

### **Territory Plan 2008**

NI2008-27

made under the

**Planning and Development Act 2007** 

**Republication No 35** 

Effective: 22 January 2010

Republication date: 22 January 2010

Last variation made by NI2010-23 (republication for variations by NI2010-21, NI2010-22 and NI2010-23)

Authorised by the ACT Parliamentary Counsel

#### **Endnotes**

#### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

This republication includes amendments made under part 11.3.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

#### 2 Abbreviation key

am = amendedord = ordinanceamdt = amendmentorig = original

ch = chapter par = paragraph/subparagraph def = definition pres = present

dict = dictionary prev = previous disallowed = disallowed by the Legislative (prev...) = previously

Assembly pt = part
div = division r = Item/subItem
exp = expires/expired renum = renumbered

Gaz = gazette reloc = relocated hdg = heading R[X] = Republication No

IA = Interpretation Act 1967

IA = Interpretation Act 1967

IR = reissue

ins = inserted/added

IR = reissue

s = section/subsection

sch = schedule

LR = legislation register sdiv = subdivision
LRA = Legislation (Republication) Act 1996 sub = substituted

mod = modified/modification

SL = Subordinate Law

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#### 3 Legislation history

#### Territory Plan 2008 NI2008-27

notified LR 13 February 2008 commenced 31 March 2008 (see Planning and Development Act 2007 s 432 (3) (a))

as amended by

#### Variation to the Territory Plan No 285

(as notified in Planning and Development (Plan Variation No 285) Notice 2008 NI2008-123) commenced 18 April 2008 (CN2008-4)

### Planning and Development (Technical Plan Variation—Forde) Notice 2008 NI2008-201

notified LR 5 June 2008 commenced 6 June 2008 (LA s 73 (2) (a))

#### Variation to the Territory Plan No 293

(as notified in Planning and Development (Plan Variation No 293) Notice 2008 NI2008-219) commenced 15 August 2008 (CN2008-11)

### Planning and Development (Technical Plan Variation—Residential and Commercial Zones Codes) Notice 2008 NI2008-289

notified LR 10 July 2008 commenced 11 July 2008 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Error Variation) Notice 2008 NI2008-290

notified LR 10 July 2008 commenced 11 July 2008 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Boundary Changes) Notice 2008 NI2008-298

notified LR 31 July 2008 commenced 1 August 2008 (LA s 73 (2) (a))

#### Planning and Development (Technical Plan Variation—Dunlop) Notice 2008 NI2008-328

notified LR 14 August 2008 commenced 15 August 2008 (LA s 73 (2) (a))

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#### Planning and Development (Technical Plan Variation—Watson) Notice 2008 NI2008-336

notified LR 14 August 2008 commenced 15 August 2008 (LA s 73 (2) (a))

#### Variation to the Territory Plan No 289

(as notified in Planning and Development (Plan Variation No 289) Notice 2008 NI2008-339) commenced 5 September 2008 (CN2008-14)

#### Variation to the Territory Plan No 281

(as notified in Planning and Development (Plan Variation No 281) Notice 2008 NI2008-352) commenced 12 December 2008 (CN2008-16)

### Planning and Development (Technical Plan Variation—Residential Zones Codes) Notice 2008 NI2008-358

notified LR 28 August 2008 commenced 29 August 2008 (LA s 73 (2) (a))

#### Planning and Development (Technical Plan Variation—Franklin) Notice 2008 NI2008-499

notified LR 30 October 2008 commenced 31 October 2008 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Gungahlin) Notice 2008 NI2008-516

notified LR 6 November 2008 commenced 7 November 2008 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Error Variation) Notice 2008 (No 2) NI2008-541

notified LR 20 November 2008 commenced 21 November 2008 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Residential Zones Code) Notice 2008 (No 2) NI2008-542

notified LR 20 November 2008 commenced 21 November 2008 (LA s 73 (2) (a))

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### Planning and Development (Technical Plan Variation—Error Variation) Notice 2008 (No 3) NI2008-590

notified LR 18 December 2008 commenced 19 December 2008 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Belconnen District) Notice 2009 NI2009-6

notified LR 8 January 2009 commenced 9 January 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Macgregor) Notice 2009 NI2009-17

notified LR 15 January 2009 commenced 16 January 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Error Variation) Notice 2009 NI2009-37

notified LR 5 February 2009 commenced 6 February 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Residential Zones Code) Notice 2009 NI2009-38

notified LR 5 February 2009 commenced 6 February 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Boundary Changes) Notice 2009 NI2009-59

notified LR 12 February 2009 commenced 13 February 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Forde) Notice 2009 NI2009-70

notified LR 26 February 2009 commenced 27 February 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Error Variation) Notice 2009 (No 2) NI2009-99

notified LR 19 March 2009 commenced 20 March 2009 (LA s 73 (2) (a))

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#### Variation to the Territory Plan No 261

(as notified in Planning and Development (Plan Variation No 261) Notice 2009 NI2009-107) commenced 17 April 2009 (CN2008-10)

#### Variation to the Territory Plan No 296

(as notified in Planning and Development (Plan Variation No 296) Notice 2009 NI2009-108) commenced 17 April 2009 (CN2008-9)

#### Planning and Development (Technical Plan Variation—Gungahlin) Notice 2009 NI2009-181

notified LR 16 April 2009 commenced 17 April 2009 (LA s 73 (2) (a))

#### Planning and Development (Technical Plan Variation—Gungahlin) Notice 2009 (No 2) NI2009-199

notified LR 30 April 2009 commenced 1 May 2009 (LA s 73 (2) (a))

#### Planning and Development (Technical Plan Variation—Harrison) Notice 2009 NI2009-200

notified LR 30 April 2009 commenced 1 May 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Franklin) Notice 2009 NI2009-216

notified LR 14 May 2009 commenced 15 May 2009 (LA s 73 (2) (a))

#### Planning and Development (Technical Plan Variation—Macgregor) Notice 2009 (No 2) NI2009-217

notified LR 14 May 2009 commenced 15 May 2009 (LA s 73 (2) (a))

#### Planning and Development (Technical Plan Variation—Harrison) Notice 2009 (No 2) NI2009-237

notified LR 21 May 2009 commenced 22 May 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Casey) Notice 2009 NI2009-238

notified LR 21 May 2009 commenced 22 May 2009 (LA s 73 (2) (a))

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#### Planning and Development (Technical Plan Variation—Franklin) Notice 2009 (No 2) NI2009-254

notified LR 4 June 2009 commenced 5 June 2009 (LA s 73 (2) (a))

#### Planning and Development (Technical Plan Variation—Dunlop) Notice 2009 NI2009-255

notified LR 4 June 2009 commenced 5 June 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Plan Variation—Forde) Notice 2009 (No 2) NI2009-256

notified LR 4 June 2009 commenced 5 June 2009 (LA s 73 (2) (a))

## Planning and Development (Technical Amendment—Harrison and Flemington Road Corridor Concept Plan) Plan Variation 2009 (No 1) NI2009-272

notified LR 18 June 2009 commenced 19 June 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Amendment—Macgregor West Precinct Code) Plan Variation 2009 (No 1) NI2009-321

notified LR 9 July 2009 commenced 10 July 2009 (LA s 73 (2) (a))

# Planning and Development (Technical Amendment—Residential Zones Codes and WaterWays General Code) Plan Variation 2009 (No 1) NI2009-322

notified LR 9 July 2009 commenced 10 July 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Amendment—Duffy) Plan Variation 2009 NI2009-323

notified LR 16 July 2009 commenced 17 July 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Amendment—Error) Plan Variation 2009 (No 1) NI2009-324

notified LR 9 July 2009 commenced 10 July 2009 (LA s 73 (2) (a))

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### Planning and Development (Technical Amendment—Kingston) Plan Variation 2009 NI2009-338

notified LR 16 July 2009 commenced 17 July 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Amendment—Access and Mobility General Code) Plan Variation 2009 (No 1) NI2009-342

notified LR 23 July 2009 commenced 24 July 2009 (LA s 73 (2) (a))

#### Variation to the Territory Plan No 288

(as notified in Planning and Development (Plan Variation No 288) Notice 2009 NI2009-391) commenced 4 September 2009 (CN2009-12)

### Planning and Development (Technical Amendment—Miscellaneous Amendments) Plan Variation 2009 (No 1) NI2009-392

notified LR 20 August 2009 commenced 21 August 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Amendment—Bonner) Plan Variation 2009 NI2009-409

notified LR 27 August 2009 commenced 28 August 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Amendment—Franklin) Plan Variation 2009 (No 1) NI2009-410

notified LR 27 August 2009 commenced 28 August 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Amendment—Griffith) Plan Variation 2009 NI2009-418

notified LR 3 September 2009 commenced 4 September 2009 (LA s 73 (2) (a))

# Planning and Development (Technical Amendment—Residential Zones Development Codes and Other Codes) Plan Variation 2009 (No 1) NI2009-487

notified LR 1 October 2009 commenced 2 October 2009 (LA s 73 (2) (a))

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### Planning and Development (Technical Amendment—Single Dwelling Housing Development Code) Plan Variation 2009 (No 1) NI2009-488

notified LR 1 October 2009 commenced 2 October 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Amendment—Hume) Plan Variation 2009 NI2009-570

notified LR 12 November 2009 commenced 13 November 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Amendment—Macgregor) Plan Variation 2009 NI2009-617

notified LR 3 December 2009 commenced 4 December 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Amendment—Bonner) Plan Variation 2009 (No 2) NI2009-618

notified LR 3 December 2009 commenced 4 December 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Amendment—Nicholls) Plan Variation 2009 NI2009-619

notified LR 3 December 2009 commenced 4 December 2009 (LA s 73 (2) (a))

### Planning and Development (Technical Amendment—Miscellaneous Amendments) Plan Variation 2010 (No 1) NI2010-21

notified LR 21 January 2010 commenced 22 January 2010 (LA s 73 (2) (a))

# Planning and Development (Technical Amendment—Changes to concept plans (Flemington Road corridor, Coombs and Wright) and various code and miscellaneous changes) Plan Variation 2010 NI2010-22

notified LR 21 January 2010 commenced 22 January 2010 (LA s 73 (2) (a))

### Planning and Development (Technical Amendment—Changes to a commercial code and general codes) Plan Variation 2010 NI2010-23

notified LR 21 January 2010 commenced 22 January 2010 (LA s 73 (2) (a))

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#### 4 Amendment history

Maps

reloc NI2008-590 R13 Australian Capital

Territory sub NI2008-201; NI2008-290; NI2008-298; NI2008-328;

NI2008-336; variation No 289; NI2008-499; NI2008-516; variation No 281; NI2009-6; NI2009-17; NI2009-59; NI2009-70; variation No 261; NI2009-181; NI2009-199; NI2009-200; NI2009-216; NI2009-217; NI2009-237; NI2009-238; NI2009-254; NI2009-255; NI2009-256; NI2009-272; NI2009-323; NI2009-338; NI2009-409; NI2009-410; variation No 288; NI2009-418; NI2009-570; NI2009-617; NI2009-618; NI2009-619; NI2010-21; NI2010-22

Belconnen sub NI2008-298; NI2008-328; variation No 289; variation

No 281; NI2009-6; NI2009-17; NI2009-59; NI2009-217;

NI2009-255; NI2009-617

Canberra Central

District sub NI2008-336; variation No 281; NI2009-59; variation

No 261; NI2009-338; NI2009-418; NI2010-22

Gungahlin sub NI2008-201; NI2008-336; NI2008-499; NI2008-516;

NI2009-59; NI2009-70; NI2009-181; NI2009-199; NI2009-200;

NI2009-216; NI2009-237; NI2009-238; NI2009-254; NI2009-256; NI2009-272; NI2009-409; NI2009-410;

NI2009-618; NI2009-619

Molonglo sub NI2009-6; NI2009-323

Tuggeranong, Hume

and Tharwa sub NI2009-570; sub NI2010-22

Woden Valley and

Weston Creek sub NI2008-290; variation No 281; NI2009-6; NI2009-323;

variation No 288

#### 1.1 Governance

Future Urban Areas Development

Codes sub NI2010-22

#### 3.1 RZ1 – RZ5 Objectives and Development Tables

RZ1 – Suburban Zone Minimum Assessment Track Merit am NI2009-37 Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

#### RZ2 – Suburban Core Zone Minimum Assessment Track

Merit am NI2009-37

page 10 Territory Plan 2008 R35 Effective: 22/01/10 22/01/10 Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

#### RZ3 - Urban Residential Zone

Minimum Assessment Track
Merit am NI2009-37
Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

#### RZ4 - Medium Density Residential Zone

Minimum Assessment Track Merit am NI2009-37 Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

#### RZ5 - High Density Residential Zone

Minimum Assessment Track

Merit am NI2008-590; NI2009-37

Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

#### 3.2 Residential Zones – Single Dwelling Housing Development Code

Introduction am NI2008-542; NI2009-38; NI2009-488; NI2010-22

#### Part A(1) - RZ1 - Suburban Zone

Element 1

Item 1.1 hdgsub NI2008-289R1, C1sub NI2008-289R1am NI2009-487Element 2sub NI2008-542Item 2.1sub NI2008-542Item 2.2am NI2009-324

Part A(2) - RZ2 - Suburban Core Zone

Element 2

Item 2.1 sub NI2008-542

Item 2.2

R4

R6 am NI2009-324 Item 2.3 hdg sub NI2008-289 Item 2.3 sub NI2008-542 R6A, C6A ins NI2008-289

sub NI2009-487

sub NI2009-487

Element 4

Item 4.1 sub NI2008-542

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#### Part A(3) - RZ3 - Urban Residential Zone

Element 2

Item 2.1 sub NI2008-542

Item 2.2

R9 am NI2009-324

#### Part A(4) - RZ4 - Medium Density Residential Zone

Element 2

Item 2.1 sub NI2008-542

Item 2.2

R11 am NI2009-324

#### Part A(5) - RZ5 - High Density Residential Zone

Element 2 Item 2.2

R13 am NI2009-324

#### Part B - General Development Controls

Element 1

 Item 1.1 hdg
 sub NI2008-289

 R14, C14
 sub NI2008-289

 R14
 am NI2009-487

Element 2

Item 2.1 hdg om R16 R15, C15 om NI2009-38

Item 2.2

C16 sub NI2009-38 Item 2.3 hdg sub NI2008-289 R17, C17 sub NI2008-289 Item 2.4 hdg sub NI2008-289 R18, C18 sub NI2008-289

Item 2.7

hdg ins NI2009-488 R20A ins NI2009-488

Item 2.8

hdg ins NI2009-488 R20B ins NI2009-488

Element 6 Item 6.1

R21 am NI2008-290

Item 6.2

R23, C23 sub NI2008-542

Element 7

Item 7.1 hdg sub NI2008-289

R26, C26 sub NI2008-289, NI2008-542

page 12 Territory Plan 2008 R35 Effective: 22/01/10 22/01/10 C26 am NI2009-392 Item 7.2 hdg om NI2008-289 R27, C27 om NI2008-289 Item 7.3 hdg sub NI2008-289

renum as 7.2 NI2008-541

R28, C28 sub NI2008-289; NI2008-542; NI2009-38

#### Part C – Development Type Controls

am NI2008-542; NI2009-488 Introduction

Part C(1) - Single Dwelling Housing Introduction am NI2009-488

Element 2

Table 1 sub NI2008-290 am NI2008-541

sub NI2008-290 Table 2 Table 3 am NI2008-541 Table 4, note sub NI2008-542 Item 2.3 hdg sub NI2008-542 R32, C32 sub NI2008-542 Figure C1, C2, C3 am NI2008-290

sub NI2008-542

Figure C3 am NI2009-324 Item 2.4 hdg ins NI2009-38 R32A, C32A ins NI2009-38

Item 2.5

ins NI2009-488 hdq R32B ins NI2009-488

Element 3 Item 3.2

R36 am NI2008-541

Element 4

R40 am NI2009-38 R41 om NI2009-38 R 44, C44 sub NI2008-289

am NI2009-38

Element 5

R49, C49 sub NI2008-289

Element 6

Item 6.1 hdg sub NI2008-289 R51 sub NI2008-289 am NI2008-541

sub NI2009-487

R52 sub NI2008-289; NI2009-487

R35 Territory Plan 2008 22/01/10 Effective: 22/01/10

R53 sub NI2008-289 am NI2009-99 om NI2009-487

### Part C(2) – Single Dwelling Housing – Additional Controls for Deakin and Forrest

Element 2

 Item 2.2 hdg
 am NI2009-392

 Item 2.3 hdg
 am NI2008-290

 Item 2.4 hdg
 am NI2008-290

#### Part C(3) - Single Dwelling Housing - Compact Blocks in New Estates

hdg sub NI2008-542 Introduction am NI2008-542

Element 2

R60 am NI2009-38 Item 2.2 hdg sub NI2009-38 Item 2.3 hdg am NI2008-290 R62 sub NI2009-322

Item 2.4

R63 sub NI2009-322

Item 2.6

sub NI2009-322

Item 2.7

R65

hdg ins NI2009-488 R65A ins NI2009-488

Element 3

Item 3.2 sub NI2009-322

Element 4

Intent am NI2008-541

Item 4.2

R70 sub NI2009-322

Element 6

Item 6.1

R78 am NI2008-541

Element 7

R79 sub NI2009-38 R80 sub NI2009-38

### Part C(4) – Single Dwelling Housing – Midsized Blocks (>250 – 500m²) in New Estates

Introduction ins NI2009-488

Element 2

Intent ins NI2009-488

Item 2.1

hdg ins NI2009-488

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R81, C81	ins NI2009-488
Figure A4	ins NI2009-488
Item 2.2	
hdg	ins NI2009-488
R82, C82	ins NI2009-488
Table 1	ins NI2009-488
Item 2.3	
hdg	ins NI2009-488
R83, C83	ins NI2009-488
Table 2	ins NI2009-488
Fig C(4)	ins NI2009-488
Fig C5	ins NI2009-488
Table 3	ins NI2009-488
Fig C6	ins NI2009-488
Fig C7	ins NI2009-488
Item 2.4	
hdg	ins NI2009-488
R84, V84	ins NI2009-488
Element 3	
Intent	ins NI2009-488
Item 3.1	
hdg	ins NI2009-488
R85, C85	ins NI2009-488
Element 5	
Intent	ins NI2009-488
Item 5.2	
hdg	ins NI2009-488
R86, C86	ins NI2009-488
R87, C87	ins NI2009-488

#### 3.3 Residential Zones – Multi Unit Housing Development Code Part A(1) – RZ1 – Suburban Zone

Introduction am NI2008-290; NI2010-22

Element 1

 Item 1.1 hdg
 sub NI2008-289

 R1, C1
 sub NI2008-289

 am NI2009-38
 sub NI2008-289

 R2, C2
 sub NI2008-289

 am NI2009-38
 sub NI2008-542

 Element 2
 sub NI2009-38

 Item 2.1 hdg
 sub NI2008-542

 Item 2.1 hdg
 sub NI2009-38

 Item 2.1
 sub NI2008-542

 R5
 am NI2008-590

 Item 2.2
 sub NI2008-542

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R7	am NI2009-324
R8	am NI2009-38
R9	am NI2009-38
Figure A1 note	am NI2009-38

#### Part A(2) - RZ2 - Suburban Core Zone

Element 1

Item 1.1 hdg sub NI2008-289 R10, C10 sub NI2008-289 am NI2009-38 Item 1.1 sub NI2008-542 R11 am NI2009-322 Item 1.3 hdg sub NI2008-289 R12, C12 sub NI2008-289 Element 2 Item 2.1 hdg sub NI2009-38 Item 2.1 sub NI2008-542

Item 2.2

am NI2009-324 R14

Item 2.3

R15 am NI2009-38 R16 am NI2009-38 am NI2009-38 Figure A2 note

Element 4

R17 am NI2009-38

#### Part A(3) - RZ3 - Urban Residential Zone

Element 2

Item 2.1 hdg sub NI2009-38 Item 2.1 sub NI2008-542 R19 am NI2009-324 R20 am NI2009-38 am NI2009-38 Figure A3 note

#### Part A(4) - RZ4 - Medium Density Residential Zone

Element 2

Item 2.1 hdg sub NI2008-289 R21, C21 sub NI2008-289 Item 2.1 sub NI2008-542 Item 2.2 hdg sub NI2009-38 am NI2009-38 R24 Note am NI2009-38

#### Part A(5) - RZ5 - High Density Residential Zone

Element 2

sub NI2008-289 Item 2.1 hdg R25, C25 sub variation No 288 R26, C26 sub NI2008-289

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#### Part C – Development Type Controls

sub NI2008-289 am NI2009-392

sub NI2008-289

sub NI2008-289

Introduction am NI2009-38

R50, C50

Item 7.3 hdg R52, C52

C50

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Part C(1) – Multi Unit Housing				
Element 2				
Table 1	sub NI2008-290			
	am NI2008-541			
Table 2	sub NI2008-290			
	am NI2008-541			
Table 4, note	sub NI2008-542			
Item 2.3 hdg	sub NI2008-542			
R56, C56	sub NI2008-542			
Figure C1	am NI2008-290			
	sub NI2008-542			
	342 : 112000 0 :2			
Element 3				
Item 3.3				
R63	am NI2008-590; NI2009-38			
R68, C68	sub NI2008-542			
R69, C69	sub NI2008-542			
R69	am NI2010-22			
Figure C1A	ins NI2008-542			
Item 3.4	IIIS INI2000-342			
R70	am NI2009-487			
IX70	am 1112009-407			
Element 4				
Item 4.1				
R72	am NI2008-541; NI2009-38			
R73	om NI2009-38			
Item 4.2	0111 N12009-36			
	am NI2000 200			
R80, C80	om NI2008-289			
R81, C81	sub NI2008-289			
R81	am NI2009-99; NI2009-322			
R84, C84	sub NI2008-542			
Element 5				
Item 5.2				
C87	sub NI2010-22			
Item 5.3				
R88, C88	sub NI2008-289			
R89, C89	sub NI2008-289			
R89	am NI2009-322			
R90, C90	sub NI2008-289			

Part C(2) – Multi Unit Housing – Additional Controls for Deakin and Forrest Element 2

Item 2.2 hdg sub NI2008-541 Item 2.3 hdg sub NI2008-541

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### Part C(3) – Multi Unit Housing – Inner North Canberra and Gungahlin District - RZ3 and RZ4 Zones

Element 2

Item 2.3 sub NI2008-542 Item 2.4 sub NI2008-542

Element 3

Item 2.2

R128 am Ni2010-22

Item 3.4

R129 am NI2008-541 sub NI2009-487

Item 3.5

R132 am NI2009-324

Element 4

Item 4.1

R135 am NI2009-324

Element 5

Item 5.2

C147 sub NI2010-22

### Part C(5) – Multi Unit Housing – Other Areas – RZ4 and RZ5 Zones and All Areas in the Commercial Zones

Element 3 Item 3.1

R205 sub NI2009-487

Element 5

Item 5.3

C224 sub NI2010-22

Item 5.5

R228 am NI2010-22

#### Part C(6) - Subdivision of dual occupancy housing development

hdg ins NI2009-487 Introduction ins NI2009-487 Element 1 ins NI2009-487 Item 1.1

item 1.1

hdg ins NI2009-487 R247A, C247A ins NI2009-487

Item 1.2

hdg ins NI2009-487 R247B, C247B ins NI2009-487

Item 1.3

hdg ins NI2009-487 R247C, C247C ins NI2009-487

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### Part D – Development Type Controls-Other forms of Residential Development and Non-Residential Development

Element 1 Item 1.6

R260 sub NI2008-542 R261 sub N2008-542

Item 1.13

hdg ins NI2009-487 C268 ins NI2009-487

#### 4.1 CZ1 – CZ6 Objectives and Development Tables

#### CZ1 - Core Zone

Minimum Assessment Track

Merit am NI2009-37; NI2009-324; NI2010-22

Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392; NI2010-22

Other Codes am NI2010-22

#### CZ2 - Business Zone

Minimum Assessment Track

Merit am NI2009-37; NI2009-324; NI2010-22

Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

Other Codes am NI2010-22

#### CZ3 - Services Zone

Minimum Assessment Track

Merit am NI2009-37; NI2009-324; NI2010-22

Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

Other Codes am NI2010-22

#### CZ4 - Local Centres Zone

Minimum Assessment Track

Merit am variation No 281; NI2009-37; NI2009-324; NI2010-22

Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

Other Codes am NI2010-22

#### CZ5 - Mixed Use Zone

Minimum Assessment Track

Merit am NI2009-37; NI2009-324; NI2010-22

Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

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#### CZ6 - Leisure and Accommodation Zone

Minimum Assessment Track

Merit am Variation No 293; NI2009-37; NI2010-22

Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

Fig 5

Narrabundah sub Variation No 293

#### 4.2 City Centre Development Code

Introduction am NI2010-22

Part A (1) - City Centre - CZ1 Core Zone

Element 2

R34 am NI2008-290

#### Part A (3) - City Centre - CZ3 Services Zone - Braddon

Element 1

 Item 1.1 hdg
 sub NI2008-290

 R41, C41
 sub NI2008-290

 R42, C42
 sub NI2008-290

 R43, C43
 sub NI2008-290

 R44, C44
 sub NI2008-290

 Figure A12
 sub NI2008-290

#### Part B - General Development Controls

Element 1

Item 1.3

R59A ins NI2010-22

Element 2

Item 2.3 C62

sub NI2009-38

Element 3

Item 3.6

hdg ins NI2009-487 C68A ins NI2009-487

Element 5

Item 5.4

C82 sub NI2010-22

Element 6

Item 6.1

R83 am NI2008-541 sub NI2009-487

R84, C84 sub NI2009-487 R85, C85 sub NI2009-487 R86, C86 sub NI2009-487

Element 7

Item 7.1

R99 am NI2009-38

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#### 4.3 Town Centres Development Code

Introduction am NI2010-22

Part A – Town Centres – Overview

Figure A1 sub variation No 289

Part A(3) – CZ3 Services Zone

Element 3

Figure A5 sub variation No 289

#### Part B - General Development Controls

Element 1 Item 1.3

> am NI2008-541 ins NI2010-22

R61A Element 2

....

Item 2.3

R61

C64

sub NI2009-38

Element 3

Item 3.5

hdg ins NI2009-487 C68A ins NI2009-487

Element 5

Item 5.4

C82 sub NI2010-22

Element 6

Item 6.1 R83

am NI2008-541

sub NI2009-487

R84, C84 sub NI2009-487 R85, C85 sub NI2009-487 R86, C86 sub NI2009-487

Element 7

Item 7.1

R99 am NI2009-38

#### 4.4 Group Centres Development Code

Introduction am NI2010-22

Part A – Group Centres – Overview

Fig A11 sub NI2010-22

Part A(2) – CZ2 Business Zone

Element 1

Item 1.1

R11 sub NI2010-22

Item 1.2

R12 am NI2008-541

Item 1.4

R15 am NI2008-541

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#### Part A(3) - CZ3 Services Zone

Element 1 Item 1.1

R23 am NI2010-22 C23 sub NI2010-22

#### Part B - General Development Controls

Element 1 Item 1.3

R34 am NI2008-541 R34A ins NI2010-22

Element 2 Item 2.3

C37 sub NI2009-38

Element 3 Item 3.5

hdg ins NI2009-487 C42A ins NI2009-487

Element 5

Item 5.4

sub NI2010-22

C56 Element 6 Item 6.1

R57 am NI2008-541

sub NI2009-487

R58, C58 sub NI2009-487 R59, C59 om NI2009-487 R60, C60 sub NI2009-487

Element 7

Item 7.1

R71 am NI2009-38

#### 4.5 Local Centres Development Code

Introduction am NI2010-22

#### Part A - General Development Controls

Element 1 Item 1.3

R5 am NI2008-541 R5A ins NI2010-22

Element 2

Item 2.5

C13 sub NI2009-38

Element 3

Item 3.5

hdg ins NI2009-487 C18A ins NI2009-487

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#### **Endnotes**

#### 4 Amendment history

Element 5 Item 5.1 C32 sub NI2010-22 Element 6 Item 6.1 R34 am NI2008-541 sub NI2009-487 R35, C35 sub NI2009-487 R36, C36 om NI2009-487 sub NI2009-487 R37, C37 Item 6.9 R47 sub NI2010-22 Element 7 Item 7.1 R48 am NI2009-38

#### 4.6 CZ2 Office Areas Outside Centres Development Code

Introduction am NI2010-22

#### Part A - General Development Controls

Element 1 Item 1.2

R4 am NI2008-541

Element 2

Item 2.5

C8 sub NI2009-38

Element 3

Item 3.5

hdg ins NI2009-487 C12A ins NI2009-487

Element 6

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R27 am NI2008-541

sub NI2009-487

R28, C28 sub NI2009-487 R29, C29 sub NI2009-487 R30, C30 sub NI2009-487

Element 7

Item 7.1

R43 am NI2009-38

#### Part B - General Development Controls

Element 1 Item 1.1

R53 am NI2008-541

sub NI2010-23

Item 1.3

R4A ins NI2010-22

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#### 4.7 CZ5 Mixed Use Zone Development Code

Introduction am NI2010-22

Part A - General Development Controls

Element 1

Item 1.2 R3A, C3A

ins Variation No 293

R4 am NI2008-541

Element 2

Item 2.4

C8 sub NI2009-38

Element 3

Item 3.5

hdg ins NI2009-487 C12A ins NI2009-487

Element 6

Item 6.1

R27 am NI2008-541 sub NI2009-487

R28, C28 sub NI2009-487 R29, C29 sub NI2009-487 R30, C30 sub NI2009-487

Element 7

Item 7.1

R43 am NI2009-38

#### 4.8 CZ6 Leisure and Accommodation Zone Development Code

Introduction am NI2010-22

Part A - General Development Controls

Element 1

Item 1.1

R2 am NI2008-541

Item 1.2

R5 am NI2008-541

Element 2

Item 2.5

C10 sub NI2009-38

Element 3

Item 3.5

hdg ins NI2009-487 C14A ins NI2009-487

Element 6

Item 6.1

R29 amNI2008-541 sub NI2009-487

R30, C30 sub NI2009-487 R31, C31 sub NI2009-487 R32, C32 sub NI2009-487

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R45 am NI2009-38

#### Part B - Site Specific Development Controls

Element 1

Item 1.4 hdg ins Variation No 293 R55A ins Variation No 293

#### 5.1 IZ1 – IZ2 Objectives and Development Tables

#### IZ1 - General Industrial Zone

Minimum Assessment Track Merit am NI2009-37 Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

#### IZ2 - Mixed Use Industrial Zone

Minimum Assessment Track

Merit am NI2009-37; NI2010-22

Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

#### 5.2 Industrial Zones Development Code Part A(2) – IZ2 – Industrial Mixed Use Zone

Element 1

R2 am NI2008-290

#### Part B - General Development controls

Element 1

Item 1.2 hdg am NI2010-22

Element 2 Item 2.3

R11, C11 am NI2008-590

Element 2

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R38 am NI2008-541

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R41, C41 sub NI2009-487

Element 7 Item 7.1

R50 am NI2009-38

#### 6.1 CFZ Objectives and Development Table

**CFZ Community Facility Zone** 

Minimum Assessment Track Merit am NI2009-37 Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

### 6.2 Community Facility Zone Development Code Part A – General Development Controls

Element 1

Item 1.3

R3 am NI2008-541

Item 1.6

hdg om NI2009-487 R7, C7 om NI2009-487

Element 2

Item 2.3

R10 am NI2009-38 C10 sub NI2009-38 R11 am NI2009-38 C11 sub NI2009-38

Element 2

Item 2.5 C12

sub NI2009-38

Element 3

Item 3.5

hdg ins NI2009-487 C18A ins NI2009-487

Element 6

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R28 am NI2008-541 sub NI2009-487

Item 6.2

R29, C29 sub NI2009-487 R30, C30 sub NI2009-487

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R31, C31 sub NI2009-487

Element 7

Item 7.1

R39 am NI2009-38

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### 7.1 PRZ1 – PRZ2 Objectives and Development Tables PRZ1 – Urban Open Space Zone

Minimum Assessment Track

Merit am NI2009-37; NI2009-99; NI2009-324

Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

#### PRZ2 - Restricted Access Recreation Zone

Minimum Assessment Track

Merit am NI2009-37; NI2009-324

Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

#### 7.2 Parks and Recreation Zones Development Code Part B – General Development Controls

Element 1

Item 1.3 ins NI2009-324

Element 2

Item 2.3

C15 sub NI2009-38

Element 6

Item 6.2

R32 am NI2008-541

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Item 6.3

R33, C33 sub NI2009-487 R34, C34 sub NI2009-487

Item 6.4

R35, C35 sub NI2009-487

Element 7

Item 7.1

R43 am NI2009-38

#### 8.1 TSZ1 – TSZ2 Objectives and Development Tables

#### TSZ1 - Transport Zone

Minimum Assessment Track Merit am NI2009-37 Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

#### TSZ2 – Services Zone

Minimum Assessment Track
Merit am NI2009-37
Prohibited Development table

am NI2008-541; NI2009-324; NI2009-392

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#### 8.2 Transport and Services Zone Development Code Part B – General Development Controls

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R33 am NI2009-38

### 9.1 NUZ1 – NUZ5 Objectives and Development Tables NUZ1 – Broadacre Zone Development Table

Minimum Assessment Track

Merit am NI2008-541; NI2009-37; NI2009-99

Prohibited development table

am NI2008-541; NI2009-324; NI2009-392

fig 7 Symonston

Area 'b' sub Variation No 285

#### NUZ2 - Rural Zone Development Table

Minimum Assessment Track

Merit am NI2008-290; NI2009-37

Prohibited development table

am NI2008-541; NI2009-324; NI2009-392

#### NUZ3 -Hills, Ridges and Buffer Zone Development Table

Title am NI2009-37 Minimum Assessment Track

Merit am variation No 281; NI2009-37; NI2009-99

Prohibited development table

am NI2008-541; NI2009-324; NI2009-392

#### **NUZ4** -River Corridor Zone Development Table

Objectives am NI2009-324 Minimum Assessment Track Merit am NI2009-37 Prohibited development table

NI2008-541; NI2009-324; NI2009-392

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#### NUZ5 - Mountains and Bushland Zone Development Table

Title am NI2009-37
Minimum Assessment Track
Merit am NI2009-37
Prohibited development table

NI2008-541; NI2009-324; NI2009-392

#### 9.2 Non-Urban Zones Development Code

Part A(1) - NUZ1 - Broadacre zone

Element 1 Item 1.1

C2 am NI2008-590 Part A(4) – NUZ4 – River corridor zone

Element 1 Item 1.1

C11 am NI2009-324

#### Part B - General Development Controls

Element 2 Item 2.3

C21 sub NI2009-38

Element 3 Item 3.4

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Element 7

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#### Part C(8) - Harman Industrial Area,

Jerrabomberra ins NI2008-290; renum as Part C(8) R4 LA

#### 10.1 Northbourne Avenue Precinct Code

Introduction am NI2010-22

#### Part B - General Development Controls

Element 2

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Element 5

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Element 7 Item 7.1

R73 am NI2009-38

#### 10.2 Rural Villages Precinct Code

Introduction am NI2010-22

Part A - Village of Hall

Figure 1 sub NI2008-290

#### Part B - Stromlo Settlement

Element 5

C33 am NI2028-290

#### Part D - Uriarra Village

Part D(1) hdg sub NI2010-22

Element 2 Item 2.1

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#### Part E - General Controls For All Villages

Element 1 Item 1.1

C51 sub NI2010-22

#### 10.3 Inner North Precinct Code

(prev 3.4) renum NI2010-22 R35

#### Part A - General Development Controls

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 Item 2.3 hdg
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#### Part C (4) - Turner

Element 2

 Item 2.1 hdg
 sub NI2008-358

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#### 11.1 Parking and Vehicular Access General Code

2.2 sub NI2010-23 2.3.2 am NI2010-23 2.4 hdg ins NI2010-23

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3.2.5 sch 2 am NI2008-290, NI2008-541; NI2010-22

3.5.5 sch 5 am NI2010-22

#### 11.3 Access and Mobility General Code

sub NI2009-342

Introduction am NI2008-541

Part A – General Development Controls

Element 1 Item 1.1

R2 sub NI2010-23 Figure 1 om NI2010-23 Part B – Additional Specific Controls

Element 2 Item 2.1

R12 am NI2010-23

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#### 11.4 Crime Prevention through Environmental Design General Code

Part A – General requirements

Element 3 Item 3.3

C10 am NI2008-541; NI2009-324

#### 11.8 Water Use and Catchment General Code

Part A – Conservation Catchments

Part A(2) - Policies

Element 2

Sch 2 am variation No 296

#### Part B - Water Supply Catchments

Part B(2) - Policies

Element 6

Sch 4 am variation No 296

#### Part C - Drainage and Open Space Catchments

Part C(2) - Policies

Element 11

Sch 6 am variation No 296

#### 11.10 WaterWays: Water Sensitive Urban Design General Code

2.4 - Acceptable solutions

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Stormwater quality am NI2009-322

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#### 11.12 Residential Boundary Fences General Code

Part A - General Controls

Element 2

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12 Overlays

Title am NI2008-541 Introduction am NI2008-541

Special Requirements of the National Capital Plan

12.1 am NI2008-290

Future Urban Areas

12.2 am NI2008-541

Precincts

12.6 am variation No 281

#### 13 Definitions

Part A Umbrella Term Commercial Accommodation Use am

NI2009-37

def Animal husbandry ins NI2008-590

def *Cemetery* am NI2009-37 def *Consolidation* ins NI2009-37 def *Guest house* am NI2009-37 def *Home business* sub NI2009-324 2nd occurrence om NI2009-324 def *Minor Use* sub NI2008-290

am NI2009-99

def *Outdoor Recreation Facility* am NI2008-541 def *Religious associated use* om NI2008-541 def *Residential Care Accommodation* am NI2009-37

def **Service station** sub NI2008-590

def Single dwelling housing reloc NI2009-37

def **Subdivision** am NI2009-99 def **Temporary Use** sub NI2008-290 def **Tourist Resort** sub NI2010-22 def **Transport Depot** om NI2009-37

Part B def *Articulation Zone* ins NI2008-541

def *Authority* sub NI2010-22 def *Dwelling* sub NI2010-22

def *Front loading block* sub NI2009-99 def *Front Zone* sub NI2008-290 def *Rear loading block* sub NI2009-99

#### 14 Structure Plans

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#### 14.1 West Belconnen

(prev 1.1) renum NI2008-590 R13

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14.2	Bruce Central Precinct (prev 1.2) renum NI2008-590 R13		
14.3	Kingston Foreshore (prev 1.3) renum NI2008-590 R13 General Objectives am NI2010-22		
14.4	North Watson (prev 1.4) renum NI2008-590 R13		
14.5	Gungahlin Town Centre and Central Area (prev 1.5) renum NI2008-590 R13		
14.6	Gungahlin: Part of Nicholls including Gold Creek Tourist Area (prev 1.6) renum NI2008-590 R13		
14.7	North Gungahlin (prev 1.7) renum NI2008-590 R13		
14.8	East Gungahlin – Suburbs of Kenny, Throsby, Part Harrison and Goorooyarroo Nature Reserve (prev 1.8) renum NI2008-590 R13		
14.9	Gungahlin – Suburb of Crace (prev 1.9) renum NI2008-590 R13		
14.10	Molonglo and North Weston (prev 1.10) renum NI2008-590 R13 ins variation No 281		
15	Concept Plans (prev 2) renum NI2008-590 R13		
15.1	<b>Bonner</b> (prev 2.1) renum NI2008-590 R13		
15.2	<b>Casey</b> (prev 2.2) renum NI2008-590 R13		
15.3	<b>Crace</b> (prev 2.3) renum NI2008-590 R13		
15.4	Forde (prev 2.4) renum NI2008-590 R13		
15.5	Macgregor (prev 2.5) renum NI2008-590 R13		
	<b>Dwelling Numbers</b> 5.9 sub NI2009-321		

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#### **Endnotes**

4	Amendment history		
15.6	Flemington Road Corridor (prev 2.6) renum NI2008-590 R13		
	2 – Flemington Road Concept Plan 2.4.13 Land Program sub NI2010-22		
	3 – Development Control Requirements sub NI2010-22		
	3.1.1 Building Height Controls am NI2009-272		
15.7	Ngunnawal 2C (prev 2.7) renum NI2008-590 R13		
15.8	<b>Jacka</b> (prev 2.8) renum NI2008-590 R13		
15.9	Moncrieff (prev 2.9) renum NI2008-590 R13		
15.10	North Weston (prev 2.10) ins variation No 281 renum NI2008-590 R13		
15.11	Coombs and Wright (prev 2.11) ins variation No 281 renum NI2008-590 R13 sub NI2010-22		
15.12	Wright (prev 2.12) ins variation No 281 renum NI2008-590 R13 om NI2010-22		
16	Development codes (prev 3) renum NI2008-590 R13		
16.1 Residential Subdivision Code (prev 3.1) renum NI2008-590 R13 am NI2009-38 Part B - Subdivision Development Code Introduction am NI2009-38 Part B(1) - Estate Development Plans supported by a Precinct Co Element 2 Item 2.8 hdg sub NI2009-324			
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#### Part B(2) - Additional requirements that apply when an Estate

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#### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 31 Mar 2008	31 Mar 2008– 17 Apr 2008	not amended	new instrument
R2 18 Apr 2008	18 Apr 2008– 5 June 2008	NI2008-123	variations by Variation No 285 (as notified in NI2008-123)
R3 6 June 2008	6 June 2008– 10 July 2008	NI2008-201	variations by NI2008-201
R4 11 July 2008	11 July 2008– 31 July 2008	NI2008-290	variations by NI2008-289 and NI2008-290
R5 1 Aug 2008	1 Aug 2008– 14 Aug 2008	NI2008-298	variations by NI2008-298

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R6 15 Aug 2008	15 Aug 2008– 28 Aug 2008	NI2008-336	variations by Variation No 293 (as notified in NI2008-219), NI2008-328 and NI2008-336
R7	29 Aug 2008–	NI2008-358	variations by
29 Aug 2008	4 Sept 2008		NI2008-358
R8 5 Sept 2008	5 Sept 2008– 30 Oct 2008	NI2008-358	variations by Variation No 289 (as notified in NI2008-339)
R9	31 Oct 2008–	NI2008-499	variations by
31 Oct 2008	6 Nov 2008		NI2008-499
R10	7 Nov 2008–	NI2008-516	variations by
7 Nov 2008	20 Nov 2008		NI2008-516
R11 21 Nov 2008	21 Nov 2008– 11 Dec 2008	NI2008-542	variations by NI2008-541 and NI2008-542
R12 12 Dec 2008	12 Dec 2008– 18 Dec 2008	NI2008-542	variations by Variation No 281 (as notified in NI2008-352)
R13	19 Dec 2008–	NI2008-590	variations by
19 Dec 2008	8 Jan 2009		NI2008-590
R14	9 Jan 2009–	NI2009-6	variations by
9 Jan 2009	15 Jan 2009		NI2009-6
R15	16 Jan 2009–	NI2009-17	variations by
16 Jan 2009	5 Feb 2009		NI2009-17
R16 6 Feb 2009	6 Feb 2009– 12 Feb 2009	NI2009-38	variations by NI2009-37 and NI2009-38
R17	13 Feb2009–	NI2009-59	variations by
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R18 27 Feb 2009	27 Feb 2009– 19 Mar 2009	NI2009-70	variations by NI2009-70
R19 20 Mar 2009	20 Mar 2009– 16 Apr 2009	NI2009-99	variations by NI2009-99
R20 17 Apr 2009	17 Apr 2009– 30 Apr 2009	NI2009-181	variations by Variation No 261 (as notified in NI2009-107), No 296 (as notified in NI2009-108) and NI2009-181
R21 1 May 2009	1 May 2009– 14 May 2009	NI2009-200	variations by NI2009-199 and NI2009-200
R22 15 May 2009	15 May 2009– 21 May 2009	NI2009-217	variations by NI2009-216 and NI2009-217
R23 22 May 2009	22 May 2009– 4 June 2009	NI2009-238	variations by NI2009-237 and NI2009-238
R24 5 June 2009	5 June 2009– 18 June 2009	NI2009-256	variations by NI2009-254, NI2009-255 and NI2009-256
R25 19 June 2009	19 June 2009– 9 July 2009	NI2009-272	variations by NI2009-272
R26 10 July 2009	10 July 2009– 16 July 2009	NI2009-324	variations by NI2009-321, NI2009-322 and NI200-324
R27 17 July 2009	17July 2009– 23 July 2009	NI2009-338	variations by NI2009-323 and NI2009-338
R28 24 July 2009	24 July 2009– 20 Aug 2009	NI2009-342	variations by NI2009-342

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R29 21 Aug 2009	21 Aug 2009– 27 Aug 2009	NI2009-392	variations by NI2009-392
R30 28 Aug 2009	28 Aug 2009– 3 Sept 2009	NI2009-410	variations by NI2009-409 and NI2009-410
R31 4 Sept 2009	4 Sept 2009– 1 Oct 2009	NI2009-418	variations by Variation No 288 (as notified in NI2009-391) and NI2009-418
R32 2 Oct 2009	2 Oct 2009– 12 Nov 2009	NI2009-488	variations by NI2009-487 and NI2009-488
R33 13 Nov 2009	13 Nov 2009– 3 Dec 2009	NI2009-570	variations by NI2009-570
R34 4 Dec 2009	4 Dec 2009– 21 Jan 2010	NI2009-619	variations by NI2009-617, NI2009-618 and NI200-619

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