

# Planning and Development (Draft Variation No 362) Public Availability Notice 2019

## Notifiable instrument NI2019—123

made under the

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

---

### 1 Name of instrument

This instrument is the *Planning and Development (Draft Variation No 362) Public Availability Notice 2019*.

### 2 Commencement

This instrument commences on the day after its notification day.

### 3 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 No362 – Amendments to the West Belconnen Concept Plan for Ginninderry Stage 2 Development (the *Draft Variation*);
  - (b) a written report setting out the issues raised in any consultation comments about the Draft Variation;
  - (c) 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 land custodian; and
  - (d) a copy of any written document given to the Minister by the NCA in relation to the Draft Variation.
- (2) Copies of the documents mentioned in section 3 (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.

- Note:* The documents mentioned in section 3 (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: [https://www.planning.act.gov.au/tools-resources/plans-registers/plans/territory\\_plan/recommended\\_final\\_variations](https://www.planning.act.gov.au/tools-resources/plans-registers/plans/territory_plan/recommended_final_variations)

#### **4 Effect of the draft plan variation**

(1) Section 72 of the *Planning and Development Act 2007* applies to 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; or
- (b) the day the corresponding plan variation is rejected by the Legislative Assembly; or
- (c) the day the corresponding plan variation is withdrawn; or
- (d) the period of one year after the Notification Day ends.

#### **5 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](mailto:Terrplan@act.gov.au). A reference to the Draft Variation should be included in any email.

Kathy Cusack  
Delegate of the planning and land authority  
7 March 2019