

# Planning and Development (Technical Amendment—Denman Prospect) Plan Variation 2022 (No 1)

Notifiable instrument NI2022—317

Technical Amendment No 2022-02

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—Denman Prospect) Plan Variation 2022 (No 1)*.

## 2 Commencement

This instrument commences on 17 June 2022.

## 3 Technical amendment

I am satisfied under section 89 (1) (a) of the *Planning and Development Act 2007* (the *Act*) that the Denman Prospect plan variation is a technical amendment to the Territory Plan.

## 4 Dictionary

In this instrument:

***Denman Prospect plan variation*** means the technical amendment to the Territory Plan, variation 2022-02, in the schedule.

*Note* No consultation was required in relation to the Denman Prospect plan variation under section 87 of the Act.

Dianne Stewart  
Delegate of the planning and land authority  
14 June 2022



Planning & Development Act 2007

# **Technical Amendment to the Territory Plan Variation 2022-02**

Future urban area variation and changes to  
the Denman Prospect Precinct Map and Code

June 2022

# Table of Contents

1.	INTRODUCTION.....	4
1.1	Purpose.....	4
1.2	Public consultation .....	4
1.3	National Capital Authority.....	4
1.4	Process .....	4
1.5	Types of technical amendments under the Act .....	5
2.	EXPLANATION .....	6
2.1	Territory Plan Map.....	6
2.2	Denman Prospect Precinct Map and Code .....	8
3.	TECHNICAL AMENDMENT.....	11
3.1	Territory Plan Map.....	11
3.2	Denman Prospect Precinct Map and Code .....	12
3.3	Denman Prospect Precinct Map and Code .....	13
3.4	Denman Prospect Precinct Map and Code .....	14
3.5	Denman Prospect Precinct Map and Code .....	15
3.6	Denman Prospect Precinct Map and Code .....	16

# 1. INTRODUCTION

## 1.1 Purpose

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

### *Territory Plan Map*

- The Territory Plan map is varied to remove the future urban area overlay from land in the Division of Denman Prospect, as identified in Part 2 of this document.

### *Denman Prospect Precinct Map and Code*

- The Denman Prospect Precinct Map and Code is amended to include additional rules and criteria and ongoing provisions, as described in Part 2 of this document.

## 1.2 Public consultation

Under section 87 (1) (c) 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 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.

TA2022-02 has been prepared in accordance with section 87 (1) (c) of the Act.

## 2. EXPLANATION

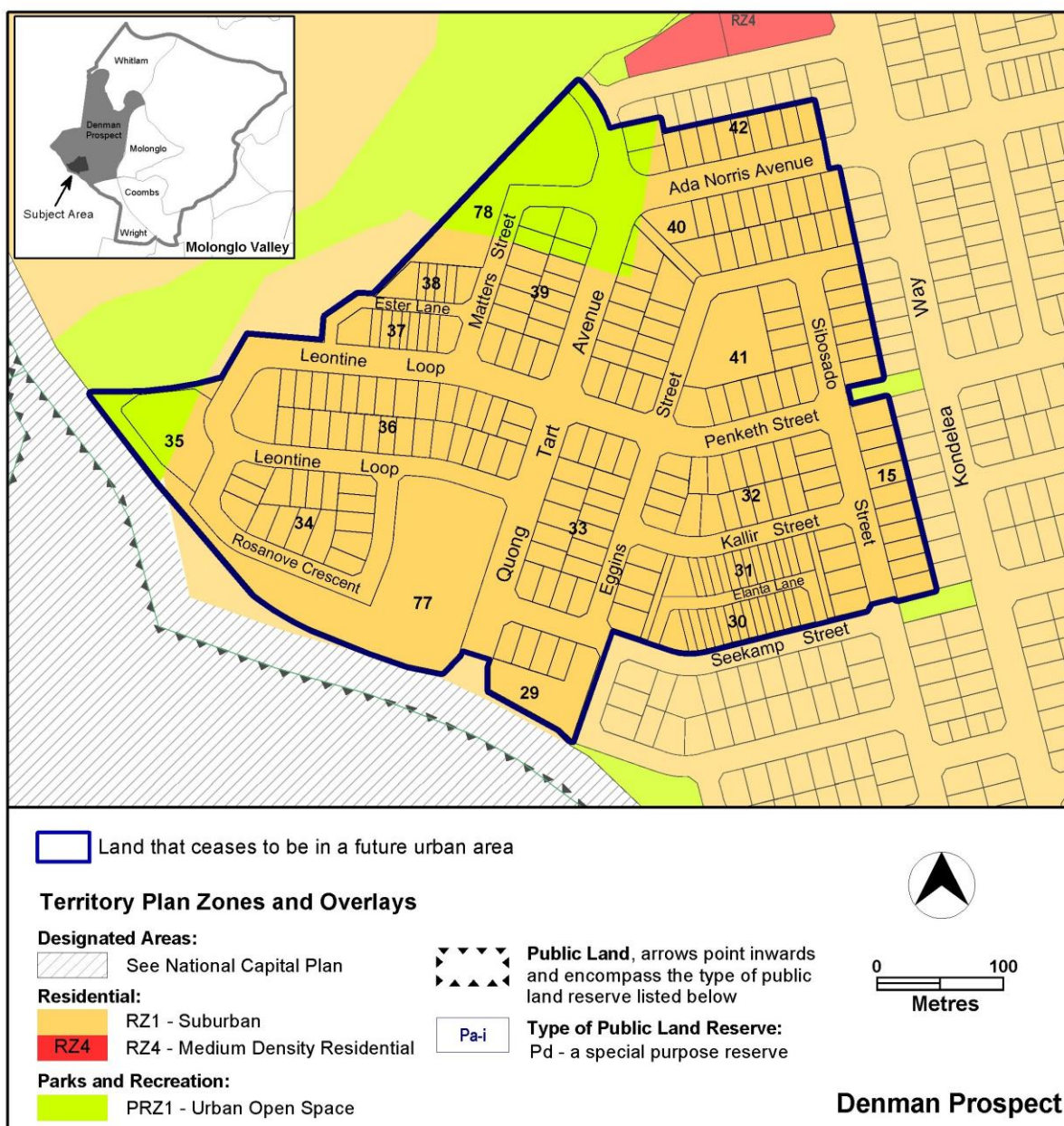
This part of the technical amendment document explains the changes to be made to the Territory Plan.

### 2.1 Territory Plan Map

#### Variation to the Territory Plan

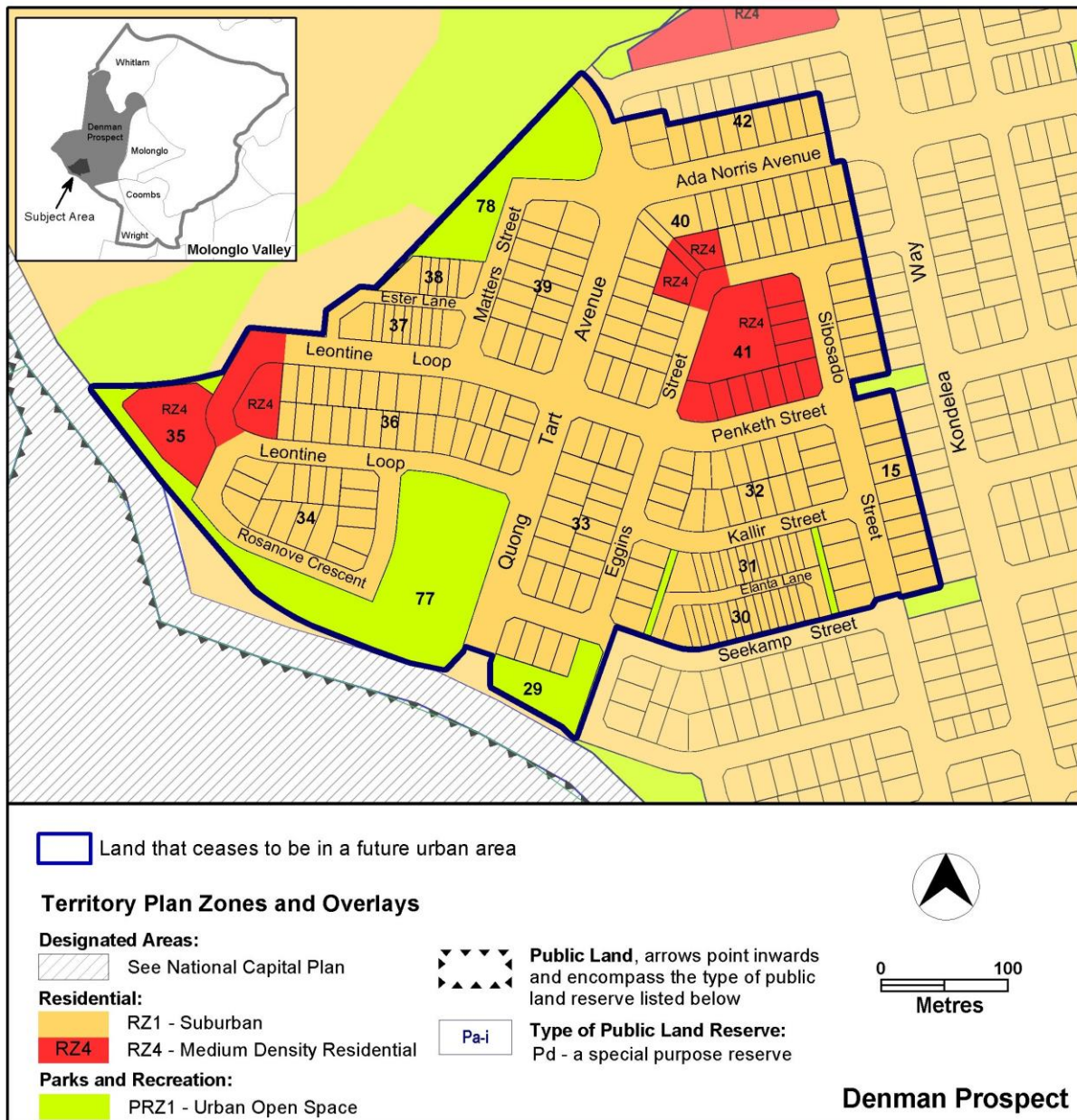
The Territory Plan map is varied to identify the zones and overlays that apply to land ceasing to be in a future urban area.

#### Existing Territory Plan Map





## Proposed Territory Plan Map



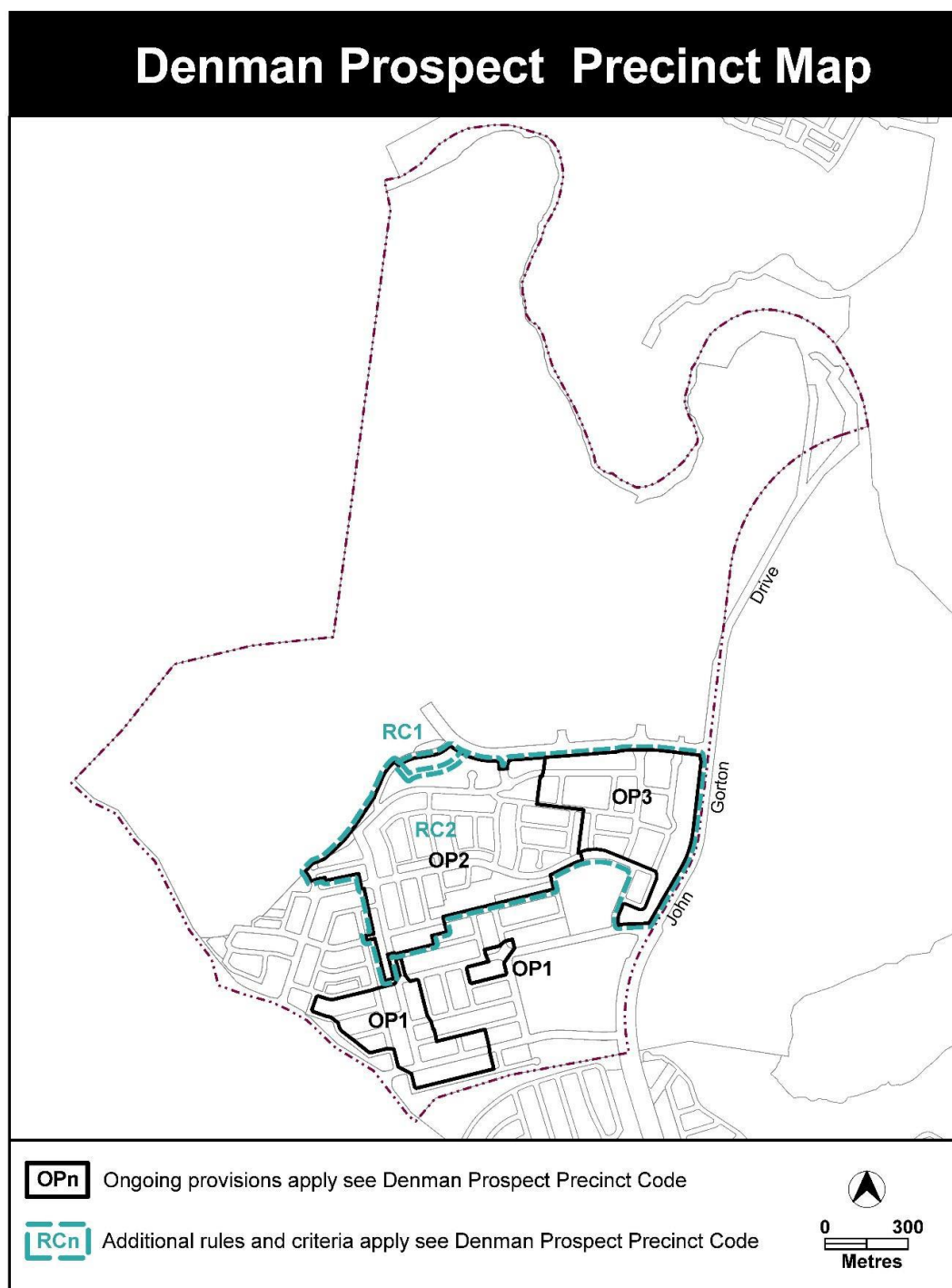
## 2.2 Denman Prospect Precinct Map and Code

### Variation to the Denman Prospect Precinct Map and Code

The Denman Prospect 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.

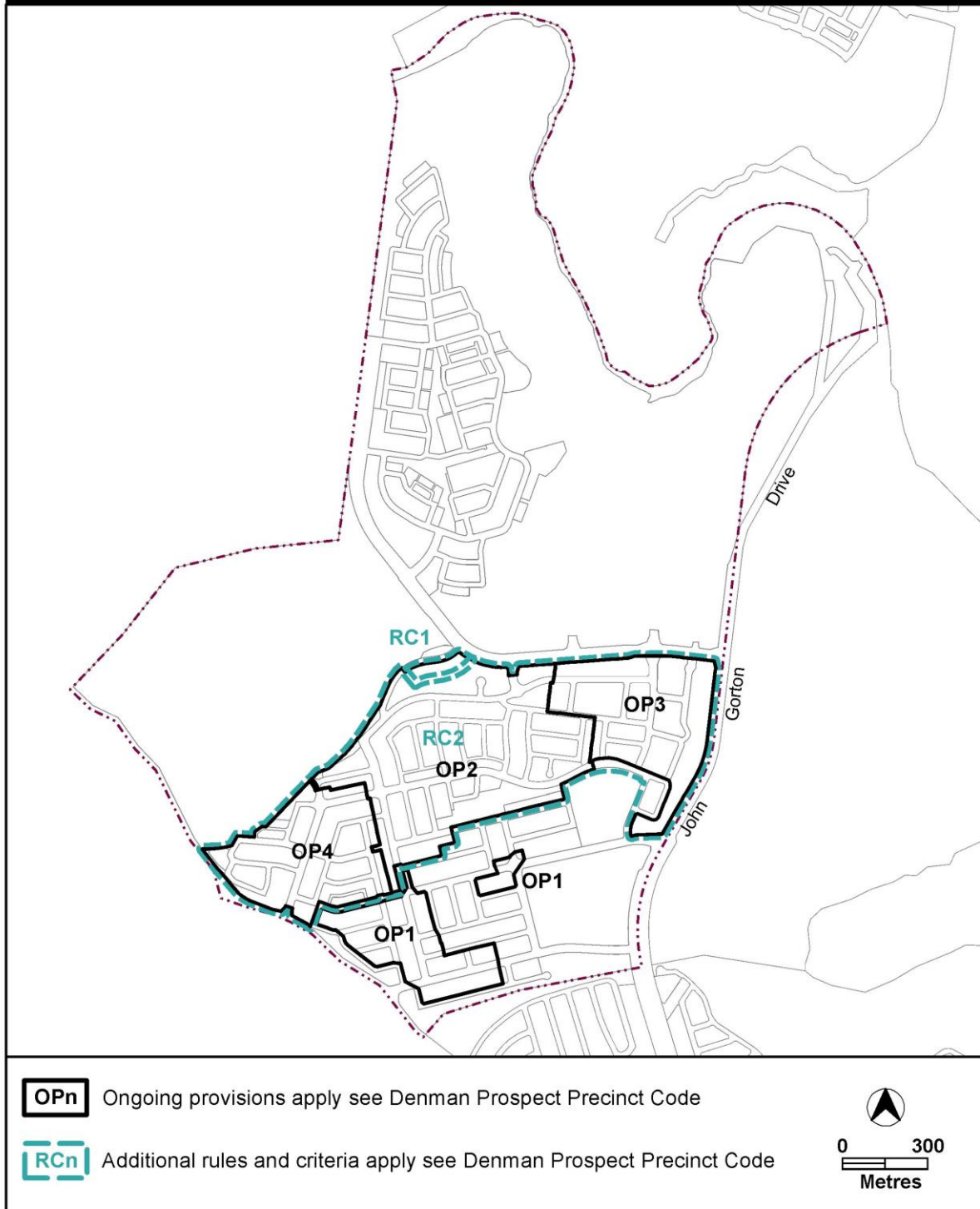
#### 2.2.1 Denman Prospect Precinct Map

*Existing Denman Prospect Precinct Map*





## Denman Prospect Precinct Map



### **2.2.2 Denman Prospect Precinct Code**

This technical amendment replaces the existing Denman Prospect Precinct Map and inserts new figure 7 (existing figures 7 to 9 are renumbered accordingly) and inserts new figure 11 and inserts new rules and criteria R6b, R6c and R17 (existing rule R6 renamed to R6a) in the Denman Prospect Precinct Map and Code for areas where the future urban area overlay is being removed (see 3.1 Territory Plan Map below).

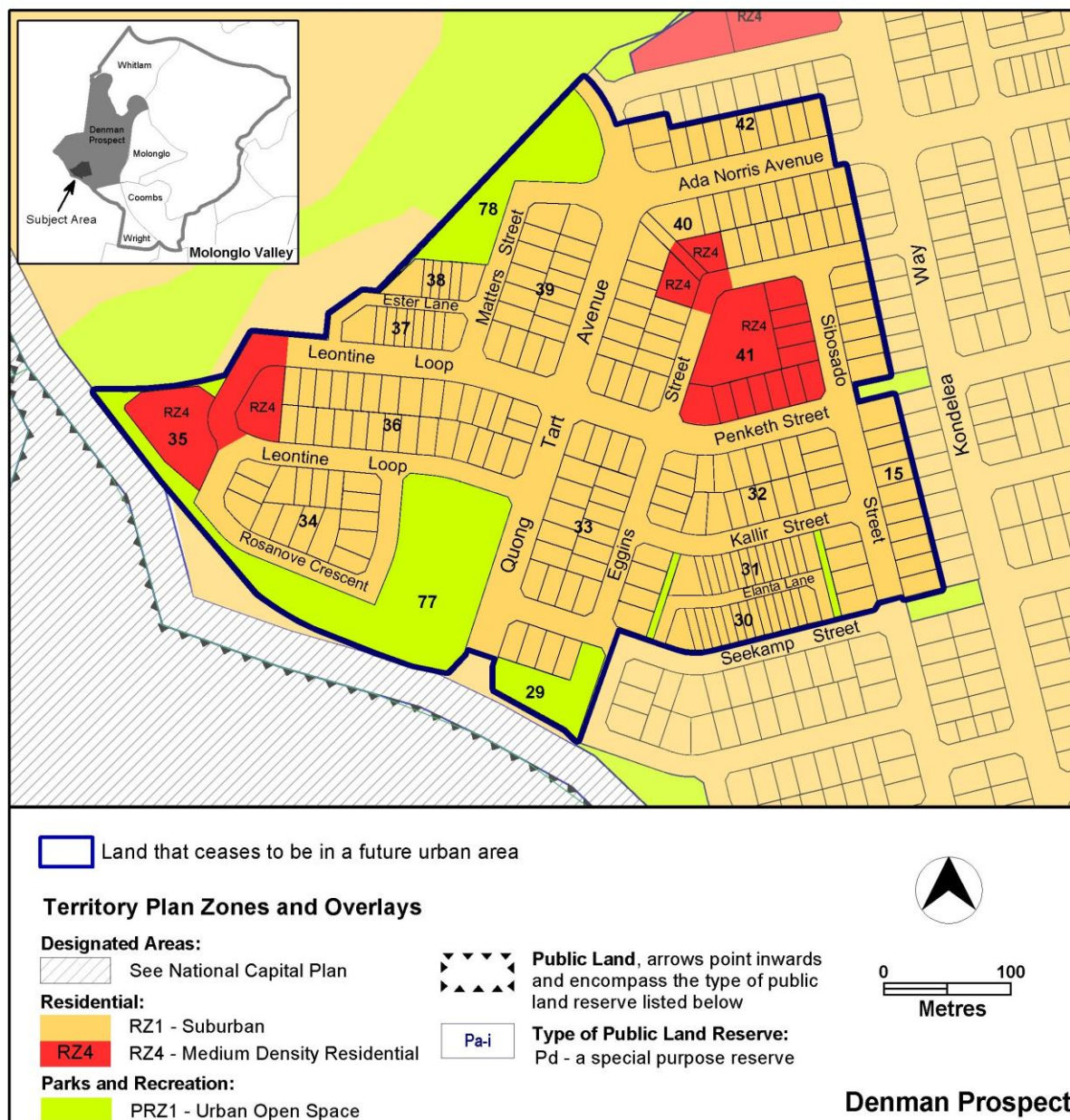
### 3. TECHNICAL AMENDMENT

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

#### 3.1 Territory Plan Map

##### 1. Territory Plan Map

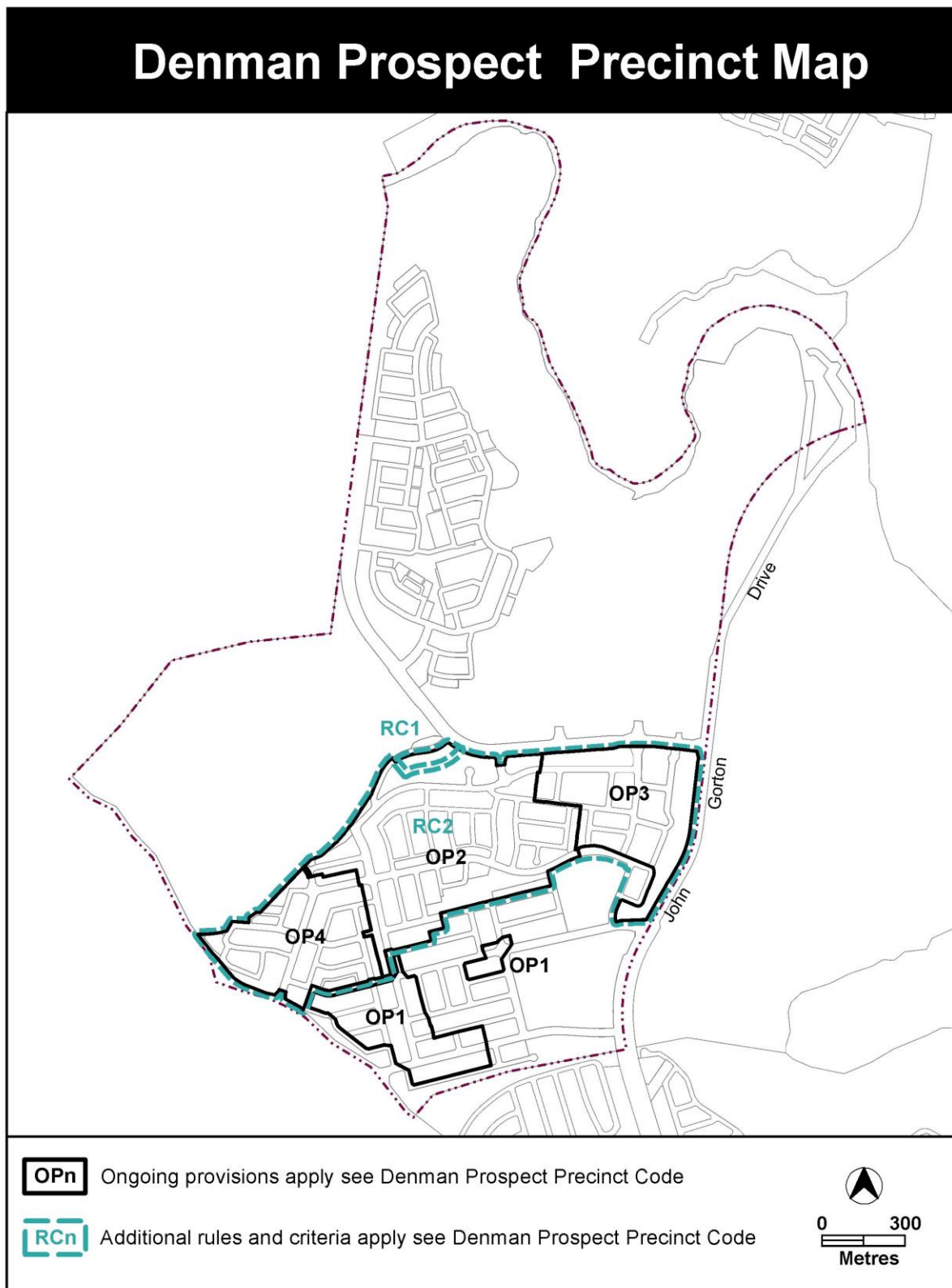
The Territory Plan map is varied as indicated below to identify the zones and overlays that apply to the land ceasing to be in a future urban area.



### 3.2 Denman Prospect Precinct Map and Code

#### 2. Denman Prospect Precinct Map and Code

*Substitute*



### 3.3 Denman Prospect Precinct Map and Code

#### 3. Additional Rules and Criteria

*Insert after Existing Rule R6 (which will be renumbered R6a)*

<p>R6b</p> <p>Minimum boundary setbacks to all floors are identified in Figure 7.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R6c</p> <p>Minimum boundary setbacks to lower floor level and/or upper floor levels are identified in Figure 7.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

### 3.4 Denman Prospect Precinct Map and Code

#### 4. Additional Rules and Criteria

*Insert after Existing Rule R16*

<p>R17</p> <p>This rule applies to blocks or parcels in locations identified in Figure 7. The maximum number of storeys is nominated.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
---	---



3.5 Denman Prospect Precinct Map and Code

5. Additional Rules and Criteria

Insert after Existing Figure 6



Figure 7 Denman Prospect residential area 6

### 3.6 Denman Prospect Precinct Map and Code

6. Other ongoing provisions

Insert after Existing Figure 9 (which will be renumbered figure 10)

OP4 – Denman Prospect residential area

This part applies to blocks and parcels identified in area OP4 shown on the Denman Prospect Precinct Map.

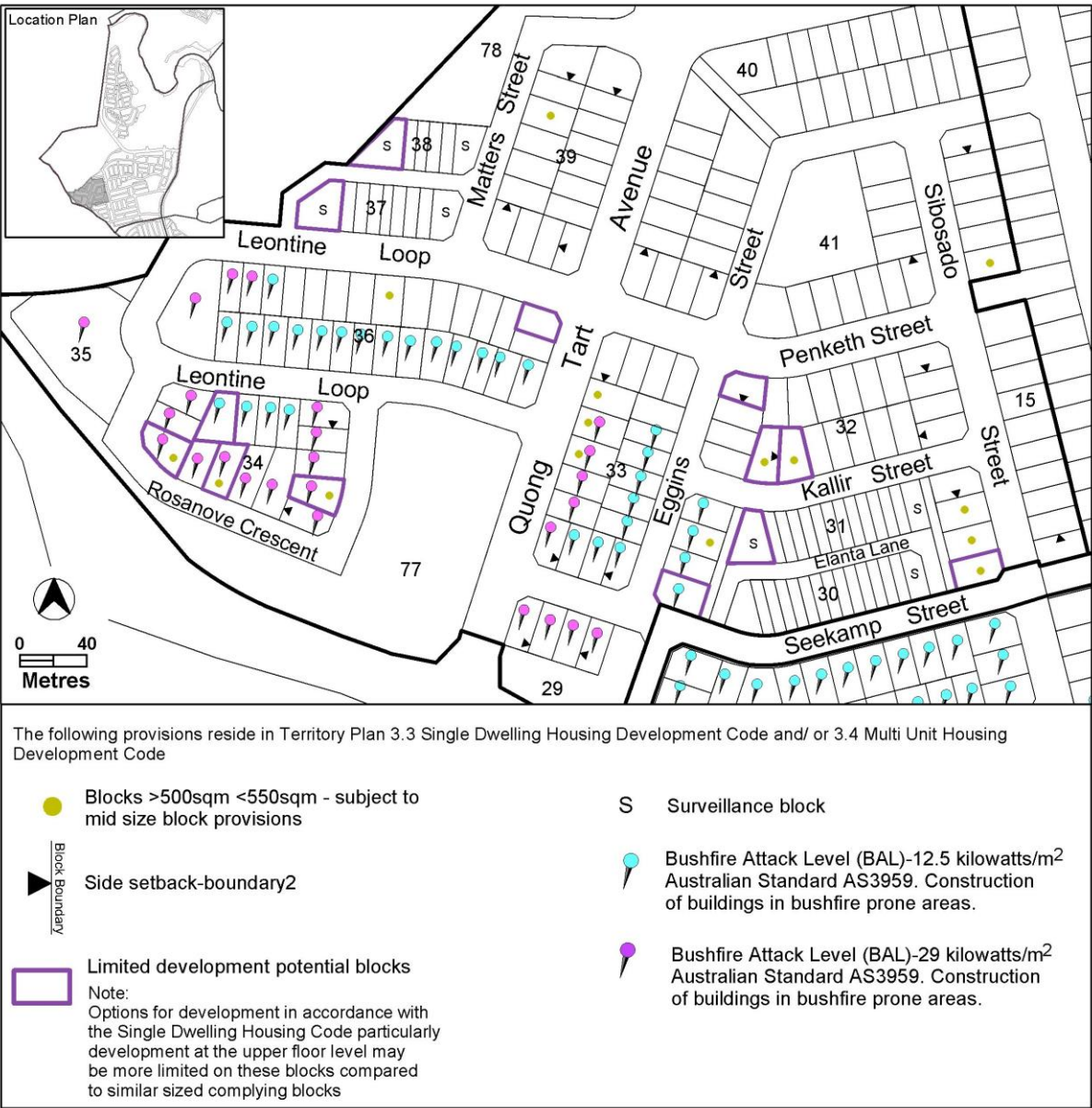


Figure 11 Denman Prospect residential area ongoing provisions

## 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-għajnuna 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**

Canberra and District - 24 hours a day, seven days a week