

# Planning and Development (Technical Amendment—Strathnairn) Plan Variation 2023 (No 1)\*

Notifiable instrument NI2023—288

Technical Amendment No 2023-01

made under the

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

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## 1 Name of instrument

This instrument is the *Planning and Development (Technical Amendment—Strathnairn) Plan Variation 2023 (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 Dictionary

In this instrument:

***Strathnairn plan variation*** means the technical amendment to the Territory Plan, variation 2023-01, in the schedule.

*Note* No consultation was required in relation to the Strathnairn plan variation under the Act, s 87.

Freya O'Brien  
Delegate of the planning and land authority  
8 June 2023

\*Name amended under Legislation Act, s 60



Planning & Development Act 2007

# **Technical Amendment to the Territory Plan Variation 2023-01**

Rezoning boundary changes and changes to  
the Strathnairn Precinct Map and Code

June 2023

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# 1. INTRODUCTION

## 1.1 Purpose

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

### *Territory Plan Map*

- Change the boundary of zones on land in the Division of Strathnairn, as identified in Part 2 of this document

### *Strathnairn Precinct Map and Code*

- Amend Figures 13, 14, 30 and 32 and insert new figures 13a and 14a to include ongoing provisions, and amend references to figures in rules in accordance with the new and revised figures, as described in Part 2 of this document

## 1.2 Public consultation

Under section 87 (1) (b) and (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.

TA2023-01 has been prepared in accordance with section 87 (1) (b) and (c) of the Act.

## 2. EXPLANATION

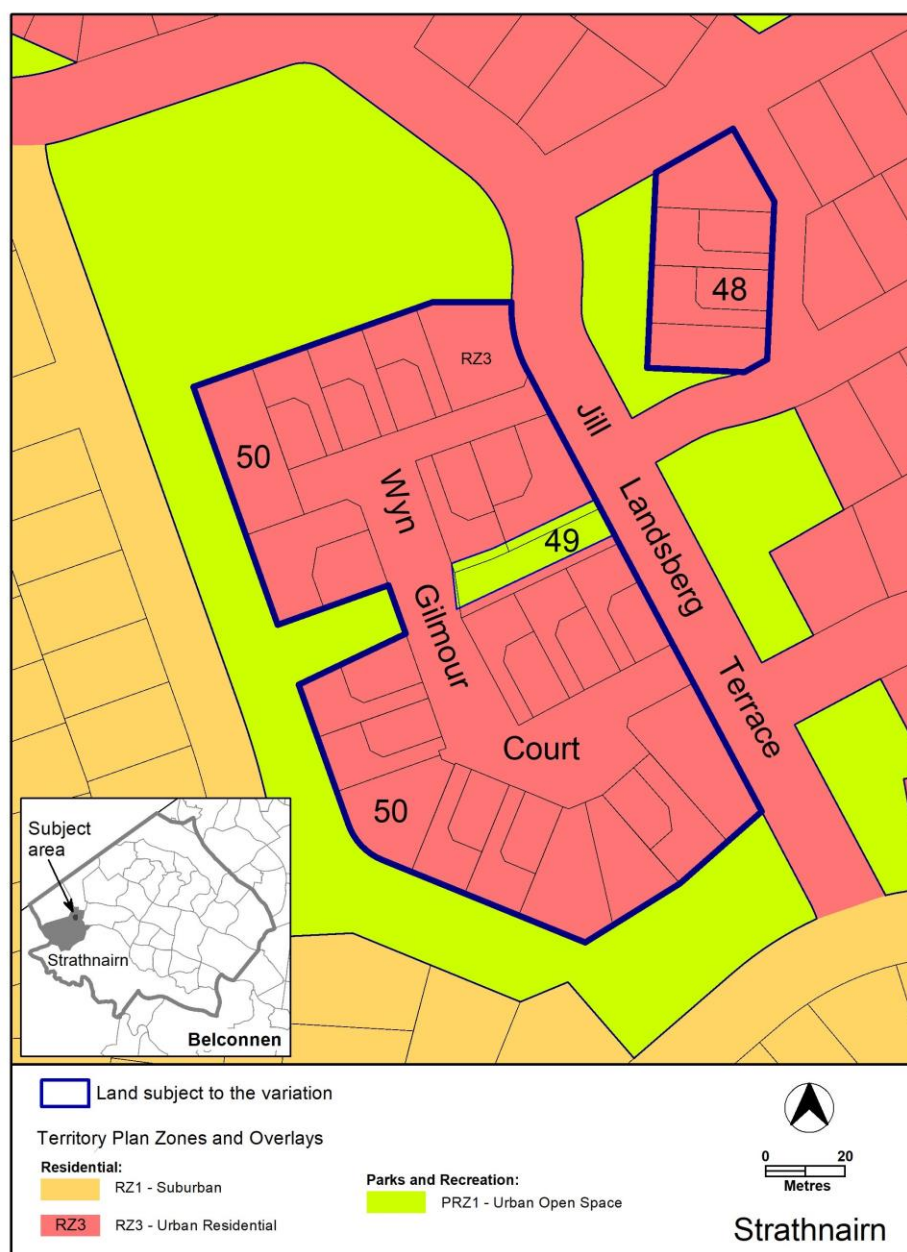
This part of the technical amendment document explains the changes to be made to the Territory Plan.

### 2.1 Territory Plan Map

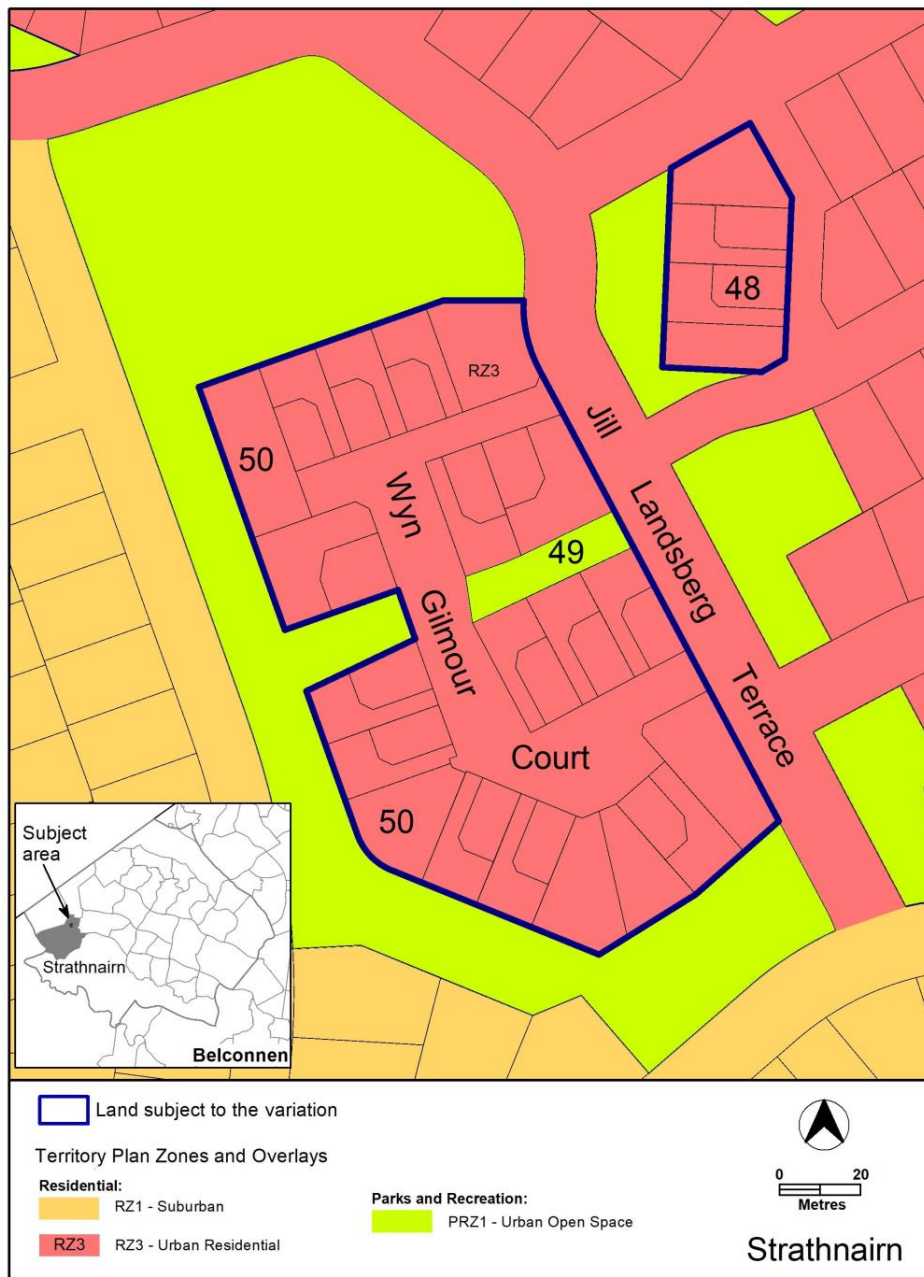
#### Variation to the Territory Plan

The Territory Plan map is varied to identify the zones and overlays that apply to land in the Division of Strathnairn.

#### *Existing Territory Plan Map*



## Proposed Territory Plan Map

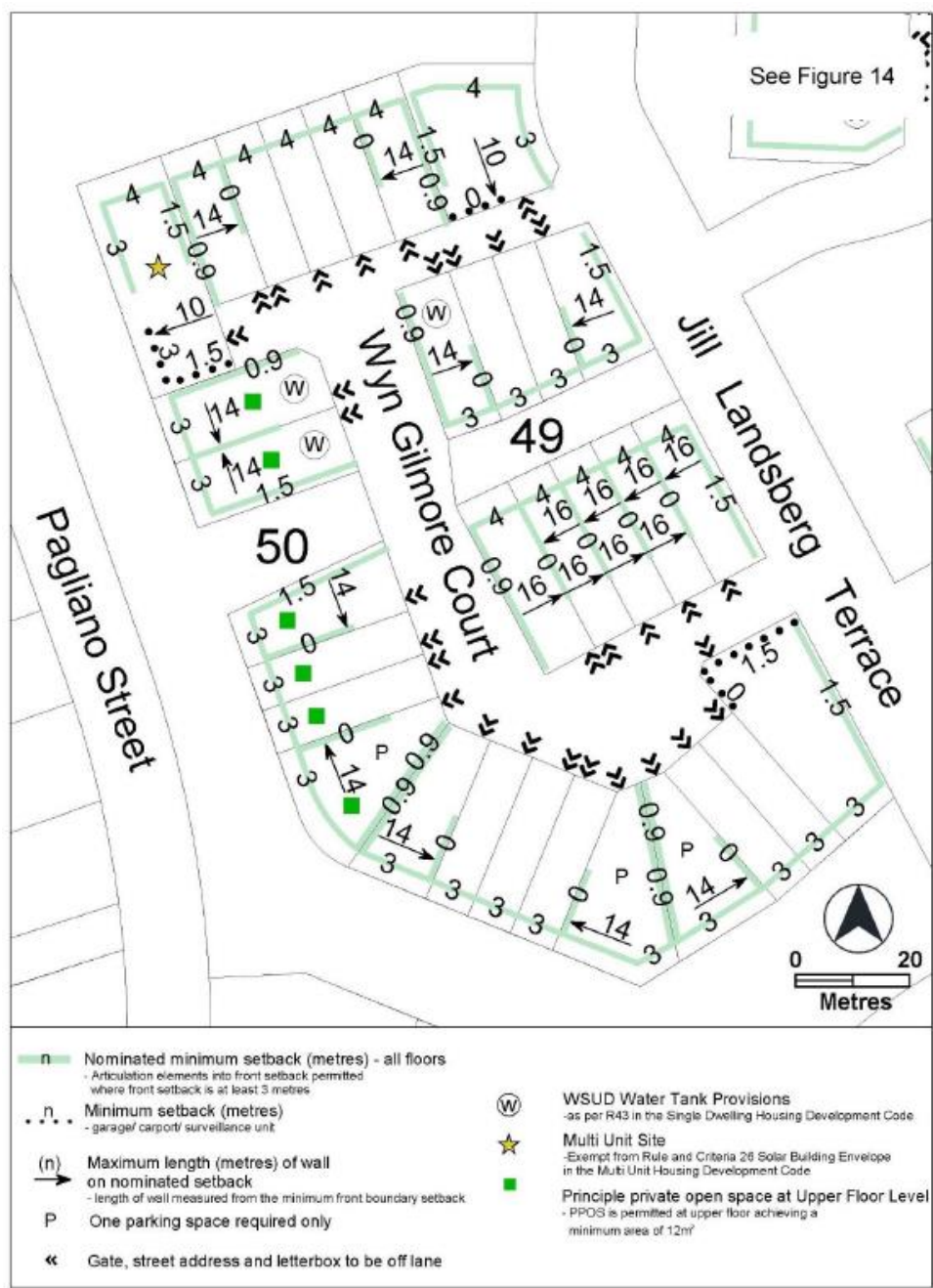


## 2.2 Strathnairn Precinct Map and Code

### Variation to the Strathnairn Precinct Map and Code

Technical amendment TA2020-02 removed the future urban area (FUA) overlay from section 48, 49 and 50 Strathnairn and varied the Strathnairn Precinct Map and Code in accordance with the approved Estate Development Plan (EDP). The EDP was subsequently amended for sections 48 and 49 and part section 50 to change block boundaries and planning controls. This technical amendment amends the Strathnairn Precinct Map and Code in accordance with the latest approved EDP.

Existing figure 13

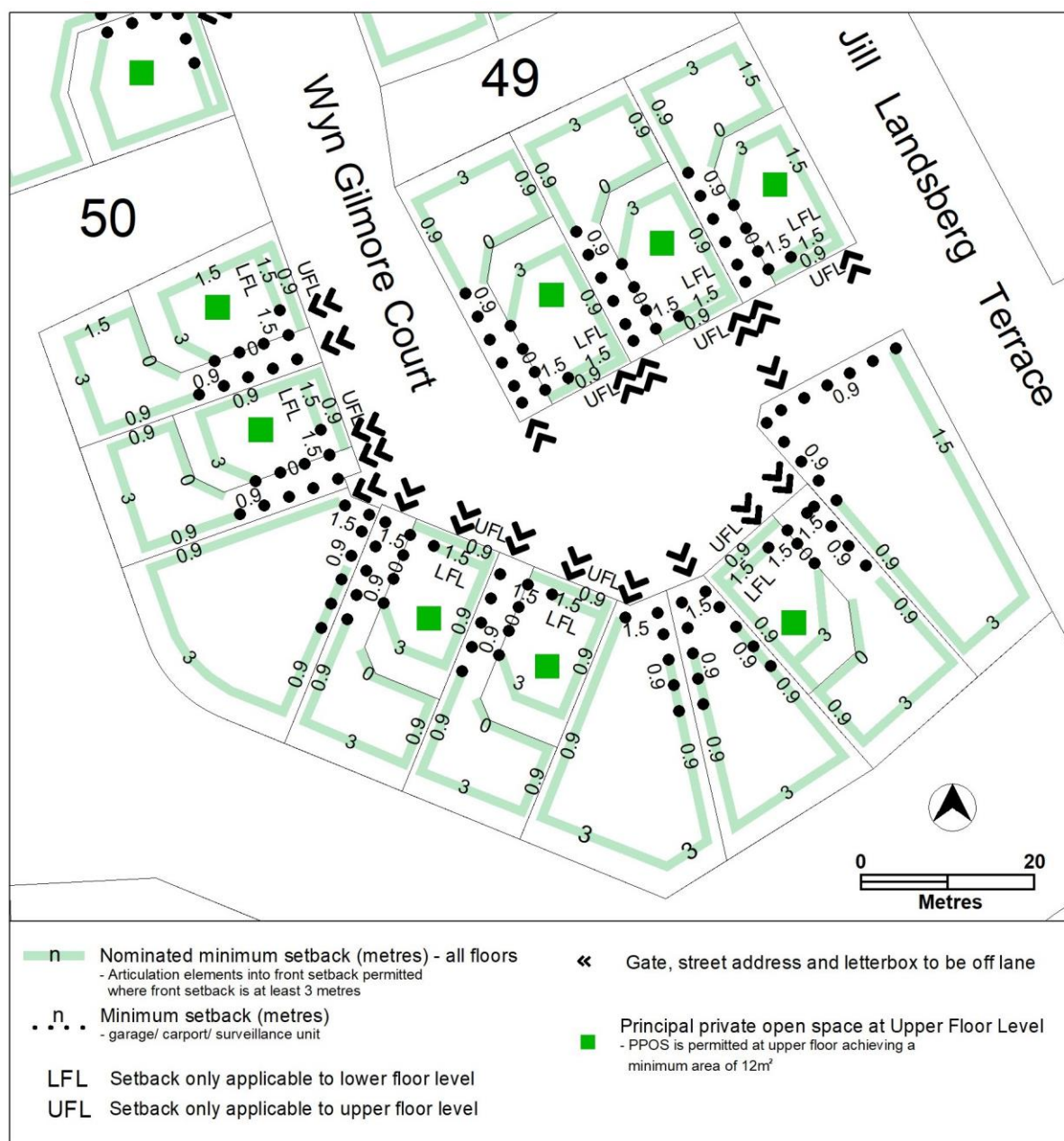




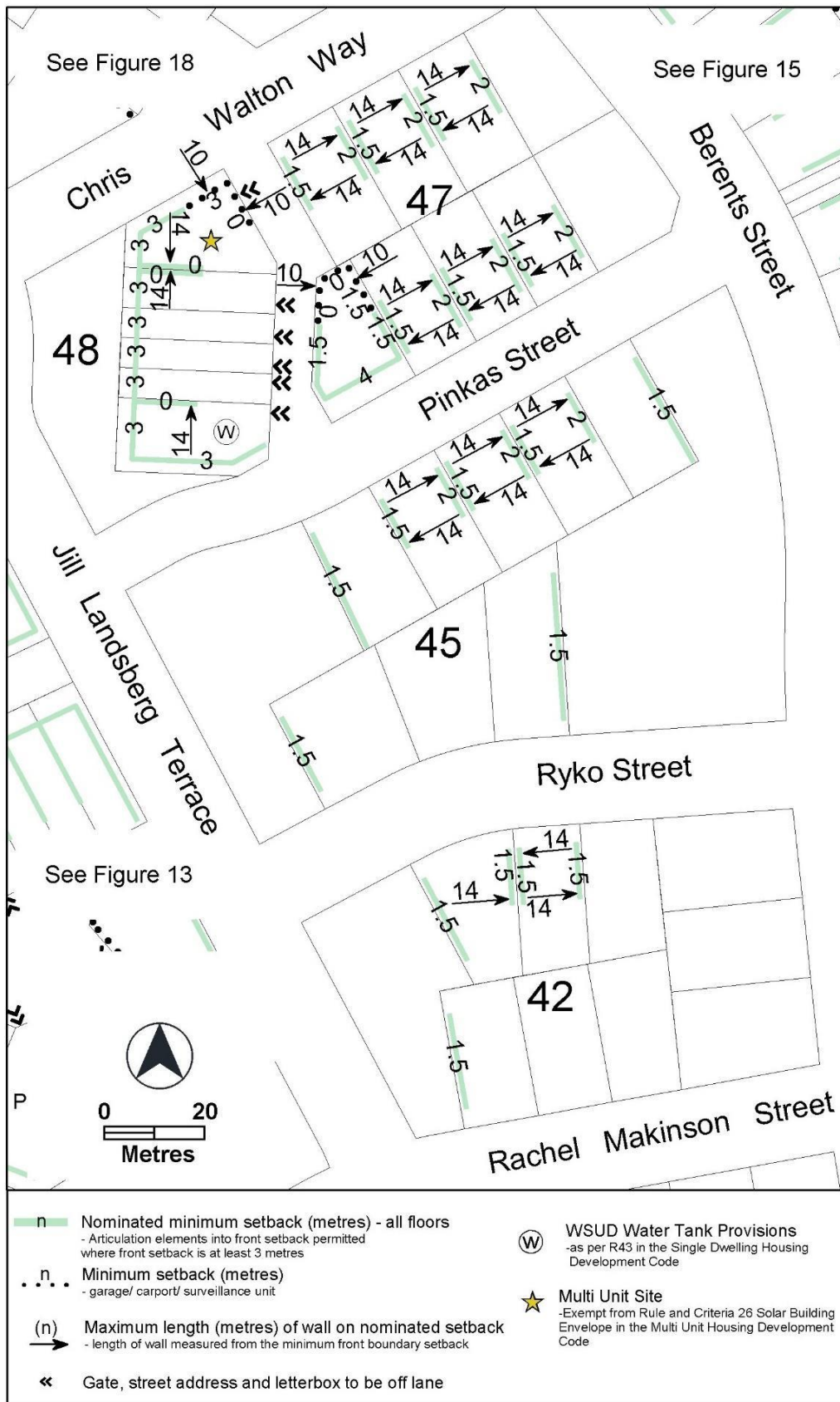
Proposed figure 13



Proposed new figure 13a

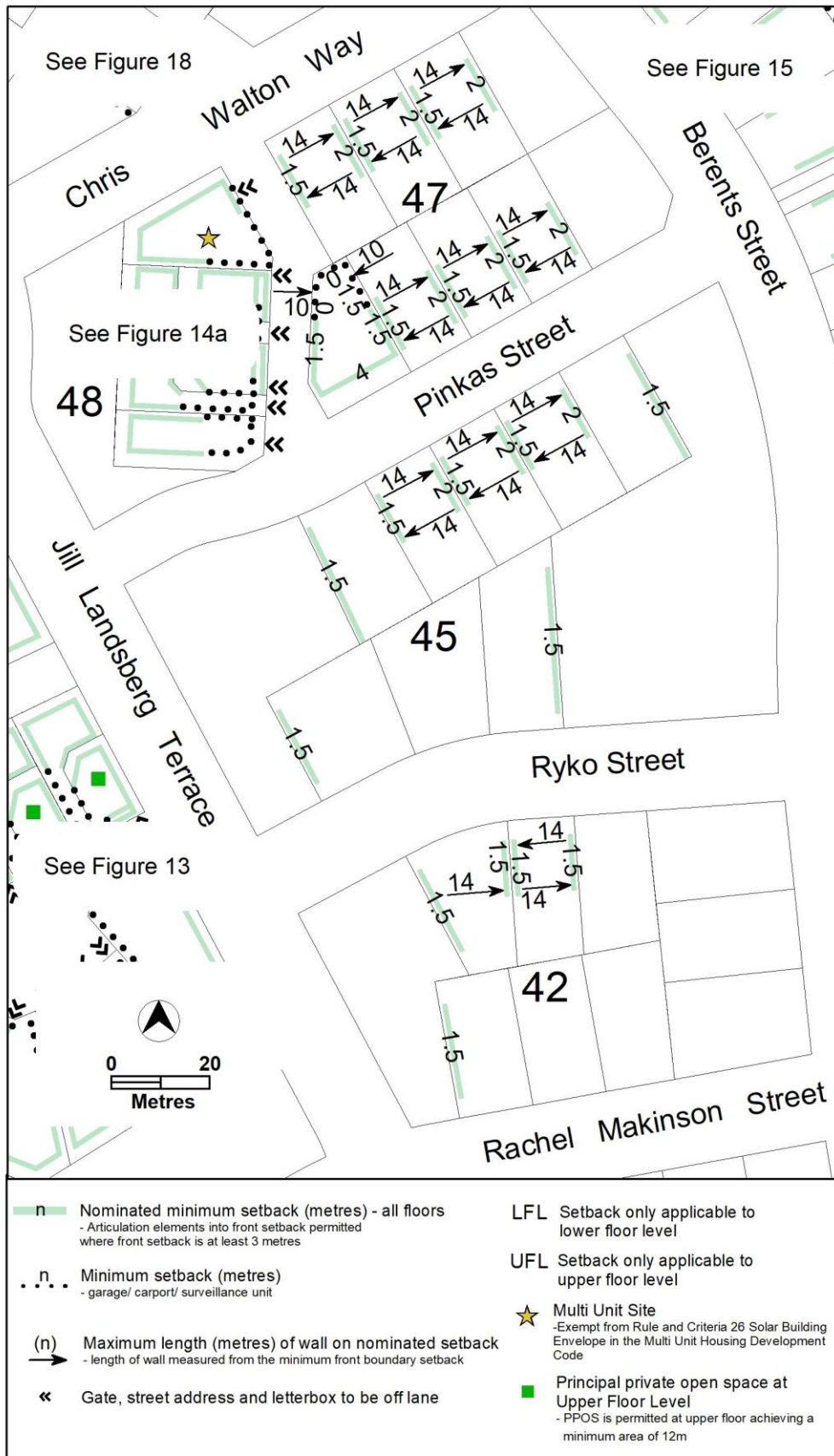


Existing figure 14

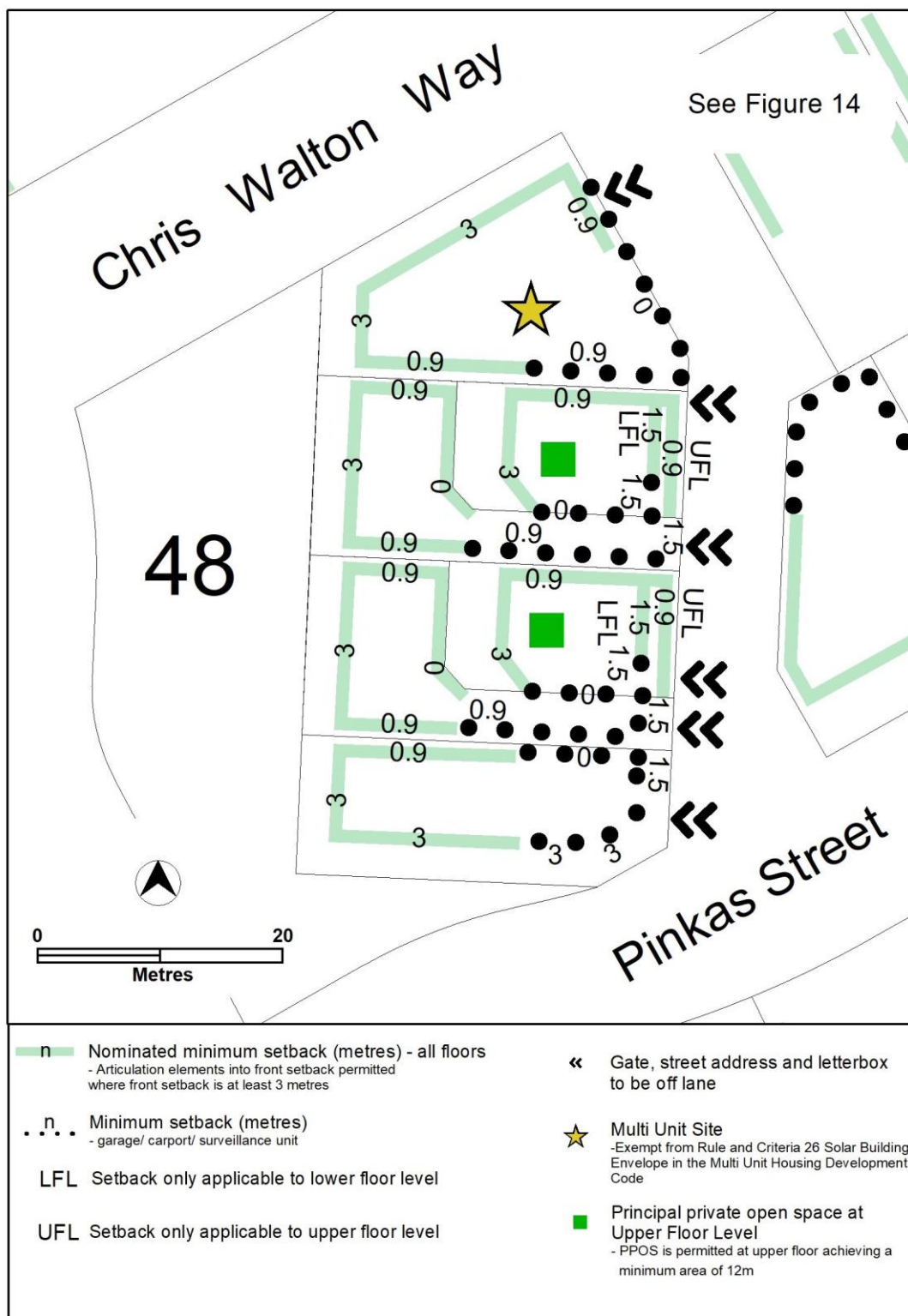




Proposed figure 14



Proposed new figure 14a



Existing figure 30

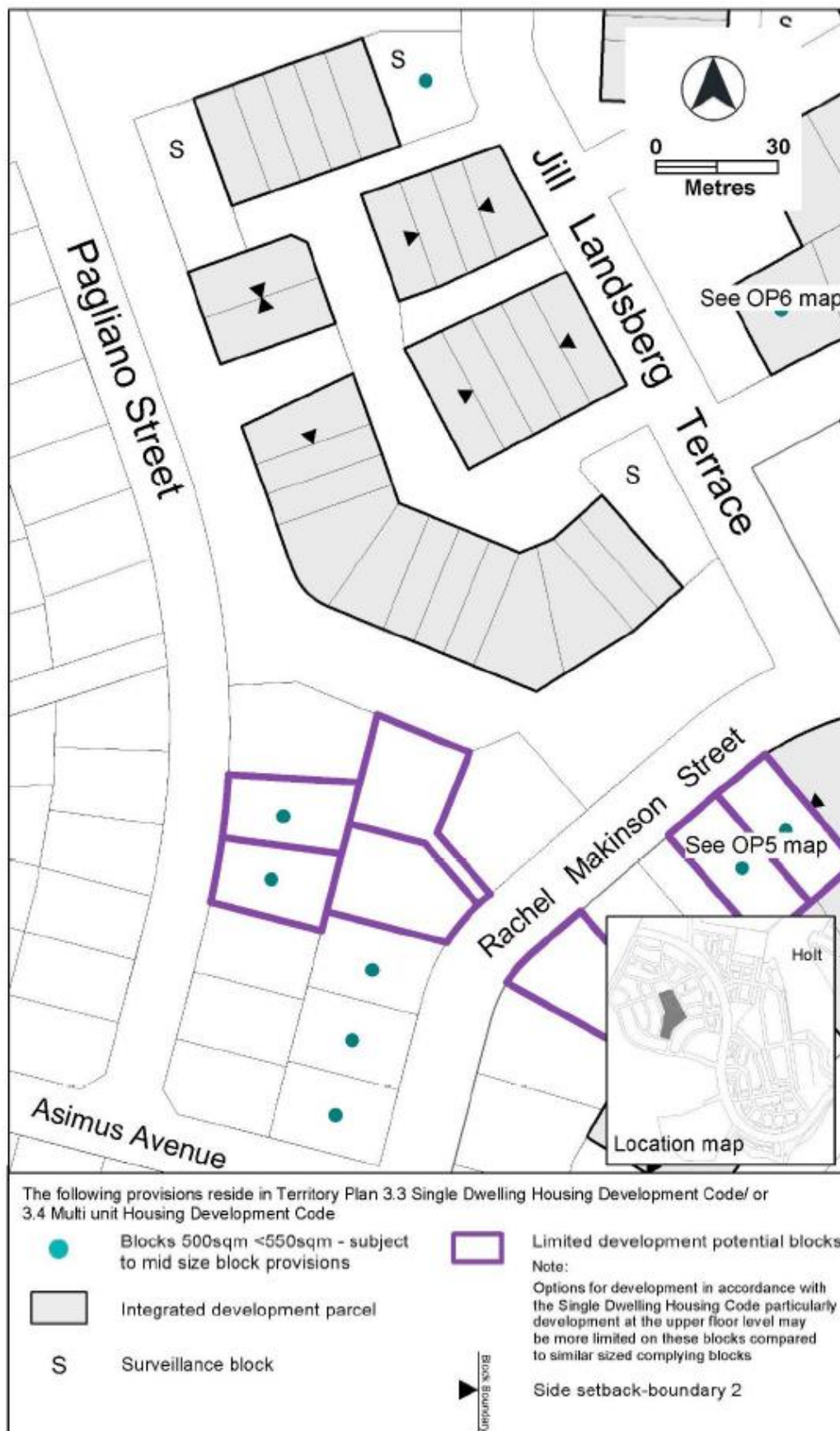




Proposed figure 30



Existing figure 32





Proposed figure 32



## Compliance with the *Planning and Development Act 2007*

Section	Statement
<b>s87(1)(b&amp;c)</b> (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);	Compliant.  The Strathnairn Precinct Map and Code is varied to incorporate zone boundary changes and ongoing block specific provisions that are consistent with the approved Estate Development Plan. The blocks subject to the zoning changes are released.

### 2.2.1 Strathnairn Precinct Code

This technical amendment makes the following changes to the Strathnairn Precinct Map and Code:

- amend rules R1, R2, R4 and R9 to include reference to new Figures 13a and 14a
- amend rules R5 and R6 to include reference to new Figure 14a
- amend rule R7 to omit reference to Figure 13
- amend rule R18 to omit reference to Figures 13 and 14
- replace Figures 13, 14, 30 and 32
- insert new Figures 13a and 14a

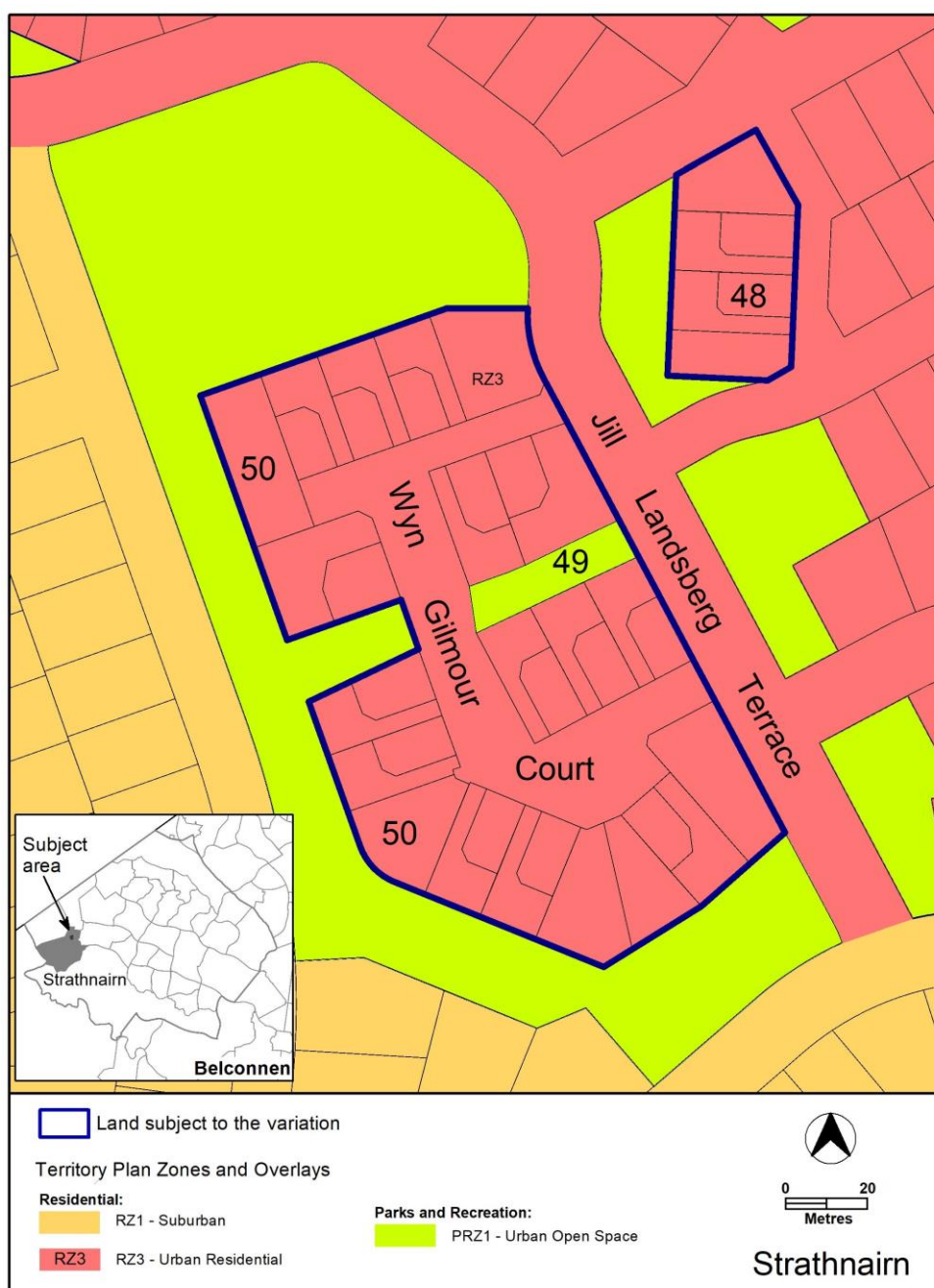
### 3. TECHNICAL AMENDMENT

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.*



## 3.2 Strathnairn Precinct Map and Code

### 2. Additional rules and criteria, Rules R1, R2, and R4

*insert*

Figures 13a and 14a

### 3. Additional rules and criteria, Rules R5 and R6

*insert*

Figure 14a

### 4. Additional rules and criteria, Rule R7

*omit*

Figure 13

### 5. Additional rules and criteria, Rule R9

*insert*

Figures 13a and 14a

### 6. Additional rules and criteria, Rule R18

*omit*

Figures 13 and 14

7. Strathnairn Precinct Code, Figure 13

substitute

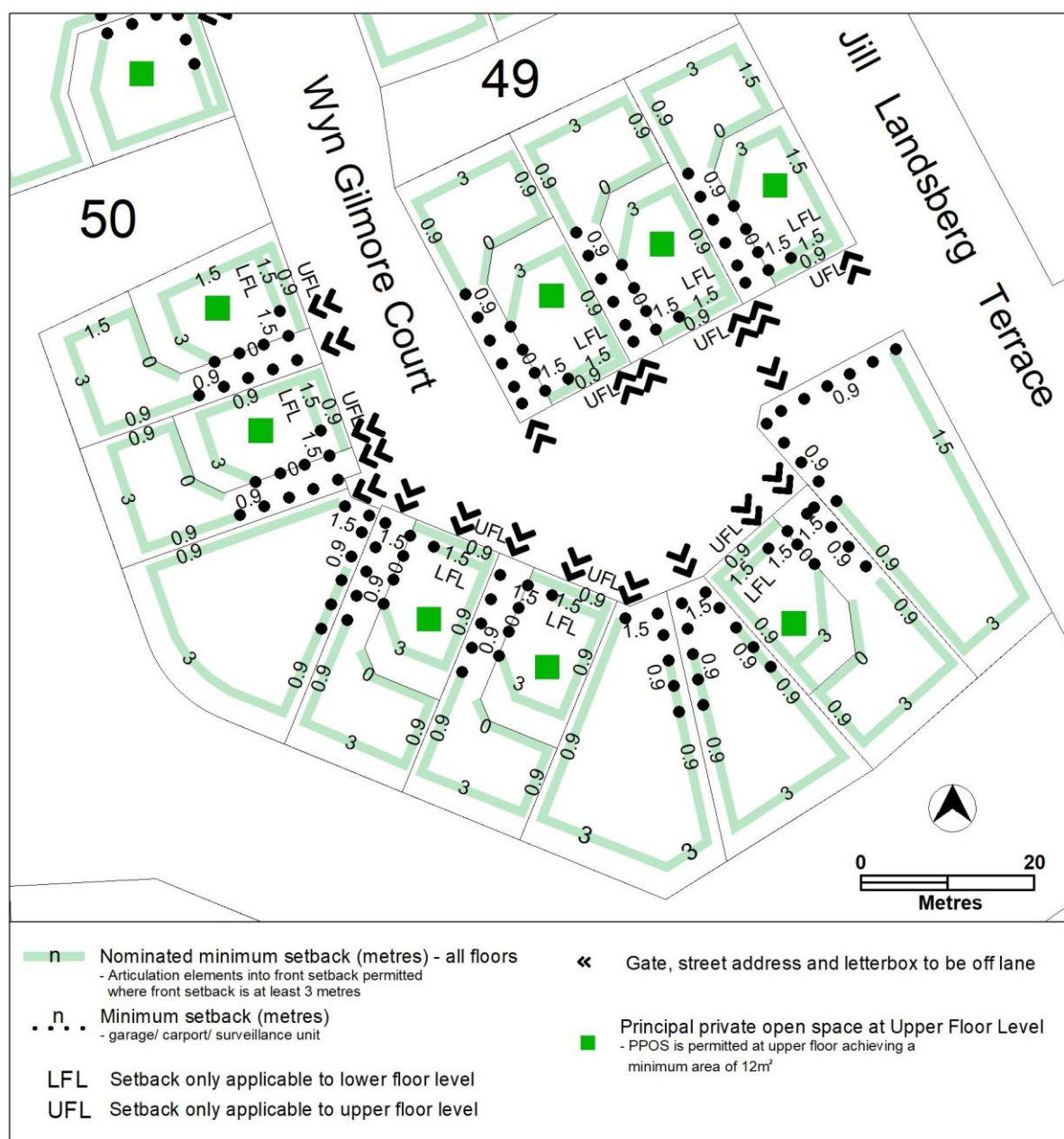


Figure 13 Strathnairn residential area 9



## 8. Strathnairn Precinct Code, new Figure 13a

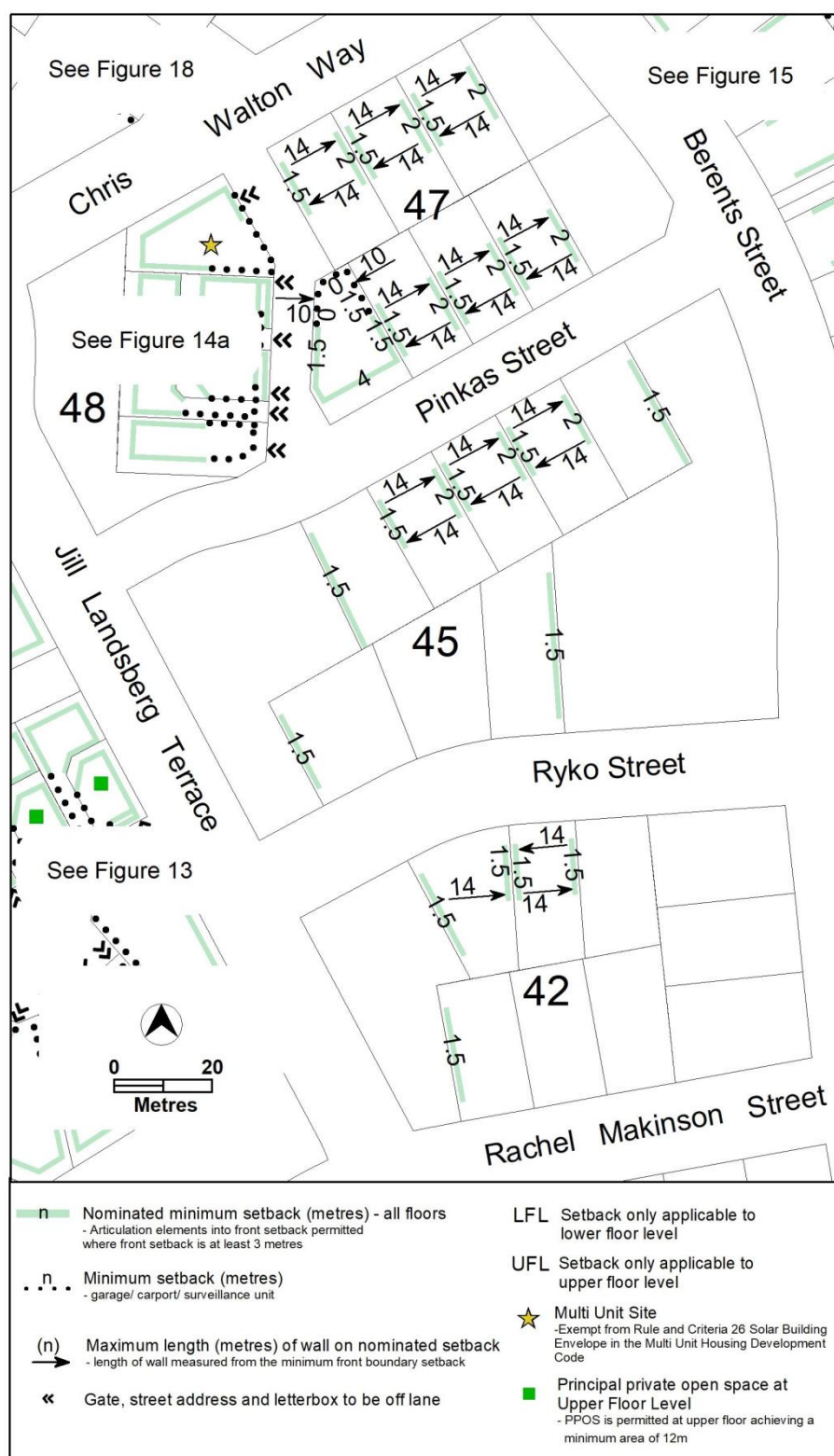
insert



**Figure 13a Strathnairn residential area 9a**

## 9. Strathnairn Precinct Code, Figure 14

*substitute*



**Figure 14 Strathnairn residential area 10**

10. Strathnairn Precinct Code, new Figure 14a

insert

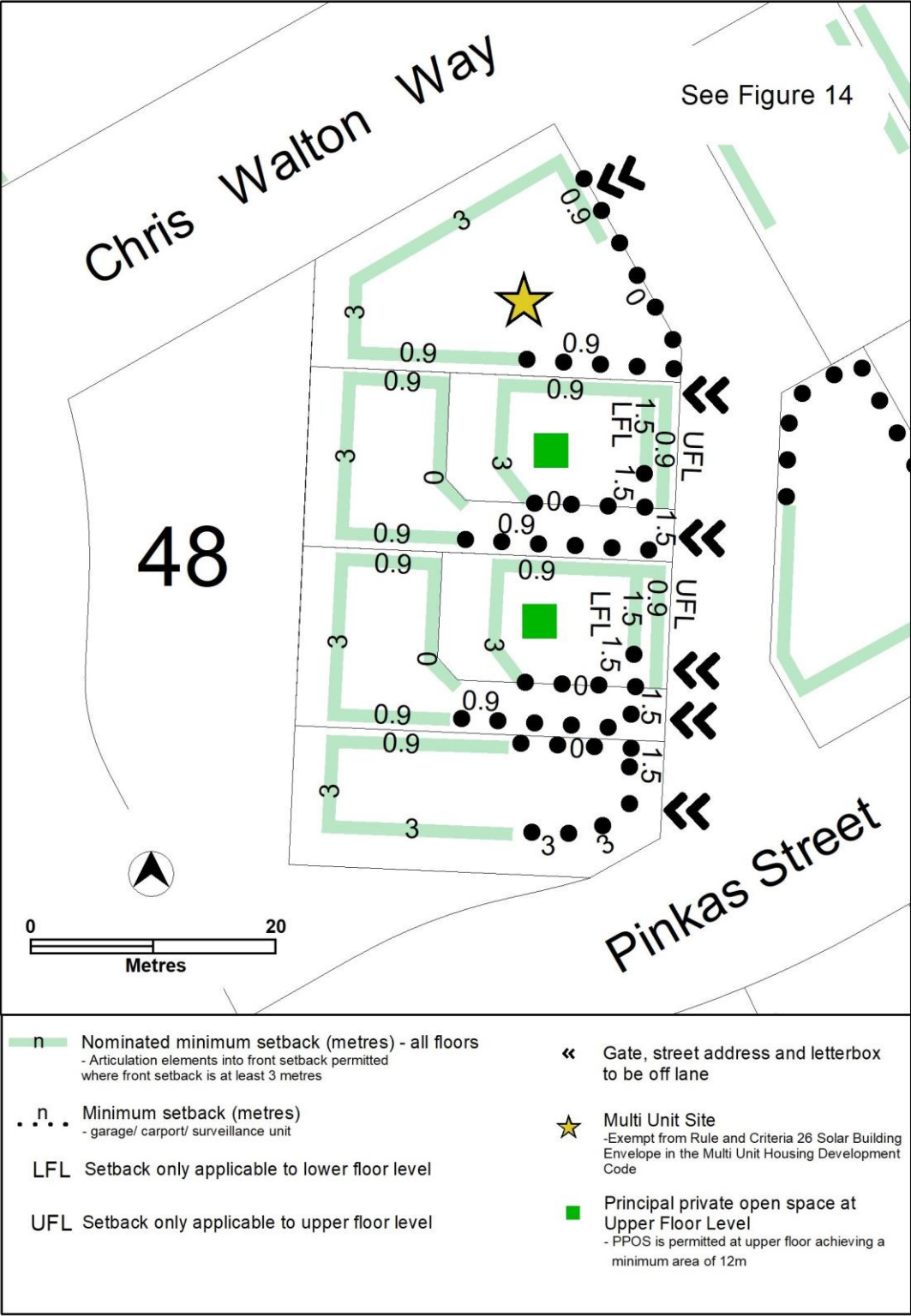


Figure 14a Strathnairn residential area 10a



11. Strathnairn Precinct Code, Figure 30

substitute



Figure 30 Strathnairn residential area ongoing provisions

12. Strathnairn Precinct Code, Figure 32

substitute



Figure 32 Strathnairn residential area ongoing provisions

## 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
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajnuna t'interpretu, ċempel:
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TURKISH	Tercümana ihtiyacınız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

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