

Planning and Development (Technical Amendment—Strathnairn) Plan Variation 2019 (No 1)

Notifiable instrument NI2019—311

Technical Amendment No 2019-09

made under the

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

1 Name of instrument

This instrument is the *Planning and Development (Technical Amendment—Strathnairn) Plan Variation 2019 (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 Strathnairn plan variation is a technical amendment to the Territory Plan.

4 Meaning of *Strathnairn plan variation*

In this instrument:

Strathnairn plan variation means the technical amendment to the Territory Plan, variation 2019-09, in the schedule.

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

Kathy Cusack
Delegate of the planning and land authority
17 May 2019



ACT
Government

Environment, Planning and
Sustainable Development

Planning & Development Act 2007

**Technical
Amendment
to the Territory Plan
Variation 2019-09**

Changes to the Strathnairn Precinct Map and
Code

May 2019

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1. INTRODUCTION

1.1 Purpose

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

Strathnairn Precinct Map and Code

- The Strathnairn Precinct Map and Code is varied to bring Figure 3 into line with the amended estate development plan, as described in Part 2 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 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.

TA2019-09 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 Strathnairn Precinct Map and Code

Figure 3 is varied to bring it in line with the amended approved estate development plan for blocks 1, 3, 10 and 12 section 22 (represented by red dashed outline).

Existing Figure 3

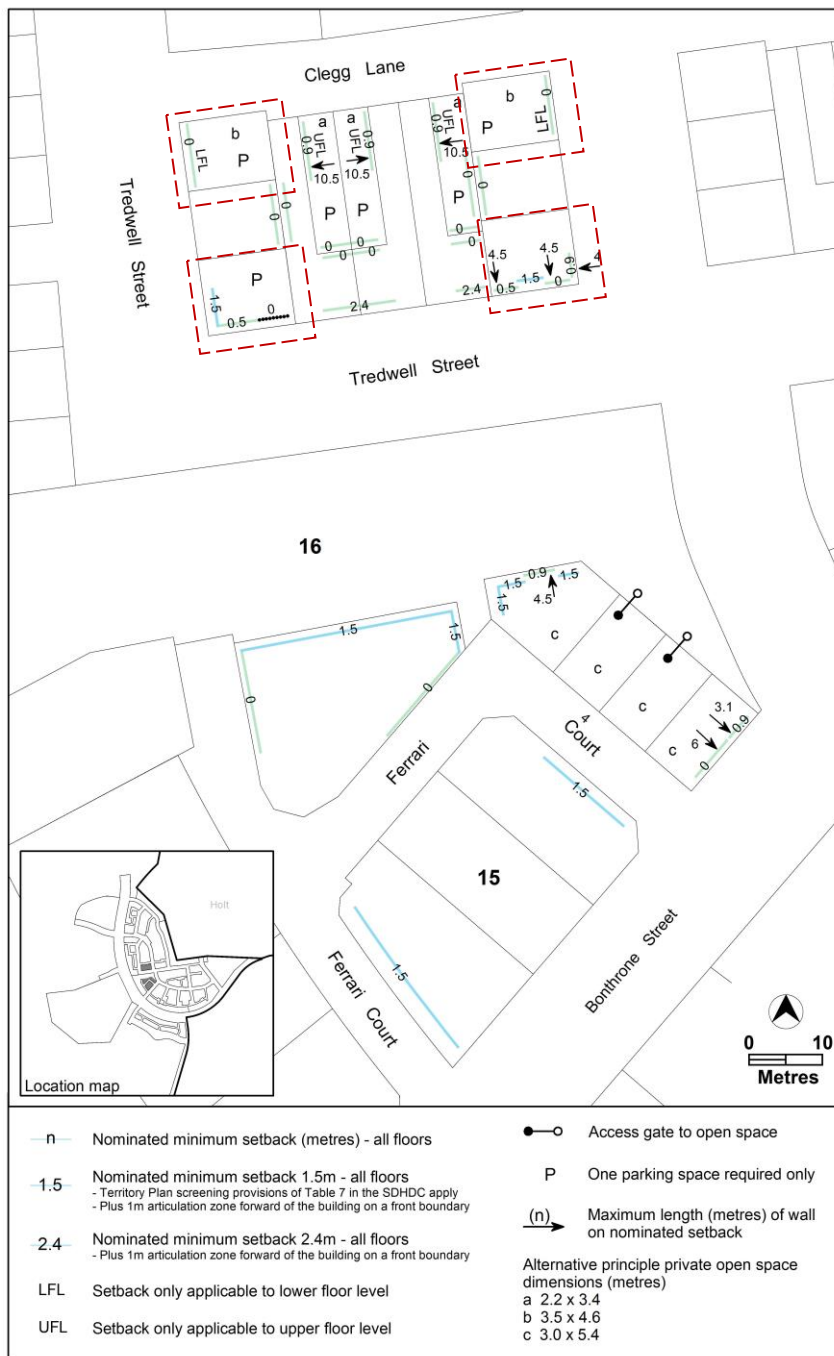


Figure 3 Strathnairn residential area 1

Proposed Figure 3

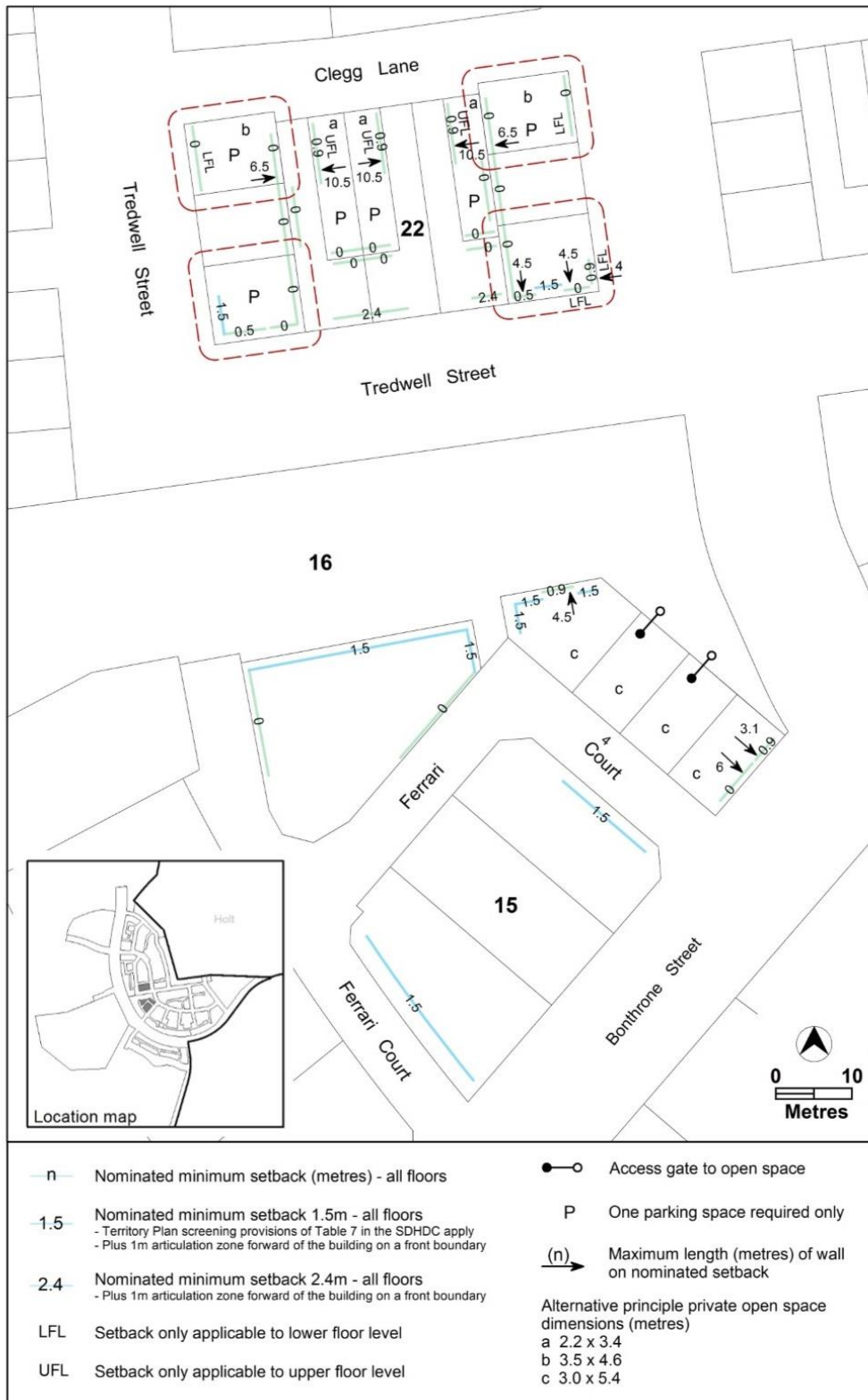


Figure 3 Strathnairn residential area 1

3. TECHNICAL AMENDMENT

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

3.1 Strathnairn Precinct Map and Code

1. Strathnairn Precinct Code, Additional rules and criteria, RC1 – Residential area, Figure 3 Strathnairn residential area 1

Substitute

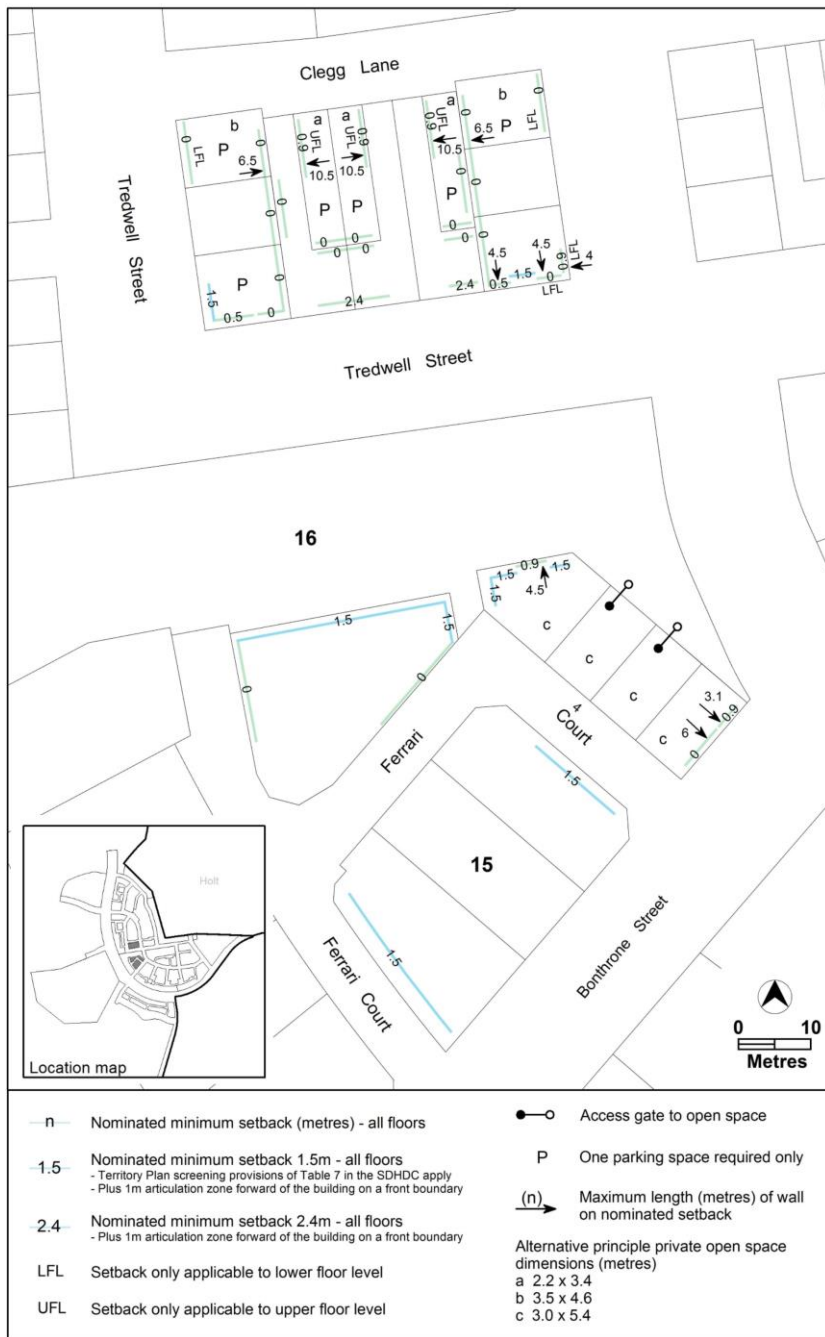


Figure 3 Strathnairn residential area 1

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