

Australian Capital Territory

Planning and Development (Technical Amendment—Greenway) Plan Variation 2018 (No 1)

Notifiable Instrument NI2018—178

Technical Amendment No 2018-06

made under the

Planning and Development Act 2007, section 89 (Making technical amendments) and section 96 (Effect of approval of estate development plan)

1 Name of instrument

This instrument is the *Planning and Development (Technical Amendment—Greenway) Plan Variation 2018 (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 Greenway plan variation is a technical amendment to the Territory Plan.

4 Meaning of *Greenway plan variation*

For this instrument:

Greenway plan variation means the technical amendment to the Territory Plan, variation 2018-06, in the schedule.

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

Fleur Flanery
Delegate of the planning and land authority
5 April 2018



Planning & Development Act 2007

**Technical
Amendment
to the Territory Plan
Variation 2018-06**

Amendments to the Greenway
Precinct Map and Code

April 2018

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1. INTRODUCTION

1.1 Purpose

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

Greenway Precinct Map and Code

- The Greenway Precinct Map and Code is amended to include ongoing provisions, as described in Part 3 of this document.

1.2 Public consultation

Under section 87 of the Planning and Development Act 2007 (the Act) this type of technical amendment is not subject to public consultation.

1.3 National Capital Authority

The National Capital Authority does not need to be advised of this technical amendment as per 1.2.

1.4 Process

This technical amendment has been prepared in accordance with section 87 and made in accordance with section 89 of the *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.

TA2018-06 has been prepared in accordance with section 87 (1) (c).

2. EXPLANATION

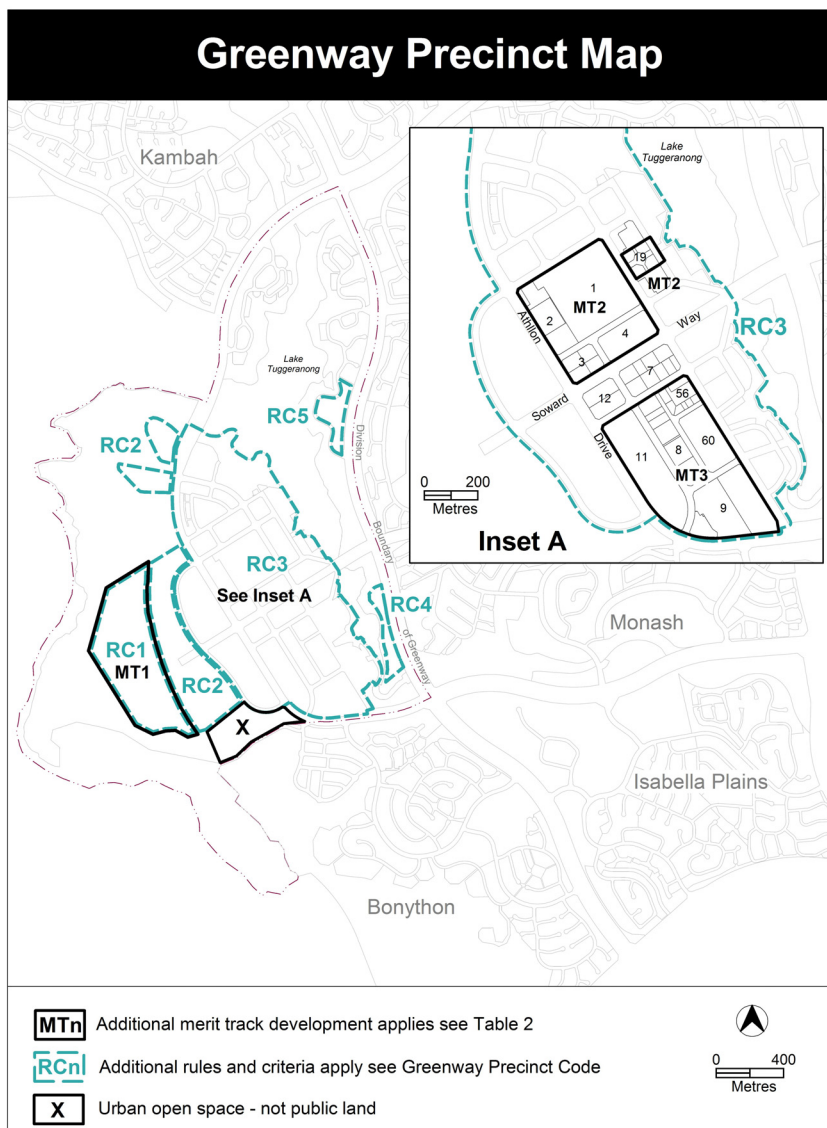
This part of the technical amendment document explains the changes to be made to the Territory Plan.

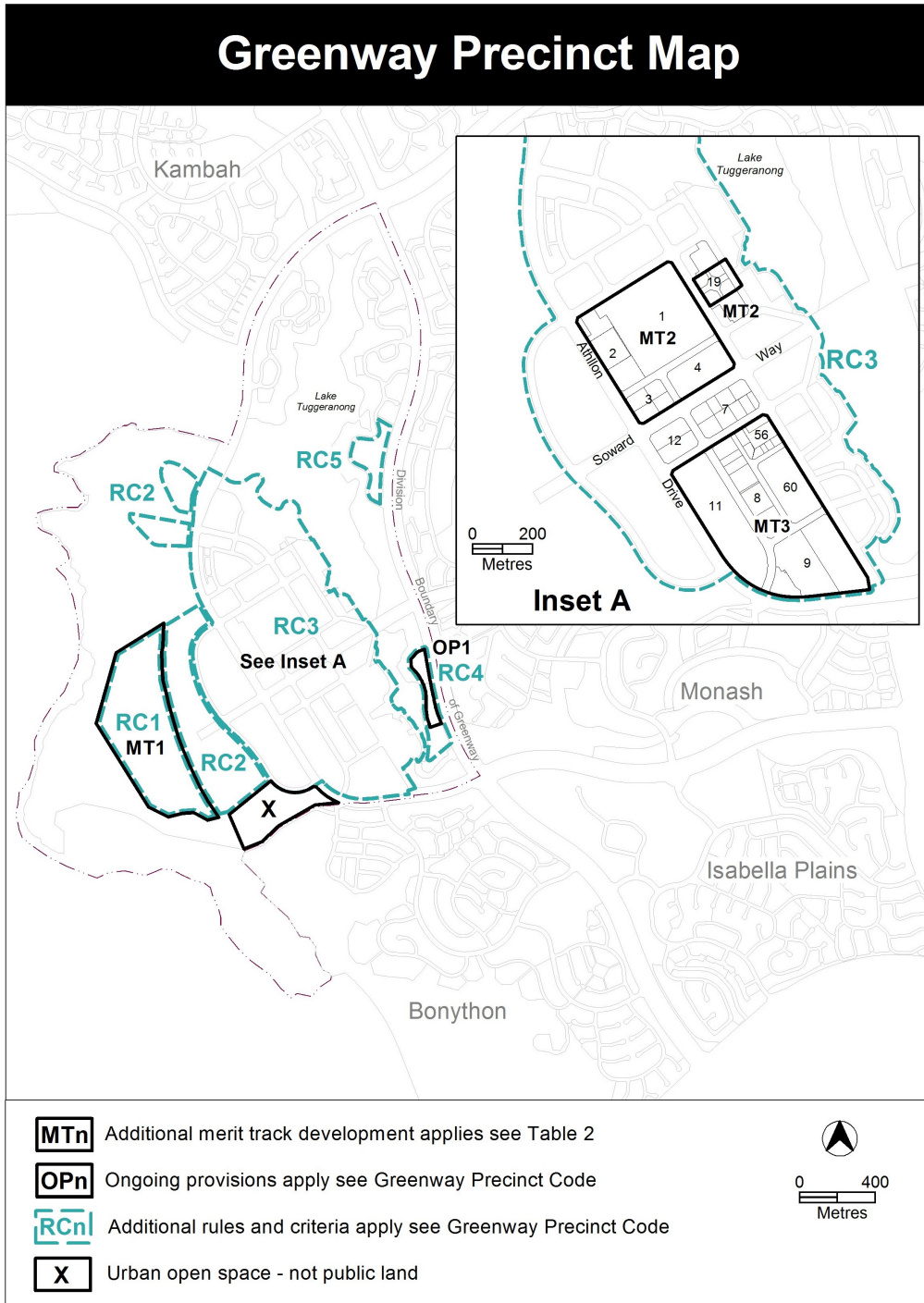
2.1 Greenway Precinct Map and Code

Variation to the Greenway Precinct Map and Code

The Greenway Precinct Map and Code is varied to incorporate rules and criteria and ongoing block specific provisions that are consistent with the approved estate development plan. The changes include amending the Greenway Precinct Map to show area OP1 (ongoing provisions), and amending the Greenway Precinct Code by adding two new rules relating to dwelling setbacks and a vehicle access exclusion zone. The new rules are detailed in Part 3 of this document.

Existing Greenway Precinct Map





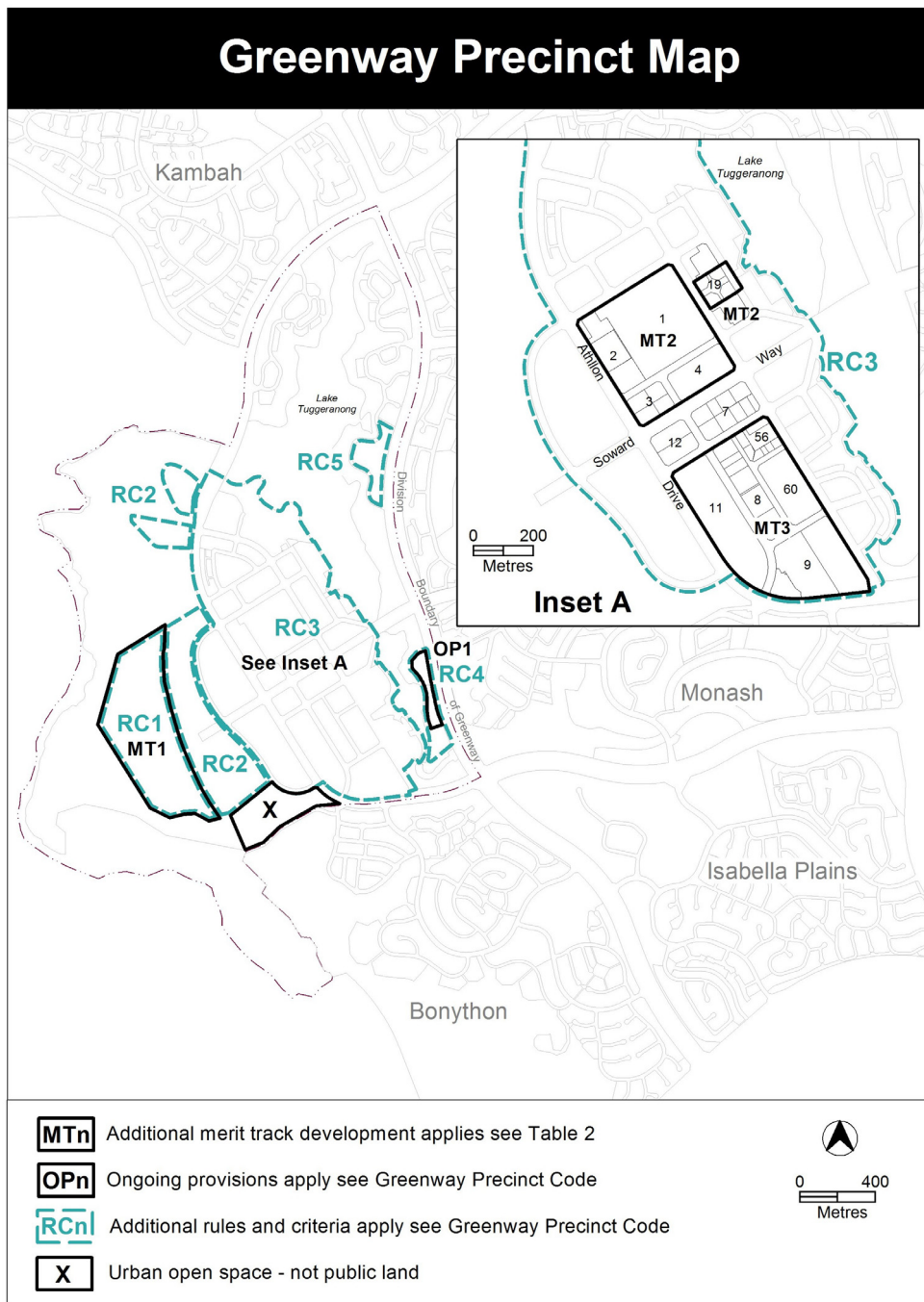
3. TECHNICAL AMENDMENT

This section of the technical amendment document provides the actual instructions for implementing the changes to the Territory Plan.

3.1 Greenway Precinct Map and Code

1. Greenway Precinct Map

Substitute



2. Greenway Precinct Code, RC4 - Lake side residential, Element 5: Built form, 5.1 Height of buildings, Rule R19

Insert after Rule R19

Rules	Criteria
5.2 Dwelling setbacks	
<p>R19A</p> <p>Dwellings are setback from boundaries as identified in Figure 5.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
5.3 Driveway exclusion zone	
<p>R19B</p> <p>This rule applies to blocks or parcels in locations identified in Figure 5.</p> <p>Vehicle access is not permitted within the driveway exclusion zone.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

3. Greenway Precinct Code, RC4 – Lakeside residential, Figure 5 – building heights

Substitute

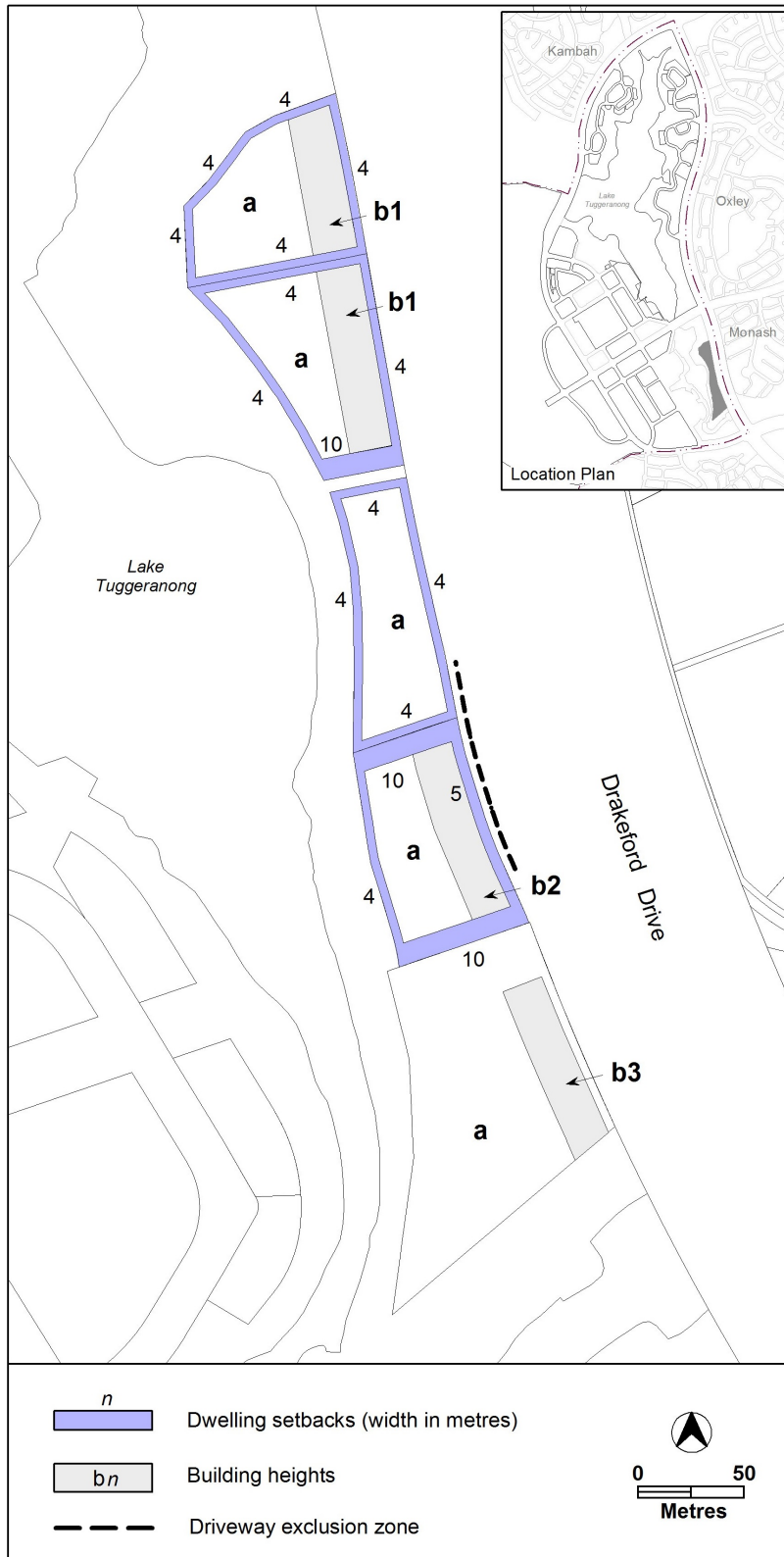


Figure 5 – Lakeside residential

4. Greenway Precinct Code, Element 8, Environment, Figure 6 – site, built form and environment

Insert after Figure 6

Other ongoing provisions

This part applies to blocks and parcels identified as ongoing provisions (OPn) in the Greenway Precinct Map. It should be read in conjunction with the relevant zone development code and related codes.

OP1 – Greenway residential area

This part applies to blocks and parcels identified in area OP1 shown on the Greenway Precinct Map.



Figure 7 – Greenway ongoing provisions

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ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajjnuna t'interpretu, ċempel:
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