

Australian Capital Territory

Planning and Development (Technical Amendment - Miscellaneous Amendments) Plan Variation 2009 (No 1)

NOTIFIABLE INSTRUMENT NI2009—392

Technical Amendment No 2009-29

made under the

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

This plan variation commences on the day after it is notified.

Variation No 2009–29 to the Territory Plan has been approved by the Planning and Land Authority

The variation specifies miscellaneous corrections to the Territory Plan as detailed in Attachment A.

Neil Savery
Planning and Land Authority
19 August 2009



Planning & Development Act 2007

Technical Amendment to the Territory Plan Variation 2009-29

Miscellaneous Amendments

August 2009

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1 INTRODUCTION

Outline of the process

The Commonwealth's *Australian Capital Territory (Planning and Land Management) Act 1988* allows for the Legislative Assembly to make laws to establish a Territory Planning Authority and for that Authority to prepare and administer a Territory Plan. The *Planning and Development Act 2007* (the Act) establishes the ACT Planning and Land Authority as the Authority which prepares and administers the Territory Plan, including continually reviewing and proposing amendments as necessary. Part 5.4 section 87 of the Act allows for technical amendments to be made to the Territory Plan in a number of circumstances.

This technical amendment is subject to approval of the ACT Planning and Land Authority (the Authority) under section 87(a) of the Act. It is not subject to the limited consultation requirements under section 90 of the Act. On approval, the variation will commence in accordance with the commencement notice in the Legislation Register and will be notified in a daily newspaper. The Territory Plan will be updated to reflect the changes that are approved in the technical amendment.

2. EXPLANATORY STATEMENT

Proposed Changes and Reasons

A. Development Tables in all Zones – Correction of note in PROHIBITED table and definition of Multi Unit Housing

All development tables require an amendment to the note contained in the PROHIBITED table to avoid any discrepancy between a use that could be considered as both prohibited and assessable development. For example in the Community Facility Zone Development Table, Supportive Housing is listed in the MERIT table. These uses also meet the definition for Multi Unit Housing or Single Dwelling Housing, however Multi Unit Housing and Single Dwelling Housing are both listed in the PROHIBITED table. (**Items 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29 & 30**)

B Single Dwelling Housing Development Code Part B Element 7 – Services C26 and Multi Unit Housing Development Code Part B Element 7 – Services C50

The reference to the *Development Control Code for Best Practice Water Management in the ACT* needs to be amended to refer to 'Waste' rather than 'Water' (as per the title of the item and the corresponding rule) (**Items 6 & 8**).

**C. Single Dwelling Housing Development Code Part C(2) Element 2
Building and Site Controls Section 2.2 Plot Ratio**

The title of Section 2.2 Plot Ratio includes a reference to an ‘additional control for RZ2’. This needs to be corrected to refer to the relevant rule (R6A) in Part A(2) relating to plot ratio. (*Item 7*).

D. NUZ1 Broadacre Zone Development Table, Prohibited list.

The site identifier for Jerrabomberra Blocks 182, 2100, 2099, 2000 and 2101 refers to Block 182, the old block identifier for the Canberra Abattoir site. This identifier needs to be substituted for 2223, the new block number. The related Figure 2 contains this new block number. (*Item 25*).

3. ERROR VARIATION

Variation to Residential Zones Development Tables

1 RZ1 Suburban Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

2 RZ2 Suburban Core Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

3 RZ3 Urban Residential Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

4 RZ4 Medium Density Residential Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

5 RZ5 High Density Residential Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

Variation to Residential Zones – Single Dwelling Housing Development Code

6 Residential Zones Single Dwelling Housing Development Code Part B Element 7 – Services C26

Omit 'Water' and substitute with the following

Waste

7 Residential Zones Single Dwelling Housing Development Code Part C(2) Element 2 Building and Site Controls 2.2 Plot Ratio title

Omit 'Additional Control for RZ2' and substitute with the following

A(2) R6A

Variation to Residential Zones – Multi Unit Housing Development Code

8 Residential Zones Multi Unit Housing Development Code Part B Element 7 – Services C50

Omit 'Water' and substitute with the following

Waste

Variation to Commercial Zones Development Tables

9 CZ1 Core Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

10 CZ2 Business Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

11 CZ3 Services Zone Development Table Prohibited Development

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

12 CZ4 Local Centre Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

13 CZ5 Mixed Use Zone Development Table Prohibited Development

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

14 CZ6 Leisure and Accommodation Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

Variation to Industrial Zone Development Tables

15 IZ1 General Industrial Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

16 IZ2 Industrial Mixed Use Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

Variation to Community Facility Zone Development Table

17 CFZ Community Facility Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

Variation to Parks and Recreation Zones Development Tables

18 PRZ1 Urban Open Space Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

19 PRZ2 Restricted Access Recreation Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

20 PRZ2 Restricted Access Recreation Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

21 PRZ2 Restricted Access Recreation Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

Variation to Transport and Services Zone Development Tables

22 TSZ1 Transport Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

23 TSZ2 Services Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

Variation to Non-Urban Zone Development Tables

24 NUZ1 Broadacre Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

25 NUZ1 Broadacre Zone Development Table Prohibited Site Identifier – Jerrabomberra Blocks 182, 2100, 2099, 2000, 2101

Omit '182' and substitute with the following

2223

26 NUZ2 Rural Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

27 NUZ3 Hills, Ridges and Buffer Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

28 NUZ4 River Corridor Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

29 NUZ5 Mountains and Bushland Zone Development Table Prohibited

Omit 'an ancillary use, minor use or temporary use as defined in 13 Definitions' and substitute with the following

listed elsewhere in the Development Table

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-għajjuna t'interpretu, ċempel:
PERSIAN	: اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
PORTUGUESE	Se você precisar da ajuda de um intérprete, telefone:
SERBIAN	Ако вам је потребна помоћ преводиоца телефонирајте:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacınız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

TRANSLATING AND INTERPRETING SERVICE

131 450

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