

Planning and Development (Technical Amendment–Taylor) Plan Variation 2020 (No 1)

Notifiable instrument NI2020—492

Technical Amendment No 2020-07

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–Taylor) Plan Variation 2020 (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 Taylor plan variation is a technical amendment to the Territory Plan.

4 Meaning of *Taylor plan variation*

In this instrument:

Taylor plan variation means the technical amendment to the Territory Plan, variation 2020-07, in the schedule.

Note Limited consultation was undertaken in relation to the plan variation in accordance with section 90 of the *Planning and Development Act 2007*.

Lesley Cameron
Delegate of the planning and land authority
18 August 2020



ACT
Government

Environment, Planning and
Sustainable Development

Planning & Development Act 2007

Technical Amendment to the Territory Plan

2020-07

Taylor Precinct Map and Code

August 2020

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:

Taylor Precinct Map and Code

- Relocates ‘side boundary 2’ on some blocks
- Identifies ‘side boundary 2’ on blocks where the provision had not been included in the approved estate development plan.

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.

TA2019-14 was released for limited public consultation on 17 October 2019 and concluded on 15 November 2019. No public submissions were received.

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 advised that it has no concerns with this technical amendment.

1.4 Process

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

TA2020-07 has been prepared in accordance with sections 87(2)(a) of the Act.

2. EXPLANATORY STATEMENT

2.1 Background

This part of the technical amendment document explains the changes to be 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 Taylor Precinct Map and Code

The single dwelling housing development code includes provisions for minimum side and rear setbacks on blocks. The 'side boundary 2' provision allows alternative setbacks, but only where identified on blocks in a precinct code.

The estate development plan for the suburb of Taylor identified blocks where the 'side boundary 2' provisions apply. These provisions were transferred into the Taylor precinct code when the future urban area overlay was uplifted.

Following further detailed design work, the Suburban Land Agency has requested changes to the location of where 'side boundary 2' applies on a number of blocks. The SLA has also requested that the 'side boundary 2' provision is to be nominated on several blocks where the provision does not currently apply. The intent of the proposed changes is to achieve improved development outcomes.

This technical amendment makes changes to the Taylor precinct map and code by including and relocating 'side boundary 2' provisions on blocks identified in the figures below.

Compliance with the *Planning and Development Act 2007*

Section	Statement
s87(2)(a) (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	Compliant. The changes facilitate intended development outcomes on blocks within the division of Taylor. The changes are consistent with the policy purpose and policy framework of the code.

Existing Figure 7 of the Taylor precinct map and code

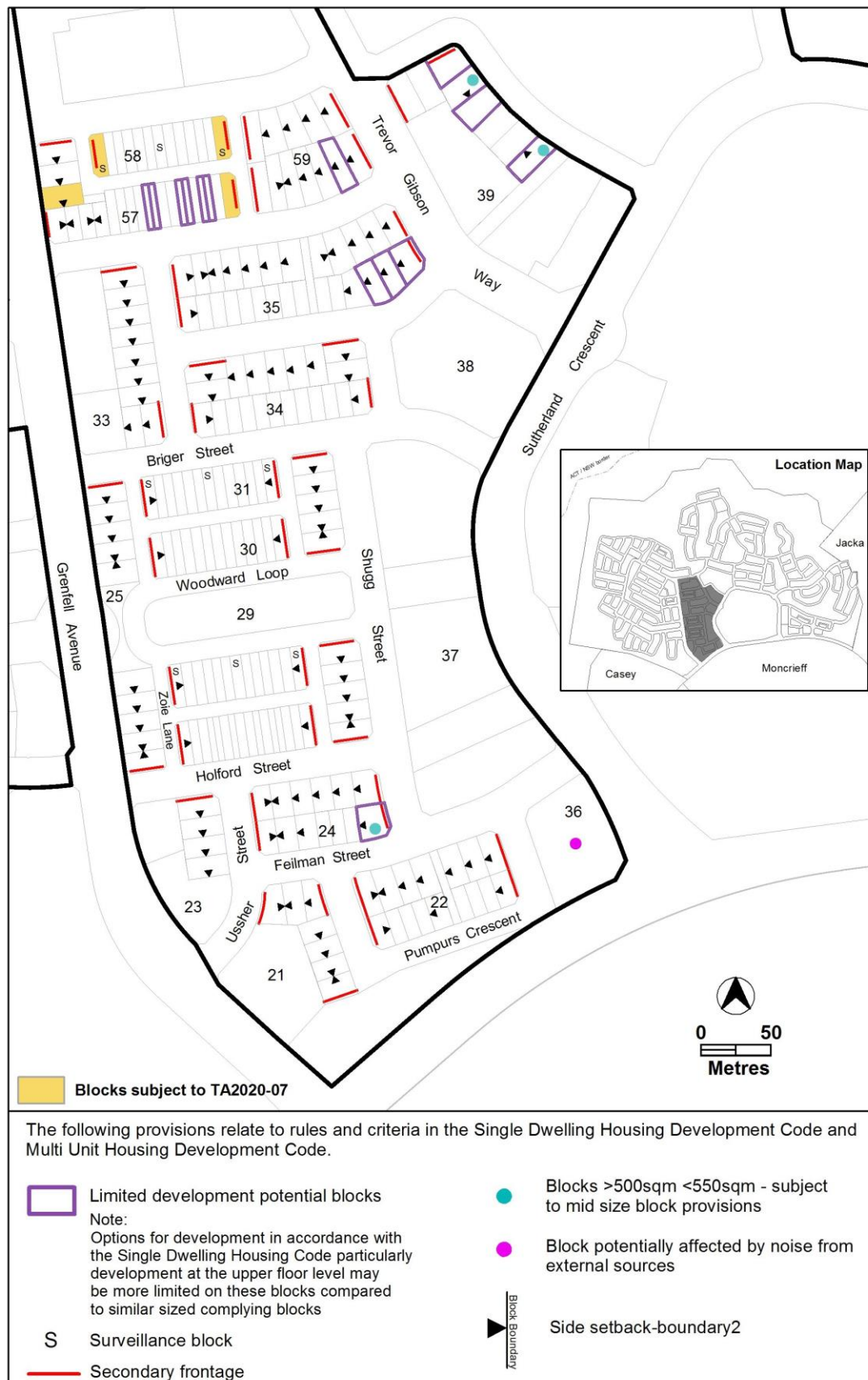


Figure 7 Taylor residential area ongoing provisions

Proposed Figure 7 of the Taylor precinct map and code

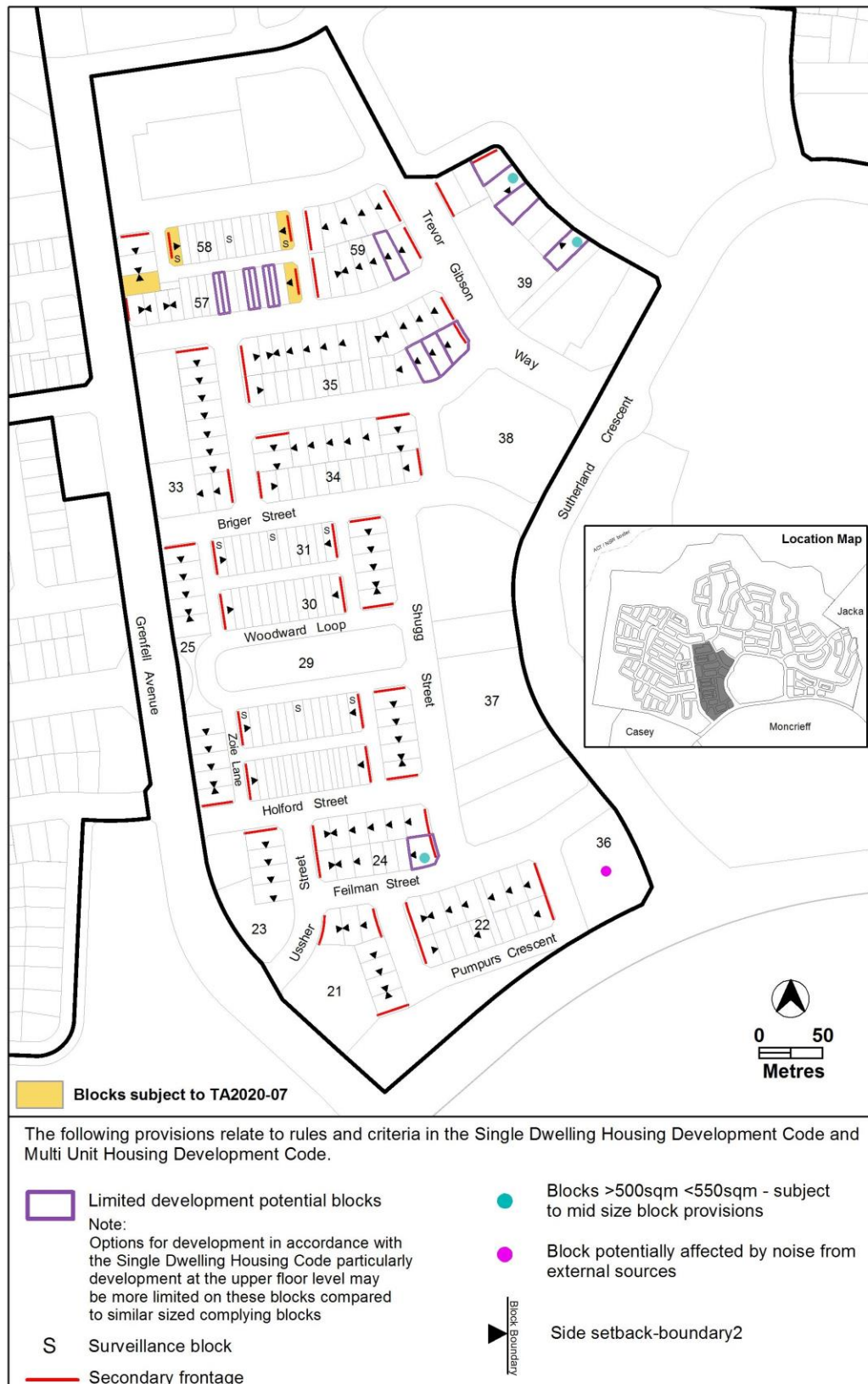


Figure 7 Taylor residential area ongoing provisions

Existing Figure 8 of the Taylor precinct map and code

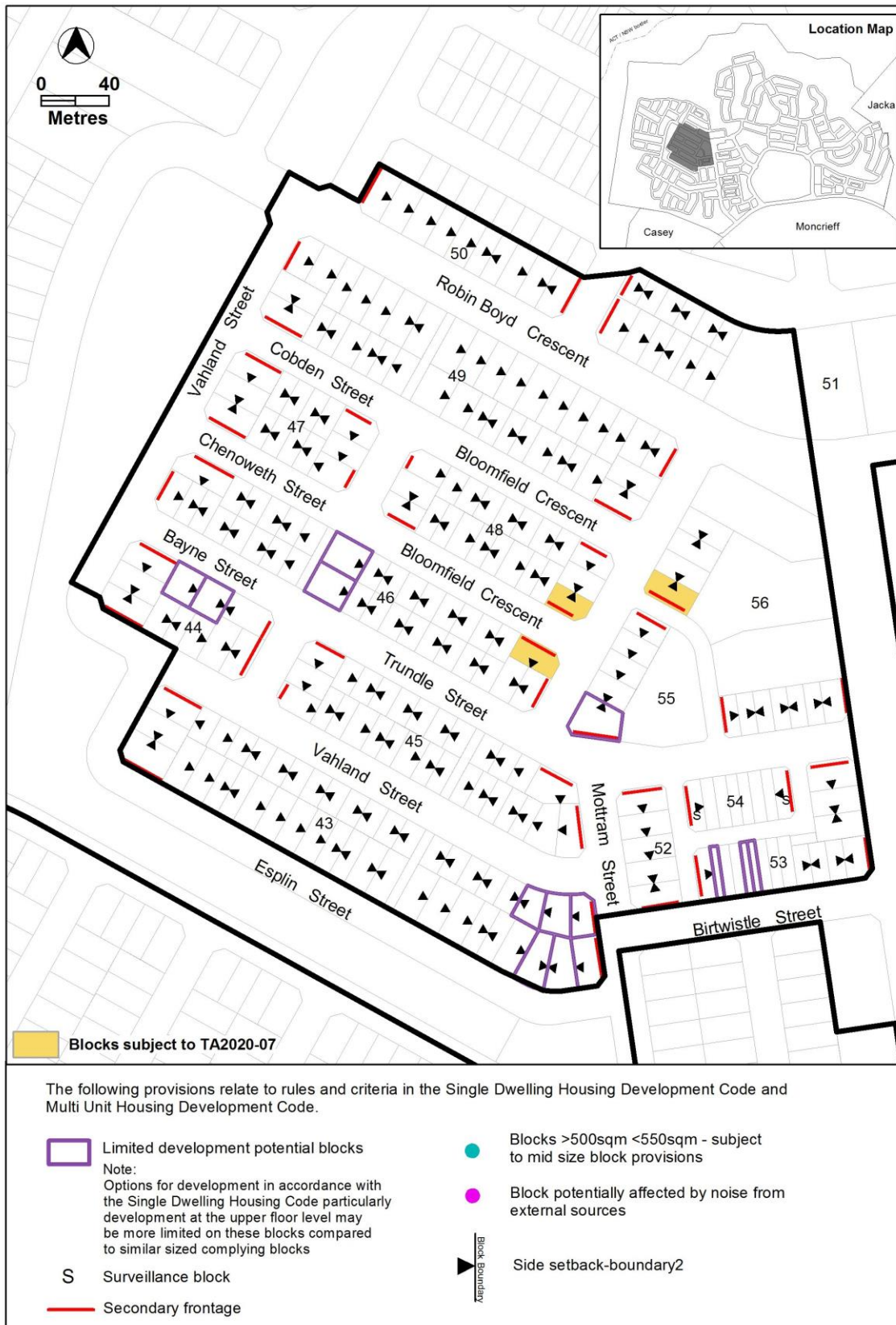


Figure 8 Taylor residential area ongoing provisions

Proposed Figure 8 of the Taylor precinct map and code

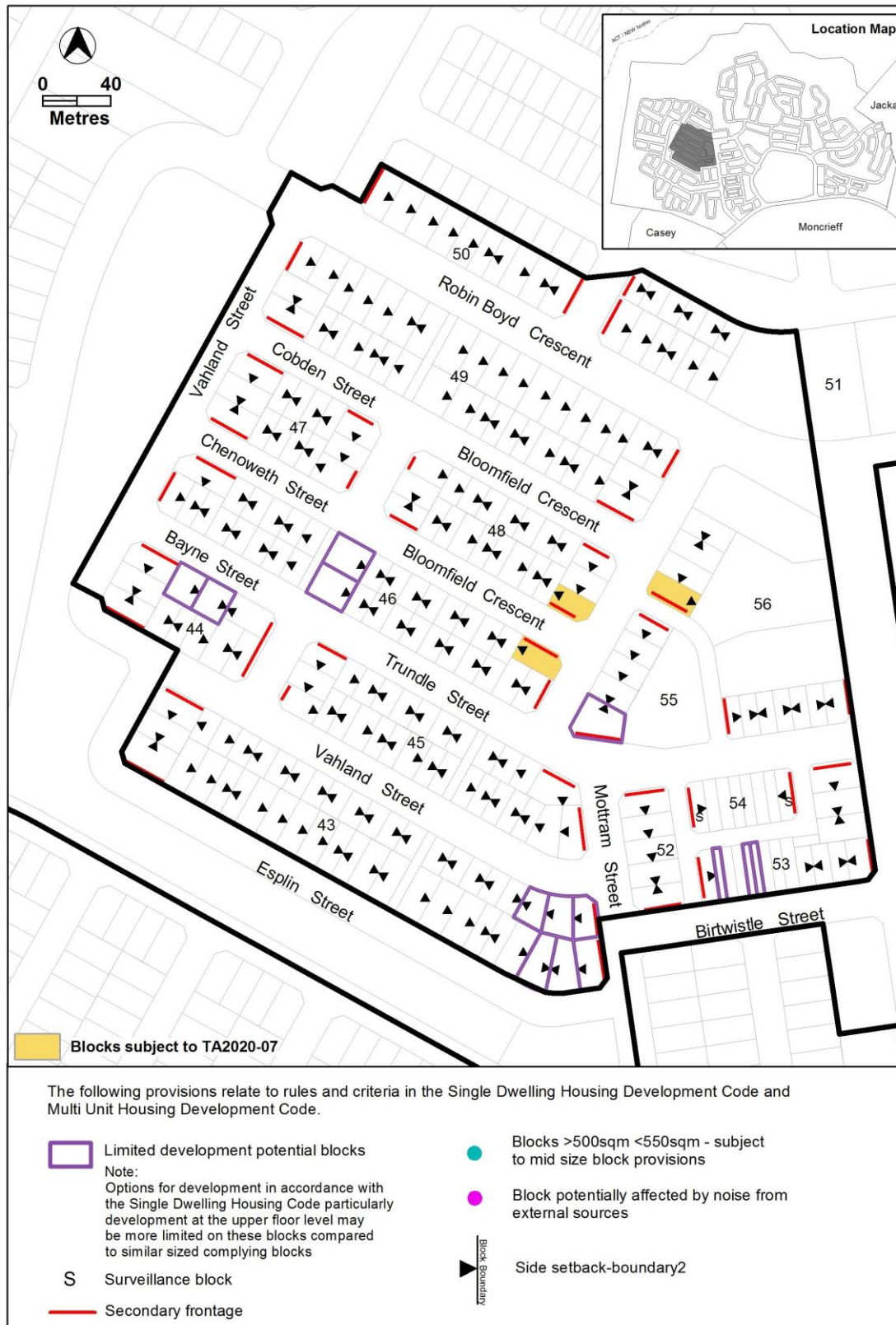


Figure 8 Taylor residential area ongoing provisions

Existing Figure 9 of the Taylor precinct map and code

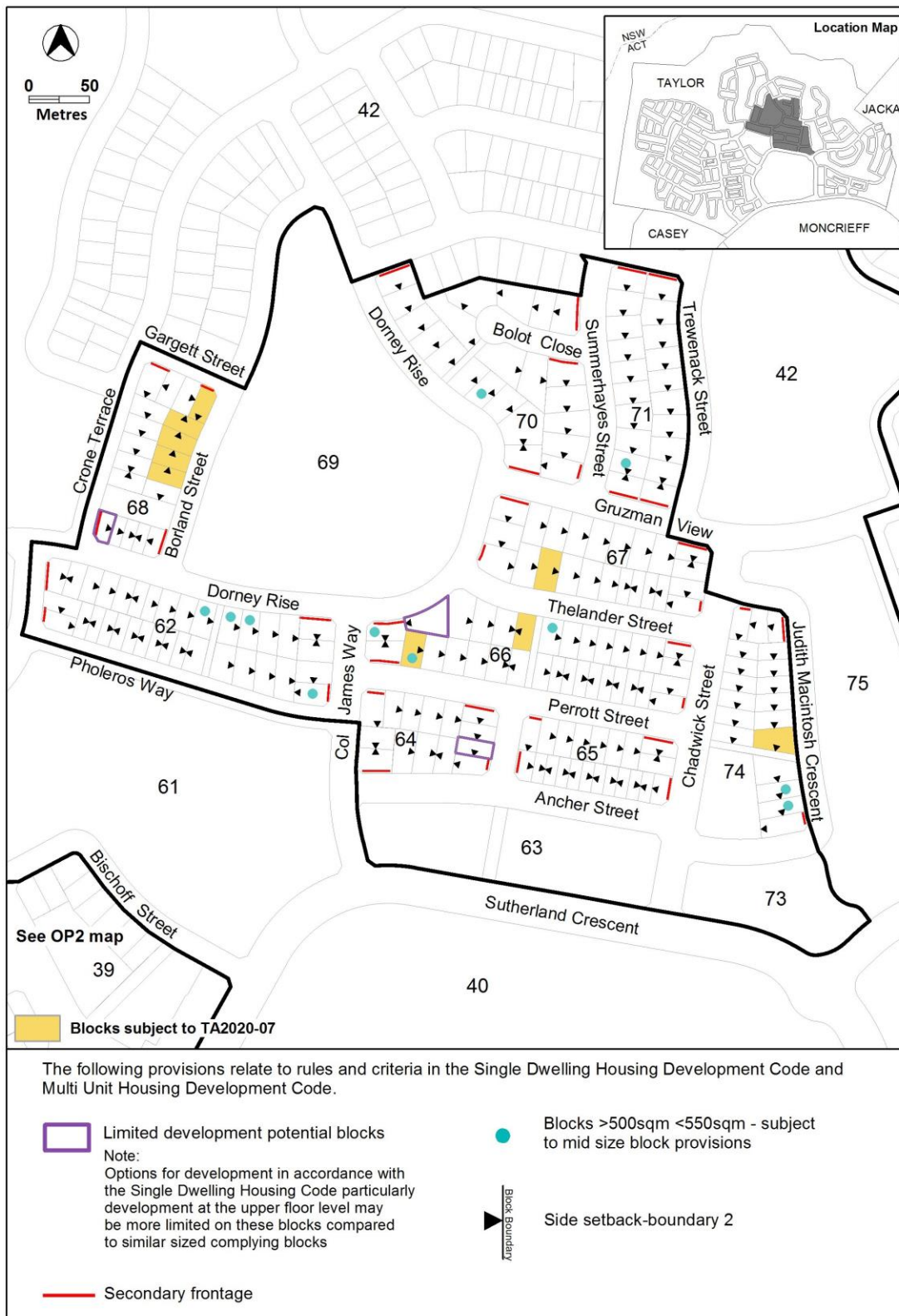


Figure 9 Taylor residential area ongoing provisions

Proposed Figure 9 of the Taylor precinct map and code

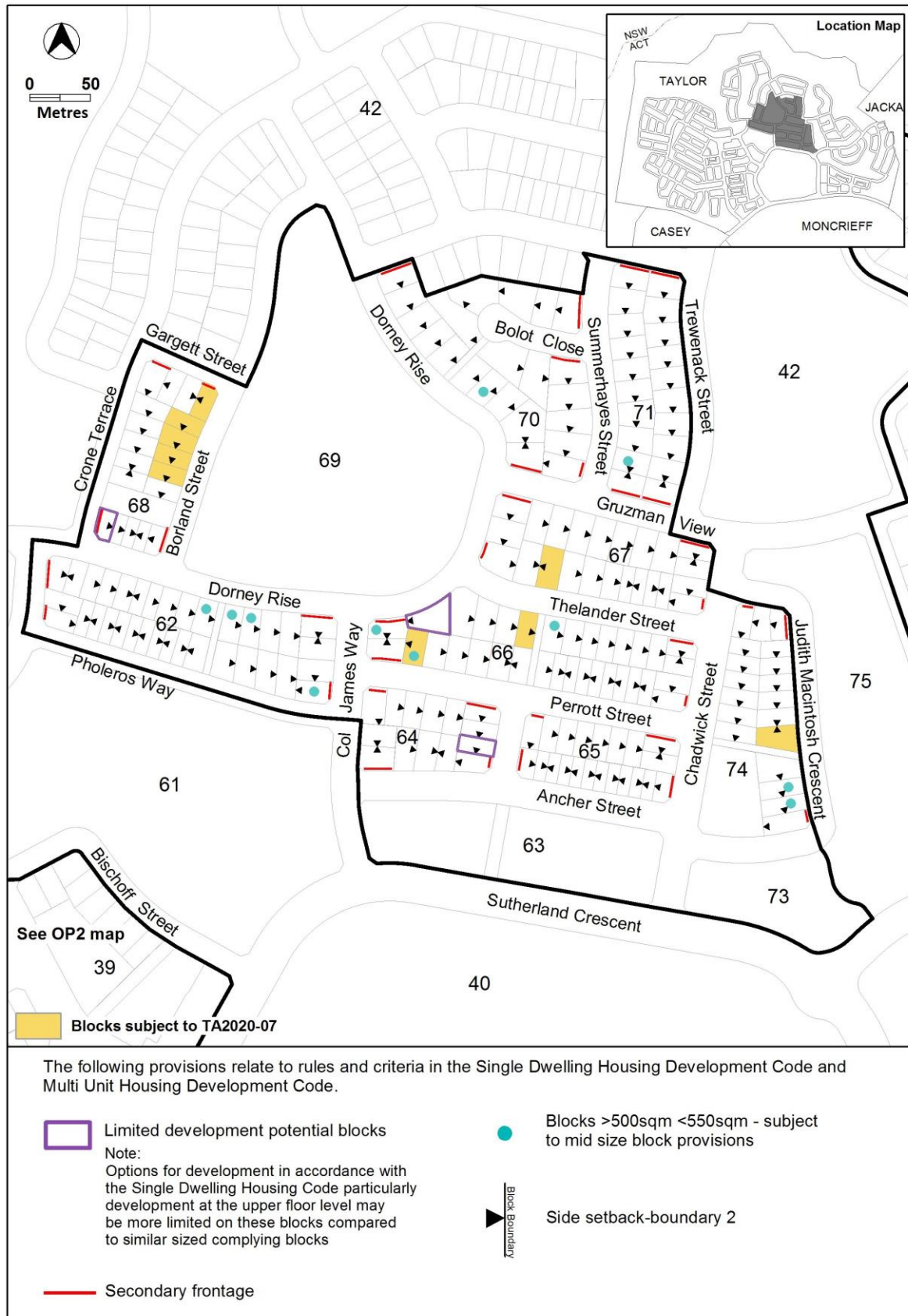


Figure 9 Taylor residential area ongoing provisions

Existing Figure 10 of the Taylor precinct map and code

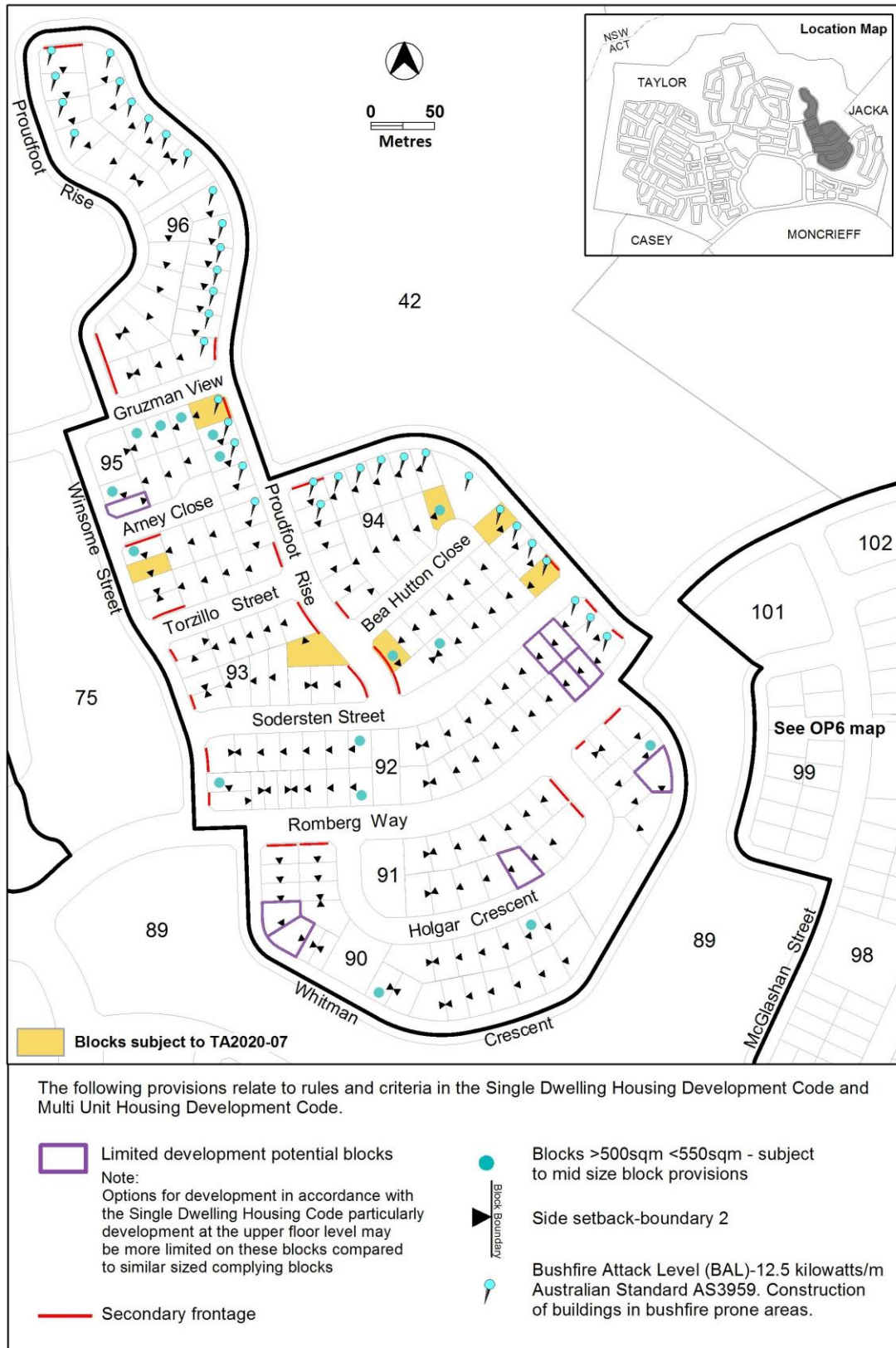


Figure 10 Taylor residential area ongoing provisions

Proposed Figure 10 of the Taylor precinct map and code

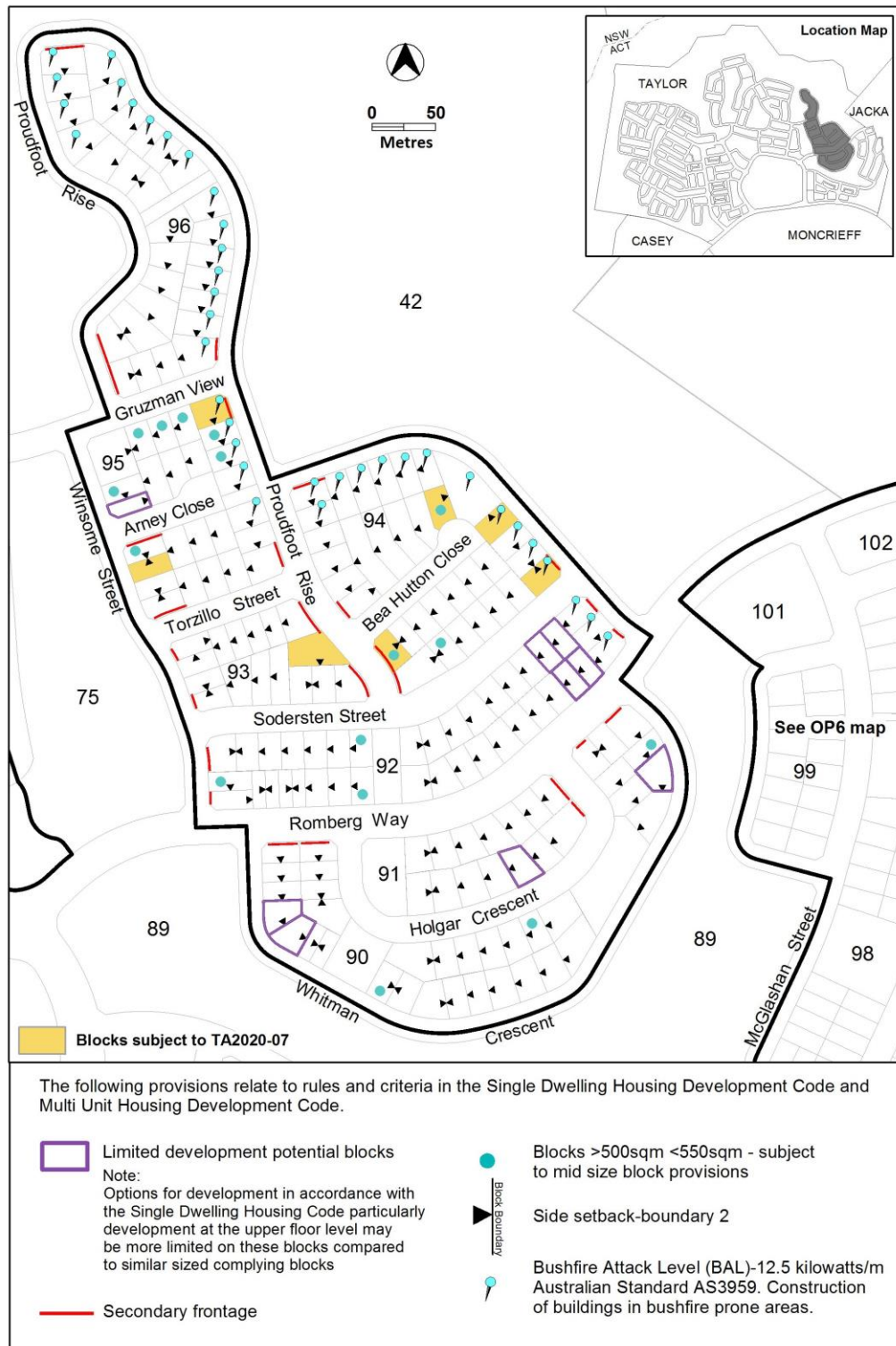


Figure 10 Taylor residential area ongoing provisions

Existing Figure 11 of the Taylor precinct map and code

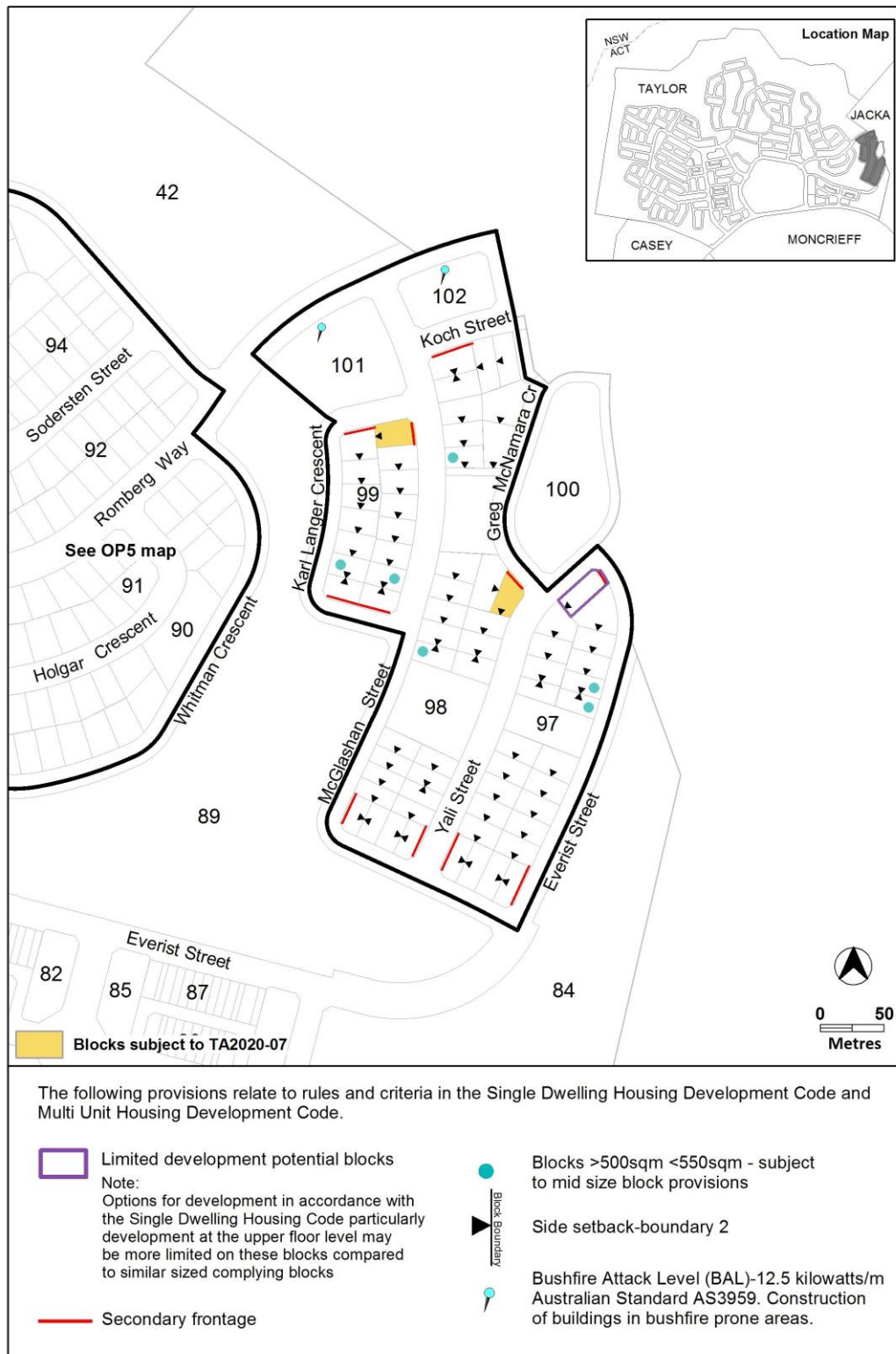


Figure 11 Taylor residential area ongoing provisions

Proposed Figure 11 of the Taylor precinct map and code

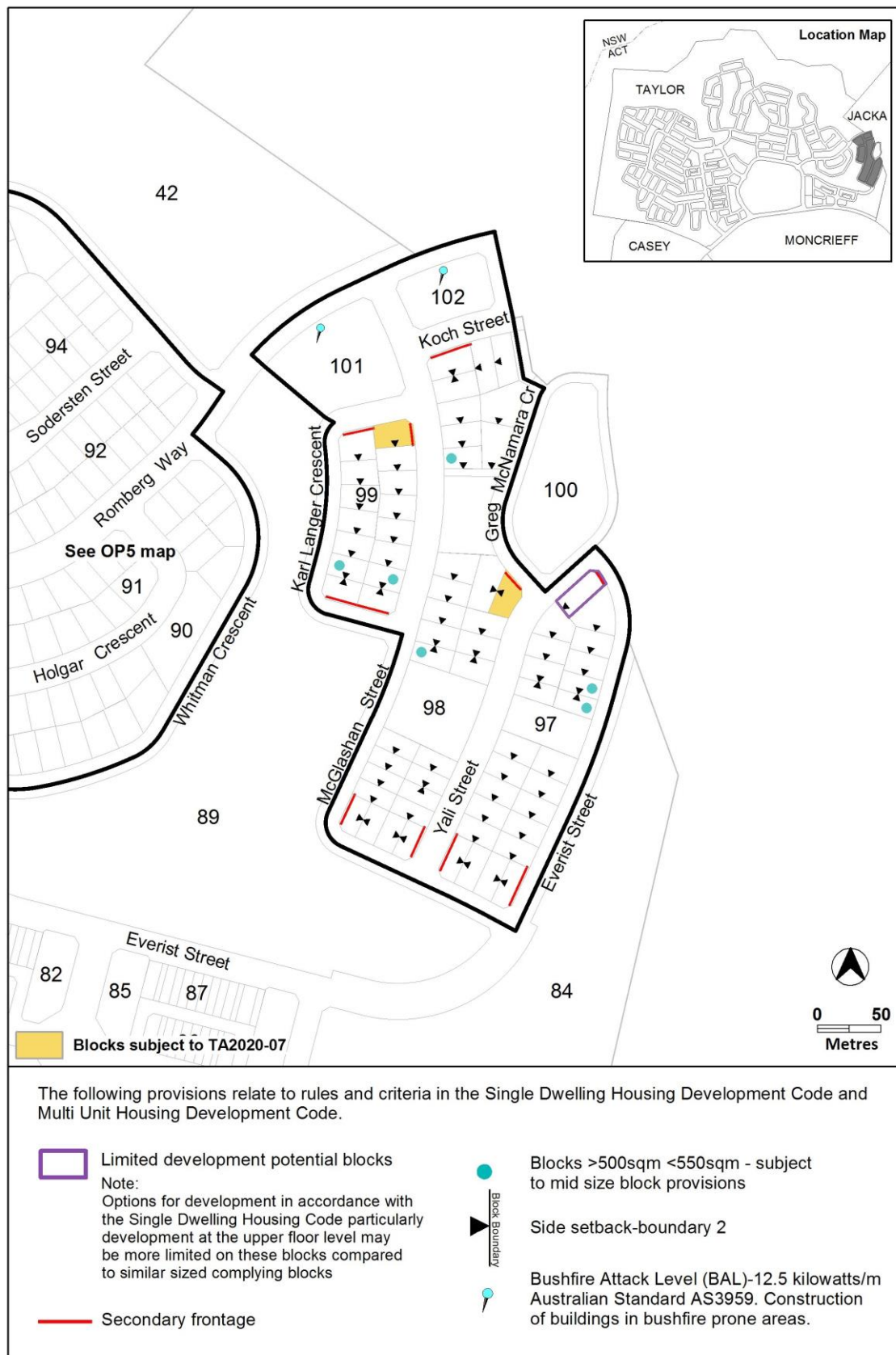


Figure 11 Taylor residential area ongoing provisions

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 Taylor Precinct Map and Code

1. Other ongoing provisions, OP2 – Taylor residential area, Figure 7 Taylor residential area ongoing provisions

Substitute

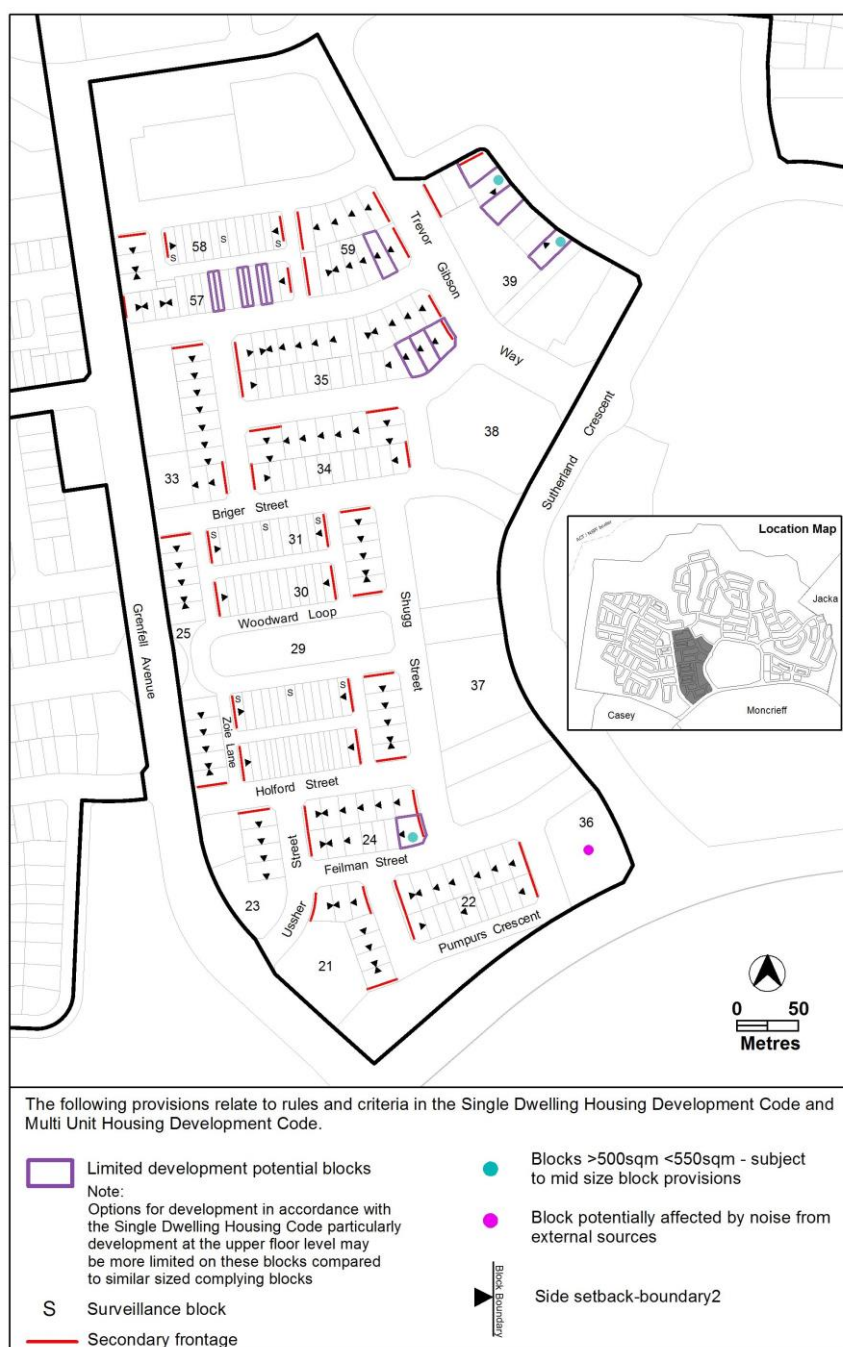


Figure 7 Taylor residential area ongoing provisions

2. Other ongoing provisions, OP3 – Taylor residential area, Figure 8 Taylor residential area ongoing provisions

Substitute



Figure 8 Taylor residential area ongoing provisions

3. Other ongoing provisions, OP4 – Taylor residential area, Figure 9 Taylor residential area ongoing provisions

Substitute

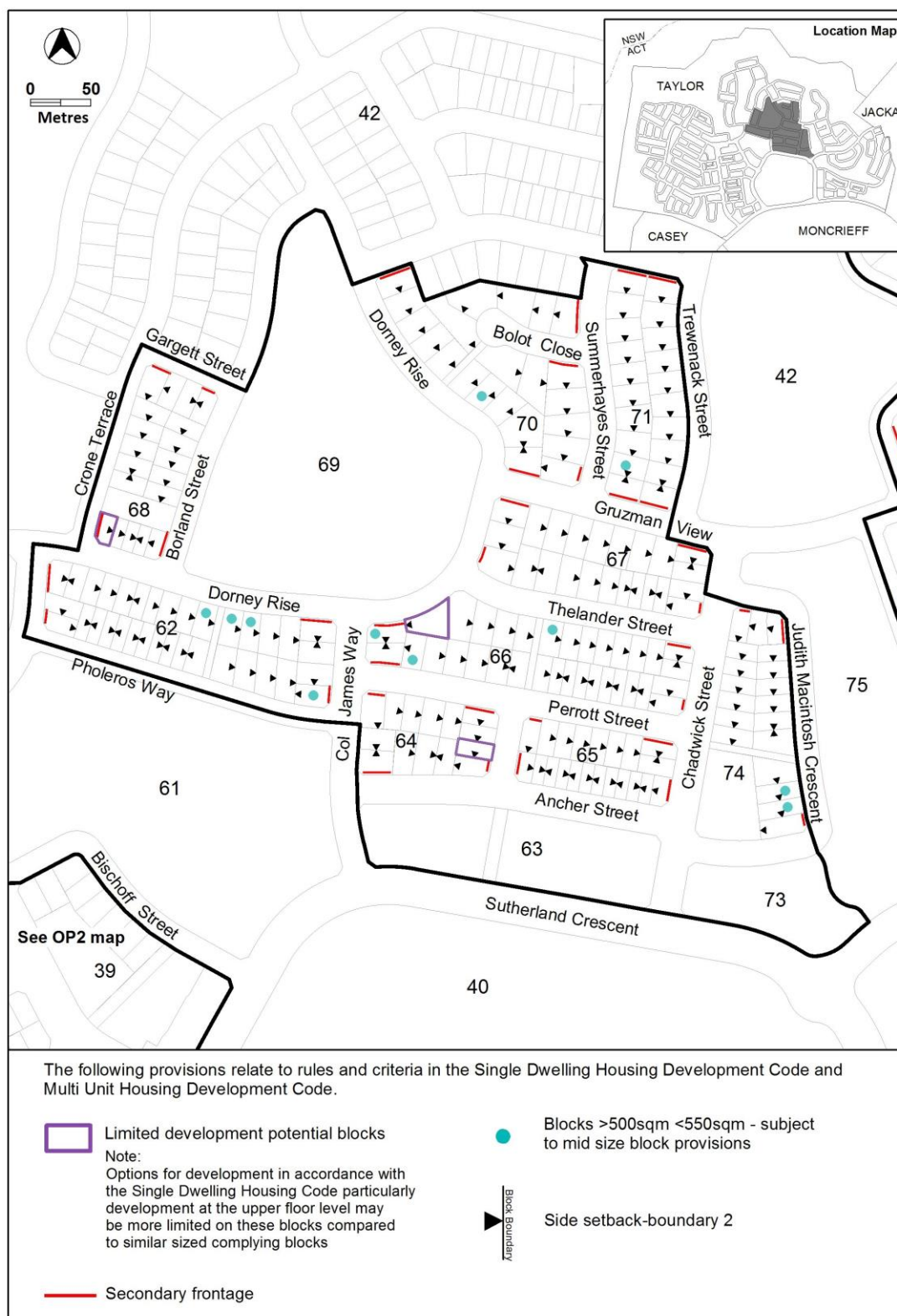


Figure 9 Taylor residential area ongoing provisions

4. Other ongoing provisions, OP5 – Taylor residential area, Figure 10 Taylor residential area ongoing provisions

Substitute

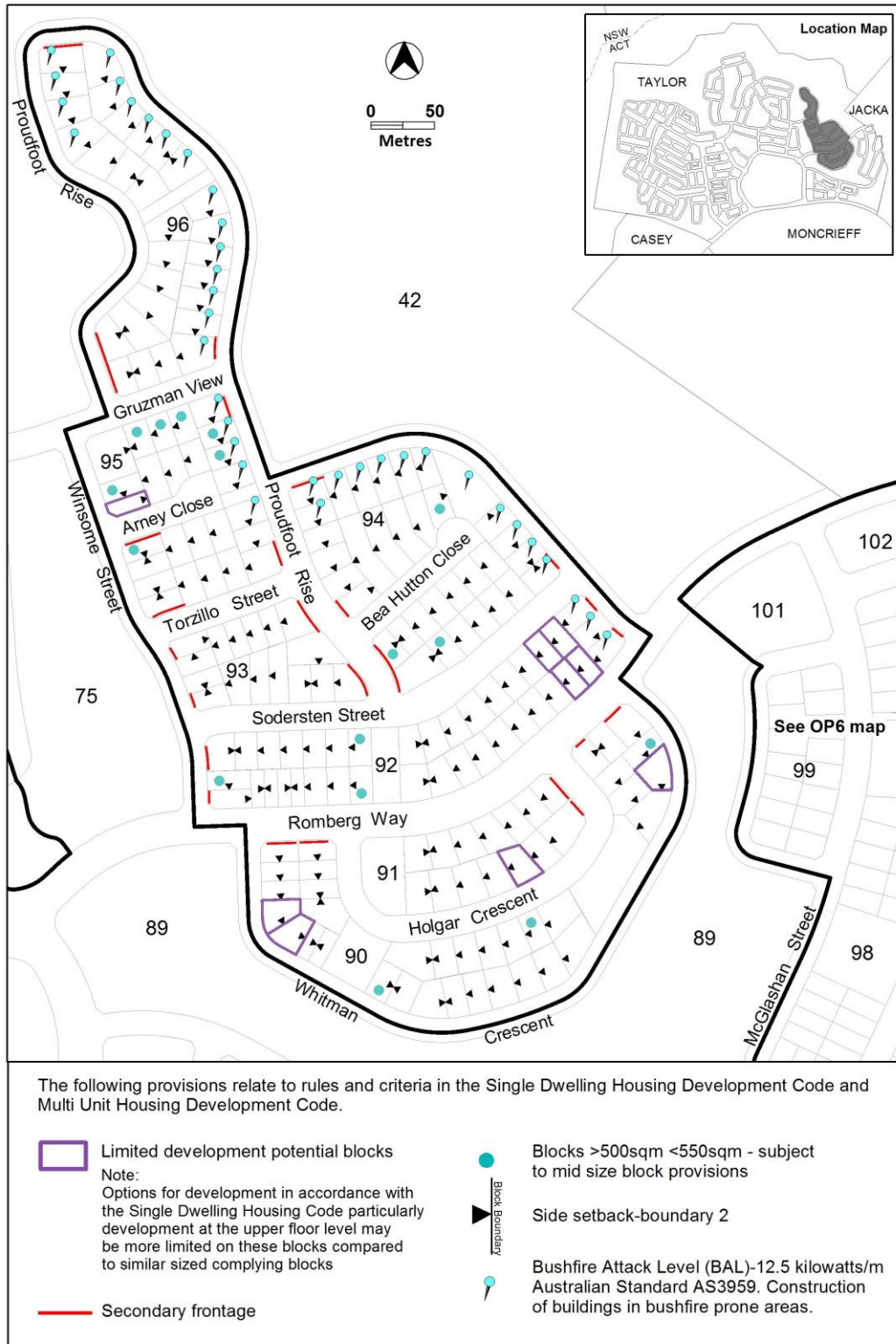


Figure 10 Taylor residential area ongoing provisions

5. Other ongoing provisions, OP6 – Taylor residential area, Figure 11 Taylor residential area ongoing provisions

Substitute

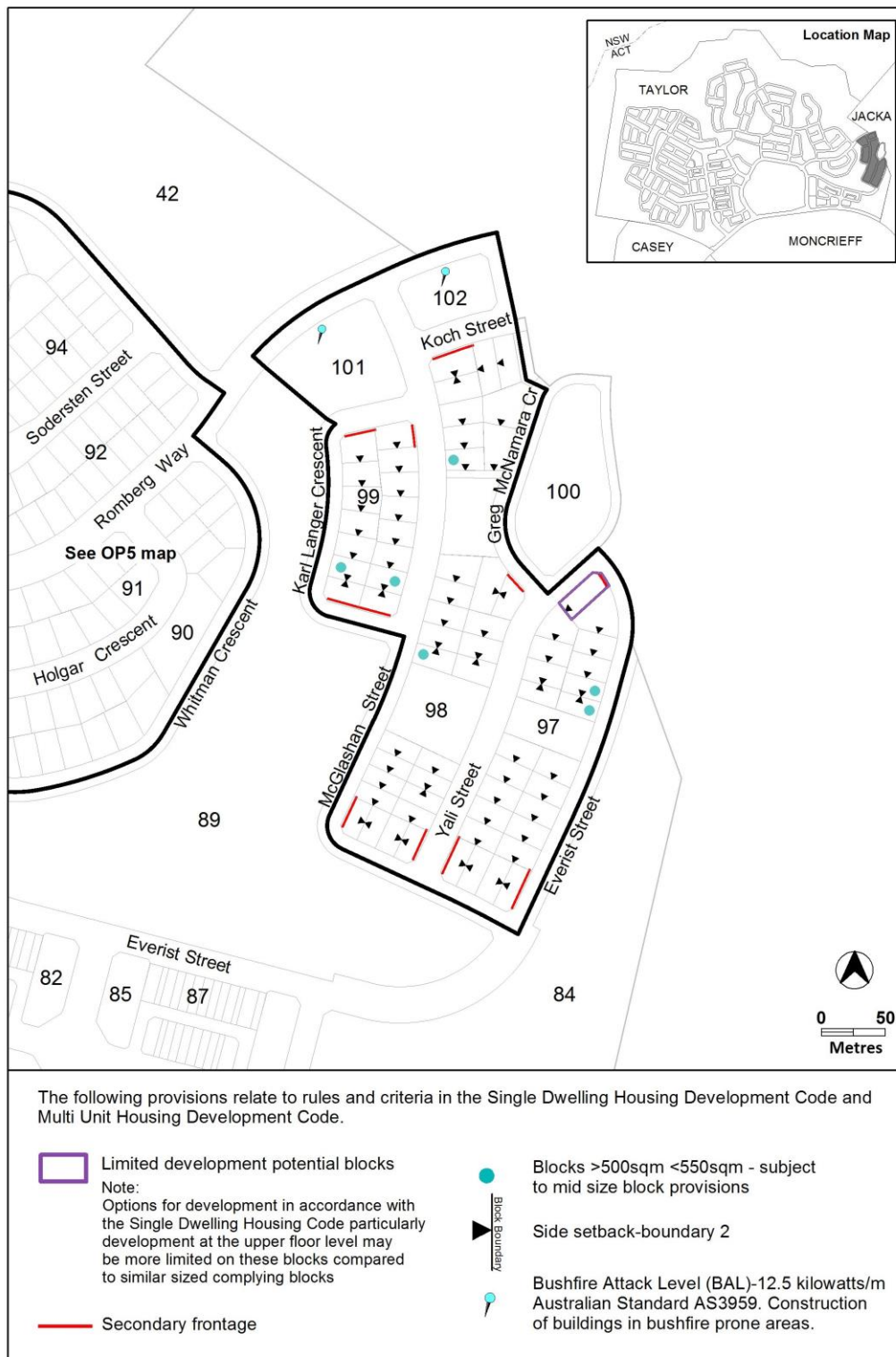


Figure 11 Taylor residential area ongoing provisions