if the current rule applies to total cut and fill within the 1.5m limit or 1.5m per cut or fill.

The associated criterion for merit assessment, in particular C20a) which requires cut and fill be limited so that the stability of the block and adjoining blocks is achieved, is also proving problematic. The stability of a block and adjoining blocks in relation to the construction of a building must be considered as part of the building approval process and as such is not relevant to the DA process.

The intent of R20/C20 is to control the changes to ground level when the development is completed by providing reasonable amenity to the development as well as to adjoining properties whilst maintaining streetscape character. The wording of the rule has been amended to remove C20a) from the criterion to better reflect the intent and desired outcome of the provision.

Compliance with the *Planning and Development Act 2007*

Section	Statement
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	Compliant. This change to the rule provides a better outcome for achieving complying development on a block where cut and fill is required. The adjustment to the criterion removes building approval considerations from the development assessment process.

Existing provision

1.17 Cut and fill	
Rules	Criteria
R20 The maximum cut or fill within 1.5m of side and rear boundaries is 1.5m	C20 Cut and fill is limited so that all of the following are achieved; <ul style="list-style-type: none"> a) stability of the block and adjoining blocks b) reasonable access to sunlight on the block c) compatibility with the streetscape

Proposed provision

1.17 Cut and fill	
Rules	Criteria
R20 The total change in ground level resulting from cut or fill must not exceed 1.5m within 1.5m of a side or rear boundary. The change in ground level is the cumulative total of all level changes within 1.5m of the boundary taken from the Datum Ground Level (DGL) to the new Finished Ground Level (FGL).	C20 Cut and fill is limited so that all of the following are achieved; a) stability of the block and adjoining blocks b) reasonable access to sunlight on the block c) compatibility with the streetscape

2.5 Variation to the Belconnen Precinct Map and Code

Variation No. 342 (V342) made changes to the Belconnen Precinct Map and Code in line with the planning policy recommendations in the Belconnen Town Centre Master Plan to guide development in the town centre over the next 10-20 years.

Part of these changes included the definitions of '*active frontage*' and '*podium*' introduced into the Belconnen Precinct Map and Code. When V342 took effect, these definitions were inadvertently placed under the Assessment Tracks heading. However the correct place in the code for the definitions is in the part of the code titled 'Definitions' under the heading 'Introduction'. This technical amendment makes the change to rectify the placement of these definitions.

Compliance with the *Planning and Development Act 2007*

Section	Statement
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;	Compliant. This amendment corrects a formal error in the plan. This amendment relocates the definitions specific to the Belconnen Precinct Map and Code from under the Assessment Track heading to the paragraph titled 'Definitions' under the heading 'Introduction'. This is the correct location for the definitions specific to the precinct code.

2.6 Variation to the Pialligo Precinct Map and Code

Block 6 Section 2 Pialligo

The Pialligo Master Plan promotes a balance between residential, agriculture and related commercial land uses to ensure businesses can continue to operate and diversify into the future. Block 6 Section 2 has historically been an important commercial ‘anchor’ at the end of Beltana Road that encourages people to visit Pialligo throughout the week. The purpose of Area A and Area B, as identified within the existing Pialligo Precinct Code, is to promote a focus of commercial activity close to Beltana Road (Area A) and to protect the Broadacre land use values of Pialligo (Area B). This objective is consistent with the vision, principles and strategies outlined in the Pialligo Master Plan.

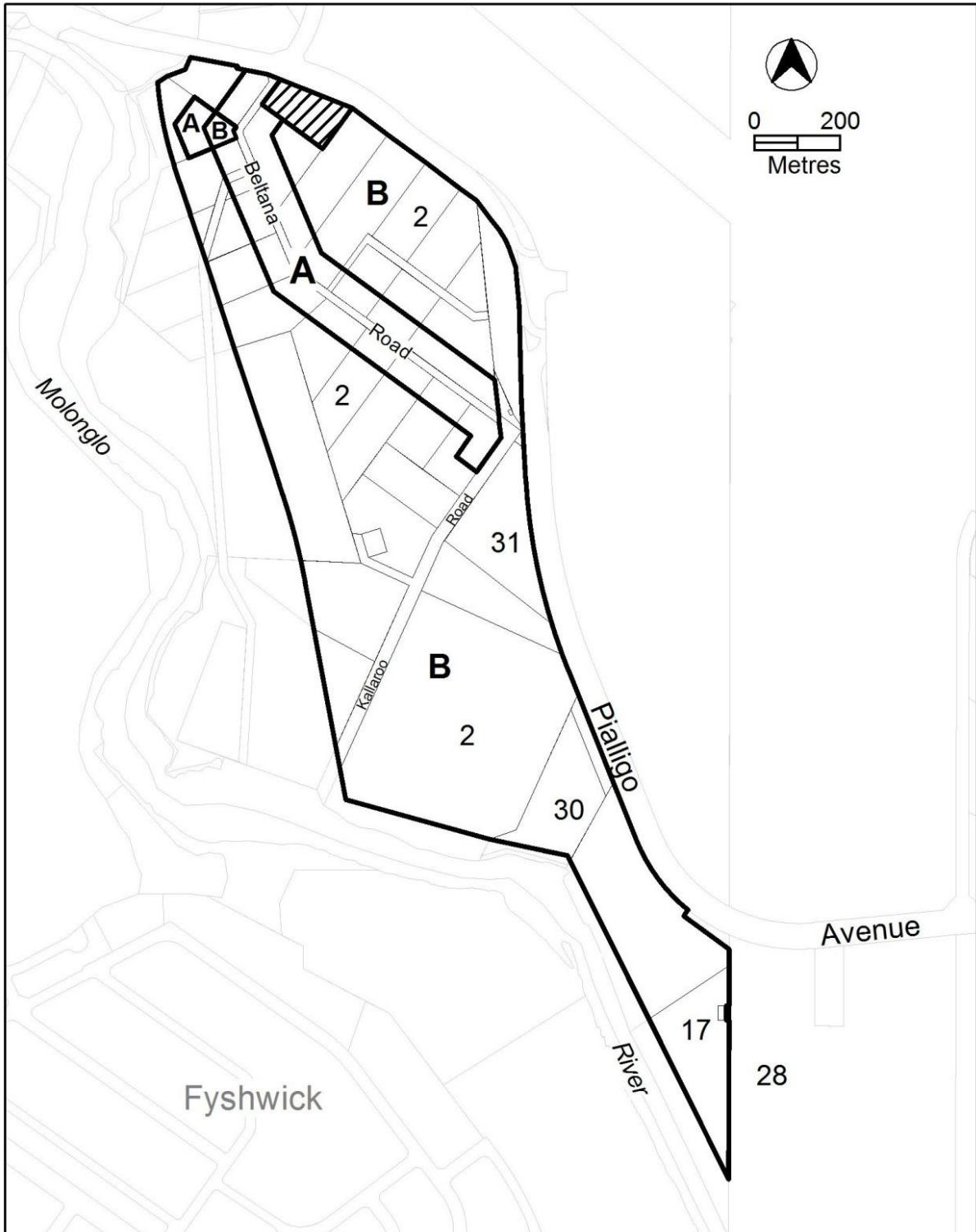
This technical amendment extends Area A along the Kallaroo Road frontage of Block 6 Section 2 Pialligo. Making this change recognises the existing commercial uses on the subject block that face Beltana and Kallaroo Roads, while maintaining the important agricultural and natural qualities of Pialligo.

Compliance with the *Planning and Development Act 2007*

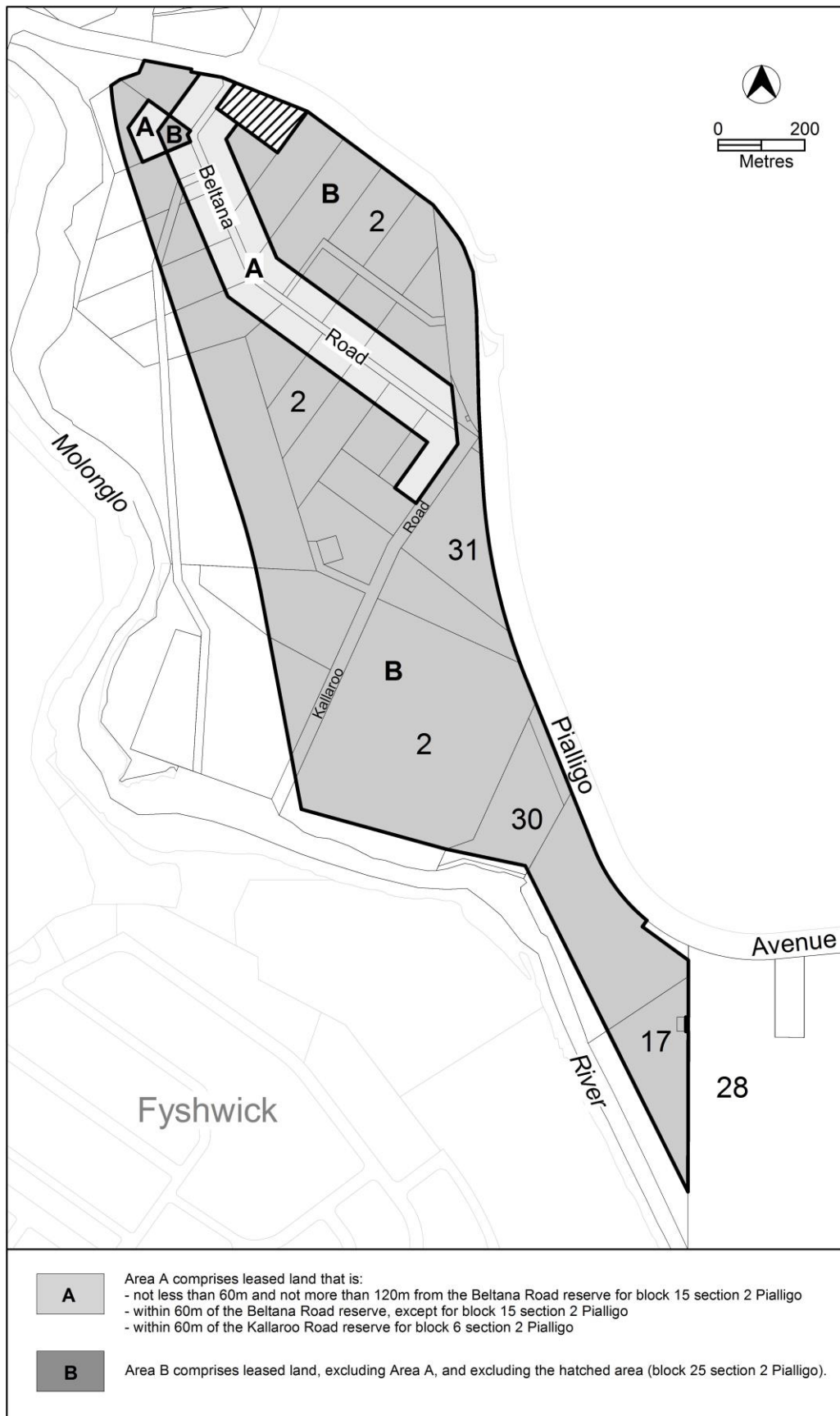
Section	Statement
s87(2)(a) (a) a variation (an code variation) that— (i) would only change a code (ii) is consistent with the policy purpose and policy framework of the code; and (iii) is not an error variation	Compliant. This change is consistent with the policy purpose and policy framework of the code as it supports the vision, principles and strategies of the approved Pialligo Master Plan.

(See over for existing and revised Figure 1 for the Pialligo agricultural area.)

Existing Figure 1 Pialligo agricultural area



Revised Figure 1 Pialligo agricultural area



2.3.2 Rule 1 – Area A and B

This technical amendment also moves the explanation about Area A and Area B from Rule 1 to the legend in the amended Figure 1 as this information does not constitute a mandatory provision in the precinct code, but rather defines the location and extent of the two areas.

Rule R1 has been deleted as it is no longer applicable.

Compliance with the *Planning and Development Act 2007*

Section	Statement
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	Compliant. This change is consistent with the policy purpose and policy framework of the code as it does not change the intent of the area requirements but merely moves them to a more appropriate location in the code – the information is better co-located with the respective Figure 1.

2.7 Variation to the Throsby Precinct Map and Code

Block 1 Section 41 Throsby

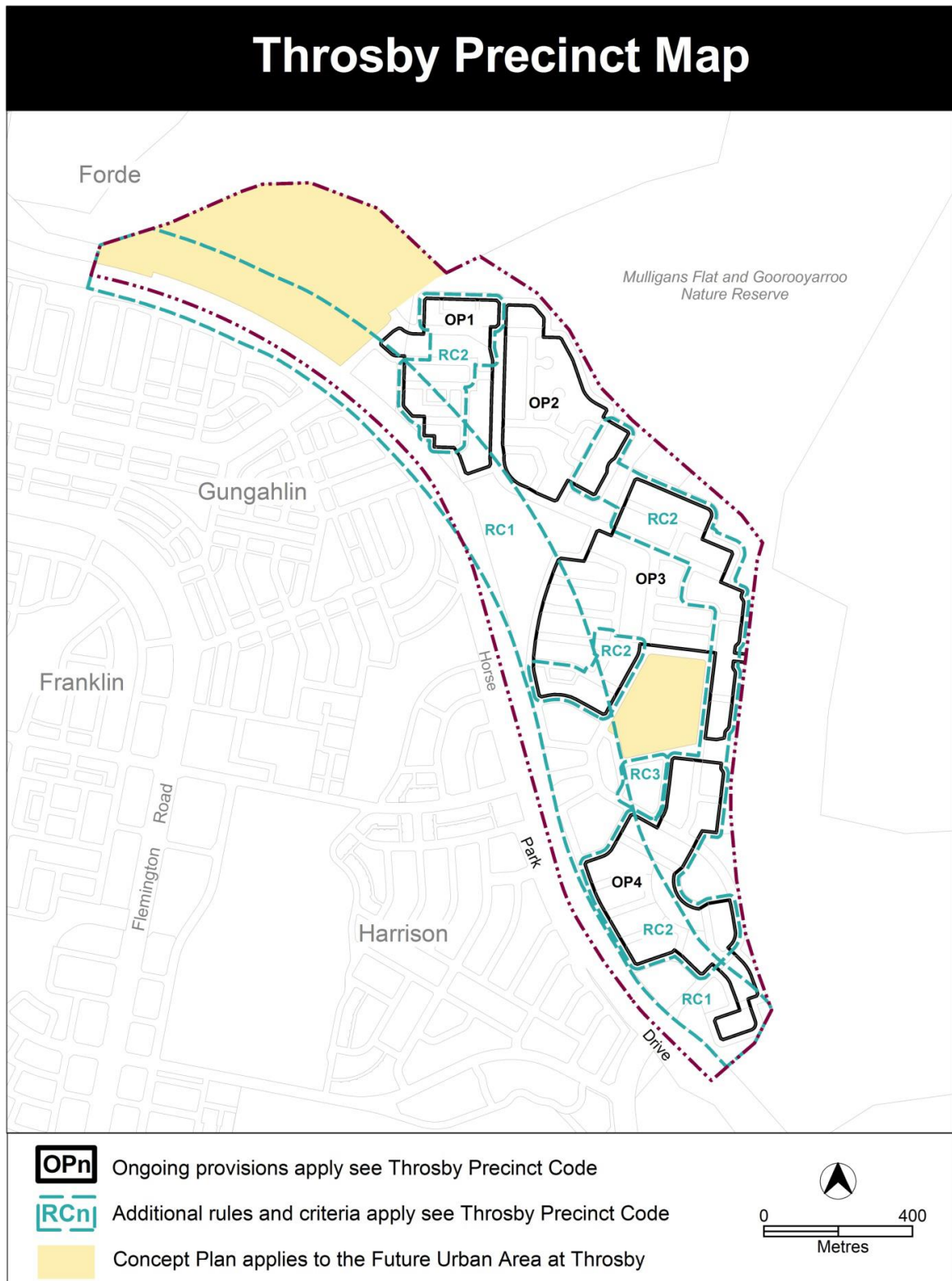
This block has courtyard wall controls which are listed in RC2 and Figure 2 of the Throsby Precinct Code. However, the block is not identified in the RC2 area on the Throsby Precinct Map.

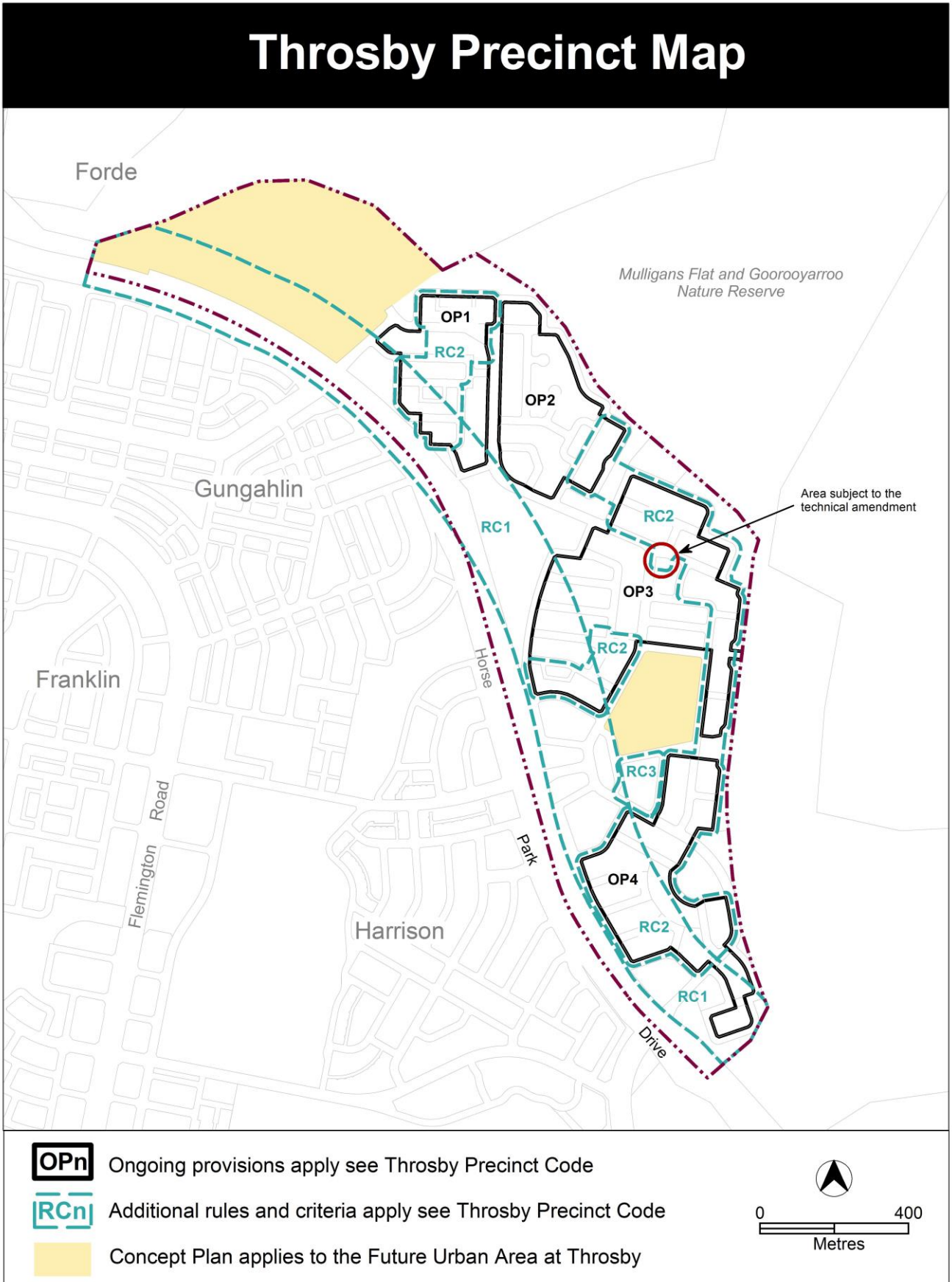
This technical amendment amends this unintended omission by updating the Throsby Precinct Map to include the subject block in the RC2 area on the map.

Compliance with the *Planning and Development Act 2007*

Section	Statement
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;	Compliant. This amendment rectifies an unintended omission on the Throsby Precinct Map by including Block 1 Section 41 Throsby in the RC2 area of the precinct map.

(See over for the existing and proposed Throsby Precinct Map diagrams.)





2.8 Variation to the Watson Precinct Map and Code

Table 1 Glazing requirements

In this table in the Watson Precinct Code, a discrepancy has been identified between the glazing requirements. The figure in the column titled 'Typical Glazing Selection' refers to '6.39mm Laminated' whereas the column titled 'Glazing Assembly' refers to 6.38mm Laminated. The correct figure is 6.38mm. The reference to 6.39mm is changed to 6.38mm for the figure in the column titled 'Typical Glazing Selection'.

Compliance with the *Planning and Development Act 2007*

Section	Statement
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;	Compliant. This amendment rectifies an error in the figures relating to glazing requirements in the precinct code.

2.9 Variation to the Northbourne Avenue Precinct Code

The Northbourne Avenue Precinct Code refers to the City Centre Development Code and the CZ5 Mixed Use Development Code in the third paragraph in the Introduction to the code. These and other previous commercial codes were replaced by the Commercial Zones Development Code in 2012 when suburb based precinct codes were introduced into the Territory Plan.

The references to the previous commercial codes have been replaced with the current Commercial Zones Development Code in the Introduction of the Northbourne Avenue Precinct Code.

Existing wording:

“The City Centre Development Code and the CZ5 Mixed Use Development Code do not apply to land covered by the Northbourne Avenue Precinct Code.”

Revised wording:

“The Commercial Zones Development Code does not apply to land covered by the Northbourne Avenue Precinct Code”

Compliance with the *Planning and Development Act 2007*

Section	Statement
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	Compliant. This change replaces references to redundant commercial codes with a reference to the current Commercial Zones Development Code. This is consistent with the policy purpose and policy framework of the code.

2.10 Variation to the Territory Plan Definitions

The definition of '*side boundary*' was amended via Variation No. 352 (V352) in 2018 to address, among other matters, an issue with the definition around the use of 'extending from a street frontage'. This terminology meant that if a boundary extended from an open space frontage it could not be considered a 'side boundary'. The current definition of *side boundary* is "...a *block* boundary extending from a *front boundary* along a single bearing."

Since the introduction of the amended definition, it has been identified that the reference to '*front boundary*' in place of 'street frontage' in the definition is resulting in some concerns regarding interpretation. The unintended outcome has been that certain boundaries can meet both the definition of front and side boundary. A front boundary is defined as "...any boundary of a *block adjacent* to a public *road*, public reserve or public pedestrian way."

The adjustment to the definition to address this situation is to revert to the use of 'street frontage' in the wording of the definition to clarify when a boundary is classified as a side boundary.

Revised definition:

"*Side boundary* means a block boundary extending from a street frontage along a single bearing."

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 the definition of 'side boundary' to address the unintended outcome of the previous definition change whereby certain boundaries can meet both definitions.

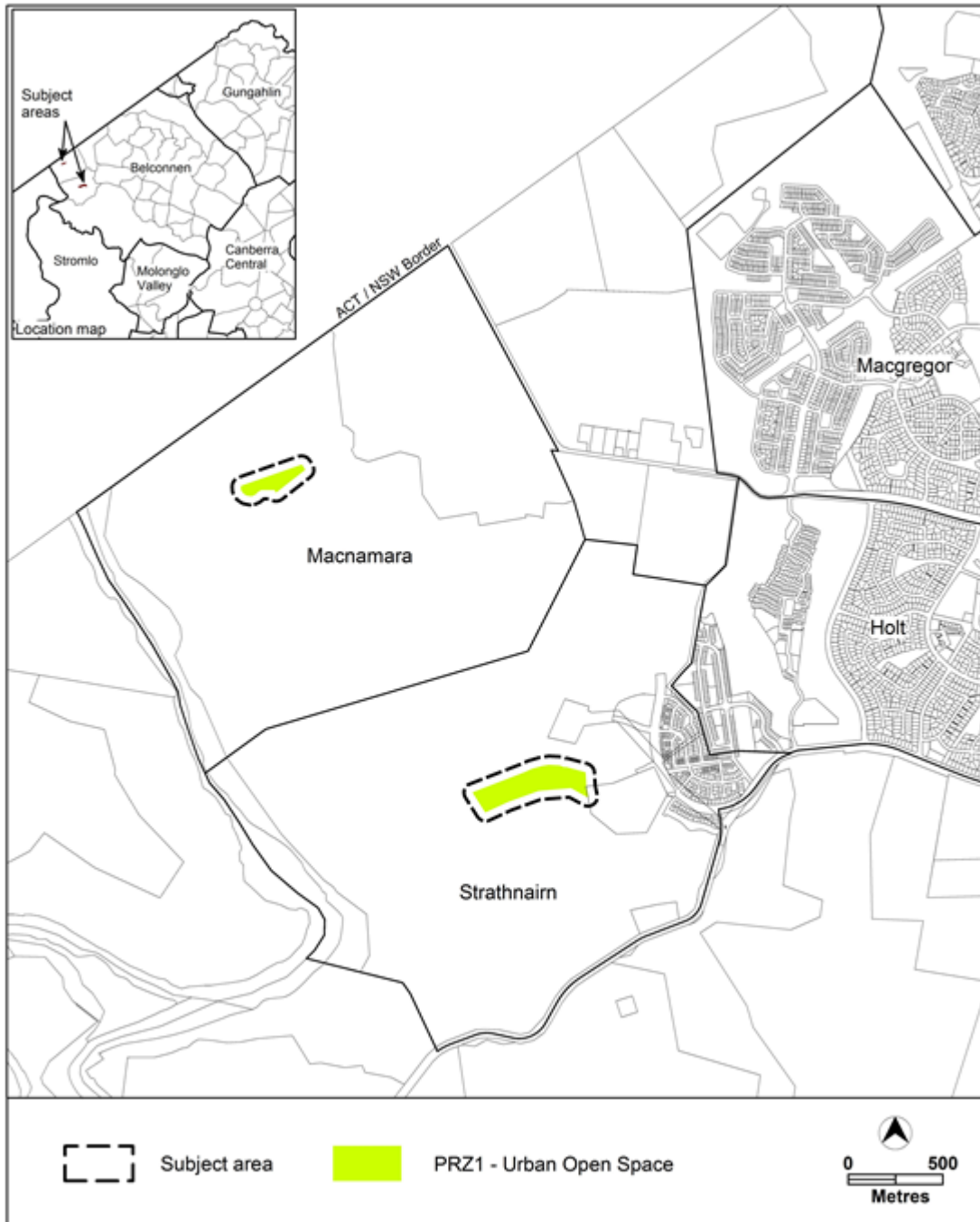
3. TECHNICAL AMENDMENT

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. West Belconnen

Substitute



3.2 Variation to the RZ1 – Suburban zone development table

2. NOTE ABOUT ANCILLARY AND MINOR USE

Add to blank text box:

Some development that would otherwise be prohibited may be assessed under the merit track if they can be defined as *ancillary* or *minor use*. For example, a *car park* alone is prohibited, but could be considered if it is ancillary to *child care centre* which is an assessable development under the merit track.

3.3 Variation to the Single Dwelling Housing Development Code

3. R43 Water Sensitive Urban Design

Substitute

Rules	Criteria
6.1 Water sensitive urban design	
<p>R43</p> <p>This rule applies to all new single <i> dwellings</i> <i> secondary residences</i> and extensions and alterations but does not apply to:</p> <ul style="list-style-type: none"> i) <i> extensions</i> of a size 50% or less of existing floor area or 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 Option A is:</p> <ul style="list-style-type: none"> b) on compact blocks - <ul style="list-style-type: none"> i) no minimum water storage requirement ii) minimum ★★★ WELS rated plumbing fixtures c) 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 external taps that are attached to the house. The connection will require a pump where it cannot be elevated sufficiently to give adequate pressure. d) on <i> large blocks</i> up to 800m² - 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>i) minimum on site water storage of water from roof harvesting is 4,000 litres</p> <p>ii) 50% or 100m² of roof plan area, whichever is the lesser, is connected to the tank</p> <p>iii) the tank is connected to at least a toilet, laundry cold water and external taps that are attached to the house. The connection will require a pump where it cannot be elevated sufficiently to give adequate pressure.</p> <p>e) on <i>large blocks</i> 800m² or greater -</p> <p>i) minimum on site water storage of water from roof harvesting is 5,000 litres</p> <p>ii) 50% or 125m² of roof plan area, whichever is the lesser, is connected to the tank</p> <p>iii) the tank is connected to at least a toilet, laundry cold water and external taps that are attached to the house. The connection will require a pump where it cannot be elevated sufficiently to give adequate pressure.</p> <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> <p>Option C is: 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 on-line assessment tool or another tool. The 40% target is met without any reliance on landscaping measures to reduce consumption.</p> <p>Note: The online Single Residential Waterways Calculator can be found at: https://www.planning.act.gov.au/topics/design_build/design-and-siting/water_efficiency/residential_calculator</p>	

4. R20/C20 - cut and fill

Substitute

1.17 Cut and fill	
Rules	Criteria
R20 The total change in ground level resulting from cut or fill must not exceed 1.5m within 1.5m of a side or rear boundary. The change in ground level is the cumulative total of all level changes within 1.5m of the boundary taken from the Datum Ground Level (DGL) to the new Finished Ground Level (FGL).	C20 Cut and fill is limited so that both of the following are achieved; a) reasonable access to sunlight on the block b) compatibility with the streetscape

3.4 Variation to the Belconnen Precinct Map and Code

5. Belconnen Precinct Map – Assessment Tracks

Delete

“add definitions to Belconnen precinct code:

Active Frontage: ground level building facades adjoining public spaces that encourage pedestrian interaction through display windows, public entrances, shop fronts and the like.

Podium: refers to the lower storeys of a building addressing public space, designed to present a human scale to the public space. Upper floor levels are set back to reduce apparent bulk and scale.”

6. Belconnen Precinct Code – Introduction; Definitions

Substitute

“Defined terms, references to legislation and other documents are italicised.

Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, are associated with the respective rule or listed below.

Active Frontage: ground level building facades adjoining public spaces that encourage pedestrian interaction through display windows, public entrances, shop fronts and the like.

Podium: refers to the lower storeys of a building addressing public space, designed to present a human scale to the public space. Upper floor levels are set back to reduce apparent bulk and scale.”

3.5 Variation to Pialligo Precinct Map and Code

7. RC1 Pialligo Agricultural Area; Figure 1

Substitute

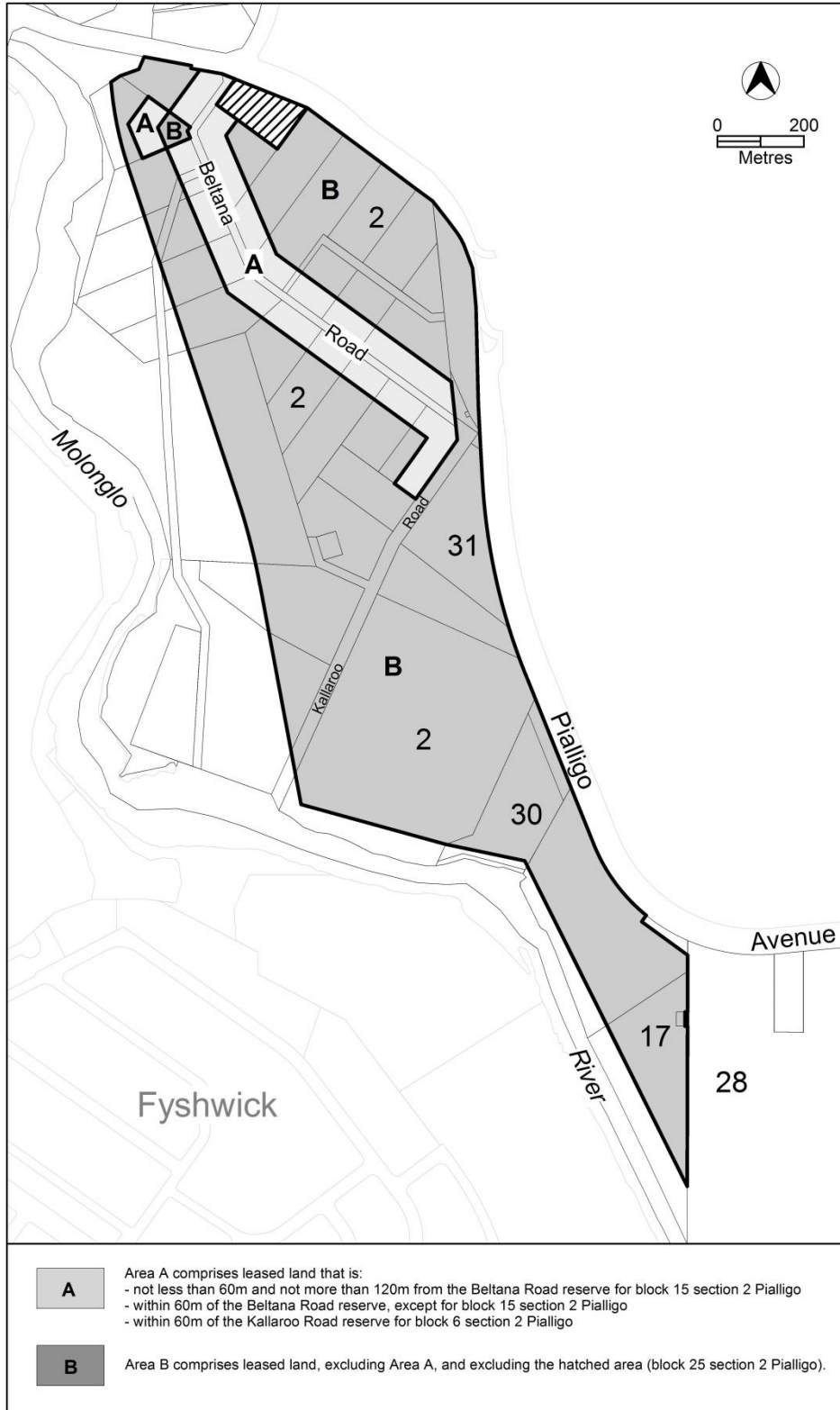


Figure 1 Pialligo agricultural area

8. RC1 Pialligo Agricultural Area; Element 1: Use;

Delete

1.1 Area A and B

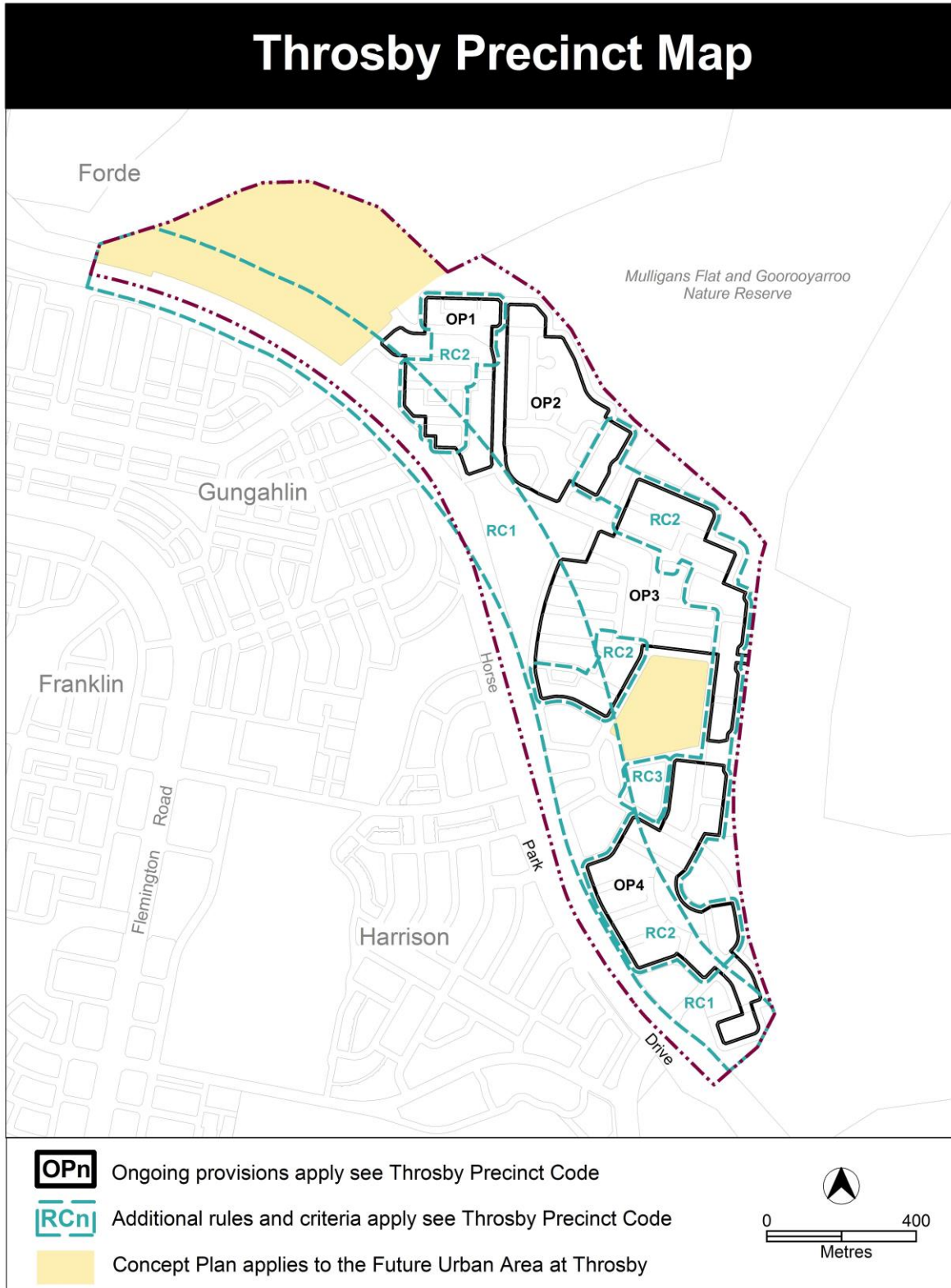
Delete

R1

3.6 Variation to the Throsby Precinct Map and Code

9. Throsby Precinct Map

Substitute



3.7 Variation to the Watson Precinct Map and Code

10. Table 1 Glazing Requirements

In the column titled 'Typical Glazing Selection':

Delete

6.39mm Laminated

Replace with

6.38mm Laminated'

3.8 Variation to the Northbourne Avenue Precinct Code

11. Introduction

Delete

The City Centre Development Code and the CZ5 Mixed Use Development Code do not apply to land covered by the Northbourne Avenue Precinct Code.

Replace with

The Commercial Zones Development Code does not apply to land covered by the Northbourne Avenue Precinct Code.

3.9 Variation to the Territory Plan Definitions

12. Side boundary

Substitute

Side boundary means a block boundary extending from a street frontage along a single bearing.

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 τηλεφωνήστε 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 ihtiyacımız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

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