

Planning and Development (Draft Variation No 352) Public Availability Notice 2017

Notifiable instrument NI2017–634

made under the

Planning and Development Act 2007, section 70 (Public notice of documents given to Minister) and section 71 (Public availability notice—notice of interim effect etc)

1 Name of instrument

This instrument is the *Planning and Development (Draft Variation No 352) Public Availability Notice 2017*.

2 Documents available for public inspection

- (1) The planning and land authority (the **Authority**) gives notice that the following documents are available for public inspection:
 - (a) Draft Plan Variation to the Territory Plan No 352 – Changes to various development tables, codes and definitions (the **Draft Variation**);
 - (b) the background papers relating to the Draft Variation;
 - (c) a written report setting out the issues raised in any consultation comments about the Draft Variation;
 - (d) a written report about the Authority's consultation with the public, the National Capital Authority (**NCA**), the Conservator of Flora and Fauna, the Environment Protection Authority, the Heritage Council; and the custodian of the relevant unleased land likely to be affected; and
 - (e) a copy of any written document given to the Minister by the NCA in relation to the Draft Variation.
- (2) Printed copies of the documents mentioned in section 2(1) are available for inspection at Access Canberra, Environment, Planning and Sustainable Development Shopfront, Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson, Monday to Friday (except public holidays) between 8:30am and 4:30pm for a period of six-months ending on the day this instrument expires.

3 Effect of the Draft Variation

- (1) Section 72 of the *Planning and Development Act 2007* (the **Act**) applies to parts of the Draft Variation. This means that the Territory, the Executive, a Minister or a territory authority must not, during the defined period, do or approve the doing of anything that would be inconsistent with the Territory Plan if it were varied in accordance with the Draft Variation.
- (2) In this section:
defined period means the period starting on the day this notice is notified (the **Notification Day**) and ending on the earliest of the following days:
 - (a) the day the corresponding plan variation, or part of it, commences;
 - (b) the day the corresponding plan variation is rejected by the Legislative Assembly;
 - (c) the day the corresponding plan variation is withdrawn;
 - (d) the period of one year after the Notification Day ends.

4 Obtaining further information

Further information about the Draft Variation can be obtained through email correspondence with the Territory Plan Section of the Environment, Planning and Sustainable Development Directorate at: Terrplan@act.gov.au. A reference to the Draft Variation should be included in any email.

- Note 1* The documents mentioned in section 2(1):
- (a) have been given to the Minister for approval under section 69(2) of the Act; and
 - (b) can also be viewed online at:
www.act.gov.au/recommendedvariations

- Note 2* The Draft Variation has effect in relation to development applications during the defined period (which starts on the Notification Day), see further paragraph 1.8 of the Draft Variation.

Fleur Flanery
Delegate of the planning and land authority
05 December 2017