

## EXPLANATORY STATEMENT

### *Australian Capital Territory (Planning and Land Management) Act 1988*

#### APPROVAL OF AMENDMENT 100 OF THE NATIONAL CAPITAL PLAN - KNOWLES PLACE ALIGNMENT

Section 6 of the *Australian Capital Territory (Planning and Land Management) Act 1988* (the Act) provides that the National Capital Authority (the NCA) is responsible, among other things, for preparing and administering the National Capital Plan (the Plan), for keeping the Plan under constant review and for proposing amendments to the Plan when necessary. Amendment 100 of the Plan – Knowles Place Alignment (Amendment 100) has been prepared in accordance with sections 14 to 22 of the Act.

The Hon Kristy McBain MP, Minister for Regional Development, Territories and Local Government, approved Amendment 100 on 04 February 2025, in accordance with section 19 of the Act.

The Amendment is being laid before both Houses of Parliament as a disallowable instrument in accordance with the *Legislation Act 2003*. If either House, in pursuance of a motion of which notice has been given within 15 sitting days after the Amendment has been laid before that House, passes a resolution disallowing the Amendment, or part of the Amendment, the Amendment or part so disallowed ceases to have effect.

Amendment 100 changes the Plan by varying the location for part of Knowles Place as shown in the City Hill Precinct Code of the Plan. The variation in alignment will help facilitate the Canberra Theatre Centre Redevelopment project.

On 13 November 2024, Draft Amendment 100 was released for public comment. Notices were published in the Canberra Times and on the Federal Register of Legislation on this date.

A period for public comment ran for 10 business days, concluding on 27 November 2023. Draft Amendment 100 was available to the public on the NCA website and hard copies were available on request. Two submissions, from ACT Government entities, were received in response of Draft Amendment 100.

The Office of Impact Analysis advised an Impact Analysis is not required.

## **Statement of Compatibility with Human Rights**

Prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*

### **National Capital Plan Amendment 100 – Knowles Place Alignment**

This Legislative Instrument is compatible with the human rights and freedoms recognized or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

#### **Overview of the Legislative Instrument**

The Legislative Instrument amends the National Capital Plan by varying the location for part of Knowles Place as shown in the City Hill Precinct Code of the Plan. The variation in alignment will help facilitate the Canberra Theatre Centre Redevelopment project.

The Legislative Instrument relates to planning and design policy only and is compatible with human rights in the seven core United Nations human rights treaties. The planning framework within the ACT makes appropriate provision for places of religious worship to be established.

#### **Human rights implications**

This Legislative Instrument does not engage any of the applicable rights or freedoms.

#### **Conclusion**

This Legislative Instrument is compatible with human rights as it does not raise any human rights issues.