

Australian Capital Territory

# Land (Planning and Environment) (Draft Territory Plan Variation No 224) (Block 1 Section 54 Lyneham (Australian Capital Motor Inn) Proposed Residential Use) Notice 2004\*

Notifiable instrument NI2004—14

made under the

***Land (Planning and Environment) Act 1991, section 19(1)***  
**(Public Consultation - Notification)**

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**Draft variation No. 224** to the Territory Plan has been prepared by the ACT Planning and Land Authority in accordance with Section 19 of the *Land (Planning and Environment) Act 1991* (the Act).

The draft plan variation proposes to replace the current Entertainment Accommodation and Leisure Land Use Policy over Block 1 Section 54 Lyneham with a Residential Land Use Policy and including a B12 area specific policy.

The documents relating to this draft plan variation may be viewed at:

- ACTPLA Customer Service Centre, Ground Floor, South Building, Dame Pattie Menzies House, 16 Challis Street, Dickson (opposite the Motor Registry) 8:30am to 4:30pm weekdays. Copies of the draft plan variation can be obtained here;
- ACT Government libraries at Belconnen, Civic, Dickson, Erindale, Griffith, Gungahlin, Kippax, Tuggeranong and Woden during normal opening hours; and
- the ACTPLA web site at [www.actpla.act.gov.au/tplan/index.htm](http://www.actpla.act.gov.au/tplan/index.htm).

**Written comments** from the public are invited on the draft plan variation by **12 March 2004**. Comments should include reference to this draft variation, a return postal address, and be addressed to:

The Manager, Territory Plan Co-ordination Section  
ACT Planning and Land Authority

\*Name amended under Legislation Act 2001 s 60

Comments may be submitted in one of the following ways:

- Hand deliver to:  
ACTPLA Customer Service Centre, 16 Challis Street, Dickson
- Post to:  
PO Box 1908  
CANBERRA ACT 2601
- Email: terrplan@act.gov.au
- Facsimile: (02) 6207 1925

Copies of written comments received, and any response from the National Capital Authority, will be made available for public inspection at the ACTPLA Customer Service Centre, 16 Challis Street, Dickson, during normal office hours for a period of 15 business days after the closing date for comments.

Under section 9 of the Act this draft plan variation has interim effect until 30 January 2005 or earlier if:

- the draft variation comes into effect; or
- the approved plan variation is rejected by the Legislative Assembly; or
- the draft variation is withdrawn.

Interim effect means that the provisions of the draft plan variation are to be treated as though they were actually part of the Territory Plan. Where there is an inconsistency between a provision of the draft plan variation and a comparable provision in the Territory Plan, the more onerous provision shall apply. In this case, residential development is not permissible during the period of interim effect because such use is prohibited under the current Entertainment Accommodation and Leisure Land Use Policy.

Section 11 of the Act does not apply because the variation does not vary the heritage places register.

Neil Savery  
Chief Planning Executive  
ACT Planning and Land Authority

29 January 2004