



COMMENCEMENT APPROVAL OF TECHNICAL AMENDMENTS 2013-02 (CODE AND CLARIFICATION) AND 2013-03 (MISCELLANEOUS)

To:	Executive Director, Planning Delivery
From:	Alix Kaucz, Territory Plan Review & Implementation Section
Critical Date:	Your approval for and signature on the notifiable instruments for TA2013-02 and TA2013-03 is required by Noon Wednesday 29 May 2013 in order for the technical amendments to commence on Friday 31 May 2013.

Purpose

To obtain your approval for and signature on the notifiable instruments (commencement notices) for technical amendments 2013-02 (code and clarification) and 2013-03 (miscellaneous amendments) to the Territory Plan (see **Attachment A & B**).

Background

TA2013-02

TA2013-02 is the first tri-annual tranche of technical amendments for 2013. The Acting Director-General agreed on 11 April 2013 to place technical amendment 2013-02 on public consultation (see **Attachment D**). Technical amendment 2013-02 was placed on public circulation from 12 April to 13 May 2013.

TA2013-02 makes the following changes:

- clarification of the rules in the non-urban zones development code relating to the *Heritage Act 2004*.
- adding ongoing bushfire provisions to certain sections of the Bonner precinct code.
- adding supportive housing and retirement villages as prohibited development on community facility land in the Conder precinct map.
- changing certain provisions in the Gungahlin precinct code related to awnings and setbacks.
- changing residential parking provision rates for major commercial centres in the parking and vehicular access general code.

- reformulating certain provisions in the communications facilities and associated infrastructure general code relating to new sites and co-location of telecommunications facilities.

These changes are outlined in more detail in the attached technical amendment (**Attachment A**). TA2013-02 complies with section 89 of the *Planning and Development Act 2007*.

Result of public consultation

A total of 4 submissions were received. All submissions were objections to proposed changes in the Parking and Vehicular Access General Code. The National Capital Authority raised no objections. The consultation report containing public submissions and Transport Policy response is at **Attachment C**. No changes to the TA were considered necessary after review of the consultation report. Proposed new changes based on the consultation report will be considered in the 2nd round code and clarification technical amendments of 2013.



Issues

There are not considered to be any outstanding issues.

Communications

If approved, technical amendment commencement notices will be published in *the Canberra Times*, and on the ESDD website, including RSS feeds. The next Zone newsletter will also contain an announcement on the commencement of these two technical amendments.

Recommendations

That, as a delegate of the planning and land authority, you

1. note the contents of TA2013-03 (*Attachment B*)
2. note the contents of the consultation report (*Attachment C*)
3. approve TA2013-02 and TA2013-03 by signing the notifiable instruments at *Attachments A and B*
4. note the commencement of the technical amendments will be advertised in *The Canberra Times* on Saturday 1 June 2013.


Alix Kaucz

Team Leader, Territory Plan Review and Technical Amendments Section
Planning Delivery Branch

28 May 2013

AGREED/NOT AGREED/NOTED/PLEASE DISCUSS


Jim Corrigan

Executive Director (Planning Delivery)

29 May 2013

Action Officer: Hannes Botha
Branch: Planning Delivery
Extension: 71773

List of Attachments Attachment A - Notifiable Instrument TA2013-02
Attachment B – Notifiable Instrument TA2013-03
Attachment C – Public consultation Report
Attachment D – Public consultation approval

Australian Capital Territory

Planning and Development (Technical Amendment—code and clarification amendment) Plan Variation 2013 (No 1)

NOTIFIABLE INSTRUMENT NI2013—
Technical Amendment No 2013—02

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

This technical amendment commences on the day after it is notified.

Variation No 2013—02 to the Territory Plan has been approved by the Planning and Land Authority.



Jim Corrigan
Delegate of the Planning and Land Authority
29 May 2013



ACT
Government

Environment and
Sustainable Development

Planning and Development Act 2007

Technical Amendment to the Territory Plan Variation 2013 – 02

Amendments to various development codes, precinct codes
and general codes

May 2013

Commencement version

Australian Capital Territory

Planning and Development (Technical Amendment—code and clarification amendment) Plan Variation 2013 (No 1)

NOTIFIABLE INSTRUMENT NI2013—
Technical Amendment No 2013—02

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

This technical amendment commences on the day after it is notified.

Variation No 2013—02 to the Territory Plan has been approved by the Planning and Land Authority.

Jim Corrigan
Delegate of the Planning and Land Authority
May 2013



ACT
Government

Environment and
Sustainable Development

Planning and Development Act 2007

Technical Amendment to the Territory Plan Variation 2013 – 02

Amendments to various development codes, precinct codes
and general codes

May 2013

Commencement version

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1. INTRODUCTION

1.1 Purpose

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



Conder Precinct Map

Add supportive housing and retirement villages as prohibited development on community facility land. This area was misidentified and omitted under DV302.



1.2 Public consultation

Under section 88 of the *Planning and Development Act 2007* (the Act) this type of technical amendment is subject to limited public consultation. The public was notified through a newspaper notice. At the conclusion of the limited consultation period, any representations are considered by the planning and land authority within the Environment and Sustainable Development Directorate (the Authority). The Authority then determines a day when the code variation is to commence by way of a commencement notice.

1.3 National Capital Authority

The National Capital Authority has been advised of this technical amendment, and made no objection.

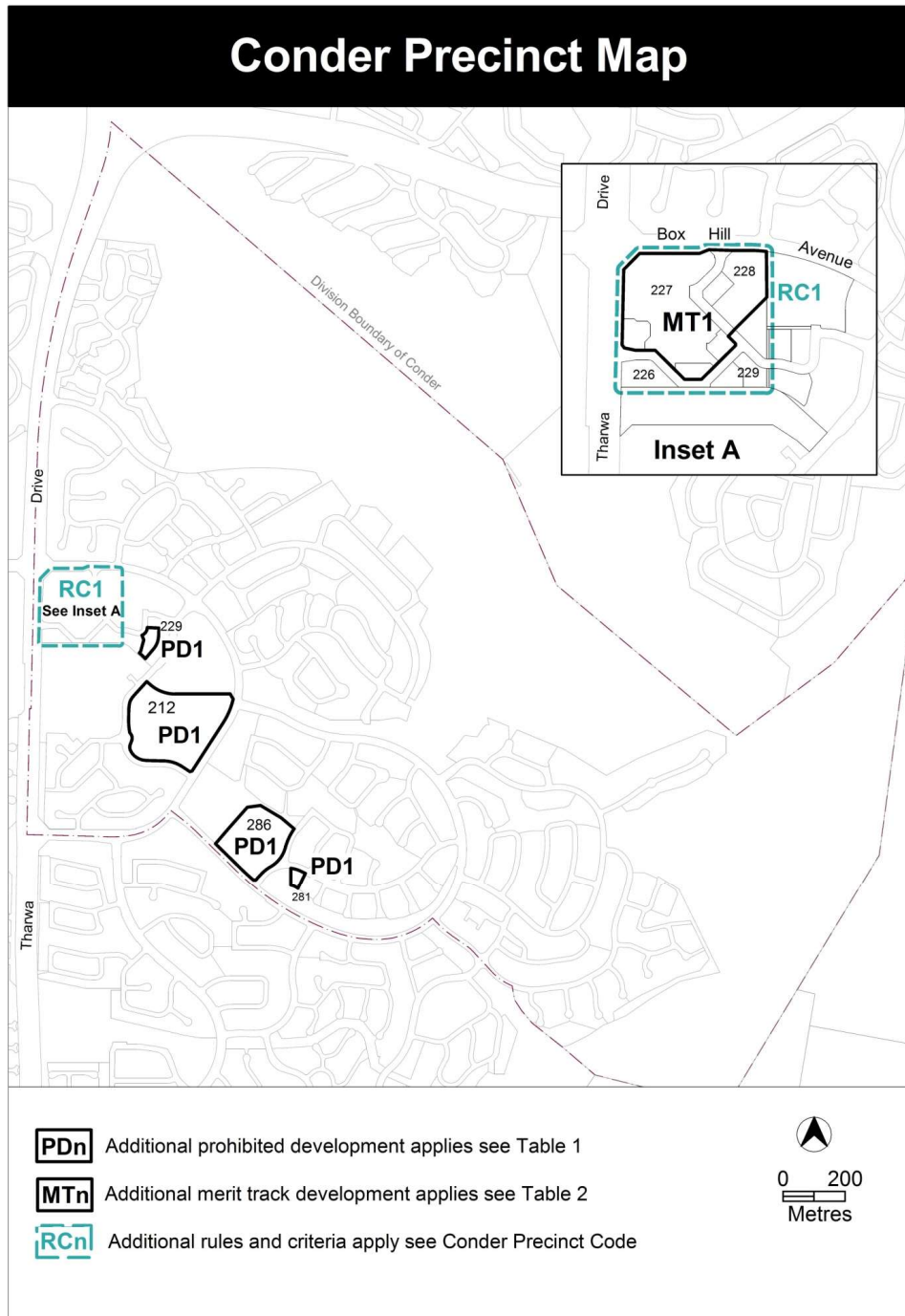
1.4 Process

This technical amendment has been prepared in accordance with section 87 of the *Planning and Development Act 2007* (the Act). Comments received from the public and the National Capital Authority were taken into account before the planning and land authority “made” the technical amendment under section 89 of the Act. The planning and land authority must now notify the public of its decision.

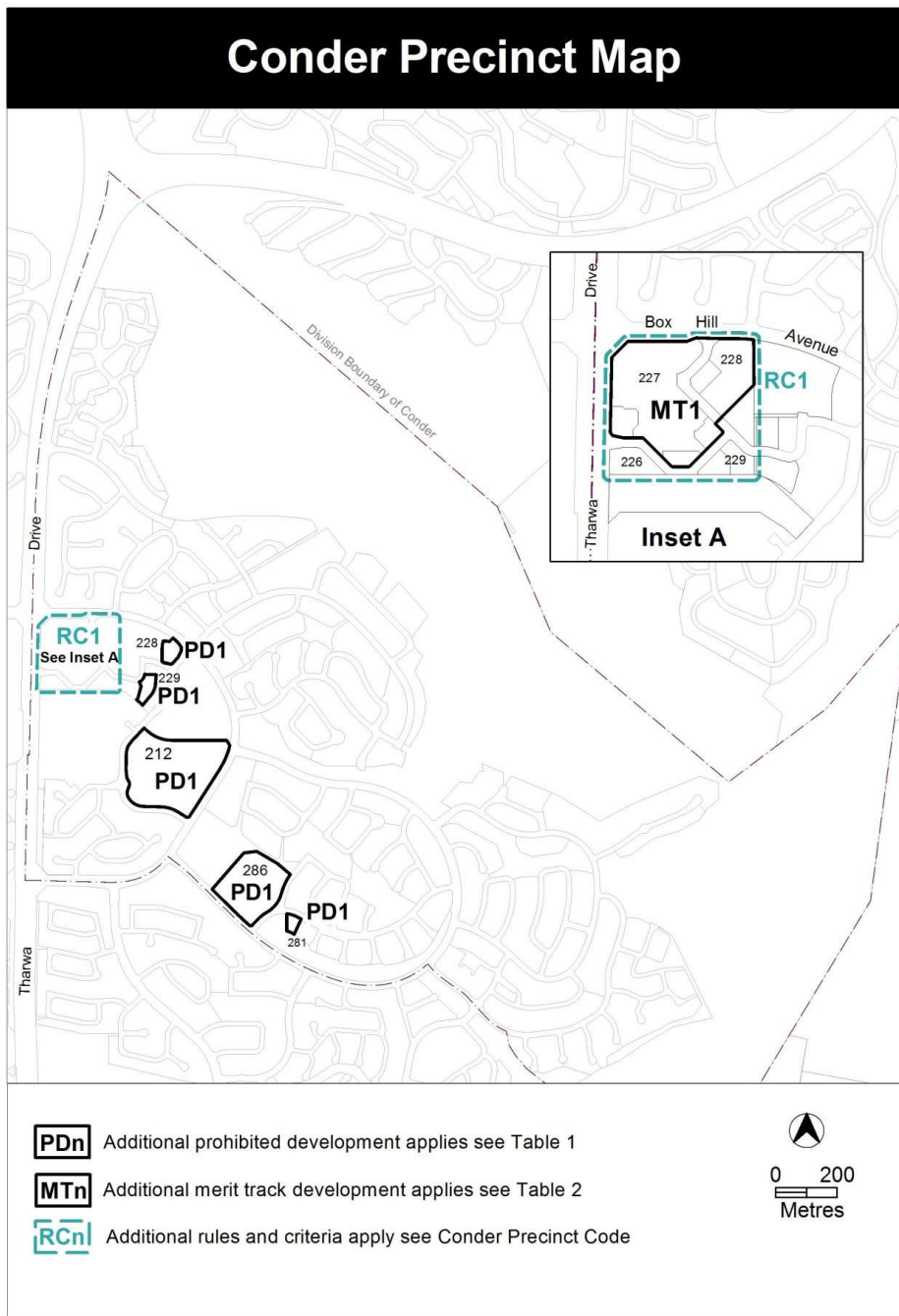
2.3 Conder Precinct Map

This technical amendment adds *supportive housing* and *retirement villages* as additional prohibited development on community facility zoned land on the Conder Precinct Map.

Current Conder Precinct Map:



New Conder Precinct Map:



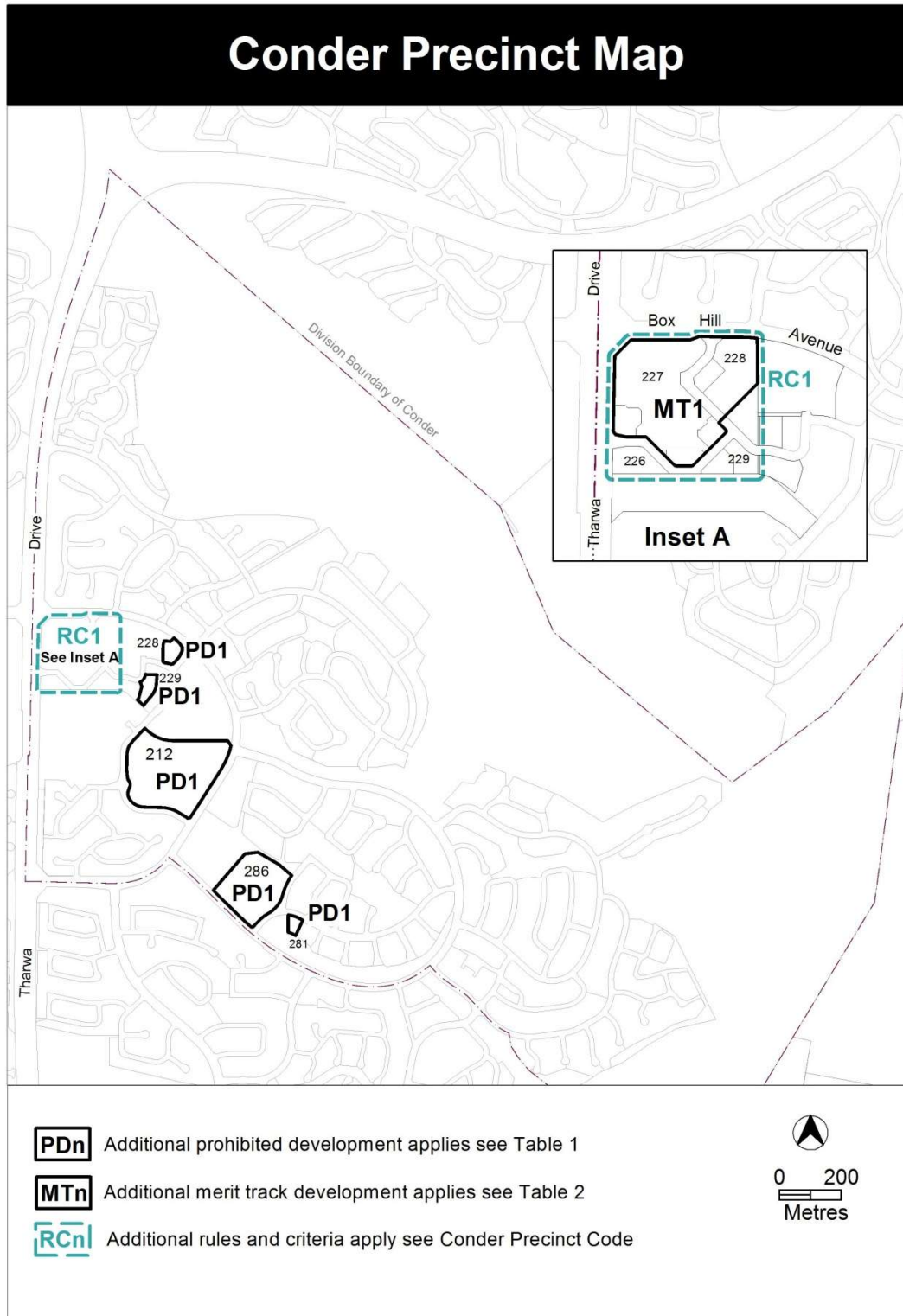
Compliance with the *Planning and Development Act 2007*

Section	Statement
s87(b) a variation (a code variation) that – (i) would only change a code (ii) is consistent with the policy purpose and policy framework of the code; and (iii) is not an error variation.	Compliant. The change adds <i>supportive housing</i> and <i>retirement villages</i> as additional prohibited development, without changing the purpose of the code.

3.3 Conder Precinct Map

4 Conder Precinct Map

substitute



Interpretation service

ENGLISH	If you need interpreting help, telephone:
ARABIC	: إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
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CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήστε στο
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MALTESE	Jekk għandek bżonn l-għajnuna t'interpretu, ċempel:
PERSIAN	: اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
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SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacımız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

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PLANNING AND DEVELOPMENT ACT 2007

REPORT ON CONSULTATION


**Proposed Technical Amendment to the
Territory Plan**

**Code and Clarification Variation
2013-02**

MAY 2013

PUBLIC AND NCA SUBMISSIONS

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Ref: A8251419

1 INTRODUCTION

This report outlines the issues raised in submissions received from the limited consultation process for proposed technical amendment 2013-02 (TA2013-02), in accordance with section 90 of *the Planning and Development Act 2007*. Although there is no legislative requirement, this document has been prepared to address the issues raised during the consultation period.

TA2013-02 proposes to make the following changes to the Territory Plan.



Conder Precinct Map

Add supportive housing and retirement villages as prohibited development on community facility land. This area was misidentified and omitted under DV302.



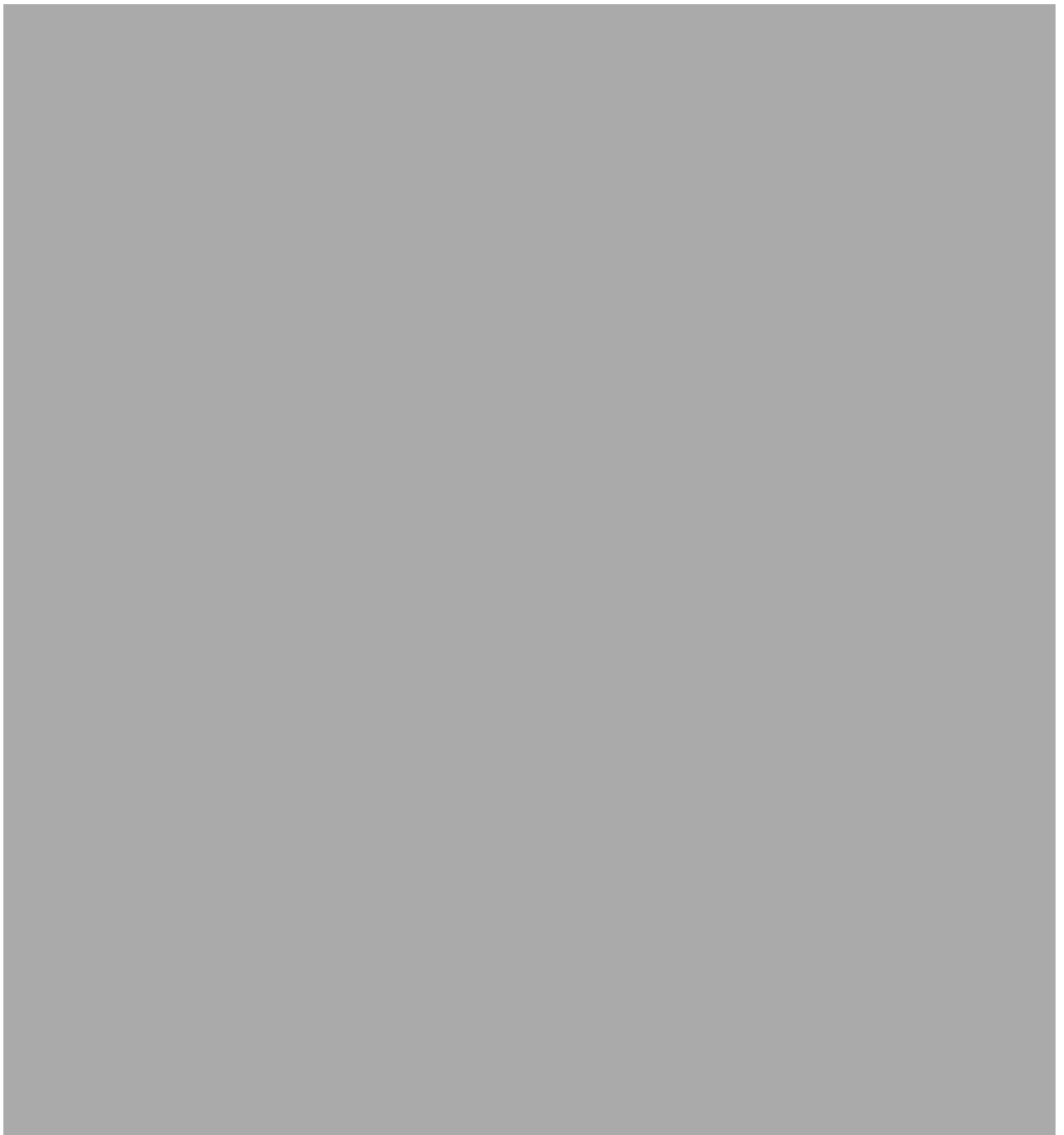
2 SUBMISSIONS

Proposed technical amendment *2013-02* was released for comment on 13 April 2013. The closing date for written public comments was 13 May 2013.

A total of 4 submissions were received. All submissions were objections to changes in the Parking and Vehicular Access General Code.

The National Capital Authority raised no objections.

2.1 Issues raised through consultation





SUBJECT: Technical amendment 2013-02 for public consultation

To:	A/g Director-General [redacted] 11.4.2013
From:	Bruce Frazer, Manager, Territory Plan Review and Technical Amendment Unit
Critical Date:	Your approval of the release of TA2013-02 for limited public consultation commencing on 12 April 2013.

Recommendations

That you:

- Note the contents of draft technical amendment TA2013-02 (**Attachment A**) ✓
- Note the draft public circulation notice (**Attachment B**) ✓
- Agree to release draft technical amendment TA2013-02 for limited public consultation. ✓

Purpose

To seek your agreement to release TA2013-02 for limited public consultation.

Background

TA2013-02 is the first tri-annual tranche of technical amendments for 2013.

TA2013-02 comprises:

- [redacted]
- [redacted]
- adding supportive housing and retirement villages as prohibited development on community facility land in the Conder precinct map.
- [redacted]
- [redacted]
- [redacted]

TA2013-02 complies with section 89 of the *Planning and Development Act 2007*. ||

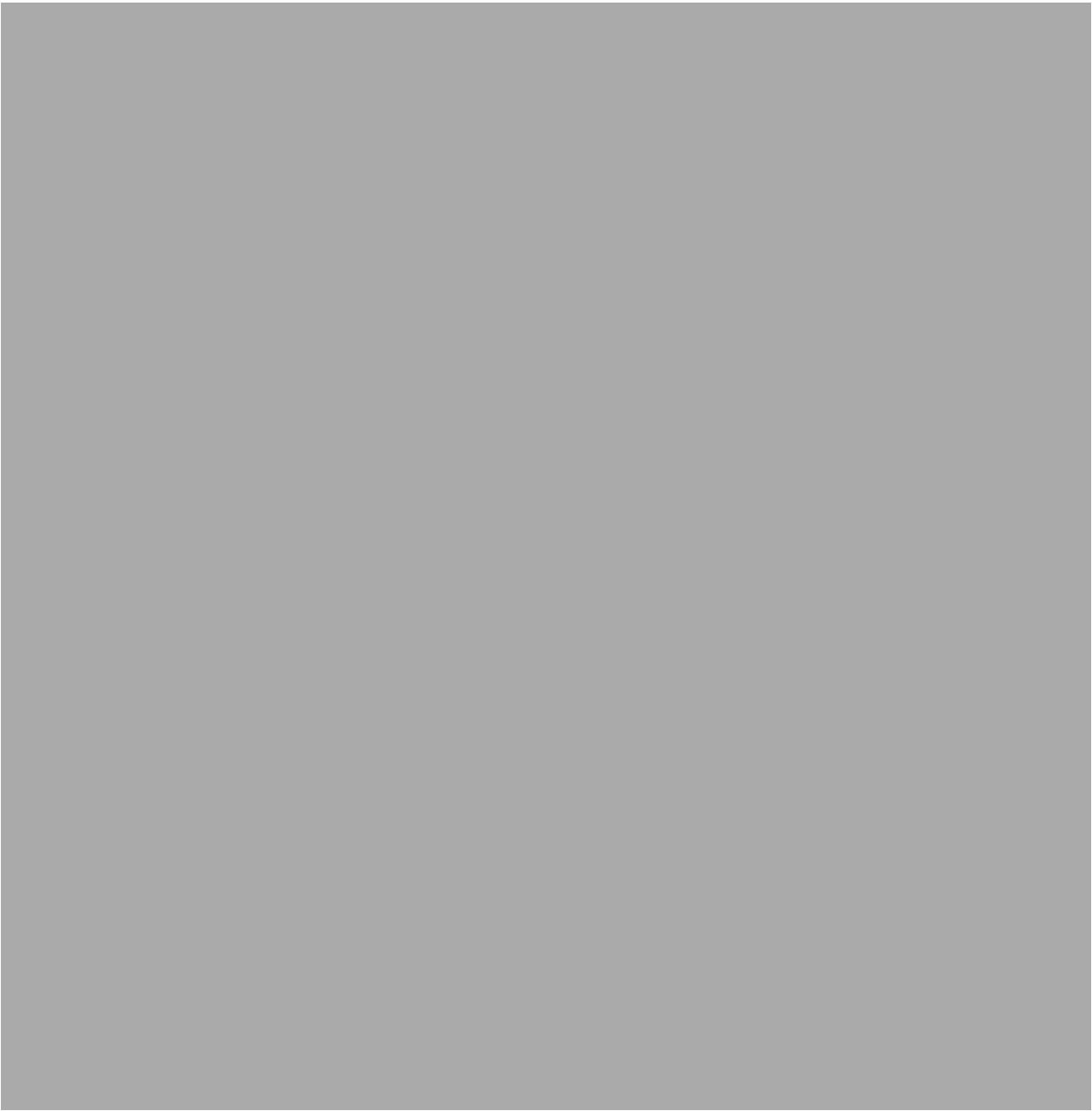
Limited public consultation on the draft is required and is scheduled to commence on 12 April 2013 for a period of 4 weeks ending on 13 May 2013.

Communications

The limited public consultation period will be notified in The Canberra Times, the Zone newsletter and on the ESDD website.

Internal consultation

Representatives from City Planning, Planning Delivery, Heritage, Construction Services, the Conservator, Environment Protection and Water Regulation divisions within ESDD were contacted via email requesting comments on the draft technical amendment 2013-02. A further opportunity will be provided for the branches/divisions to comment during the limited public consultation phase.





Bruce Frazer
Manager
Territory Plan Review and Technical Amendment Section
10 April 2013



Jim Corrigan
Executive Director
Planning Delivery
11 April 2013

~~AGREED/NOT AGREED/NOTED/PLEASE DISCUSS~~



Ben Ponton
A/g Director-General
11th April 2013

Action officer: Hannes Botha
Title: Senior Planner (a/g)
Division: Planning Delivery
Tel: 71773

Attachments:

Attachment A – TA2013-02 Code and clarification for public circulation

Attachment B – Draft public consultation notice for TA2013-02



ACT
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Environment and
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Planning and Development Act 2007

Technical Amendment to the Territory Plan Variation 2013 – 02

Amendments to various development codes, precinct codes
and general codes

April 2013

Public consultation version

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1. INTRODUCTION

1.1 Purpose

This technical amendment proposes the following changes to the Territory Plan.



Conder Precinct Map

Add supportive housing and retirement villages as prohibited development on community facility land. This area was misidentified and omitted under DV302.



1.2 Public consultation

Under section 88 of the *Planning and Development Act 2007* (the Act) this type of technical amendment is subject to limited public consultation. The public was notified through a newspaper notice. Written comments will be received until 13 May 2013.

Written comments, quoting TA2013-02, may be submitted in one of the following ways:

- Emailed to ta.comments@act.gov.au
- Hand delivered to: Territory Plan Comments
Environment and Sustainable Development Directorate
Customer Service Centre
16 Challis Street, DICKSON
- Posted to: Territory Plan Comments
Environment and Sustainable Development Directorate
GPO Box 158
CANBERRA ACT 2601

1.3 National Capital Authority

The National Capital Authority has been advised of this technical amendment.

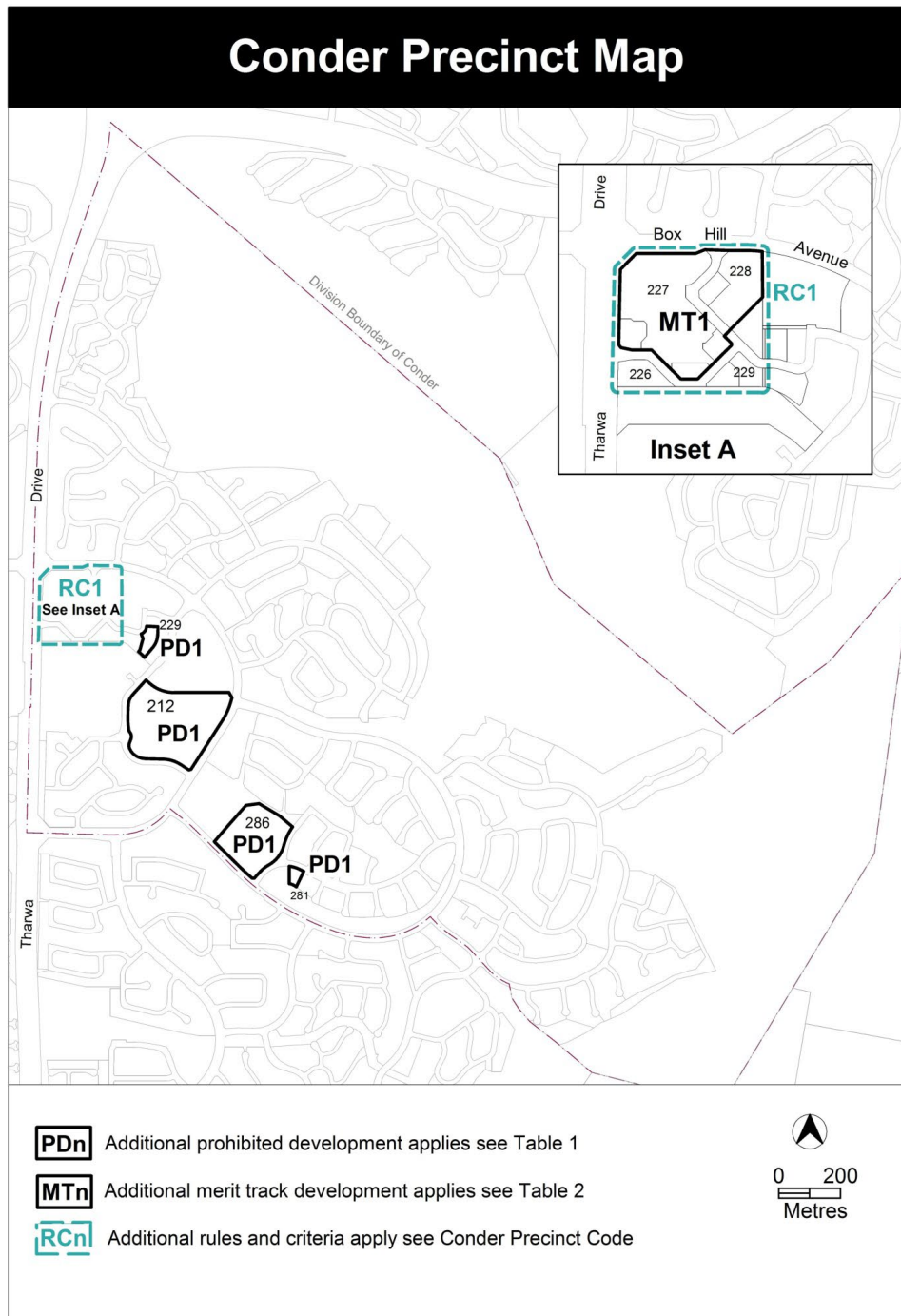
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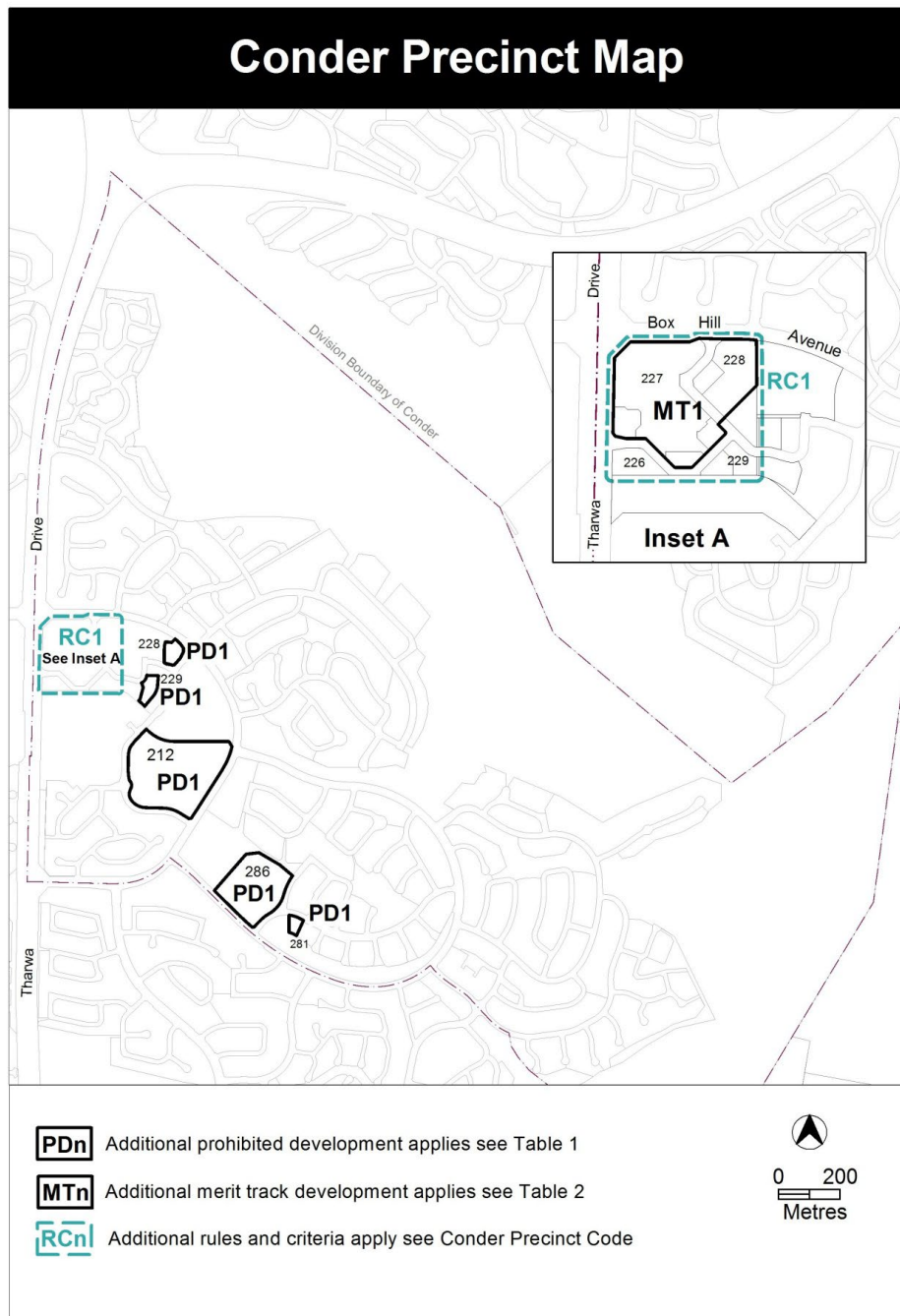
2.3 Conder Precinct Map

This technical amendment seeks to add *supportive housing* and *retirement villages* as additional prohibited development on community facility zoned land on the Conder Precinct Map.

Current Conder Precinct Map:



Proposed Conder Precinct Map:



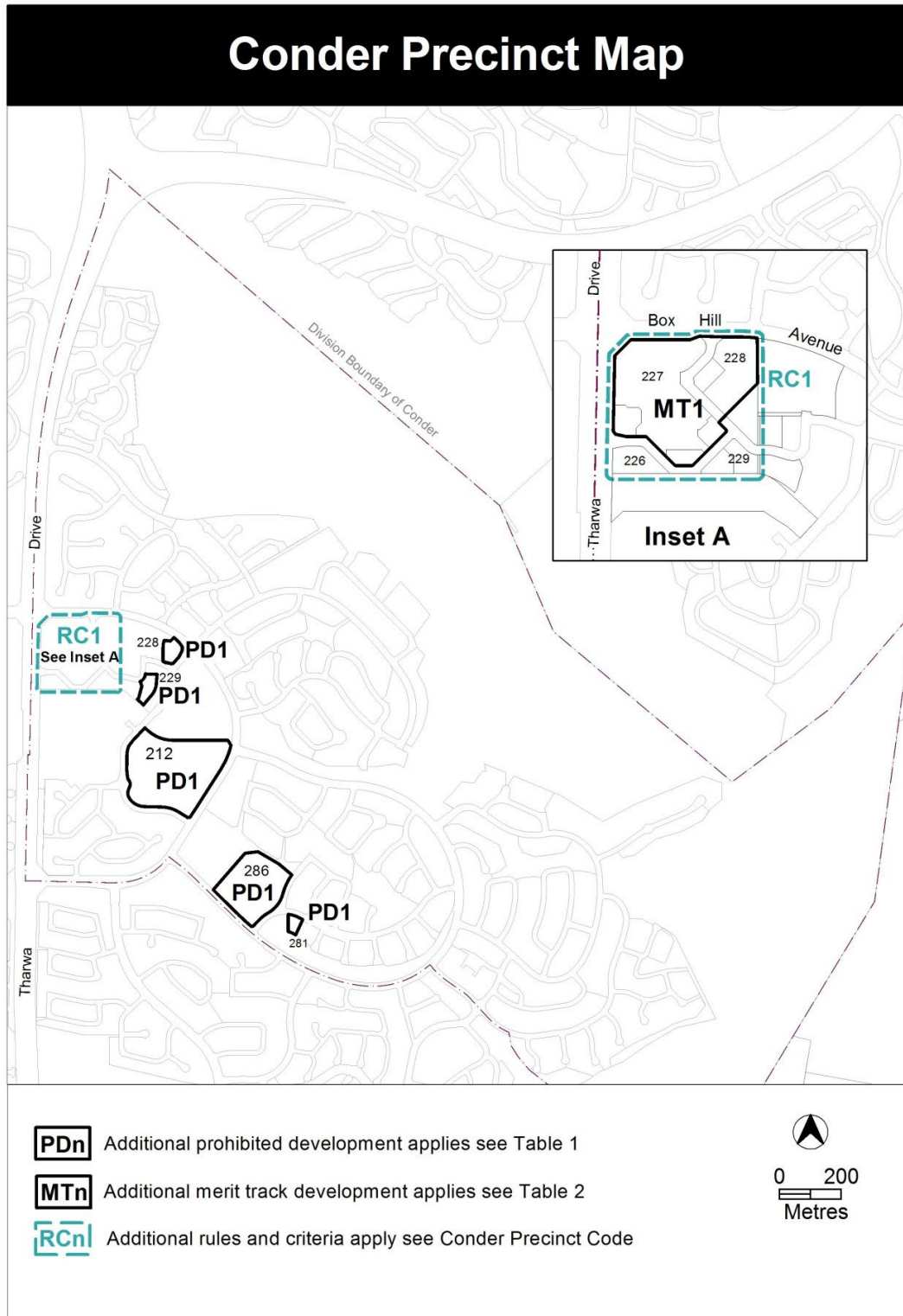
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VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

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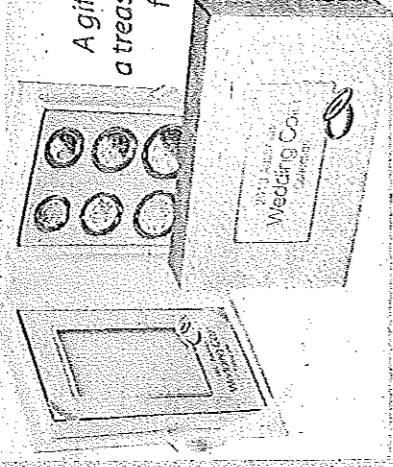
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Standing Committee on Planning, Environment and Territory and Municipal Services
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By Appointment to His Excellency the Governor-General
Brisbane, Queensland

Invitation for Public Submissions

Inquiry into Vulnerable Road Users

On 9 May 2013, the Legislative Assembly referred to the Standing Committee on Planning, Environment and Territory and Municipal Services for inquiry and report by the last sitting day in April 2014, the issue of vulnerable road users, including:

- (a) an examination of national and international best practice approaches to protecting and encouraging vulnerable road users, including through regulation, infrastructure, design, education and funding arrangements;
 - (b) gathering evidence from the community and experts about issues faced by vulnerable road users and potential improvements;
 - (c) recommending changes to be made in the ACT to better protect and encourage vulnerable road users; and
 - (d) any other relevant matter.
- Written submissions should be lodged by 23 August 2013.

Submissions should include your full name, postal address and telephone number. Electronic lodgement is preferred.

For further information or to lodge a submission please contact the Committee Secretary on (02) 6205 0435 or by email at: committees@parliament.act.gov.au.

www.parliament.act.gov.au

ACT Territory Plan

Commencement of Technical Amendments 2013-02 and 2013-03

2013-02 Code and clarification amendments to various development codes, precinct codes and general codes.

2013-03 Miscellaneous amendments and corrections to various suburb precinct maps and codes, Commercial Zones Development Code, and the Communications Facilities and Associated Infrastructure general code.

Amendments took effect on Friday 31 May 2013. The notifiable instrument are available at www.act.gov.au/approvedta

Amendments were approved by the Planning and Land Authority in accordance with section 89 of the *Planning and Development Act 2007*.

GIRALANG MEDICAL CENTRE

The Giralang Medical Centre will be merging with its sister practice the Watson Medical Centre at 34 Winderley Street, Watson, as of 1 July 2013. The last working day at Giralang will be 28 June 2013. Doctors and staff will be moving to the Watson premises with this merge and all patients will be seen at Watson after this date. The phone number will remain the same.

With the merge, doctors and clinicians working at Watson Medical Centre will be:

- Dr Philip Toua (Practice Principal)
- Dr Janine Kelly
- Dr Charlotte Palmer
- Dr Andrew Boyd
- Dr Sandor Ertz
- Dr Sue Baglow
- Dr Manuela Habicht (Clinical Psychologist)
- Barbara Dowton (RN)

For further information please call 62416161 (Giralang) or 62487005 (Watson) or visit our website at www.watsonmedicalcentre.net

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RESEARCH STUDY

The effects of antidepressants on people suffering from depression. Dr John Saboisky and colleagues are currently conducting a research study on the effects of antidepressant medications on emotional experiences. If you are aged 18 to 65 and are currently suffering from depression (less than 12 months duration), you may be eligible to participate in this nationwide study. Eligible study participants will receive all antidepressant medications and study-related care from the study psychiatrist at no cost.

If you are interested in participating or would like more information, please contact the Study Co-ordinator on 02 6251 9100 or email: msaboisky@yahoo.com.au

LAW LIST

- <http://courts.act.gov.au/supreme/> [Supreme Court]
- <http://www.aat.gov.au/> [Administrative Appeals Tribunal]
- <http://www.fmc.gov.au/> [Federal Magistrates Court]
- <http://www.fedcourt.gov.au/> [Federal Court]
- <http://www.fwa.gov.au/> [FairWork]

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From: Burnham, Keith
Sent: Wednesday, 12 December 2012 9:29 AM
To: TA.Comments
Cc: Harding, Barbara (ACTPLA); Davis, Lisa; Moroney, Anne; Calnan, Garrick; Williamson, Gay
Subject: RE: Call for submissions to 1st triannual technical amendment for 2013

TA. Comments

I refer to your email of 16 November requesting contributions for consideration in the next round of TA's.

The email trail below demonstrates that an error was made in V302 in that ESDD records at the time of V302 's preparation indicated that Block 13 Section 228 Conder was under negotiation to the Anglican Church.

For this reason it was not included as a site where supportive housing and retirement village are prohibited.

Had it been known at the time that the negotiation did not proceed and the block remained unleased, it would have been identified as one where supportive housing and retirement village are prohibited.

I therefore recommend that consideration be given in the first triannual technical amendment for 2013 to correcting this error by amending the Conder Precinct Code to show Block 13 Section 228 Conder as a site where Supportive Housing and Retirement Village are prohibited.

Keith

Keith Burnham | Team Leader | Social Infrastructure Planning

Phone 02 6207 2945 | Fax 02 6207 2560

Strategic City Planning and Design | City Planning | Environment and Sustainable Development | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.actpla.act.gov.au

From: Harding, Barbara (ACTPLA)
Sent: Monday, 14 February 2011 9:31 AM
To: Botha, Johannes
Cc: Burnham, Keith
Subject: RE: Condor B13 S228

Thanks, Hannes. I will record this outcome in LRCC files.

Barbara

From: Botha, Johannes
Sent: Monday, 14 February 2011 9:20 AM
To: Burnham, Keith
Cc: Harding, Barbara (ACTPLA)
Subject: FW: Condor B13 S228

FYI

From: Finlay, Jennifer
Sent: Friday, 11 February 2011 5:46 PM
To: Botha, Johannes
Subject: FW: Condor B13 S228

Hannes

The direct sale of the site did not go ahead. So yes it is still available. As mentioned in my email below LAPS/LDA is investigating what work was undertaken to prepare the land for release and the possibility of including the block on the land release program.

Regrds,

JENNIFER FINLAY | MANAGER PROJECT FACILITATION | LAND & PROPERTY SERVICES | ACT GOVERNMENT | 02 6205 5289
LEVEL 2 TELSTRA HOUSE | 490 NORTHBOURNE AVENUE DICKSON | GPO BOX 158 CANBERRA ACT 2601

From: Neilsen, Andrew
Sent: Thursday, 10 February 2011 5:11 PM
To: Finlay, Jennifer; Sparke, Chris; Mundy, Graham
Subject: RE: Condor B13 S228

Hi Jen

In February 2008 the LDA board was presented with a paper that recommended it not support the Direct Sale, and I think they agreed to this. There is also evidence on our G drive that the board did not support it and a refund of fees was permitted. On file there is only a refer to an indicative valuation being undertaken, adjacent sites were sold at auction around the same time if not in 2006.

Regards

Andrew Neilsen | Project Officer
Department of Land and Property Services
Level 2, Telstra House, 490 Northbourne Avenue, Dickson ACT 2602
Phone: 02 6205 3615

From: Finlay, Jennifer
Sent: Thursday, 10 February 2011 4:27 PM
To: Sparke, Chris; Neilsen, Andrew; Mundy, Graham
Subject: Condor B13 S228

Gents

What happened to this direct sale proposal for Block 13 Section 228 condor (Anglican church)?
How much work was done on the site for release?

Block 13 section 229 is on the program for 11/12. Could Block 13 Section 228 be included on the program as well? If still available.

JENNIFER FINLAY | MANAGER PROJECT FACILITATION | LAND & PROPERTY SERVICES | ACT GOVERNMENT | 02 6205 5289
LEVEL 2 TELSTRA HOUSE | 490 NORTHBOURNE AVENUE DICKSON | GPO BOX 158 CANBERRA ACT 2601

From: Botha, Johannes
Sent: Thursday, 10 February 2011 4:11 PM
To: Finlay, Jennifer
Cc: Burnham, Keith
Subject: Question

Hi,

I'm updating our Community Facility Land Stocks database, and have a question about Block 13, Section 228 in Conder: Our records lists it as being under negotiation for a direct sale to the Anglican Church in 2007, but I can't find any DA or Lease in our files. Can you confirm if the block is still available?

Regards,

Hannes Botha

Hannes Botha

Policy Officer | Development Policy

p 6207 1773 | e johannes.botha@act.gov.au | web www.actpla.act.gov.au



From:

TA.Comments

Sent: Friday, 16 November 2012 9:01 AM

To: Oshyer, Aaron; Jamaly, Rumana; Cilliers, George; Wilden, Karen; Peterson, Belinda; Brown, Ray; Chapman, Maggie; Murray, Chris; Williamson, Gay; Burnham, Keith; Quirk, Mike; Gianakis, Steven; Moysey, Sean; Kugathas, Kuga; Dunstan, David; EPAPanningLiaison; Lander, Dulce

Cc: Calnan, Garrick; Corrigan, Jim; Brady, Erin; Frazer, Bruce

Subject: Call for submissions to 1st triannual technical amendment for 2013

Hi all,

The Territory Plan Review and Technical Amendment Unit prepares code, clarification and miscellaneous technical amendments (TAs) to the Territory Plan on a tri-annual basis. The preparation of TAs for the 1st round of 2013 will commence shortly. Please advise if there are any issues in your divisions, branches or sections which may require a technical amendment by **COB Monday 17 December 2012** - this will be the deadline for any contributions to be considered for inclusion in the next round of TAs.

Please send any contributions to: TA.comments@act.gov.au

Regards,

Territory Plan Review and Technical Amendment Unit