Australian Capital Territory

Planning and Development (Draft Variation 368) Direction 2022

##### Notifiable instrument NI2022-241

made under the

Planning and Development Act 2007, s 76 (Minister’s powers in relation to draft plan variations)

### **1 Name of instrument**

This instrument is the *Planning and Development (Draft Variation 368) Direction 2022*.

### **2 Commencement**

This instrument commences on the day after its notification day.

### **Direction**

* 1. Under section 76 (2) (b) (iv) of the *Planning and Development Act 2007* (the ***Act***), I direct the planning and land authority to revise DV368 to amend the Northbourne Avenue Corridor Precinct Code in the following ways:

1. Amend criterion C6 for clarity consistent with the National Capital Plan requirement that any two storey apartments are located above the finished ground level.
2. Amend the ‘notes’ in Rules R14–R16 to reflect where the National Capital Plan applies.
3. Amend criterion C27 to better reflect the solar access provisions of the Multi-Unit Housing Development Code.

(2) I further direct that DV368 be revised to update the Lyneham Precinct Map consistent with recently commenced changes to the Territory Plan. These changes are policy neutral.

**4 Dictionary**

In this instrument:

***DV368*** means the recommended version of the *Draft Variation to the Territory Plan 368 – City and Gateway South – Northbourne Avenue Corridor* November 2021, submitted to the Minister under section 69 of the Act and available online at: [www.act.gov.au/recommendedvariations](http://www.act.gov.au/recommendedvariations)

Mick Gentleman MLA  
Minister for Planning and Land Management

4 May 2022